

# City of Milford



## **CITY COUNCIL AGENDA**

**September 12, 2016 - 7:00 P.M.**

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

## **BOARD OF REVISION AND APPEAL HEARING**

*CANCELED\**

2016-2017 City of Milford General Property Assessment

## **COUNCIL MEETING**

Call to Order - Mayor Bryan Shupe

Invocation

Pledge of Allegiance

Approval of Previous Minutes

Recognition

Carlisle Fire Company President Ryan Knowles/Carlisle Enhancement Fund/Grant Request

Introduction/DMI Executive Director Steve Twilley\*\*

Commendation/Milford Police Department Officers

Promotions/Milford Police Department Officers\*\*\*\*\*

Proclamation 2016-11/Prostate Cancer Awareness Month/David Sauls\*\*\*

Monthly Police Report

Monthly City Manager Report

DelDOT Proposed Byway Route\*\*\*\*

Monthly Finance Report

Committee & Ward Reports

Communications & Correspondence

Unfinished Business

Introduction/Ordinance 2016-18/Chapter 19 Amendment/Economic Development & Redevelopment/Downtown Development Designation Incentives\*\*

New Business

Authorization/DBF Proposal/Airport Road Design and Rehabilitation Project\*\*\*\*\*

Introduction/Ordinance 2016-11/GD Blessing Child Care Learning Center on behalf of E. Stuart Outten Conditional Use to allow a Daycare Center in a C2 (Central Business) District Tax Map MD-16-183.10-04-68.00

Introduction/Ordinance 2016-12/Christopher & Jenna Menge Conditional Use to allow a Home Occupation in a R2 (Residential) District Tax Map 3-30-11.05-088.00

Introduction/Ordinance 2016-16/Gator & Associates Inc on behalf of James Grant Conditional Use for Multiple Permitted Uses and Mixed Uses and a Business, Commercial or Industrial in a C3 (Highway Commercial) District Tax Map MD-16-173.00-01-12.00

Appointment/City of Milford Planning Commission Vacancy

Adoption/Resolution 2016-14/Scheduling Trick or Treat Date & Time

Recess into Executive Session

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

{Pursuant to 29 Del. C. §10004(b)(9)} (Personnel Matters)\*\*\*\*\*

Return to Open Session

Ratification/Teamsters Local 326 Collective Bargaining Agreement

IBEW Update

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.

063016 072916 080516 081116 081516 082516 082916 \*090116 All Appeals Resolved \*\*090716 Late Addition by City Manager

\*\*\*Requested by David Sauls \*\*\*\*090816 Late Addition Request of Planning Coordinator \*\*\*\*\*Late Addition Request of Public Works Director

\*\*\*\*\*090916 Late Addition Requested by Mayor \*\*\*\*\*091216 Late Addition Requested by Police Chief

# City of Milford



## ***PUBLIC NOTICE*** *City of Milford Property Tax Appeals* CANCELED\*

Please be advised that on Monday, September 12, 2016 at 7:00 p.m., the City Council of the City of Milford will sit in the Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware, as a Board of Revision and Appeal in regard to the 2016-2017 City of Milford General Property Assessment.

Property owners wishing to appeal the value of their property under the 2016-2017 General Assessment must contact Christine Crouch at 302-424-3712 Extension 308 by 4:30 p.m. on Monday, August 15, 2016.

Copies of the 2016-2017 General Assessment are posted for public information at Milford City Hall, 201 South Walnut Street, Milford, Delaware and the City of Milford Customer Service Center, 119 South Walnut Street, Milford, Delaware.

Issued this 11<sup>th</sup> day of July 2016 pursuant to Article 7 of the Charter of the City of Milford, Delaware.

s/Eric Norenberg  
City Manager

*Posted 081015*

\*090116 All matter resolved



# **Carlisle Fire Company Inc.**

**PO Box 292 - 615 NW Front St Milford De 19963**

**Phone (302)422-8001 Fax (302)422-2146 Web: [www.carlisle42.com](http://www.carlisle42.com)**

## **Office of the President**

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8/23/2016

Members of City of Milford City Council,

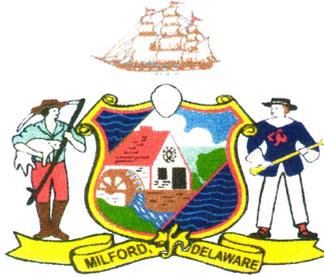
The Carlisle Fire Company would like to take \$60,000.00 from the building enhancement fund for construction of an additional building to house our two ambulances and storage. The Carlisle Fire Company will also be matching the same amount for construction cost. On behalf of the Carlisle Fire Company, I would like to request to be added to the agenda of the Milford City Council meeting in the month of September to present the Carlisle Fire Company's projected plans on construction of this building.

Respectfully submitted,

Ryan Knowles

Carlisle Fire Company

# City of Milford



## PROCLAMATION

2016-11

### **PROSTATE CANCER AWARENESS MONTH**

*WHEREAS, among men, prostate cancer is the most commonly diagnosed non-skin cancer and the second leading cause of cancer-related deaths; and*

*WHEREAS, each day, countless physicians and researchers devote themselves to treating patients and finding a cure; and*

*WHEREAS, educating the public about the risks and treatment of prostate cancer is one of the strongest tools they have to increase early detection and save lives; and*

*WHEREAS, with early detection and treatment, prostate cancer can be cured and many deaths can be avoided; and*

*WHEREAS, the 2016 observance of National Prostate Cancer Awareness Month provides a unique opportunity for citizens throughout the City of Milford and the nation to join together to raise public awareness of the symptoms, prevention and treatment of prostate cancer.*

*NOW, THEREFORE, I, Bryan W. Shupe, by virtue of the authority vested in me as Mayor of the City of Milford, Delaware, do hereby proclaim the month of September as*

### **NATIONAL PROSTATE CANCER AWARENESS MONTH**

*IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford to be affixed this 12th day of September in the Year of our Lord Two Thousand and Sixteen.*

---

*Mayor Bryan W. Shupe*

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*City Clerk Teresa K. Hudson*

# CITY OF MILFORD

DELAWARE



OFFICE OF THE CHIEF OF POLICE  
KENNETH L. BROWN

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

TO: Mayor and Members of City Council

FROM: Kenneth L. Brown, Chief of Police

DATE: September 7, 2016

RE: Activity Report/Aug 2016

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## **Monthly Stats:**

A total of 632 arrests were made by the Milford Police Department during August 2016. Of these arrests, 164 were for criminal offenses and 468 for traffic violations. Criminal offenses consisted of 23 felonies and 141 misdemeanors. Traffic violations consisted of 107 Special Duty Radar, 6 Drunk-Driving charges, 355 other.

Police officers investigated 63 accidents during the month and issued 105 written reprimands. In addition, they responded to 1270 various complaints including city requests and other agency assistance.

## **Monthly Activities:**

Pfc. Kosiorowski attended the Basic SWAT training course in Middletown NJ. Cpl. Brittingham attended the Police Management Fundamentals course at the DSP Academy. Ptlm. Clayton attended the Abnormal Behavior Awareness course at the DSP Academy. Nine officers attended ALERRT Training held at the Milford Middle School.

## **SRO:**

The Community Policing Unit held the 22nd Annual Milford's Night Out on the 2nd and we believe it was the largest crowd we've ever had.

Sgt. Masten had several meetings with Milford School District officials reviewing the school safety plans for the upcoming school year.

Cpl. Bloodsworth attended the annual "Back to School" block party on Truitt Avenue.

Cpl. Bloodsworth attended the annual school supply give away at held on the property of First State Manufacturing that is partially coordinated by the Fountain Family.

Chief Brown & Cpl. Bloodsworth attended a BBQ held at Brightway Common Apartment Complex.

Sgt. Masten attended the annual BBQ at the Milford Crossing Apartment Complex.

Sgt. Masten conducted an "intruder" training for the office staff of every building throughout the Milford School District.

Sgt. Masten and Cpl. Bloodsworth attended an "Intruder ology" training in Dover that was an update to previous trainings the two had previously had on dealing with active shooters.

### **K9 Unit:**

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

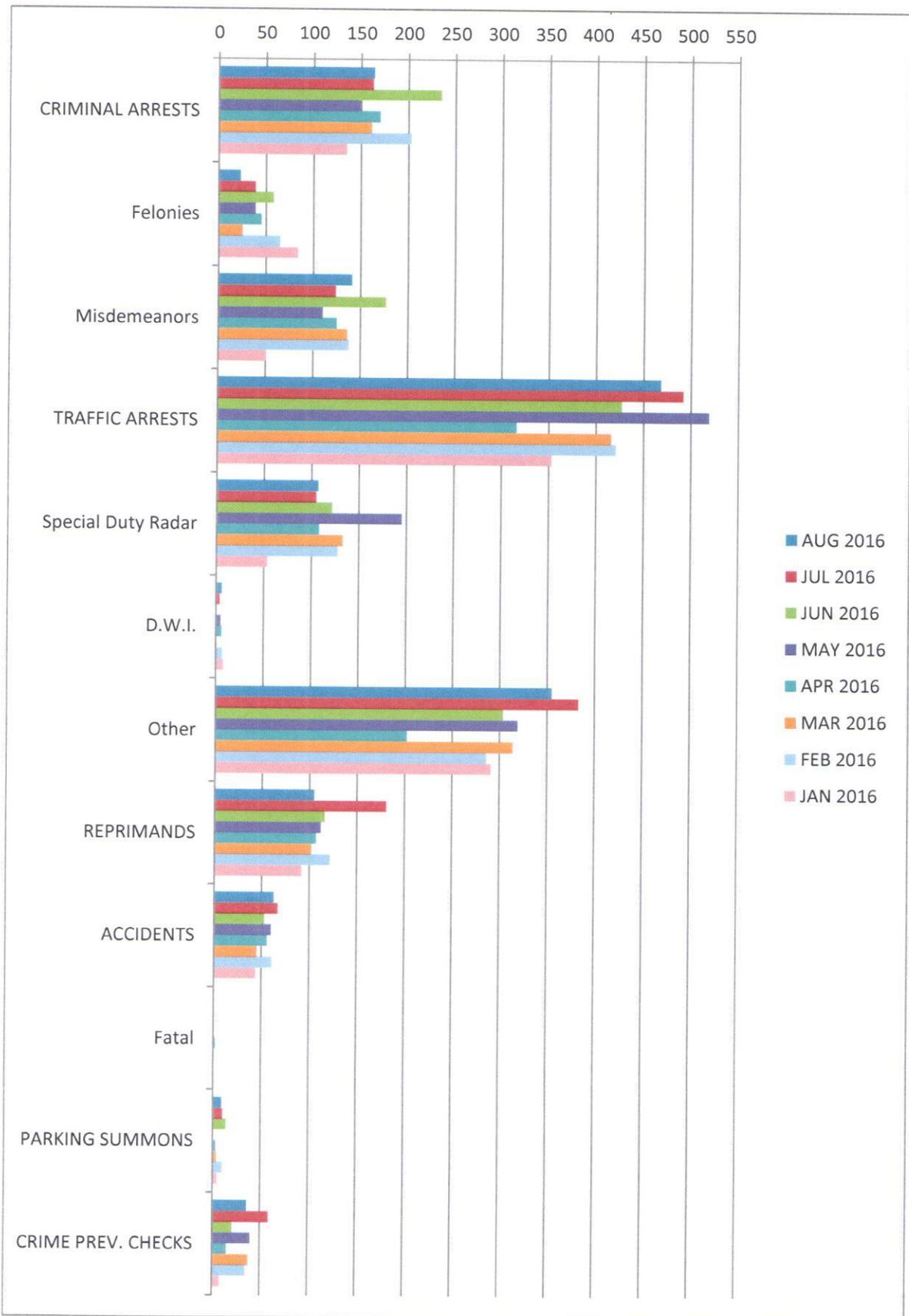
- Utilized 28
- Drugs 8
- Tracks 0
- No Bite Apprehensions 0
- Assist Other Agencies 3
- Building Searches 0
- Deployed as Precaution 0
- Crowds 7
- Demo's 4

### **Seized Items**

- Marijuana 14.8 grams
- Heroin 3 dosages
- Cocaine 1.3 grams
- Crack 0
- Methamphetamine 1.2 grams
- Hashish 0
- Pills 0
- Currency \$361.00
- Gun 0
- Vehicles 0
- Other 0

AUG 2016 ACTIVITY REPORT

	AUG 2016	TOTAL 2016	AUG 2015	TOTAL 2015
COMPLAINTS	1270	10052	1199	9661
CRIMINAL ARRESTS	164	1380	89	1419
Felonies	23	378	21	325
Misdemeanors	141	1002	68	1094
TRAFFIC ARRESTS	468	3412	680	3956
Special Duty Radar	107	952	366	1535
D.W.I.	6	37	3	37
Other	355	2454	311	2384
REPRIMANDS	105	937	101	933
ACCIDENTS	63	449	60	430
Fatal	0	2	0	0
PARKING SUMMONS	9	56	3	83
CRIME PREV. CHECKS	36	252	25	244
FINES RECEIVED	\$9,510.32	\$ 61,822.68	\$ 10,111.45	\$ 77,458.82





OFFICE OF THE CITY MANAGER  
ERIC NORENBURG, ICMA-CM  
302.424.3712, FAX 302.424.3558

201 SOUTH WALNUT STREET  
MILFORD, DE 19963  
[www.cityofmilford.com](http://www.cityofmilford.com)

## City Manager's Report September 12, 2016

### **PARKS & RECREATION DEPARTMENT**

- Trimmed trees and shrubs on Goat Island in preparation of the second "Running of the Goat 5k". Assisted event coordinators with course preparation and logistics for event.
- Contracted with an Arborist to have selective pruning performed on trees in the downtown on Walnut Street. Trees in Bicentennial Park received an application of fertilizer for their health.
- The "Challenger Soccer Camp" concluded and was successful with 36, 5-14 year olds participating.
- The summer condition program wrapped up at the end of August. This was for boys and girls in 6th-8th grades who were interested in staying physically active over the summer so they will be ready for fall sports.
- The NFL "Punt, Pass and Kick" event was held Saturday August 20th, at Marvel Square. This was a free event, unfortunately numbers were down this year due to the heat.
- Fall registration was held on Saturday, August 13 from 10am to 12pm (P&R office) and continues until programs are full or begin. Fall activities include soccer, field hockey, tennis, kids Halloween Party and wrestling.
- Fall soccer "Skills in Drills" started the last week in August, with over 200, 5-13 year olds registered.
- The dog park was closed for a couple of weeks in July while some maintenance was performed. Since the installation of a new irrigation system we have seen the grass really respond, especially with the recent addition of fertilizer. The park will be both aerated and seeded in the fall.
- Brick pavers were removed and replaced on a section of N Walnut Street outside the antique store in response to a complaint by business owners of a tripping hazard (see photo).
- Assisted with the community block party and back to school events which were held Saturday 8/27/16.
- Began preparations for the Riverwalk Freedom festival to be held 9/9-9/10.

## **PLANNING & ECONOMIC DEVELOPMENT**

### ***Enforcement & Inspections Division***

Code Enforcement Case Activity

New Cases: 18

Closed Cases: 84

Open at Start of Month: 271

Open at End of Month: 205

Code Enforcement Violation Activity

Abandoned Vehicle: 1

Dangerous Tree: 1

Furniture: 1

Generic: 0

Property Maintenance: 0

Rubbish & Garbage: 3

Weeds & Grass: 12

Zoning Use: 0

Total: 18

Rental Inspections Performed: 0

Rental Licenses Issued: 3

Vendor Licenses Issued: 0

Contractors Licenses Issued: 16

Building Permits Issued

Commercial Foundation: 0

Commercial Building Permit: 6

Demolition: 1

Residential New Construction: 6

Residential Renovation/Accessory Structure: 7

Roof/Siding: 2

Solar Panels: 5

Utility (Electric/Water): 10

Total: 37

-Katrina White, formerly the Office Assistant located upstairs, has been promoted to the Administrative Assistant/Permit Technician for the Enforcement and Inspections office and Planning and Zoning office. She is now located downstairs with those divisions.

-Miscellaneous repairs, painting and maintenance work on City Hall building was performed.

### ***Planning & Zoning Division***

- Planning Commission adopted official rules and procedures at the August meeting. In addition, the Planning Commission recommended approval of a proposed daycare on SW Front Street. This application will be heard by City Council at the end of September.
- Planning Commission discussed proposed amendments to Chapter 230 related to height and density within commercial zoning categories. Staff will draft ordinances for review and recommendation at the September and October meetings.
- The Board of Adjustment met in August and reviewed four variance applications.
- Comprehensive Plan Questionnaire was posted online on August 1. To date there are 285 responses. Results will be used in the public participation portion of the Comprehensive Plan Update. Paper copies in English, Spanish and Creole are available at City Hall and the Customer Service building. Questionnaire will be available until the end of September.
- Staff presented the Downtown Development District application to the Cabinet Committee on State Planning Issues in early August. On August 10 the Governor announced the expansion of the program which included the City of Milford along with four other towns.
- Met as part of a working group revising/updating the Dover/Kent MPO Regional Bicycle Plan. The working group will continue to meet monthly over the next year to review the existing plan and set new goals and objectives.
- Attended the Chamber of Commerce Board meeting to discuss the potential addition of business licensing and amendments to the sign code.

### **PUBLIC WORKS DEPARTMENT**

#### ***Electric Division***

- Crews replaced eight poles due to either age, rot or damage due to an accident.
- Preventative tree maintenance performed in the following areas: SE Second St, Hall Pl, Elm St, SE Third St, Cedar Beach Rd, Woodland Dr.
- Nuisance vines were pulled off various poles: S Walnut St, Route 1 near Tub Mill Pond.
- Rick Carmean participated in a conference call with George from AMP in regards to smart metering. They will be in, tentatively, 9/7-9/8 to start site assessments for the collectors. At this time a goal date of March 2017 is planned for the rollout.
- Christmas lighting inventory complete.
- Crews prepared for the possibility of severe weather from Hurricane Hermine. Trucks were stocked, chainsaws sharpened and fueled up.
- Temporary metering set up for the new hospital site.

Closed Work Orders: 16

Trouble Service Calls: 35

New Electric Services Installed: 16

Preventative Maintenance/Trees Trimmed: 15

Miss Utility Locates: 67

#### ***Water & Wastewater Division***

- One new water service installed.
- Eugene Helmick met with Bill Milliken from office of Drinking Water to do a sanitary survey at the SE Water Plant. Also, met with Terry Webb at Seabury Water Plant to check and talk about variable frequency drives on the well pumps.
- The southeast wells, pumps and water tank are up and running. This will allow for Well #2 at Washington St to be refurbished.
- Charlie Nordberd and Vince Waydels went to the Town of Greenwood with our sewer jet/vac truck to help with a sewer problem. This is part of Milford's mutual aid service to surrounding municipalities. Thank you Charlie, Vince and Eugene Helmick for going above-and-beyond!

**Streets & Solid Waste Division**

- Due to possible Hurricane Hermine, catch basins were cleaned and sandbags delivered to the Growmark location downtown; the Police Department oversaw their distribution to those who needed them.
- Weed spraying has been completed for the season.
- Cold patch repairs were made as needed in Ward 2.
- 13 tons of grass clippings were cleaned up and hauled away that surrounded the Independence Commons retention pond.
- Storm drain pipe in the Greater Milford Business Park repaired.
- Stop sign located on electric pole at SE Second St and S Washington St intersection was moved to a post in order to comply with MUTCD standards.
- Fall clean-up week has been scheduled for 10/10-10/14. Public notification will be going out in customer bills the first week in September, advertising in local papers, website and social media mid-end of September.
- Christie Murphy and Mark Whitfield attended a Waste Transporters Meeting at DNREC which discussed concerns of recycling contamination at the DSWA locations. DNREC is taking measures to crack down on waste haulers and implementing fines.
- Hearthstone trash/recycling container “scaling back “project begun. All 13 corrals now have brand new containers, the new style/color containers. A total of 134- 95 gallon containers were put out for use by the condo units which consists of 94 trash and 40 recycling.

**Pick Ups and Deliveries**

- Bulk Pick Up: 33 (\$1600 in charges billed)
- New Container Delivery: 26
- Additional Container-Trash: 3
- Additional Container-Recycle: 1
- Additional Container-Yard Waste: 1
- Change Container Size:
- Damaged/Replaced Container Replacement: 17
- After Hours Calls: 0

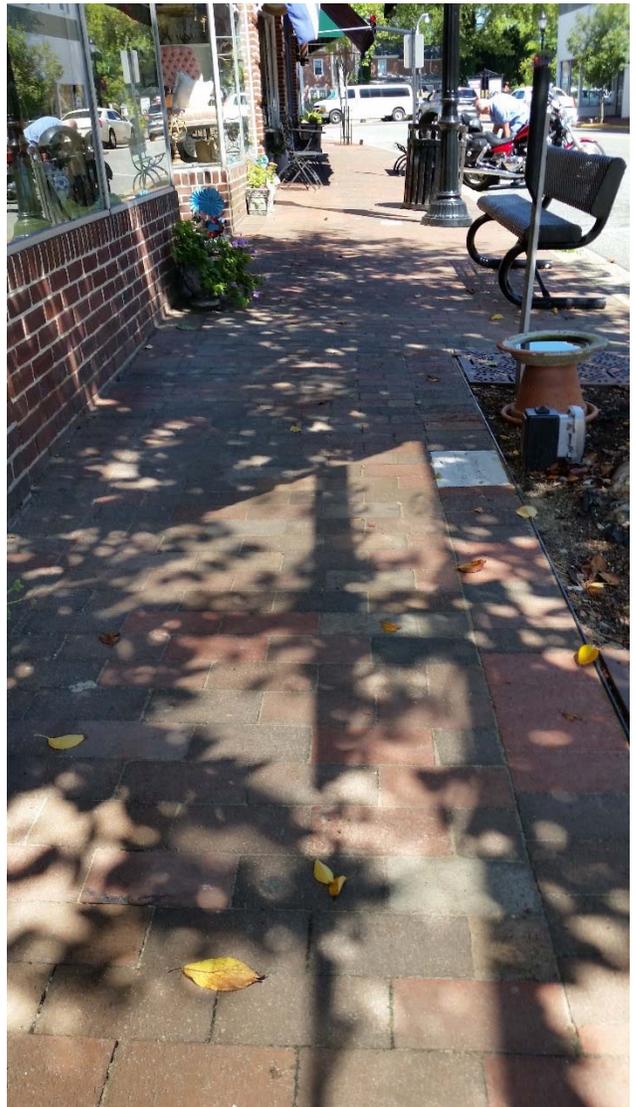
**Solid Waste/Recycling/Yard Waste Diversion\***

	Solid Waste Tonnage	Curbside Recycling	Drop Off Recycling	Yard Waste	Total	Diversion
<b>2013</b>	3903.34	617.90	213.77	473.85	5208.86	25.1%
<b>2014</b>	3206.04	645.88	243.90	472.08	4567.90	29.8%
<b>2015</b>	3077.95	642.20	407.07	304.55	4431.77	30.5%
<b>2016 (YTD)</b>	1752.68	371.72	222.05	243.82	2590.27	32.3%

	Solid Waste Tonnage	Curbside Recycling	Drop Off Recycling	Yard Waste	Total	Diversion
<b>May</b>	263.14	51.01	34.19	45.61	393.95	33.2%
<b>June</b>	271.64	59.25	30.14	59.10	420.13	35.3%
<b>July</b>	257.73	61.46	36.54	36.56	392.29	34.3%

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

**Pavers replaced by Parks & Rec on N Walnut Street**





**Electric crew changing transformer at Burris foods.**



**Electric crew performing security light repair at Burris Foods.**



**Water crew repairing leak near Second Street Players**



**Street crew drill breakaway holes on gateway signage on Rt 1.**



**Street crew moves a stop sign on N Walnut Street.**



**Electric crew repairing broken and rotten cross arm on Eighth Street.**





**Electric crew unload steel at substation.**



**Electric crew removing transformer on Shady Lane.**



**Electric crew completing bore on Old Oak Lane.**





**Street crew and PD work to install solar panels on speed limit sign.**

**Street crew replacing a sign on Lovers Lane.**



**Street crew finishing street sweeping in Ward 2.**



**Parks & Rec soccer drills.**





PLANNING & ZONING DEPARTMENT  
P 302.424.3712 F: 302.424.3558

201 SOUTH WALNUT STREET  
MILFORD, DE 19963

[www.cityofmilford.com](http://www.cityofmilford.com)

TO: Mayor and City Council

FROM: Rob Pierce, Coordinator of Planning & Economic Development Activities

VIA: Eric Norenberg, City Manager

DATE: September 8, 2016

RE: **Delaware Bayshore Byway Participation**

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Provided in your packet is a handout that outlines the Delaware Bayshore Byway Program that is managed by the State of Delaware, Department of Transportation. The existing byway meanders along Route 9 from the City of New Castle to the Route 1 and Route 9 interchange southeast of Dover.

The State is interested in expanding the byway program connecting Dover to Lewes. Included in the proposed extension are towns like Frederica, Milford and Milton, along with the several bayside communities. Potential advantages to participation in the byway program include;

- Recognition as a State designated byway.
- Representation on the Byway Partnership Team.
- Inclusion in an updated corridor management plan.
- Ability to form partnerships to market and develop new Discovery Zones.
- Inclusion in the branding initiative for the Bayshore Byway.
- Leveraged funding opportunities for projects.

If the City decides to participate, the State and City will work together to develop the exact location of the byway. Milford is perfectly situated along the byway to provide the commercial resources needed for those traveling and experiencing the byway and bayshore area. Inclusion in the program would provide additional awareness and positive marketing for the community and its businesses.

Based on the above information and the presentation provided by the State, staff recommends the following motion;

**“Move to support and assist DeIDOT in planning efforts of a proposed byway route through the City of Milford and to become part of the State designated Delaware Bayshore Byway.”**

[www.cityofmilford.com](http://www.cityofmilford.com)

## Delaware Bayshore Byway

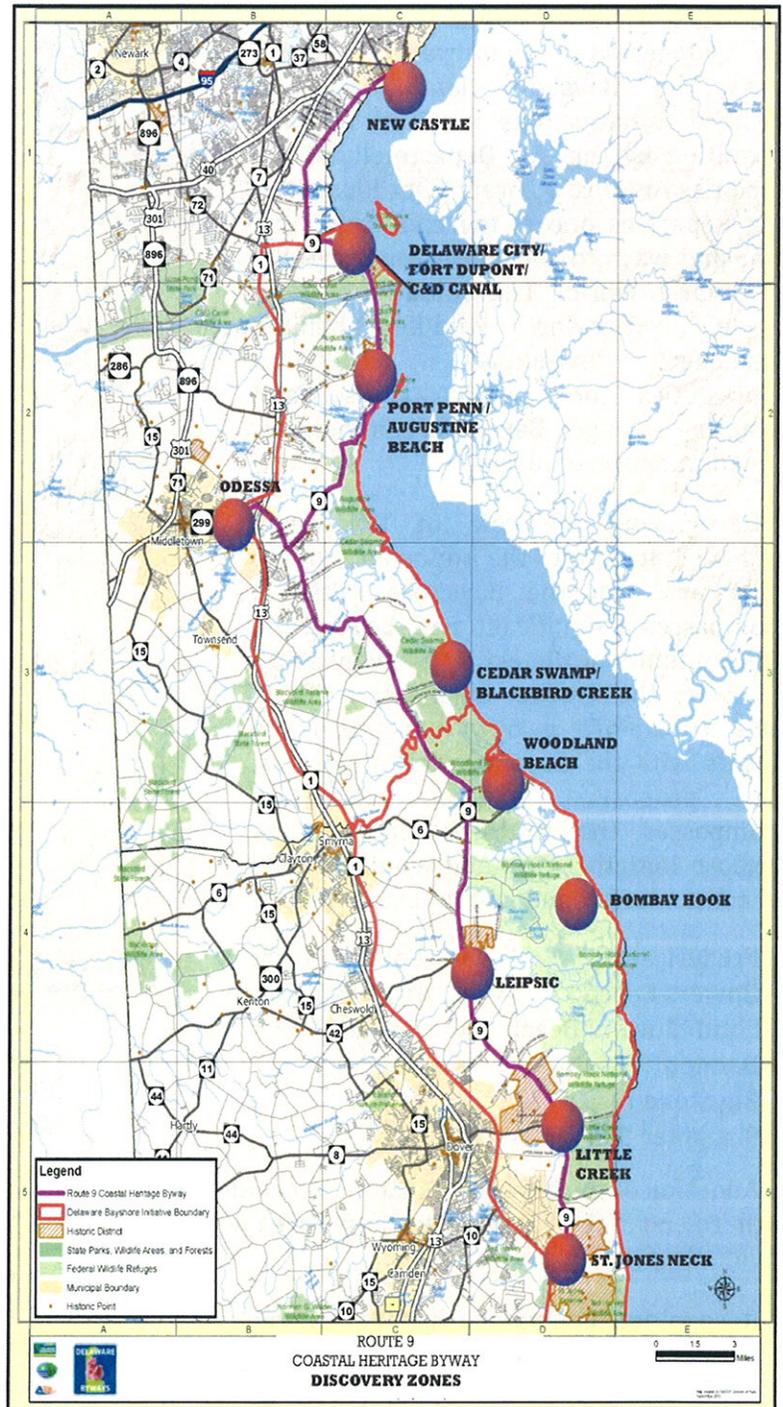
Delaware Bayshore Byway, nominated as a state byway in 2007, is a meandering road that connects major publicly owned natural areas, bucolic farms and nine coastal towns, providing many scenic water-based vistas that link all these features together. The byway currently extends for 52 miles, primarily along State Route 9, from the City of New Castle south to its junction with State Route 1 east of Dover. The story of the byway is about making a conscious decision to get off the crowded highways and letting your senses take in the majesty of Mother Nature in the wildlife and coastal communities of Delaware's Bayshore: *Welcome to Delaware's quieter and wilder side.* Leaving the bustling highways for the byway experience can be summed up as **"the road less traveled"**.

During the corridor management planning process, the concept of Discovery Zones was adopted. Discovery Zones (DZs) are destinations that embody activity areas where travelers can learn about the byway, engage in outdoor recreational activities on publicly accessible lands and participate in other byway pursuits and events. DZ can also provide information directing visitors to amenities in the area. Each DZ has existing or untapped assets that tell the byway story and engage byway travelers.

The DZs are, from north to south:

- New Castle
- Delaware City
- Port Penn / Augustine
- Odessa
- Cedar Swamp / Blackbird Creek
- Woodland Beach
- Bombay Hook
- Leipsic
- Little Creek
- St. Jones Neck

A "corridor management plan" was completed for the Bayshore Byway in November 2013. The plan can be viewed or downloaded here:



[http://www.delawaregreenways.org/ScenicByway/ch\\_updates.html](http://www.delawaregreenways.org/ScenicByway/ch_updates.html).

A Byway Partnership Team was then established to work cooperatively to implement recommendations in the corridor management plan. The team is composed of representatives of the communities and stakeholders along the Bayshore Byway.

Since the byway was first established in 2007, the *Delaware Bayshore Initiative* was established as a new effort to revive and rally cooperative conservation efforts across the Bayshore landscape. The Bayshore Initiative has received national recognition by the U.S. Department of the Interior's America's Great Outdoors 50-State Report as one of the country's most promising ways to reconnect Americans to the natural world. The initiative's goals include conserving wildlife habitat, enhancing low-impact recreation opportunities on public lands, and promoting stronger Bayshore communities by encouraging ecotourism.

Recognizing the role of Delaware's Bayshore Initiative to the importance of the byway and that the Bayshore Initiative encompasses a significant area beyond the southern limits of the existing byway south to Lewes, the Byway Partnership Team voted to explore a byway extension to coincide with the Bayshore Initiative area. The proposed byway extension encompasses the southern end of the Bayshore Initiative area and would include the communities and areas listed below:

- Frederica
- Bowers Beach
- South Bowers Beach
- Bennett's Pier
- Big Stone Beach
- Slaughter Beach
- Fowler Beach
- Broadkill Beach
- Prime Hook
- Milford
- Milton

Adoption of the byway extension to include the southern end of the Bayshore Initiative area would provide the following advantages:

- Recognition as a state designated byway;
- Representation on the Byway Partnership Team;
- Inclusion in an updated corridor management plan;
- Ability to form partnerships to market and develop new Discovery Zones;
- Inclusion in the branding initiative for the Bayshore Byway; and
- Leveraged funding opportunities for projects.

More information about **Delaware Bayshore Byway** and the **Delaware Bayshore Initiative** can be found at these websites or by reaching out to the contacts provided here:



**Delaware Bayshore Byway**

[http://deldot.gov/information/community\\_programs\\_and\\_services/byways/route9.shtml](http://deldot.gov/information/community_programs_and_services/byways/route9.shtml)

[http://delawaregreenways.org/portfolio\\_page/bayshore-byway/](http://delawaregreenways.org/portfolio_page/bayshore-byway/)

**Contact:**

Mike Hahn, Byways Program Coordinator  
 Email: [MichaelC.Hahn@state.de.us](mailto:MichaelC.Hahn@state.de.us)  
 Phone: 302-760-2131

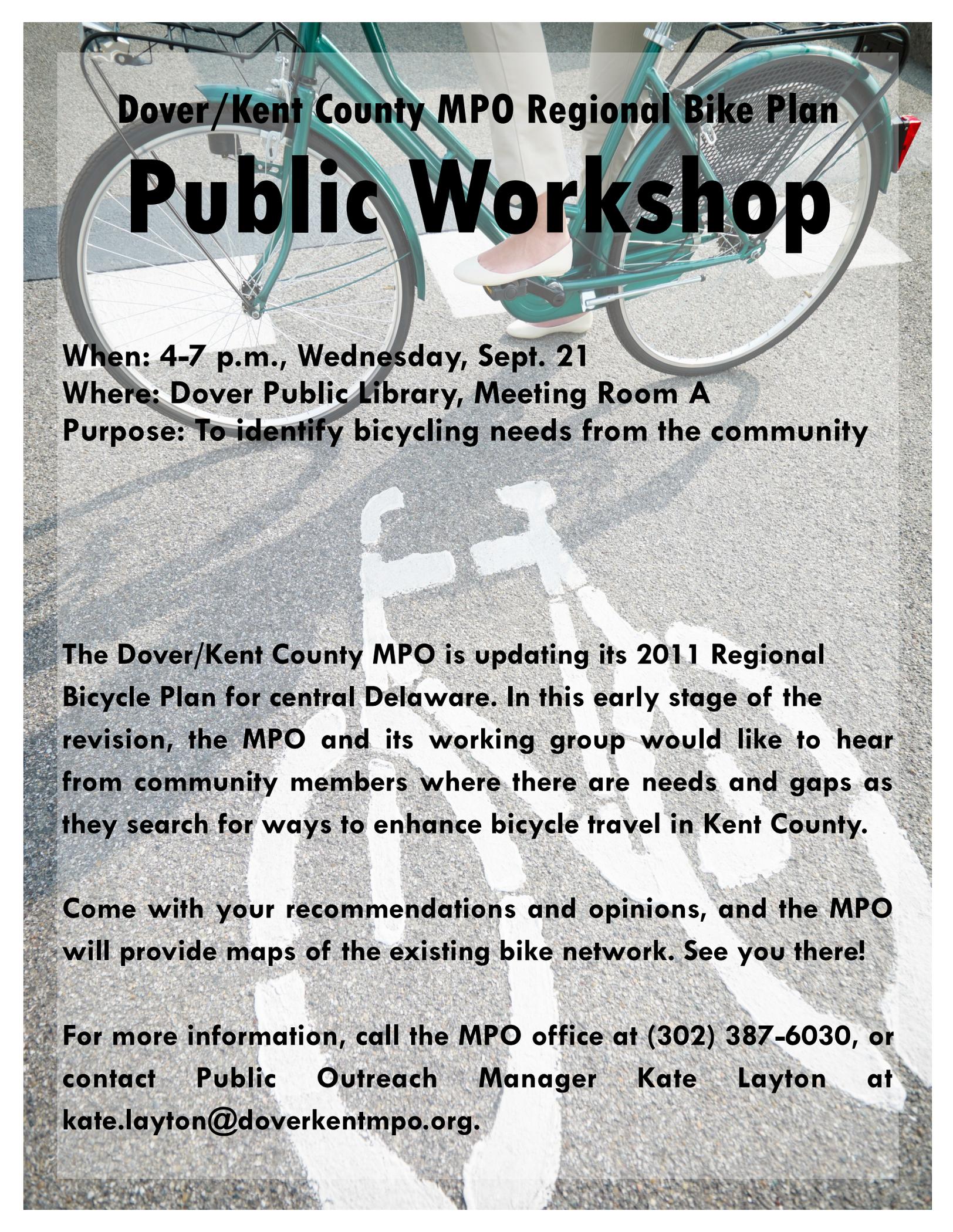
Thomas (Chip) Kneavel, Bayshore Extension PM  
 Email: [Thomas.Kneavel@state.de.us](mailto:Thomas.Kneavel@state.de.us)  
 Phone: 302-760-2527

**Delaware Bayshore Initiative**

<http://www.dnrec.delaware.gov/Pages/Delaware-Bayshore.aspx>

**Contact:**

Karen Bennett, Bayshore Initiative Coordinator  
 Email: [Karen.Bennett@state.de.us](mailto:Karen.Bennett@state.de.us)  
 Phone: 302-739-9124



**Dover/Kent County MPO Regional Bike Plan**

# **Public Workshop**

**When: 4-7 p.m., Wednesday, Sept. 21**

**Where: Dover Public Library, Meeting Room A**

**Purpose: To identify bicycling needs from the community**

**The Dover/Kent County MPO is updating its 2011 Regional Bicycle Plan for central Delaware. In this early stage of the revision, the MPO and its working group would like to hear from community members where there are needs and gaps as they search for ways to enhance bicycle travel in Kent County.**

**Come with your recommendations and opinions, and the MPO will provide maps of the existing bike network. See you there!**

**For more information, call the MPO office at (302) 387-6030, or contact Public Outreach Manager Kate Layton at [kate.layton@doverkentmpo.org](mailto:kate.layton@doverkentmpo.org).**

**CITY OF MILFORD  
FUND BALANCES REPORT**

Date: JULY 2016

Cash Balance - General Fund Bank Balance	\$1,898,044
Cash Balance - Electric Fund Bank Balance	\$2,999,761
Cash Balance - Water Fund Bank Balance	\$1,302,175
Cash Balance - Sewer Fund Bank Balance	\$1,265,879
Cash Balance - Trash Fund Bank Balance	\$280,031

	General <u>Improvement</u>	Municipal <u>Street Aid</u>	Real Estate <u>Transfer Tax</u>	Solid Waste <u>Reserves</u>
Beginning Cash Balance	328,302	1,288,153	1,616,706	0
Deposits		56,613	31,108	
Interest Earned this Month	109	419	537	
Disbursements this Month	(851)	(90,660)	(41,667)	
Investments				250,000
Ending Cash Balance	\$327,560	\$1,254,525	\$1,606,684	\$250,000

	GF Capital <u>Reserves</u>	Water Capital <u>Reserves</u>	Sewer Capital <u>Reserves</u>	Electric <u>Reserves</u>
Beginning Cash Balance	1,781,583	7,146,745	3,347,755	6,736,424
Deposits				
Interest Earned this Month	86	345	174	324
Disbursements this Month		(780)	(61,034)	
Investments	250,000			
Ending Cash Balance	\$2,031,669	\$7,146,310	\$3,286,895	\$6,736,748

	Water <u>Impact Fee</u>	Sewer <u>Impact Fee</u>	Electric <u>Impact Fee</u>	Economic Development <u>Fund</u>
Beginning Cash Balance	\$1,473,910	955,731	429,915	635,258
Deposits	2,626	1,388	1,800	\$24
Interest Earned this Month				(\$81,517)
Disbursements this Month				
Investments				
Ending Cash Balance	\$1,476,536	\$957,119	\$431,715	\$553,765

INTEREST THROUGH THE FIRST MONTH OF THE FISCAL YEAR:

General Fund	635	Water Fund	435
GF Capital Reserves	86	Water Capital Reserves	345
Municipal Street Aid	419	Sewer Fund	423
Real Estate Transfer Tax	537	Sewer Capital Reserves	174
Electric Fund	1,004	Trash Fund	93
Electric Reserves	325		

TOTAL INTEREST EARNED TO DATE \$4,476

**REVENUE REPORT**

Page Two

Date: July 2015	AMOUNT BUDGETED	MTD	YTD	8% of Year Expended YTD%
ACCOUNT				
Economic Developent Fund	201,255	40,000	40,000	19.88%
General Fund Reserves	411,000	0	0	0.00%
Realty Transfer Tax-Police	500,000	41,667	41,667	8.33%
Real Estate Tax	3,762,970	3,781,035	3,781,035	100.48%
Business License	106,250	725	725	0.68%
Rental License	85,000	250	250	0.29%
Building Permits	75,000	3,130	3,130	4.17%
Planning & Zoning	15,000	2,700	2,700	18.00%
Grasscutting Revenue	16,000	2,000	2,000	12.50%
Police Revenues	440,000	11,396	11,396	2.59%
Misc. Revenues	272,820	9,473	9,473	3.47%
Transfers From	3,300,000	275,000	275,000	8.33%
<b>Total General Fund Revenues</b>	<b>\$9,185,295</b>	<b>\$4,167,376</b>	<b>\$4,167,376</b>	<b>45.37%</b>
Water Revenues	2,730,500	238,847	238,847	8.75%
Sewer Revenues	2,506,500	211,411	211,411	8.43%
Kent County Sewer	1,850,000	148,852	148,852	8.05%
Solid Waste Revenues	1,360,440	118,366	118,366	8.70%
Electric Revenues	24,902,790	2,175,592	2,175,592	8.74%
<b>TOTAL REVENUES</b>	<b>\$42,535,525</b>	<b>\$7,060,444</b>	<b>\$7,060,444</b>	<b>16.60%</b>
YTD Enterprise Expense		7,432		
YTD Enterprise Revenue		4,735		
LTD Carlisle Fire Company Building Permit Fund		128,107		

**EXPENDITURE REPORT**

**Page Three**

Date: July 2015

8% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
<b>City Manager</b>					
Personnel	461,930	\$28,758	28,758	6.23%	433,172
O&M	259,095	\$11,379	11,379	4.39%	247,716
Capital	0	\$0	0		0
<b>Total City Manager</b>	<b>\$721,025</b>	<b>\$40,137</b>	<b>\$40,137</b>	<b>5.57%</b>	<b>680,888</b>
<b>Planning &amp; Zoning</b>					
Personnel	184,400	\$12,094	12,094	6.56%	172,306
O&M	67,975	\$916	916	1.35%	67,059
Capital	0	\$0	0		0
<b>Total P, C &amp; I</b>	<b>\$252,375</b>	<b>\$13,010</b>	<b>\$13,010</b>	<b>5.16%</b>	<b>239,365</b>
<b>Code Enforcement &amp; Inspections</b>					
Personnel	225,210	\$9,444	9,444	4.19%	215,766
O&M	69,290	\$4,161	4,161	6.01%	65,129
Capital	25,000	\$0	0		25,000
<b>Total P, C &amp; I</b>	<b>\$319,500</b>	<b>\$13,605</b>	<b>\$13,605</b>	<b>4.26%</b>	<b>305,895</b>
<b>Council</b>					
Personnel	31,225	\$1,684	1,684	5.39%	29,541
O&M	44,650	\$1,736	1,736	3.89%	42,914
Council Expense	17,000	\$7,117	7,117	41.86%	9,883
Contributions	206,000	\$66,000	66,000	32.04%	140,000
Codification	9,500	\$3,992	3,992	42.02%	5,508
Employee Recognition	11,000	\$0	0	0.00%	11,000
Insurance	21,740	\$4,909	4,909	22.58%	16,831
Christmas Decorations	15,000	\$0	0	0.00%	15,000
Economic Development	15,000	\$0	0	0.00%	15,000
Armory Expenses	10,000	\$1,550	1,550	15.50%	8,450
Resident Survey	15,000	\$0	0	0.00%	15,000
<b>Total Council</b>	<b>\$396,115</b>	<b>\$86,988</b>	<b>\$86,988</b>	<b>21.96%</b>	<b>309,127</b>
<b>Finance</b>					
Personnel	418,395	\$25,023	25,023	5.98%	393,372
O&M	62,270	\$4,170	4,170	6.70%	58,100
Capital	0	\$0	0		0
<b>Total Finance</b>	<b>\$480,665</b>	<b>\$29,193</b>	<b>\$29,193</b>	<b>6.07%</b>	<b>451,472</b>
<b>Information Technology</b>					
Personnel	148,680	\$7,717	7,717	5.19%	140,963
O&M	177,450	\$3,417	3,417	1.93%	174,033
Capital	55,000	\$16,882	16,882	30.69%	38,118
<b>Total Information Technology</b>	<b>\$381,130</b>	<b>\$28,016</b>	<b>\$28,016</b>	<b>7.35%</b>	<b>353,114</b>

**EXPENDITURE REPORT****Page Four**

Date: July 2015

8% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
<b>Police Department</b>					
Personnel	3,944,180	\$236,405	236,405	5.99%	3,707,775
O&M	507,360	\$43,800	43,800	8.63%	463,560
Capital	71,600	\$7,769	7,769	10.85%	63,831
<b>Total Police</b>	<b>\$4,523,140</b>	<b>\$287,974</b>	<b>\$287,974</b>	<b>6.37%</b>	<b>4,235,166</b>
<b>Streets &amp; Grounds Division</b>					
Personnel	476,960	\$25,418	25,418	5.33%	451,542
O&M	407,905	\$23,489	23,489	5.76%	384,416
Capital	211,000	\$0	0	0.00%	211,000
Debt Service	16,475	\$0	0	0.00%	16,475
<b>Total Streets &amp; Grounds</b>	<b>\$1,112,340</b>	<b>\$48,907</b>	<b>\$48,907</b>	<b>4.40%</b>	<b>1,063,433</b>
<b>Parks &amp; Recreation</b>					
Personnel	605,635	\$52,225	52,225	8.62%	553,410
O&M	267,370	\$28,947	28,947	10.83%	238,423
Capital	126,000	\$0	0	0.00%	126,000
<b>Total Parks &amp; Recreation</b>	<b>\$999,005</b>	<b>\$81,172</b>	<b>\$81,172</b>	<b>8.13%</b>	<b>917,833</b>
<b>Total General Fund</b>					
<b>Operating Budget</b>	<b>\$9,185,295</b>	<b>\$629,002</b>	<b>\$629,002</b>	<b>6.85%</b>	<b>8,556,293</b>

**EXPENDITURE REPORT**

Page Five

Date: July 2015

8% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
<b>Water Division</b>					
Personnel	314,350	\$20,623	20,623	6.56%	293,727
O&M	1,111,675	\$78,152	78,152	7.03%	1,033,523
Capital	402,730	\$0	0	0.00%	402,730
Debt Service	901,745	\$0	0	0.00%	901,745
<b>Total Water</b>	<b>\$2,730,500</b>	<b>\$98,775</b>	<b>\$98,775</b>	<b>3.62%</b>	<b>2,631,725</b>
<b>Sewer Division</b>					
Personnel	314,350	\$20,622	20,622	6.56%	293,728
O&M	1,144,955	\$63,404	63,404	5.54%	1,081,551
Capital	434,725	\$0	0	0.00%	434,725
Debt Service	612,470	\$12,736	12,736	2.08%	599,734
<b>Sewer Sub Total</b>	<b>\$2,506,500</b>	<b>\$96,762</b>	<b>\$96,762</b>	<b>3.86%</b>	<b>2,409,738</b>
Kent County Sewer	1,850,000	\$148,852	148,852	8.05%	1,701,148
<b>Total Sewer</b>	<b>\$4,356,500</b>	<b>\$245,614</b>	<b>\$245,614</b>	<b>5.64%</b>	<b>4,110,886</b>
<b>Solid Waste Division</b>					
Personnel	401,470	\$24,769	24,769	6.17%	376,701
O&M	697,970	\$50,322	50,322	7.21%	647,648
Capital	261,000	\$0	0		261,000
<b>Total Solid Waste</b>	<b>\$1,360,440</b>	<b>\$75,091</b>	<b>\$75,091</b>	<b>5.52%</b>	<b>1,285,349</b>
<b>Total Water, Sewer Solid Waste</b>	<b>\$8,447,440</b>	<b>\$419,480</b>	<b>\$419,480</b>	<b>4.97%</b>	<b>8,027,960</b>
<b>Electric Division</b>					
Personnel	1,254,300	\$79,511	79,511	6.34%	1,174,789
O&M	1,755,045	\$145,965	145,965	8.32%	1,609,080
Transfer to General Fund	2,500,000	\$208,333	208,333	8.33%	2,291,667
Capital	450,000	\$0	0	0.00%	450,000
Debt Service	346,445	\$0	0	0.00%	346,445
<b>Electric Sub Total</b>	<b>\$6,305,790</b>	<b>\$433,809</b>	<b>\$433,809</b>	<b>6.88%</b>	<b>5,871,981</b>
Power Purchased	18,600,000	\$1,903,172	1,903,172	10.23%	16,696,828
<b>Total Electric</b>	<b>\$24,905,790</b>	<b>\$2,336,981</b>	<b>\$2,336,981</b>	<b>9.38%</b>	<b>22,568,809</b>
<b>TOTAL OPERATING BUDGET</b>	<b>\$42,538,525</b>	<b>\$3,385,463</b>	<b>\$3,385,463</b>	<b>7.96%</b>	<b>39,153,062</b>

**INTERSERVICE DEPARTMENTS REPORT**

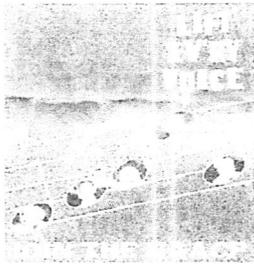
**Page Six**

Date: July 2015

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	8% of Year Expended		UNEXPENDED BALANCE
				YTD%		
<b>Garage</b>						
Personnel	89,850	5,715	5,715	6.36%		84,135
O&M	78,135	7,921	7,921	10.14%		70,214
Capital	0	0	0			0
<b>Total Garage Expense</b>	<b>\$167,985</b>	<b>13,636</b>	<b>\$13,636</b>	<b>8.12%</b>		<b>154,349</b>
<b>Public Works</b>						
Personnel	199,550	4,732	4,732	2.37%		194,818
O&M	171,745	14,019	14,019	8.16%		157,726
Capital	23,235	0	0			23,235
<b>Total Public Works Expense</b>	<b>\$394,530</b>	<b>18,751</b>	<b>\$18,751</b>	<b>4.75%</b>		<b>375,779</b>
<b>Billing &amp; Collections</b>						
Personnel	532,230	35,124	35,124	6.60%		497,106
O&M	225,530	15,220	15,220	6.75%		210,310
Capital	0	0	0			0
<b>Total Billing &amp; Collections</b>	<b>\$757,760</b>	<b>50,344</b>	<b>\$50,344</b>	<b>6.64%</b>		<b>707,416</b>
<b>City Hall Cost Allocation</b>						
Personnel	0	0	0			0
O&M	51,000	6,350	6,350	12.45%		44,650
Capital	0	0	0			0
<b>Total City Hall Cost Allocation</b>	<b>\$51,000</b>	<b>6,350</b>	<b>\$6,350</b>	<b>12.45%</b>		<b>44,650</b>

**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 SLAUGHTER NECK LINCOLN  
NAACP  
FREEDOM BANQUET COMING SOON!**



**September 30, 2016 7:00PM  
MILFORD SENIOR CENTER  
111 PARK PLACE  
MILFORD, DE**

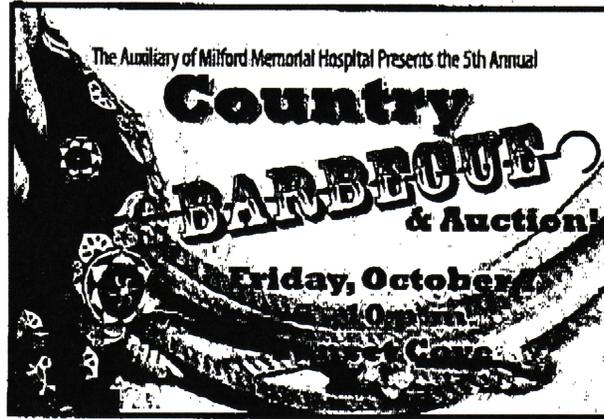
**Come and Celebrate the Achievers!**

**Alfredia Fountain (Lifetime Achievement),  
Roslyn D. Harris (Community), Tighmir Sayles (Unsung Hero), & Jasmine  
Starling (Youth)**



**Tickets Adults: \$35      Youth and over 65: \$10  
Contact: Penny Young (302) 405-4874 for tickets**

# Saddle Up for the Auxiliary of Milford Memorial Hospital 5th Annual Country Barbecue & Auction!



**Friday, Oct. 7 ■ 6 - 10 p.m. ■ \$50 per person**

**Sunset Cove, 3 Haven Lake, Milford, DE**  
*Home of Lisa and Poncho Johnson*

### FEATURING:

- AUCTIONS
- LIVE MUSIC BY "THE JONES BOYS"
- CASH BAR
- HEAVY HORS D'OEUVRES

CATERED BY PONCHO AND LISA JOHNSON

To purchase tickets, call Gynthia Jones at 302-270-1842 or  
Sharon Bailey at 302-422-6029.

*Casual dress*

*Dudy*  
*242-0209*

Proceeds to benefit



CITY OF MILFORD  
PUBLIC NOTICE

NOTICE IS HEREBY GIVEN the following ordinance is currently under review by Milford City Council:

**Ordinance 2016-18**  
Chapter 19-Economic Development and Redevelopment  
Downtown Development District Incentive Program

WHEREAS, on May 23, 2016, Milford City Council adopted a resolution supporting the application to the State of Delaware to become a Downtown Development District; and

WHEREAS, incentives were reviewed and recommended by the Economic Development Committee and presented to Milford City Council for their approval; and

WHEREAS, building on the state's efforts to redevelop Delaware's commercial business districts and drive private investment in towns and cities, Governor Markell on August 10, 2016 officially designated the City of Milford's Downtown Development District; and

WHEREAS, an amendment to the Economic Development and Redevelopment Ordinance, Chapter 19 is needed to incorporate the designation.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

*Section 1.* §19-2 Definitions is hereby amended by adding the following:

*OWNER OCCUPIED – refers to a residential property that is owned and occupied by the same persons.*

*TAX ABATEMENT – refers to the waiver or reduction of City of Milford property taxes.*

*Section 2.* §19-2 Definitions is hereby amended by amending the definition of Eligible Project as follows: ELIGIBLE PROJECT-refers to a project of an Incentive Beneficiary that is approved ~~by the City Manager~~ to receive economic incentives under a Specific Economic Development Incentive Program offered under this chapter.

*Section 3.* §19-6 Incentive Options is hereby amended by adding the following:

B. Permit and Fee Waiver or Reduction: A SEDIP may offer qualifying Incentive Beneficiaries a waiver or reduction from any of the following permits or fees:

- (1) Building permit fee
- (2) Water service connection fee
- (3) Sewer inspection fee
- (4) Electric service connection fee
- (5) Fees associated with any preliminary or final site plan review
- (6) Other fees associated with professional services provided by the City as it pertains to planning, engineering and legal review.
- (7) *Business License*

*E. Tax Abatements: A SEDIP may offer full or partial tax abatements on City of Milford property taxes for a specified period of time.*

*Section 4. §19-9 is hereby added as follows:*

*§19-9. – Downtown Development District Incentive Program*

*A. Eligibility*

- (1) Eligible Projects shall include any new residential or commercial construction, redevelopment, or expansion within the Downtown Development District and meet the following criteria:
  - a) Is located within the target area; and*
  - b) The fair market value of the materials to be used and the labor to be performed on the project exceeds the sum of \$15,000; and*
  - c) Is for commercial, office, and/or residential use; and*
  - d) Conforms to the intent of this ordinance.**
- (2) In order for a residential use to be an eligible project, the object of the construction or renovation must be a dwelling unit as defined in the City of Milford zoning ordinance. Construction or renovation of an accessory building as defined in the City of Milford zoning ordinance shall not be eligible for development incentives.*

*B. Target Area – Downtown Development District*

*The Downtown Development District refers to the area defined by Resolution/Ordinance of City Council. A copy of the district map shall be on file at City Hall, 201 S. Walnut Street, Milford, Delaware.*

*C. Development Incentives*

*(1) Impact Fee Waivers*

- a) Incentive Beneficiaries shall qualify for a full waiver of impact fees.*

*(2) Permit and Other Fee Waivers*

- a) The City shall provide a one-time waiver of permits and fees identified under §19-6(b)(1), (5) and (6) for all eligible projects.*
- b) The City shall provide a waiver of the business license fee for new businesses for three (3) years.*
- c) The Incentive Beneficiary is responsible for obtaining all required local, State, County, and Federal permits and approvals as may be required to complete the project.*
- d) The Incentive Beneficiary shall be responsible for the Carlisle Enhancement Fee as outlined in the City of Milford Code.*

*(3) Installment Land Contract*

- a) The Incentive Beneficiary may apply to purchase City owned property through an installment land contract at a price and upon such terms and conditions as may be determined by the City Manager. The acceptance of the contract is subject to the express approval of City Council, which approval may be withheld in its complete discretion.*
- b) In the event the conditions outlined in the contract are not met, the City Manager may determine that the Incentive Beneficiary is in default and provide notice as required.*
- c) In the event the default is not cured, in addition to such other remedies as may be available, the Incentive Beneficiary shall be required to choose between the following two options;
  - i. Surrender all improvements and the property to the City; or**

- ii. *Pay the entire remaining principal balance to the City within 45 days following the date the default notice was issued.*

*(4) Abatement of Property Taxes*

- a) *Incentive Beneficiaries shall qualify to receive City of Milford property tax abatements for a period not to exceed ten (10) years. The abatement period shall commence from the date of final certificate of occupancy.*
- b) *Rehabilitation Projects*
  - i. *If the incentive beneficiary improves the assessed value, as determined by the City Tax Assessor, by more than 50% of the original assessed value, the incentive beneficiary shall receive a full abatement of City property taxes for ten (10) years.*
  - ii. *If the incentive beneficiary improves the assessed value, as determined by the City tax assessor, by less than 50% of the original assessed value, the incentive beneficiary shall receive a partial abatement of City property taxes on the value of the improvements for ten (10) years.*
- c) *New residential or commercial construction shall receive a full tax abatement for five (5) years.*
- d) *Properties converted from rental units to owner occupied housing shall receive a full tax abatement for ten (10) years, subject to continued occupancy by the property owner.*

*(5) Realty Transfer Tax Waiver*

- a) *There shall be no realty transfer tax imposed on those transfers where the buyer qualifies as a first-time homebuyer. See Chapter § 178-2(D).*

*Section 5. Dates.*

*City Council Introduction: September 12, 2016*

*City Council Review: September 26, 2016*

*Adoption: September 26, 2016*

*Effective: October 6, 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 email at [RPierce@milford-de.gov](mailto:RPierce@milford-de.gov) or by calling 302.424.3712.*

*Advertised: Beacon 09/21/16*

*Michael R. Wigley, AIA, LEED AP  
Randy B. Duplechain, P.E.  
Charles R. Woodward, Jr., LS  
W. Zachary Crouch, P.E.  
Michael E. Wheedleton, AIA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.*

September 8, 2016

City of Milford  
201 South Walnut Street  
Milford, DE 19963

Attn: Mr. Mark Whitfield  
Public Works Director

RE: **Proposal: Airport Road Rehabilitation Project**  
Milford, Delaware  
DBF # P0052A171

Dear Mark:

In response to our recent meeting, Davis, Bowen & Friedel, Inc. is pleased to present this proposal for providing Survey, Design and Bid Procurement services for the above-referenced project. We understand the scope of the project shall include the rehabilitation of Airport Road from U.S. Route 113 to Canterbury Road, exclusive of the approximately 900 feet of Airport Road previously rehabilitated as part of the Cascades residential development project. The work shall generally include removing and replacing, with a heavier pavement section, the failing outer lanes of the road and the skim-milling and overlay of the original 20 foot wide center portion of the road. A small amount of roadway widening and drainage improvement work is also proposed at the west end of Airport Road near the Enterprise Business Park. Curb and sidewalk improvements may also be necessary at the east end of Airport Road to address non-compliant ADA handicap ramps.

A description of our proposed scope of services and associated fees for each portion of the work is as follows:

**A. TOPOGRAPHIC SURVEY**

Our office will perform a topographic and utility location survey of the approximately 6,500 feet of roadway to be rehabilitated as well as the area within the Enterprise Business Park where storm drainage improvements are necessary. Our survey work will be limited to obtaining pavement cross-section information every 50 feet in non-critical areas with more detailed survey on the east end of the road where curb, sidewalk and storm drainage systems presently exist

Lump Sum Fee: \$16,800.00

**B. PAVEMENT BORINGS**

*We will utilize in our design the previous pavement soil boring information performed by DelDOT and the limited supplemental boring data obtained by our office.*

**C. PROJECT DESIGN AND PERMITTING**

Using the above topographic survey information and pavement boring data we will prepare the necessary project construction documents needed to obtain competitive construction bids. The construction documents will include the project title sheet, demolition plans, site plans, grading and drainage plans (where necessary), erosion and sediment control plans, detailed maintenance traffic (MOT) plans, signage and striping plans, project detail sheets, material specifications and unit price bid documents. Since traffic control will be a major component to the successful implementation of this project we also anticipate the need to prepare detailed project phasing plans in conjunction with the MOT plans as part of the construction package. The following fee includes project design coordination with the Public Works Department as well as submission to, and obtaining permits from, DelDOT (for any proposed work within their right-of-way) and sediment and erosion control approval from Kent Conservation District.

Lump Sum Fee:       \$86,400.00

*Please note that any agency permit fees are to be paid directly by the City at the time of permit plan submission.*

**D. CONSTRUCTION PROCUREMENT**

Our office will assist the City with the construction procurement process including coordination of the bid advertisement, produce and distribute construction specifications and drawings to prospective contractors, schedule and oversee the pre-bid meeting, answer contractor questions during the advertisement period, attend the bid opening, review the contractor bids received, prepare a project bid tabulation, and recommend approval of the qualified low bidder.

Lump Sum Fee:       \$5,200.00

*Please note that advertisement fees are not included in the above lump sum and are to be paid directly by the City.*

**E. EXCLUDED SERVICES**

Excluded from our above scope of services is work associated with the following. If required, this work can be performed on a unit price basis or under a separate proposal to the City of Milford

- Easement Acquisition Services and/or Coordination and Preparation of Easement Plats
- Stormwater Management Design and Permitting
- Additional DelDOT Required Design Services
- Construction Administration Services
- Construction Survey Services
- RPR Inspection Services
- As-Built Surveys or Plan Preparation
- Application and Permit Fees
- Additional Geotechnical Services
- Financial Administration Services
- Reimbursable Expenses

As discussed, Construction Administration and/or Inspection Services will be performed under a separate proposal once project design is completed.

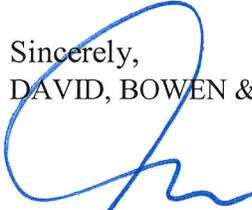
Billing for our services will be submitted monthly based upon the percentage of work completed the previous month. Additional services beyond the above scope as authorized by you will be billed on a unit price basis in accordance with our attached Schedule of Rates No. 46. Payment terms are in accordance with our attached schedule.

Should you find this proposal acceptable, please execute below and return one copy for our files. Receipt of a signed copy will be considered as our authorization to proceed.

Mr. Mark Whitfield  
September 8, 2016  
Page 4

On behalf of Davis, Bowen & Friedel, Inc., we appreciate the opportunity to offer our services and look forward to work with you on this project. Should you have any questions or need additional information, please call.

Sincerely,  
DAVID, BOWEN & FRIEDEL, INC.



Jason P. Loar, P.E.  
Principal

**Accepted By:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**DAVIS, BOWEN & FRIEDEL, INC. ("DBF")**  
**SCHEDULE OF RATES AND GENERAL CONDITIONS**  
 SCHEDULE NO. 46  
 Effective June 1, 2015

<u>CLASSIFICATION</u>	<u>HOURLY RATE</u>
Principal	\$170.00
Senior Architect	\$150.00
Architect	\$120.00
Senior Landscape Architect	\$150.00
Landscape Architect	\$120.00
Senior Engineer	\$150.00
Engineer	\$120.00
Construction Administrator	\$120.00
Senior Traffic Engineer	\$150.00
Traffic Engineer	\$120.00
Geologist	\$120.00
GIS Specialist	\$110.00
Senior Surveyor	\$150.00
Associate Surveyor	\$120.00
Surveyor	\$115.00
Senior Designer	\$115.00
Computer Graphics Designer	\$100.00
Designer	\$105.00
CADD I	\$95.00
CADD II	\$85.00
Computer Administrator	\$100.00
2 Man Field Crew	\$140.00
3 Man Field Crew	\$175.00
GPS Unit (1 man)	\$110.00
GPS Unit (2 man Crew)	\$150.00
GPS Unit (3 man Crew)	\$200.00
Resident Project Representative	\$80.00
Water/Wastewater Operator	\$120.00
Clerical	\$60.00
Travel	\$0.50
Direct Expense	Cost + 10%
Prints (In-house Reproduction)	\$2.50/sheet

GENERAL CONDITIONS

**INVOICES & PAYMENT**

Invoices are sent monthly or sooner if project is complete. Payment Terms: Net 30 days of invoice date. Any invoice not paid within 30 days shall bear interest at 1.0% per month (12% annually). If required to engage legal counsel to collect an overdue invoice, DBF shall be entitled to recover also its costs of collection, including counsel fees and expenses. DBF reserves the right to adjust its schedule of rates annually. Any such adjustments will be effective within 30 days after written notification to the client.

**TERMINATION OF CONTRACT**

Client may terminate this agreement upon seven days' prior written notice to DBF for convenience or cause. DBF may terminate this Agreement for cause upon seven days' prior written notice to client. Failure of client to pay invoices when due shall be cause for immediate suspension and ultimate termination of services, at DBF's sole discretion. This agreement may be terminated by either party for any reason with 30 days advance notice.

**LIMITATION OF LIABILITY**

Client agrees to limit DBF's liability related to any errors or omissions to a sum that shall not exceed the total professional fee for the project.

**INDEMNIFICATION**

Client and DBF each agree to indemnify and hold the other harmless, and their respective officers, employees, agents and representatives, from and against liability for all claims, losses, damages and expenses, including reasonable attorney's fees caused by the other's negligence. To the extent such claims, losses, damages or expenses are caused by the joint or concurrent negligence of client and DBF, the same shall be borne by each party in proportion to its negligence. This shall in no way affect the limitation of DBF's liability expressed in the preceding paragraph.

**FORCE MAJEURE**

Neither party shall be deemed in default of this Agreement to the extent that any delay or failure in the performance of its obligations results from any cause beyond its reasonable control and without its negligence.

**CONSTRUCTION PHASE SERVICES**

If this Agreement provides for any construction phase services by DBF, it is understood that the contractor, not DBF, is solely responsible for the construction of the project, and that DBF shall not be responsible for the acts or omissions of any contractor, subcontractor or material supplier; for safety precautions, programs or enforcement; or for construction means, methods, techniques, sequences and procedures employed by the contractor, its subcontractors or suppliers.

**OWNERSHIP OF DOCUMENTS**

All documents prepared or furnished by DBF pursuant to this Agreement, including electronic media, are instruments of DBF's professional service, and DBF shall retain an ownership and property interest therein. DBF grants client, during the period of DBF's service, a license to use such documents for the purpose of constructing, occupying and maintaining the project. Reuse or modification of any such documents by client or client's agents, without DBF's written permission, shall be at client's sole risk; and client agrees to indemnify and hold DBF harmless from all claims, damages and expenses, including attorneys' fees, arising out of such reuse by client or by others acting through or with the consent of client.

**USE OF ELECTRONIC MEDIA**

Copies of documents that may be relied upon by client are limited to the printed copies (also known as hard copies) that are signed or sealed by DBF. Files in electronic media format or text, data, graphic or other types that are furnished by DBF to client are only for convenience of client. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk. When transferring documents in electronic media format, DBF makes no representations as to long-term compatibility, usability, or readability of documents resulting from the use of software application packages, operating systems, computer hardware or of a protocol differing from those in use by DBF during the period of this agreement.

**SUCCESSORS & ASSIGNS**

The client and DBF bind themselves, their partners, successors, assigns and legal representatives to the other party to this Agreement and to the partners, successors, assigns and legal representatives of such other party with respect to all covenants of this Agreement. Neither party shall assign, sublet or transfer any interest in this Agreement without the written consent of the other.

**MISCELLANEOUS PROVISIONS**

Unless otherwise specified, this Agreement shall be governed by laws of the State in which the work is performed, and the courts of such State shall have exclusive jurisdiction over any disputes hereunder. Terms in this Agreement shall have the same meaning as those in AIA Document A201, General Conditions of the Contract for Construction, current as of the date of this Agreement. If this schedule is incorporated or referenced in an agreement with client, the terms of this schedule shall prevail in the event of any conflict with the terms of such agreement.

**REIMBURSABLE EXPENSES**

Other expenses known as direct expenses incurred in the interest of the project (including travel, toll communications, postage, delivery, photographs, subcontract engineering, testing or other consultants, renderings, models, etc.) will be billed monthly at DBF's actual cost plus ten percent.

NOTICE OF PUBLIC HEARINGS  
PLANNING COMMISSION PUBLIC HEARING: AUGUST 16, 2016  
CITY COUNCIL PUBLIC HEARING: SEPTEMBER 26, 2016

NOTICE IS HEREBY GIVEN the Planning Commission of the City of Milford will hold a Public Hearing on Tuesday, August 16, 2016 at 7:00 p.m. or as soon thereafter as possible.

A FINAL PUBLIC HEARING is scheduled on Monday, September 26, 2016 at 7:00 p.m. before Milford City Council. Following the hearing, the ordinance may be adopted, with or without amendments.

**Ordinance 2016-11**

GD Blessing Child Care Learning Center on behalf of E. Stuart Outten for a Conditional Use for a Day Care Center in a C2 (Central Business) District on .262+/- acres. Property is located on the north side of SW Front Street at the intersection of Church Street and SW Front Street, Milford, Delaware. Present Use: Vacant Building; Proposed Use: Daycare Center.  
Tax Map MD-16-183.10-04-68.00

WHEREAS, the City of Milford Planning Commission will consider the conditional use application at a Public Hearing on August 16, 2016; and

WHEREAS, Milford City Council will hold a Public Hearing on September 26, 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 Day Care Center as herein described.

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

*Section 1.* Upon the adoption of this ordinance, GD Blessing Child Care Learning Center on behalf of E. Stuart Outten is hereby granted a Conditional Use Permit to allow a Day Care 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: August 16, 2016

City Council Introduction: September 12, 2016

City Council Public Hearing: September 26, 2016

Adoption: September 26, 2016

Effective: October 6, 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](mailto:RPierce@milford-de.gov) or by calling 302-424-3712.

*Advertised: Beacon 07/13/16*

NOTICE OF PUBLIC HEARINGS  
PLANNING COMMISSION PUBLIC HEARING: SEPTEMBER 20, 2016  
CITY COUNCIL PUBLIC HEARING: SEPTEMBER 26, 2016

NOTICE IS HEREBY GIVEN the Planning Commission of the City of Milford will hold a Public Hearing on Tuesday, September 20, 2016 at 7:00 p.m. or as soon thereafter as possible.

A FINAL PUBLIC HEARING is scheduled on Monday, September 26, 2016 at 7:00 p.m. before Milford City Council. Following the hearing, the ordinance may be adopted, with or without amendments.

**Ordinance 2016-12**

Christopher & Jenna Menge for a Conditional Use for a Home Occupation in an R2 (Residential) District on .20+/- acres. Property is located at 313 Marshall Street, Milford, Delaware. Present Use: Single Family Detached Dwelling;  
Proposed Use: Same with Customary Home Occupation.  
Tax Map 3-30-11.05-088.00

WHEREAS, the City of Milford Planning Commission will consider the conditional use application at a Public Hearing on September 20, 2016; and

WHEREAS, Milford City Council will hold a Public Hearing on September 26, 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 Customary Home Occupation as herein described.

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

*Section 1.* Upon the adoption of this ordinance, Christopher & Jenna Menge is hereby granted a Conditional Use Permit to allow a Customary Home Occupation, 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: September 20, 2016

City Council Introduction: September 12, 2016

City Council Public Hearing: September 26, 2016

Adoption: September 26, 2016

Effective: October 6, 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](mailto:RPierce@milford-de.gov) or by calling 302-424-3712.

*Advertised: Beacon 08/31/16*

NOTICE OF PUBLIC HEARINGS  
PLANNING COMMISSION PUBLIC HEARING: SEPTEMBER 20, 2016  
CITY COUNCIL PUBLIC HEARING: SEPTEMBER 26, 2016

NOTICE IS HEREBY GIVEN the Planning Commission of the City of Milford will hold a Public Hearing on Tuesday, September 20, 2016 at 7:00 p.m. or as soon thereafter as possible.

A FINAL PUBLIC HEARING is scheduled on Monday, September 26, 2016 at 7:00 p.m. before Milford City Council. Following the hearing, the ordinance may be adopted, with or without amendments.

**Ordinance 2016-16**

Gator & Associates Inc on behalf of James Grant for a Conditional Use for Multiple Permitted Uses and Mixed Uses and a Business, Commercial or Industrial, in a C3 (Highway Commercial) District on 1.2+/- acres. Property is located at 586 Milford-Harrington Highway, Milford, Delaware. Present Use: Vacant Storage Warehouse; Proposed Use: Brew Pub with Distillery, Fitness Center and Warehouse.  
Tax Map MD-16-173.00-01-12.00

WHEREAS, the City of Milford Planning Commission will consider the conditional use application at a Public Hearing on September 20, 2016; and

WHEREAS, Milford City Council will hold a Public Hearing on September 26, 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 Multiple Permitted Uses and Mixed Uses and a Business, Commercial or Industrial as herein described.

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

*Section 1.* Upon the adoption of this ordinance, Gator & Associates Inc on behalf of James Grant is hereby granted a Conditional Use Permit to allow a Brew Pub with Distillery, Fitness Center and Warehouse, 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: September 20, 2016

City Council Introduction: September 12, 2016

City Council Public Hearing: September 26, 2016

Adoption: September 26, 2016

Effective: October 6, 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](mailto:RPierce@milford-de.gov) or by calling 302-424-3712.

*Advertised: Beacon 08/24/16*

**From:** Michael Yosifon <[myosifon@gmail.com](mailto:myosifon@gmail.com)>

**Sent:** Monday, August 29, 2016 1:45 PM

**To:** Mayor Shupe

**Subject:** Resignation from Planning Commission

Dear Bryan,

It is with much regret that I have decided to resign from the Planning Commission.

I am deeply grateful to you for selecting me to serve on the Commission since 2014.

Personal and family commitments preclude my ability to continue serving at this time.

Serving the City of Milord has been an honor for me, perhaps I could resume serving in a different capacity at a future time.

Regards

Michael Yosifon

# City of Milford



## RESOLUTION

2016-14

### *Halloween Trick-or-Treat*

WHEREAS, the children of Milford are entitled to the fun and festivity associated with the observance of Halloween Trick-or-Treat custom of traveling with friends and family going door to door in their neighborhoods displaying their costumes and gathering treats; and

WHEREAS, parents are urged to join in the festivities by accompanying their children throughout their journeys in celebrating Halloween Trick-or-Treat; and

WHEREAS, residents are requested to indicate their willingness to welcome children by keeping their porch or exterior lights on and that youngsters call only on homes so lighted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council, that the Halloween Trick-or-Treat observance be held in an orderly manner on Monday, October 31, 2016 between the hours of 6:00 P.M. and 8:00 P.M. in the City of Milford.

AND, BE IT FURTHER RESOLVED THAT:

\*Only celebrants of 12 years and under will be permitted to engage in Trick-or-Treat.

\*All celebrants are to refrain from committing acts of vandalism or destruction.

\*Motorists are asked to be ever watchful of our youngsters making these annual rounds.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford to be affixed this 12<sup>th</sup> day of September 2016.

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Mayor Bryan Shupe

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City Clerk Teresa K. Hudson

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
August 8, 2016

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

PRESIDING: Mayor Bryan Shupe

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

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

COUNSEL: Assistant City Solicitor James Sharp, 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 Councilmember Burk.

#### APPROVAL OF PREVIOUS MINUTES

Motion to approve the June 7, June 8, July 11, July 25 and July 28, 2016 Committee and Council Meeting minutes made by Councilmember Brooks, seconded by Councilmember Mergner. Motion carried.

A moment of silence followed for those victims, families and communities affected by the recent tragedies in our country.

#### RECOGNITION

##### *Milford Police Officers*

Chief Brown recognized Corporal Kirk Marino and PFC Nigel Golding.

The Chief informed Council that these two officers responded to a loud music complaint and upon their arrival, they realized it was a family celebration in honor of a birthday. Believing the music was within reason, they opted to join in the celebration. Officer Marino provided a K-9 demonstration and small toys that are kept in the trunk of the police car.

Chief Brown feels this deserved recognition because it reinforces the relationship the department wants to have with the residents.

Certificates were issued to each officer stating as follows:

#### *ABOVE AND BEYOND*

*Presented to Corporal Kirk Marino and PFC Nigel Golding in appreciation for service above and beyond the call of duty while responding to a loud music complaint on July 17, 2016. Realizing this was a birthday party being held for a young child, both officers went out of their way with a K-9 demonstration and participation in the celebration.*

Photos were then taken.

#### MONTHLY POLICE REPORT

Police Committee Chair Burk presented the monthly report on behalf of Chief Brown. He also commented on another successful National Night Out which was held this past Tuesday.

Councilmember Peel moved to accept the police report, seconded by Councilmember Morrow. Motion carried.

#### CITY MANAGER REPORT

City Manager Norenberg referenced his monthly report adding that Councilmember Wilson and other officials have met with the Haitian and Hispanic residents to connect more with the community. On the 'Third Thursday' event, the hours of our Customer Service office were extended to coincide with those of the downtown businesses. The intent is to provide shoppers an opportunity to visit local merchants during the evening hours.

Translators were made available for anyone needing their assistance. Unfortunately, customer service has had no customers take advantage of the extended hours since its inception in May. Though the 'Third Thursday' efforts will continue for our downtown merchants, our office will no longer be open as a result.

Councilmember Brooks moved to accept the monthly City Manager report, seconded by Councilmember Morrow. Motion carried.

#### MONTHLY FINANCE REPORT

Finance Committee Chairman Morrow reported that through the twelfth month and end of Fiscal Year 2015-2016 with 100% of the fiscal year having passed, 98% of revenues have been received and 93% of the operating budget expended. He noted that revenues are lower because there was less electric purchased and sold are the result of lower electricity sales than was originally projected because of milder temperatures. However, electric expenses were lower as a result.

Councilmember Burk moved to accept the June 2016 Finance Report, seconded by Councilmember Mergner. Motion carried.

#### COMMITTEE & WARD REPORTS

##### *2<sup>nd</sup> Ward Report*

Councilmember Peel asked the record to reflect some concerns she has regarding code enforcement and latent drug sales. She is asking for help even though she understands there is a lot of community policing occurring. However, she has talked with Chief Brown though she understands this does not occur when the police are present.

She feels that when the City is encouraging people to invest in business and residential properties and those property owners are putting in their blood, sweat and tears into that home or business, it is very discouraging to see those type things happening.

Councilmember Peel knows that both people that contacted her are willing to work with the City and the Police Department. But she wanted to give the City Manager, City Planner and Police Chief an opportunity to address the public and tell them what they need to do, whom they should be calling and the best way is to collect documentation to support the police or code officials to do their jobs.

Chief Brown emphasized the best and quickest way to handle is that anytime someone observes this activity, they should immediately call the Police Department. He reported the Department has been working with the downtown businesses including the ones Councilmember Peel is referencing.

The Chief agrees it is not enough and are being more proactive by putting additional Police Officers on foot in the downtown area. He hopes this will help curtail this type of activity.

He reiterated the importance of calling immediately when someone witnesses that type of conduct.

Councilmember Burk then informed Council that one of his constituents contacted him this week. He visited their property prior to tonight's meeting this evening. He then referenced a corridor down Walnut Street where several properties are for sale emphasizing how discouraging it is to see an old beat up truck covered with carpets, along with three tractor trailer tires piled up in the rear yard(s). He said it was somewhat talked about during the hiring process and particularly when the broken window theory was discussed. He said if the City allows broken windows to exist and the code is not enforced, people will continue to think they can get away with it. He agrees we need to step up our game.

Councilmember Burk said he is willing, and believes that Councilmember Peel would be willing, to walk the second ward with other residents or City officials. He reported that residents used to do that in another municipality with their Councilmembers. He emphasized the importance of a person being outside of their vehicle, walking around and observing things.

He believes we need to step up our game if we want to attract the right people and right businesses to Milford.

The Councilman then recalled the lengthy discussion regarding sidewalks during the budget hearings. He wants to make sure we have the correct language in the ordinance to be able to enforce the sidewalk requirements that they must be repaired. He commented on the importance of walkability which is another draw to our town. He concluded by stating there are a number of sidewalks in need of serious repair.

Councilmember Burk added that City Planner Rob Pierce did respond quickly and he hears good things about Code Official CC Dennis as well. He just thinks it is time that we work as team though that is going to require everyone putting some extra time into it.

Councilmember Campbell said it is especially important with the new hospital which will have a major effect on who will move into town. Councilmember Burk feels it is just as important for the residents that already live here.

Councilmember Peel believes it is one thing to attract people but pointed out there are people who have chosen to invest in their home while the house next door to them may be boarded up.

She also recalled conversations about rentals and the importance of bringing landlords into the loop so that they understand the benefit of good neighbors in addition to not allowing them to house criminals or allow criminal activity to occur. Councilmember Peel feels we need to continue to look at enforcing landlord rules.

City Manager Norenberg responded by stating we are making progress in filling the new code compliance officer position that Council authorized. The job description has been updated which is now in the hands of our HR Department; he expects to begin recruitment within the next couple of weeks.

The City Manager is aware that our code official has put a lot of time and effort into addressing code violations of a number of homes that were for sale. He feels that is a positive benefit to the neighboring house that had some challenges with properties that were on the market though he is unsure of their current status. That department is trying to catch up though we are willing to walk through the neighborhood in order to see things through other people's eyes.

The City Manager said that Councilmember Peel also referenced tenant landlord relationships which recently came up in a recent conversation with state officials. They were informed there are some new guidelines from HUD on those programs. As a result, the City will be working with colleagues at the State Housing Authority to ensure the practices the City puts in place are compliant with federal rules and regulations. They informed the Director of the State Housing Authority that Milford wants theirs to be a model program so it is successful and defensible in court. They will continue to work on people being accountable for their behavior and good neighbors.

### *1<sup>st</sup> Ward Report*

Councilmember Mergner then reported that speeding on Elks Lodge Road is a problem. He said it has become a race track and a potential hazard between the speed and driving behavior. He asked if the City has any jurisdiction on that road; Chief Brown explained that only small portions of that road are in the City.

Councilmember Mergner asked if there is someone we can contact to ask for some patrol in that area. The City Manager recalled that Councilmember Mergner and he discussed this a couple months ago. At that time, he put in a website request to DelDOT to do a study though he has not had a report back on whether or not that was completed.

He said there were two segments on Elks Lodge Road where speed studies were done; they reviewed one segment in the past few years though the other has been much longer.

Mr. Norenberg will follow up and remind them of the points expressed by Councilmember Mergner that the hospital is developing in that area.

### *Speeding*

Councilmember Brooks reported there is speeding all over town; Councilmember Burk agreed. Councilmember Brooks stated that Tenth Street is a racetrack especially on weekends when people are coming back from the beach. He talked with Councilmember Morrow who stated that North Walnut Street has the same problem.

Councilmember Burk referenced the problem on Lakeview. He has recently observed a patrol officer sitting at the old Middle School running radar. He believes that Lakeview, Walnut and Seabury are all racetracks. He sees people doing fifty miles an hour which is confirmed by the blinking speed sign showing the speed.

Councilmember Brooks pointed out that the drivers who aren't speeding are either texting or talking on their cell phones.

Councilmember Mergner asked if there are any more speed signs that can be installed; Chief Brown said he has two portable speed signs that can be moved but are currently on other streets.

Councilmember Burk asked if they can track the data; the Chief said some of the units have that capability. Councilmember Burk suggested that instead of waiting for DelDOT, we should do a study by storing our own data to at least get an idea of how fast people really are going.

Councilmember Brooks does not see an advantage to the speed signs and actually finds that drivers on Tenth Street actually began speeding up once the signs were installed on his street. Councilmember Peel finds them to be a deterrent on the streets in her ward; Councilmember Mergner agreed they have been very effective in his neighborhood and he has actually observed drivers hitting their brake lights on a consistent basis once they see the sign. Councilmember Brooks said they never do that on his street which includes a school zone with a twenty-mile an hour speed limit.

Chief Brown said he has another sign that will be permanently mounted on Southeast Front Street. Another has also been ordered though they have not determined its location.

### *Police Study*

Police Chair Burk then reported that a meeting was held with Chief Brown, retired Chief Hudson, Mayor Shupe, City Manager Norenberg and himself. At that time, they discussed the police and facility study. Councilmember Burk made contact with the previous Consultant Dan Redstone who did the 2011 study. Mr. Redstone informed him they are more than willing to help them out.

Mr. Redstone indicated he will provide a very reasonable proposal to update the study and is willing to come to Delaware to meet with Chief Brown and his officers.

Councilmember Burk pointed out that will save the City a considerable amount of money versus the \$95,000 that was presented at the time of the budget.

Mr. Redstone also informed Councilmember Burk that though the French and Ryan firm no longer exists that Chief Hudson worked with, one of the partners (Pat Ryan) is still doing contractual work which would prevent restarting the design portion of the study.

He will keep City Council posted.

Mayor Shupe stated that is wonderful news and is very appreciative that Councilmember Burk is taking the lead.

*Parks and Recreation Committee*

Councilmember Campbell reported that the Parks and Recreation Committee met for the first time in four years. Several ordinance changes were recommended which will be later discussed.

UNFINISHED BUSINESS

None.

NEW BUSINESS

*SE Milford Storage Tank Project/CB&I Change Order 6*

Mr. Norenberg referred to the final change order (#6) from CB&I, Incorporated that showed a decrease of \$14,000 for the overall project. He said that Mayor Shupe thought it was a good idea to share this change order with City Council.

The City Manager asked Council to authorize him to sign the change order. Councilmember Mergner moved to authorize Change Order 6, seconded by Councilmember Morrow. Motion carried.

*Introduction/Ordinance 2016-13/Chapter 165/Parks & Recreation Code Amendment*

City Manager Norenberg stated that a Parks and Recreation Committee meeting was held the end of July. He then introduced Ordinance 2016-13, the result of recommendations and amendments discussed at that meeting. It will also enable a resolution to be adopted with relation to the proposed fees.

*Proposed Resolution 2016-12/Parks & Recreation Fees*

The resolution, presented for review only, outlines the proposed fees and changes related to services and facilities provided by the Parks and Recreation Department.

Mr. Norenberg explained this is scheduled for adoption at the August 22<sup>nd</sup> meeting and will comply with Ordinance 2016-13.

He explained that two rental tiers--‘individuals and nonprofits’ and ‘for profit’ have been created. A four-hour time frame has also been established.

The last item, an ‘incidental park usage’ fee, applies to the rental of a specific open space or non facility area for the purpose of instruction or directly related recreational use on a set time/date. The incidental park fee will be based on two-hour increments.

Councilmember Mergner asked how the park uses will be policed on a weekend to prevent any conflicts. The City Manger explained that will be a collaboration of communication between Parks and Recreation and the Police Department. Councilmember Mergner recommends that the renter have something in writing to support the agreement.

Councilmember Brooks pointed out that the ordinance requires a permit be issued and to be in the possession of the renter to prevent any problem.

Parks and Recreation Chairman Campbell also reported that a designated smoking area was also discussed. However, it was determined that it would result in additional expenses and policing so it was agreed to keep the current prohibition.

*Executive Session*

Councilmember Mergner moved to recess into Executive Session reference below reason, seconded by Councilmember Campbell:

*Pursuant to 29 Del. C. §10004(b)(4) (Collective Bargaining Updates)*

Motion carried.

Mayor Shupe recessed the Council Meeting at 7:36 p.m. for the purpose of an Executive Session as permitted by Delaware's Freedom of Information Act.

*Return to Open Session*

City Council returned to Open Session at 8:18 p.m.

*Teamsters Local 326 Agreement*

Councilmember Burk moved to authorize the administration and legal team to negotiate up to option E as discussed and presented, seconded by Councilmember Morrow. Motion carried.

*Potential Union Issue/Non Police*

No action needed.

ADJOURN

There being no further business, Councilmember Brooks moved for adjournment, seconded by Councilmember Mergner and carried unanimously.

Council Meeting adjourned at 8:20 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
August 16, 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 Tuesday, August 16, 2016.

PRESIDING: Chairman James Burk

IN ATTENDANCE: Committee Members:  
Councilmembers Katrina Wilson and Owen Brooks Jr.

Mayor Bryan Shupe (participated via telephone)

Police Chief Kenneth Brown & City Clerk Terri Hudson

Chairman Burk called the Committee Meeting to order at 5:33 p.m.

Because he was unable to attend in person, Mayor Bryan Shupe participated via telephone.

*Police Department Study*

As was discussed at the August 8<sup>th</sup> Council Meeting, Chairman Burk reported that he received the quote back from Dan Redstone/Redstone Architects who handled the last police study and preliminary design for the proposed police station. Mr. Redstone is willing to come out, along with one of his staff members, to meet Chief Brown and his officers to obtain more recent information, including current statistics, to update the report he completed in 2011. The proposal is an estimated \$7,500.

Chairman Burk recalled that Council was presented a \$95,000 figure at the June budget hearing for a new study to be done which was included in the approved FY 2016-2017 budget.

The Chairman advised that he had forwarded the related documents from Mr. Redstone to the committee for their review.

In the meantime, City Manager Norenberg requested a copy of the complete analysis which was forwarded to Mayor Shupe and Chief Brown today. The 35-page analysis includes numbers on current and projected staffing.

Chairman Burk then pointed out that City Manager Norenberg had included in the packet various samples of police staffing and operational studies.

He then asked Mayor Shupe to comment about the concept of the \$95,000 study though he believes Mr. Norenberg confirmed it was staffing and police facilities only. Mayor Shupe believes it was for both though the main focus was on staffing though the City Manager would need to clarify that.

Chairman Burk recalled the meeting with Mayor Shupe, Chief Brown, Retired Chief Hudson and himself at which time the plans and study were reviewed as they discussed the previous process and needs of the department.

He then asked the Police Committee and Chief Brown to confirm if the Redstone contract will meet our needs; Mayor Shupe agreed adding that he thinks it is very important for Chief Brown to verify it is adequate because it will ultimately impact his department.

Chief Brown recalled that in 2011, the Redstone group came in and interviewed the entire department. He provided a summary of those interviews which he feels were instrumental in the completed analysis. It appeared to Chief Brown this was a very fair and adequate plan due to the number of people involved, which included Council Member input. Chief Hudson kept Council aware of the progress to ensure everyone understood the department's needs at the time.

Chief Brown is unsure what else is being sought due to the comprehensive study that was completed. He agrees the obvious choice should be to update the plan based on current needs and continued growth of the City. In his opinion we are being fiscally responsible versus starting all over and in particular, paying \$7,500 versus the proposed \$95,000 cost.

Councilmember Wilson remembered when every staff member was interviewed at the police department. Redstone had a true consensus of what was needed. They followed up with a workshop and meetings. City Council also had input on what they wanted at the new police department.

She recalled at that point, Council, along with the police department staff, were very happy and excited about the prospective vision for the police department. Councilmember Wilson recalled several safety features that were being added that the current building was incapable of accommodating due to its size and location. .

She is extremely pleased that Dan Redstone is willing to come back and update this plan for the City. .

Chairman Burk agreed adding that a lot of those items that the City Manager has submitted were accomplished in the first analysis. He did not tell Mr. Redstone that \$95,000 had already been approved and instead simply asked what he would charge for the update. Mr. Redstone came back with the \$7,500 figure and Chairman Burk was very pleased.

Chairman Burk feels there is some room for some additional work if needed though he is very conscious of being efficient when spending city funds.

Mayor Shupe suggested that before this is voted on by Council, that Chief Brown and Chairman Burk sit down with the City Manager to discuss the committee recommendations in order to show solidarity and encourage the team mentality effort.

It was confirmed the item would be placed on Monday's agenda. Chairman Burk encouraged the committee members to participate as was done in the previous study, interviews and analysis.

Councilmember Brooks stated for the record that \$95,000 is way too much money to spend on another study. He said he has lived here all of his life and has watched the City and police department grow and it is not a matter of having too many police officers. In his opinion, we need more. Several years ago, he asked for four new officers and though it was a fight, he finally got them. He feels those officers were needed and the City has grown a lot more since. He does not believe the City needs to spend \$95,000 to prove there is a need for additional police officers.

Chairman Burk agreed and asked if there are similar studies being done in the other City departments that are comparable to what was proposed for the police department; Councilmember Brooks' personal opinion is that the City spends way too much money on studies. He referenced the \$22,000 being spent on an electric rate study and recalls that no vote was taken. This is the first time he remembers a study being ordered without the approval of City Council.

He added that he respects the new City Manager but believes it is very important that City Council approve any study before it is done. Councilwoman Wilson and Chairman Burk both agreed.

When asked for any further questions, Councilmember Brooks reiterated that this City needs a new police station and there should be no question about it. Like he stated at the last meeting, only about five-percent of the people that live in the City have ever been inside the police department though that is a good thing. He pointed out it has been too small for a number of years and that whenever we have a rain event, the officers have to sandbag around the building to prevent water from seeping in.

Chairman Burk stated that Mr. Norenberg informed him that he was attending a FEMA meeting and there may be some grant money for construction at the current site because it was built in a flood zone. However, any new site would not qualify for the funding unless it was in another flood zone though he hopes that is not the case.

He did state that the City would qualify for funding to have the building demolished to ensure no other structure would be built at that site. That would prevent the site from being a hazzard and future structures not qualifying for flood insurance.

In speaking with Mr. Redstone, he informed Chairman Burk that a number of things have changed in the last few years and the square footage for the officer/desk ratio has actually been reduced. He was throwing out different ways to save money so Mr. Burk is anxious to work with him. Though the construction costs have increased since 2011, there are possible methods that can be used to offset those costs.

The Chairman was very impressed with his knowledge and feels it is extremely beneficial to take advantage of Mr. Redstone's experience to build on what already exists.

Chairman Burk stated that his main concern is that this study does not focus on the staffing issue; he is more interested in community value, satisfaction and the number of incidents compared to the number of officers.

Councilmember Wilson asked Redstone's projection on the number of officers; Chief Brown stated that it went from 42 to 56 officers.

Chairman Burk agreed their projection was approximately 56 officers and Mr. Redstone had very specific questions about dispatchers, support staff, etc. He felt those questions needed to be answered by Chief Brown who could provide more the most accurate information and answers.

Councilmember Brooks then talked about the speeding problem in the City of Milford; Chairman Burk added that the speeding sign was placed on Lakeview Avenue since the last council meeting and that an officer has been stationed at the old middle school. In addition, radar is being run on Kings Highway.

Councilmember Brooks said on Friday to Sunday nights, he and his wife sit on their front porch watching the racetrack on Northeast Tenth Street. His neighbor yelled to his wife the previous night that she saw five tractor trailers on that street even though there is a 'No Truck Sign' on Route 1 though they continue to use his street.

Chief Brown pointed out that radar has always been run on a consistent basis on Northeast Tenth Street.

When asked if more officers are needed, Chief Brown stated that considering the continued growth especially with the commercial development being proposed east of Route 1, in addition to the new hospital, now is the time to start thinking about that. He pointed out it is not easy to add new officers and that beginning on the date of their employment, it takes at least a year before an untrained officer is released on their own.

Councilmember Brooks reiterated that he lives by the high school and that Tenth Street is a racetrack and there is a need for more officers. Chief Brown said that he only has so many officers and they are often on foot patrol in the downtown area. Mr. Brooks said his neighbors always ask him where the police officers are and Councilmember Brooks tells them they are busy.

Councilmember Brooks said he almost got run over going to the store the other morning. He heard a car coming behind him and turned around and had to jump the curb by the American Legion to get out of the way. The driver stopped and asked him if he was ok and said he was slowing down. Councilman Brooks said his wife told him that from now on, he needed to drive to the store.

Chief Brown said he had a complaint from one of the downtown merchants yesterday who sent Mayor Shupe an e-mail stating they are not seeing officers anymore. He said that was not true because they were just there two hours earlier.

Councilmember Wilson moved to present to Council the recommendation to authorize the \$7,500 for the Redstone update, seconded Mr. Brooks. Motion carried.

Chairman Burk said he will present the recommendation to approve the \$7,500 to update the study. If acceptable to City Council, Dan Redstone will be informed to contact Chief Brown.

#### *Implementation & Purchase/Body Camera Program*

Chief Brown then talked about a body camera program which Chief Brown thinks is desperately needed. Councilmember Brooks said there is money available from the State of Delaware and recalls Governor Markell discussing this.

The Chief explained that the state police were defunded on their body camera program. When Councilmember Brooks referred to money that was made available for each department, Chief Brown explained he believes that is grant though that involves an application process and is not a given.

When asked if the Department of Justice/Attorney General Office ever decided how to implement that program, which has been the holdup for the past couple of years, Chief Brown explained that a few agencies had pilot program that were based on the AG's model policy. At the end of that program, the AG's Office intended to make a recommendation on the vendor. New Castle County and the State Police were two of the pilot agencies and before they completed the Taser product testing, New Castle County had already agreed to purchase it and are already using it.

Chief Brown explained that in addition to the \$3,000 annual maintenance agreement, the cost of the camera in each vehicle is \$5,000. Currently the recordings are stored on the police departments' servers. Anytime there is an incident, each recording has to be downloaded and copies of any associated recordings (from other cameras) are put on a disk for the AG's Office and the defendant. The server archival requirements vary based on the type of crime was involved.

The Taser system would integrate all recordings associated with the incident. He explained the integration system consists of a two-camera system (windshield and prisoner compartment), body camera and device that attaches to the lightbar. The body camera is activated whenever the vehicle lights are turned on. The existing in-car cameras are also activated by the lightbar.

Chief Brown reported that an updated battery/mechanism would be needed for the Taser electrical weapon that would allow the body camera to be activated whenever the Taser is turned on.

Chief Brown feels the biggest benefit of the Taser is the ability for data storage on secure cloud-based servers at Evidence.com, which eliminates that storage on the department's current servers. The system is exceptional when comparing evidence management and searching capabilities to other systems.

According to the Chief, it would also provide the AG's office the ability to tap into the data storage system where they would acquire the recordings for any upcoming court cases.

He added his long term goal is to purchase an interview camera from Taser that can be linked to the system when the new police department is built.

Councilmember Brooks recalled Former City Manager Carmean telling him that the police department was accredited and that Milford was one of only a couple downstate departments with that designation and asked if that is still the case; Chief Brown explained that the department has never been able to apply for accreditation because their building does not qualify. They meet accreditation standards in every other category though their building always prevented it.

Chief Brown reported that he received a proposal from Taser International that includes the updated vehicle cameras, body cameras, storage capability, licensing, training program and installation. They broke it down into a five-year plan which includes the replacement cameras and docking station every two and a half years needed because of technology changes.

He also noted this system can be linked to the department's CAD (computer-aided dispatch data) system and will automatically tag videos to any related incident. Otherwise, additional time will be needed after a shift for each officer to manually review and tag incidents during their 12-hour shift.

The cost of the entire system is \$145,603 with an initial cost in year one of \$44,683. Subsequent annual costs will be \$25,230 from year two through year five.

Chief Brown stated that he has a \$41,000 Violent Crimes Grant that can be used to help fund this project the first year. However, any recurring expenses are ineligible which is the case with most grants.

The department also has the ability to use their Sussex County grant, Kent County grant, SALLE and EIDE funds toward the project as well. Should that funding not be approved, he would need \$25,230 to be paid by the department.

Both Councilmember Brooks and Chairman Burk agreed it is essential to find the money to pay for the project. He feels this has become standardized equipment for police departments nationwide.

Chief Brown added that this system could possibly pay for itself with one incident.

Councilmember Brooks said we need to find the \$25,230 needed each year.

It was agreed that Chief Brown would apply for the grants and the committee will recommend funding the \$25,230 for years two to five.

Councilwoman Wilson said there is no better reason to spend this money than for safety of our police officers and our citizens.

Mayor Shupe stated that this was a very productive meeting and agrees the equipment is necessary. He said that we are all aware that we need to look at a new police station and body cameras. As a council, there is a need to be fiscally responsible when looking at future budgets adding that convincing residents for a new police station is going to take a lot of work though he feels it can be accomplished. He said that when asking for the new police station, he thinks people will vote yes because we have a very good case. However, he is cautious about convincing residents that their taxes will be increased another five cents after the recent increase through the county.

However, the mayor does agree this is needed and a reasonable request and should be an area where City money is best spent. However, he also wants to remind City Council that he has a concern that many residents will be unable to afford two tax increases, in addition to City electric increase that is being proposed.

Councilmember Brooks feels that City Council can talk to our residents so that they understand the security problems at the current police department and believe the referendum will sell itself.

Chairman Burk moved to make the recommendation that Chief Brown proceed by presenting the camera system to City Council and designate the funding as discussed, seconded by Councilwoman Wilson. Motion carried.

The Chairman summarized the meeting by stating that the police committee will be making two recommendations to City Council at the next meeting on August 22<sup>nd</sup>.

There being no further business, Councilmember Wilson moved to adjourn the committee meeting, seconded by Councilmember Brooks. Motion carried.

The Council Meeting adjourned at 6:22 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
August 22, 2016

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

PRESIDING: Mayor Bryan W. Shupe

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

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 7:00 p.m.

#### INVOCATION AND PLEDGE

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

#### RECOGNITION

Police Committee Chairman Burk thanked Chief Brown for having his officers handle traffic control for the Running of the Goat event this past Friday night.

Mayor Shupe warned Council he is 'on call' and is waiting for a call from his wife at any point due to expecting their first child at any moment.

Councilmember Mergner thanked City Manager Norenberg and Mayor Shupe for choosing him to represent Milford at the Kent Economic Partnership monthly meeting. During the first meeting, he learned that their purpose is for representatives from Dover and other Kent County cities to discuss economic development and support projects that will create jobs while improving the quality of life for county residents.

He will be attending the meetings and will provide Council with future feedback.

#### COMMUNICATIONS & CORRESPONDENCE

##### *City of Milford/Downtown Development District Designation*

Mayor Shupe announced this is the first official meeting since the City of Milford was publicly recognized as a Downtown Development District by the State of Delaware. He said it is a big step in the Rivertown Rebirth Plan that was approved last year.

The DDD will allow private investors to receive up to 20% of construction costs for commercial and residential investments in the designated area. He feels this will be the catalyst in driving the rebirth plan.

Public meetings will be scheduled in the near future to provide more information to residents and businesses.

#### UNFINISHED BUSINESS

*Adoption/Ordinance 2016-13/Chapter 165/Parks & Recreation Code Amendment*

Mr. Norenberg stated that at the last meeting, they introduced Ordinance 2016-13 which includes a number of updates to the Parks and Recreation Code. The main topics involve permitting and reservations of parks and open space. It supports Resolution 2016-12 that provides fees for facilities and rentals as recommended by the parks and recreation committee that met approximately a month ago.

Councilmember Wilson moved to adopt Ordinance 2016-13, seconded by Councilmember Mergner:

*ORDINANCE 2013-16*

*WHEREAS, One of the missions of the City of Milford is to enhance the community's quality of life by providing well-designed and properly maintained parks, facilities and recreational opportunities for all residents; and*

*WHEREAS, it is necessary to amend Chapter 165 of the City of the City of Milford to provide for more efficient and effective operations of the City of Milford Parks and Recreation areas; preserve park facilities for long-term use; promote recreational opportunities for the community; and protect the health, safety and welfare of its citizens and all park users.*

*NOW, THEREFORE, Be It Ordained by the City of Milford that:*

*Section 1.*

*Chapter 165 of the Code of the City of Milford, entitled Parks and Recreation, is hereby amended as indicated below:*

*Chapter 165 - PARKS AND RECREATION*

*ARTICLE I - General*

*§ 165-1. - Definitions.*

*DIRECT ROUTE - The shortest and most direct path a person may travel to access the pedestrian bridge for the purpose of reaching the opposite side of the Bicentennial Park without any detour or additional stop in the park along the way.*

*PARK AREA - All city parks, playgrounds, recreation fields and areas.*

*PARK - The term park or park area includes all parks, playgrounds, recreation centers and fields, water areas, riverwalks, greenways, trails, nature preserves or other recreational areas and facilities thereon, under the jurisdiction, control or ownership of the City.*

*PARKS AND RECREATION DIRECTOR - City of Milford Parks and Recreation Director and any employee or designee thereof.*

*PERMIT-Document issued by or under the authority of the Parks and Recreation Director granting use of reserved park/facility area and which sets forth terms and conditions applicable thereto.*

*PERMITTEE - Person granted and receiving approved permit. Individuals, firms, associations, corporations, nonprofits and/or a combination thereof granted and receiving approved permit.*

*SPECIAL EVENT - Any outdoor meeting, activity, parade, gathering or group of persons, vehicles, or a combination thereof having a common purpose, design or goal, upon any public street, sidewalk, alley, park, beach or other public property, place or building, in a park or facility which special event substantially inhibits the usual flow of pedestrian or vehicular travel or which occupies any outdoor park area of any public area or building which results in use preempting normal use otherwise to be made of the area by the general public or which deviates from the established or customary use. The term "special event" shall not be construed to include a funeral procession.*

*§ 165-2. - Fees Fee Schedule.*

*Fees for permits and services required by this chapter shall be established by resolution of City Council. The list of park facilities and fees, based on the number of hours requested, shall be established by resolution of City Council.*

§ 165-3. - Enforcement.

- A. *The Milford Police Department, Code Enforcement Officials and Parks and Recreation Director shall enforce this chapter.*
- B. *Any city employee authorized to enforce this chapter, as provided herein, has the authority to eject from a park facility any person in violation of this chapter or any other law.*

ARTICLE II - Parks and Recreation Rental Rules and Regulations.

§ 165-4. - Purpose.

*The purpose of this article is to establish rules and regulations governing the operation and use of park and recreation facilities including established and designated park, picnic areas, buildings and shelters devoted to recreational purposes, athletic fields, bocce ball courts and other recreational areas and facilities, and the parking areas provided in connection therewith which are located within the Milford City limits, for the end and purpose that the public may obtain the maximum enjoyment and utilization thereof in accordance with the purposes intended, and that the facilities may be conserved and protected for the public good.*

§ 165-5. - Hours.

- A. *All public parks, owned and operated by the City of Milford, shall be closed from sunset to sunrise daily, except where otherwise posted or permitted.*

*Exceptions:*

- (1) *Bicentennial Park-Persons traveling by foot or bike from the Franklin Street area to the Northeast Front Street area, or reverse, shall only be by direct route and must immediately exit the park upon completion.*
    - (a) *Persons found congregating, standing, loafing or remaining in the park when required to take the direct route when the park is closed shall be considered in violation of this chapter.*
  - (2) *Parks owned by City of Milford but managed and operated by Milford Little League.*
  - (3) *Any other exception to the hours of operations shall require the approval of City Council.*
  - (4) *Notice of any permitted exception must be provided to the Milford Police Department.*
- B. *Any park or portion thereof may be closed to the public by the Parks and Recreation Director at any time and for any interval of time or for certain uses as he/she finds reasonably necessary.*

§ 165-6. - Rules and regulations.

- A. *Patrons shall remove all trash that is brought into the park.*
- B. *Dogs and other pets are not permitted in the parks during rentals or special events.*
- C. *Deposit shall be refunded only after buildings, grounds and/or equipment is inspected and found to be clean and without damage.*
- D. *No alcoholic beverages permitted. Refer to Chapter 77 of the City of Milford Code.*
  - (1) *Exception and Regulations.*
    - (a) *Alcoholic beverages may be sold and consumed at special events in parks only upon City Council approval of the written request to the City of Milford and receipt of the applicable permit from the State of Delaware Alcoholic Beverage Control Commission.*
    - (b) *The point of sale and consumption must be within a confined and designated service area with identified entrance/exit and barriers, low fencing, chains and stanchions or similar materials that will serve to define the area and restrict access.*
    - (c) *No alcohol may be taken outside the confined service area and is strictly prohibited on city streets and sidewalks beyond the boundaries of the designated area as posted by the event organizer.*
    - (d) *The event organizer is required to provide event identification to those persons twenty-one years of age or older who intend to purchase and consume alcohol at the special event in the park.*
    - (e) *Underage persons may be present in the confined service area if accompanied by a responsible adult.*
    - (f) *The Parks and Recreation Director will conduct an on-site inspection prior to the start of the event to ensure compliance with Article II of this code.*

- (g) *Persons may only possess and consume alcohol made available at the event. No alcoholic beverages may be brought into the event.*
- (h) *For safety reasons, all alcohol beverages must be served and consumed in plastic or paper cups or non-breakable containers.*
- (i) *The event organizer must provide temporary or portable toilets. Such number will be determined by the Parks and Recreation Director whose decision will be based on the proposed number of attendees. Such temporary or portable toilets must be removed from the event site within twenty-four hours after the conclusion of the event for which the permit was granted.*
- (j) *A security deposit, as determined by the Parks and Recreation Director and based on the anticipated number of participants, shall be paid at the time the organizer enters into an agreement for the use of the park. Security deposit will be refunded only if the area is left in good and undamaged condition and free of litter after a determination by the Parks and Recreation Director. Security deposit shall be forfeited for repair or maintenance time to clean up the area. The security deposit is a separate payment than the rental fee. Refer to 2.03(c).*
- E. *The Parks and Recreation Director shall determine whether permittee is required to hire Special Duty Police Officers from the Milford Police Department.*
- F. *It is the responsibility of the permittee to rent portable restrooms if required.*
- G. *Noise levels must comply with Chapter 157 of the City of Milford Code.*
- H. *Special event hours are restricted to the following times:*
  - (1) *Monday-Saturday 9:00 a.m. to dusk.*
  - (2) *Sunday 12:00 noon to 7:00 p.m.*
- I. *Fire, health and safety regulations must be obeyed at all times.*
- J. *The Parks and Recreation Director reserves the right to refuse any application, revoke any approval of accepted application and/or cancel the proposed event which has been previously approved.*

#### *§ 165-7 - Application & Permit.*

*The Park, Pavilion or Equipment Reservation Application must be completed and signed by the applicant. Approval by the Milford Parks and Recreation Department is required. Upon approval by the Milford Parks and Recreation Director, a permit shall be issued.*

*Permits shall be required for the exclusive or special use of park grounds, areas, trails or facilities when they are otherwise closed to the public.*

*Permit must be in the permittee's possession in order to enforce its privileges, including asking individuals to move from the designated reserved space.*

#### *§ 165-8. - Hold harmless agreement & Certificate of Liability.*

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

*A minimum of \$1 million liability insurance is required by a Special Event Permittee. Named as additional insured on the certificate shall be the City of Milford, its agents, officers, employees and volunteers. This certificate must be provided to the City of Milford for review no less than fifteen (15) days prior to the event.*

#### *ARTICLE III - Renting Prohibited*

##### *[§ 165-9. - Facility rental; public access.]*

*Facilities funded by a source other than the City of Milford shall not be rented for an exclusive use. Such facilities are considered open to the public and cannot be denied access.*

#### *ARTICLE III - Smoking Prohibited.*

§ 165-9. - *Smoking.*

*Smoking is strictly prohibited in the parks.*

*ARTICLE IV - Milford Dog Park*

§ 165-10. - *Creation.*

*There is hereby established within the City of Milford a dog park for the purpose of allowing the off-leash exercise of dogs, provided that such dog is under the control of an owner/handler who is competent and knowledgeable relative to the behavior of said dog(s).*

§ 165-11. - *Rules and regulations.*

*As a condition of entering the Milford Dog Park, dog owners and handlers must read and agree to be bound by the following rules and regulations:*

- (1) Park is open sunrise to sunset only.*
- (2) All dogs must be licensed and wear current license and vaccine tags.*
- (3) Dog owners/handlers assume all risks for injury or loss of any kind to themselves and their dogs.*
- (4) Dog owners/handlers are legally responsible for any damage caused by the dog.*
- (5) Dogs must be on a leash and under control at all times outside the fenced area.*
- (6) Owners/handlers must carry a leash at all times and closely supervise their dogs. At no time may the owner/handler exit the fenced area without his/her dog(s).*
- (7) Only people with dogs are permitted in the fenced area.*
- (8) Each owner/handler must be above the age of 13 and shall not supervise more than two dogs while in the park.*
- (9) Excessive barking is prohibited; dogs barking excessively must be removed.*
- (10) Dogs exhibiting aggressive behavior are to be removed immediately.*
- (11) Any waste left by the dog must be picked up immediately and properly disposed of in the containers provided. Owners/handlers may use old grocery sacks/bags.*
- (12) Owners/custodians must fill any holes created by their dogs and report any observations of gaps or weaknesses in the boundary fencing to the Parks and Recreation Department.*
- (13) No human or dog food, including treats, are allowed in the park for any reason.*
- (14) Prohibited from entering the park are dogs with sickness, female dogs in heat, puppies under four months of age and all other domestic animals.*
- (15) Smoking is strictly prohibited in the park.*

§ 165-12. - *Violations; Penalties.*

*Infraction of the rules as stated in § 165-11 may result in temporary or permanent loss of park privileges. All other state and local laws apply.*

*ARTICLE V - Penalty for Violations.*

§ 165-13. - *Fines.*

*Any person found violating any clause or provision of any section of this chapter shall be fined not less than \$50.00 and not more than \$250.00, for each offense upon conviction thereof.*

*Section 2.*

*Dates.*

*Introduction: August 8, 2016*

*Adoption: August 22, 2016*

*Effective: September 2, 2016*

Motion carried.

*Adoption/Resolution 2016-12/Parks & Recreation Fees*

The City Manager referenced the following resolution that outlines the recommended fees and changes for the lease of park and recreational facilities in the City. The main change is the addition of the four-hour time limit on rental periods.

In addition, there are varied rates for ‘individuals/non-profit renters’ and ‘for profit renters’. In addition, an incidental park usage fee (for profit renters) has been added to rent space not itemized within the other categories and was created for instructional-type activities in a specific open space area of the park.

He recalled a question was raised at the last council meeting regarding a potential conflict regarding the same use of space. He noted that the ordinance requires the permit to be in the possession of the renter should a question arise.

Councilmember Mergner moved to adopt Resolution 2016-12, seconded by Councilmember Starling:

*SECTION 1.02 OF CHAPTER 165 OF THE CITY OF MILFORD CODE ENTITLED PARKS AND RECREATION AUTHORIZES CITY COUNCIL, THROUGH RESOLUTION, TO ESTABLISH FEES AND CHARGES FOR PARKS AND RECREATION PERMITS AND SERVICES*

*RESOLUTION 2016-12  
Parks and Recreation Permit & Service Fees*

*WHEREAS, the Charter of the City of Milford provides that all administrative fees be set by Ordinance; and*

*WHEREAS, the user fee schedule utilized by Milford Parks and Recreation requires the approval of Milford City Council; and*

*WHEREAS, Chapter 165 of the City of Milford Code entitled “Parks and Recreation” authorizes City Council to establish fees through the adoption of a Resolution; and*

*WHEREAS, the fees contained in this Resolution shall be effective ten days following its adoption to coincide with that of Ordinance 2016-13; and*

*WHEREAS, Resolution 2014-09 is hereby rescinded.*

*NOW, THEREFORE, IT IS HEREBY RESOLVED by the Mayor and Council of the City of Milford, the following Parks and Recreation Permit and Service Fee Schedule is hereby authorized:*

*(Rates shown are based on four-hour increments)*

<b>INDIVIDUALS &amp; NON-PROFIT (501c3) RENTERS:</b>	
<b><u>LOCATION</u></b>	<b><u>4-Hour Rate</u></b>
<i>Parks and Pavilions MANDATORY DEPOSIT</i>	<i>\$50</i>
<i>Bicentennial Park &amp; Pavilion (Adjacent Mispillion Riverwalk &amp; Northeast Front Street Parking lot)</i>	<i>\$50</i>
<i>Memorial Park South (Adjacent to Mispillion Riverwalk behind Calvary United Methodist Church off Southeast Second &amp; Franklin Streets)</i>	<i>\$75</i>
<i>Optional: Basketball Court</i>	<i>\$25</i>

<b>INDIVIDUALS &amp; NON-PROFIT (501c3) RENTERS:</b>	
<i>Marvel Square Park &amp; Pavilion (Located behind the Milford Parks &amp; Recreation Department at 207 Franklin Street)</i>	\$75
<i>Riverwalk Basketball (One) Court (Memorial Park South along the Riverwalk)</i>	\$25
<i>Banneker Basketball Court &amp; Park (Banneker School Park off Fourth &amp; North Streets (Two Courts &amp; Adjacent Green Areas)</i>	\$50
<i>Field Adjacent to Milford Boys &amp; Girls Club</i>	\$75

<b>FOR-PROFIT RENTERS:</b>	
<b><u>LOCATION</u></b>	<b><u>4-Hour Rate</u></b>
<i>Parks and Pavilions MANDATORY DEPOSIT</i>	\$100
<i>Bicentennial Park &amp; Pavilion (Adjacent Mispillion Riverwalk &amp; Northeast Front Street Parking lot)</i>	\$100
<i>Memorial Park South (Adjacent to Mispillion Riverwalk behind Calvary United Methodist Church off Southeast Second &amp; Franklin Streets)</i>	\$150
<i>Optional: Basketball Court</i>	\$50
<i>Marvel Square Park &amp; Pavilion (Located behind the Milford Parks &amp; Recreation Department at 207 Franklin Street)</i>	\$150
<i>Riverwalk Basketball (One) Court (Memorial Park South along the Riverwalk)</i>	\$50
<i>Banneker Basketball Court &amp; Park (Banneker School Park off Fourth &amp; North Streets (Two Courts &amp; Adjacent Green Areas)</i>	\$100
<i>Field Adjacent to Milford Boys &amp; Girls Club</i>	\$150

<b>INCIDENTAL PARK USAGE FEE/FOR PROFIT RENTERS*</b>	
<b><u>Location</u></b>	<b><u>Fee</u></b>
<i>Open Park Space* Only (Pavilions or Basketball Courts not Included) Per Occurrence (2 Hours or Less)</i>	\$25
<i>*Any Open Park area (Includes existing Mispillion River Floating Kayak Dock)</i>	

BE IT FURTHER RESOLVED that the preceding Parks and Recreation Permit and Service Fee Schedule shall become effective September 2, 2016.

Motion carried.

NEW BUSINESS

*Bid Award/Davis, Bowen and Friedel, Incorporated /Fisher Avenue Pump Station Project*

City Manager Norenberg reported that DBF handled the bid process for the Fisher Avenue Pump Station upgrade for the City.

DBF Principal Jason Loar was present and explained the project involves the rehabilitation of the Fisher Avenue pump station

which is an old station that will be gutted and rebuilt.

Prior to the issuance of the final addendum, a few contractors had requested an extension on the bid date originally scheduled on Thursday, August 11<sup>th</sup>. To accommodate the contractors in anticipation of better pricing, it was agreed by City officials to extend the bid date to Tuesday, August 16<sup>th</sup>.

Mr. Loar submitted the following recommendation:

*On Tuesday, August 16, 2016 at 2 pm at City Hall, the bids for the above referenced project were received and opened. On behalf of the City, we have evaluated the bids and the associated documentation submitted by each of the General Contractors and all documentation is in order. A tabulation of all bids were included in the council packet.*

*Based on our review of the bids, we recommend that the contract be awarded to the apparent low bidder M2 Construction, LLC of Landisville, Pennsylvania with a total base bid of \$899,300.00. This recommended bid is within the City's proposed budget for this project.*

*If Council is in agreement with our recommendation, the formal award of the Contract should be made contingent upon the funding agency, the United States Department of Agriculture-Rural Development (USDA-RD), approval of the bid process. A second copy of these documents, and any additional documents required, will be submitted directly to the City's Attorney upon the vote by City Council to award this project. At which time a copy of the attorney's letter and a letter of concurrence to our recommendation from the City will be forwarded to USDA-RD, along with copies of the bid documentation.*

City Solicitor Rutt stated that the original bid advertisements does not indicate the bid date can be extended; however, state law requires that possibility be included in the advertisement. It was confirmed that notice was given by addendum to all plan holders that the bid date could be extended. In addition, it was verified that all plan holders had received that addendum.

Councilmember Brooks asked if there is sufficient funds to pay for this project; City Manager Norenberg responded by noting that this is part of the USDA project funding.

Councilmember Brooks then moved to award M2 Construction, LLC of Landisville, Pennsylvania for a total base bid of \$899,300.00, seconded by Councilmember Morrow. Motion carried.

*Authorization/DBF Proposal Amendment 0052A019.B01/NE Front & Route 1 Water & Sewer Realignment*

City Manager Norenberg explained that in order to prepare for the overpass at Route 1 and Route 14/NE Front Street, work has been underway for a couple years to design and plan the relocation of city utilities. Included in the packet are two DelDOT letters confirming that (1) funds in the amount of \$47,824 have been allocated to reimburse the city for additional preliminary engineering costs incurred as a result of State Contract No. T201112201, F.A.P. No. NHS-K008 (13), Project ID No. 09-25000, SR 1, NE Front Street Grade Separated Intersection and (2) the City's relocation estimate in the amount of \$38,000 was approved for construction administration & inspection costs for the relocation of the sewer and water facilities for State Contract No. T201112201, F.A.P. No. NHS-K008 (13), Project ID No. 09-25000, SR 1, NE Front Street Grade Separated Intersection.

DBF Principal Jason Loar further explained that his firm has been under contract with the City of Milford to redesign some sewer and water realignments as a result of the DelDOT planned realignment work. It was agreed that DelDOT would reimburse the city for any related fees as a result of the realignment.

Mr. Loar confirmed the work was completed but as the project moved forward, DelDOT asked for some additional items and coordination outside of the original scope of work. In order to keep the project moving, the additional services were performed on June 21<sup>st</sup>. With the amendment to the proposal, DBF is offering to handle the normal construction administration and construction inspection services to ensure proper installation.

He reiterated the City will be reimbursed by DelDOT as the August 2<sup>nd</sup> letters state and do in fact match the fees submitted.

Councilmember Mergner moved to authorize the amended Davis, Bowen and Friedel Proposal Project 0052A019.B01 related to the additional Northeast Front and Route 1 Water & Sewer Realignment work as presented, seconded by Councilmember Morrow. Motion carried.

*Appointment/Kent County Sewer Advisory Board/City Public Works Director*

The City Manager explained that for the past year or so, the City Planner has been representing the City on the Kent County Sewer Advisory Board. However, it would be more appropriate to have our new Public Works Director represent the city on the board.

Councilmember Mergner moved to appoint Public Works Director Mark Whitfield to the Kent County Sewer Advisory Board as Milford's representative, seconded by Councilmember Campbell. Motion carried.

*St. John the Apostle Church/2017 Oktoberfest/Chapter 77/Alcohol Waiver & Street Closure*

The following request was received from St. John's the Apostle Church Administrative Assistant Amanda Fulton:

*The Parish of St. John the Apostle Catholic Church would like to hold our 26th Annual Oktoberfest fundraiser. The dates and times for this year's event are Friday, September 23<sup>rd</sup> from 6pm-10pm and Saturday, September 24<sup>th</sup>, from 10am-10pm.*

*As is tradition with the German Oktoberfest, we will have a beer booth as well as wine to compliment the other styles of international food being offered.*

*We are requesting an alcohol waiver from the City of Milford Code restrictions.*

*Also, in the past the city has generously allowed us to block off a portion of School Place directly in front of the church and parking lot to eliminate congestion and allow for pedestrian safe passage crossing that street.*

Motion made by Councilmember Burk, seconded by Councilmember Peel to approve the alcohol prohibition waiver as submitted. Motion carried with Councilmember Starling casting the one dissenting vote.

*Downtown Milford, Inc./Eat in the Street Event/Chapter 77/Alcohol Waiver & Street Closure*

The following request was received from DMI President SaraKate Hammer:

*Downtown Milford, Inc. is planning to host the 4th Annual Eat in the Street Fundraiser on September, 18, 2016 from 5:30 to 8:30 p.m. This event will be held at the Milford Senior Center in the event of inclement weather.*

*Eat in the Street will host 125 seated diners, with approximately 25 other persons serving and assisting the event. Diners will be served food prepared by local establishments as well as beer and wine service.*

*DMI plans to close Walnut Street in Downtown Milford from the corner of NE/NW Front Streets the corners of SE/SW Front Streets along Walnut Street starting at 2:30 p.m. and until 9:30 p.m., pending DELDOT approvals of the event which have already been submitted.*

Motion made by Councilmember Mergner, seconded by Councilmember Campbell to approve the alcohol prohibition waiver as submitted. Motion carried with Councilmember Starling casting the one dissenting vote.

*Police Committee Recommendation/Redstone Contract/Update 2011 Police Analysis*

Police Committee Chairman Burk reported the police committee met on August 16th to discuss the Redstone Architects proposal to update the 2011 Police Needs and Feasibility Study. He recalled that during the budget hearings, City Council was presented with a \$95,000 estimate to do a study of the police department. Redstone Architects are willing to update their previous analysis at a cost of \$7,500. As a result, the police committee voted unanimously to recommend to City Council the approval of the \$7,500 update which will save the City \$87,500.

Chairman Burk noted that other documents were provided by the City Manager to be included in the packet. However, this was the committee's recommendation.

Councilmember Burk continued by stating that though he was not on City Council in 2011 though two of the committee members--Councilwoman Wilson and Councilman Brooks were. They talked about the detailed process that took place during that study which included numerous interviews, reviews and recommendations. Council and police department staff and employees were very involved in the process. As a result, the committee feels this is a more fiscally responsible way to update that plan.

He reported that Mr. Redstone will come here along with Matthew Berge who will oversee the project.

Councilmember Burk said that Councilman Morrow is familiar with Mr. Redstone and is very impressed with his knowledge and expertise. Councilmember Morrow agreed adding he is one of the leading police facility experts in the country.

Councilmember Burk stated that Mr. Redstone discussed a number of factors that have changed since the plan was completed in 2011. Therefore, he is very confident in his ability and believes this is a wise use of City funds, particularly when this provides the ability to save taxpayers' money.

Councilmember Morrow moved to approve the Redstone proposal in the amount of \$7,500 as submitted and discussed, seconded by Councilmember Wilson. Motion carried.

#### *Police Committee Recommendation/Body Camera System Purchase*

Chief Brown reported that he also discussed a body camera project at the police committee meeting. He explained that in today's environment of maintaining good relations between the police and community, these cameras are more important than ever. One of his goals was to fully deploy the department with body cameras. Currently, the department has cameras in the vehicles though their scope of view is limited.

He referenced the recent Milwaukee shooting noting that had that not been captured on the officer's body camera, the unrest in the City would have been much worse. He believes that one incident can more than pay for the camera system.

Chief Brown stated the most expensive component of the project is the storage of the video evidence and redaction process necessary to make the evidence presentable in court.

During the past year, the State of Delaware authorized some pilot programs. New Castle County Police liked the Taser body camera product so much, they were unwilling to wait until their pilot program was complete and instead purchased over 200 cameras and other equipment.

He believes that Taser International is the leader in this market just as they were with the electronic control weapons. In addition to the cameras, they have created a software program (evidence.com) that will store the evidence for the department. This would provide the State Attorney General's Office the ability to link into Milford's software to obtain what they need which lessens the departments' burden.

In addition, whenever the vehicle lights are activated, the body and car cameras are activated. The same applies when the Taser weapon is turned on; the body camera is activated though the officer has the ability to turn it on sooner if needed.

The total package of \$145,603 includes a complete camera replacement program at 2½ and 5 years as well as a full five-year warranty program. Payment in year one is \$44,683 and \$25,230 in years two through five. The price also covers the cost of two technicians coming to Milford to provide three days of training to the officers.

Chief Brown is 90% confident he will be able to obtain the first year's payment through grants. However, he needs a commitment from City Council for the annual \$25,230 due in years two through five. He cannot guarantee he will be able to find a grant for subsequent years because most recurring costs are ineligible. However, he hopes to find funding to at least offset most of the \$25,230 annual payment though he needs a commitment in case that did not happen.

Councilmember Campbell confirmed these cameras are essential; Chief Brown stated in his opinion and for the protection of the City he feels they are.

Councilmember Burk agrees the department will recoup the majority of the project costs by, if noting else, less man hours involved in reviewing and copying the recordings for evidence purposes. He then asked if there is a market for the old cameras; Chief Brown believes they may be able to sell them.

He added that there is an opt-out option; for example, if in year three, some hardship prevents paying the third installment of the five-year plan, they can simply opt out of the program and the software would be discontinued. Should that occur, the department would retain the cameras and hardware.

Councilmember Wilson does not see us ever getting to a point where these cameras can be eliminated; therefore, she also supports the concept.

Councilmember Burk asked if a motion is needed for Chief Brown to pursue the agreement with Taser International; Solicitor Rutt stated that essentially Council would be adopting a motion to fund the program for years two thru five for a total of \$100,920. Councilmember Burk added that it should include any balance from year one versus what is obtainable through grants. Mr. Rutt agreed the motion should include 'subject to offsets from any grants that can be acquired'.

City Manager Norenberg stated that Chief Brown will need to come back later with the contract for Council approval once he and the Finance Director have looked at the budget to determine how they can accommodate future funding. At that point, the contract would need to be on the agenda for approval due to it being a multi-year contract and it being over the \$30,000 threshold.

Several Councilmembers stated that they are willing to authorize the commitment to move forward. Councilmember Burk pointed out it is less than \$30,000 per year.

Councilmember Burk moved to authorize Chief Brown to proceed and obtain a contract, subject to Council approval, seconded by Councilmember Wilson. Motion carried.

#### EXECUTIVE SESSION

Councilmember Mergner moved to go into Executive Session reference below reason, seconded by Councilmember Peel:

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

{Pursuant to 29 Del. C. §10004(b)(2)} (Preliminary discussions on Site Acquisitions)

Motion carried.

Mayor Shupe recessed the Council Meeting at 7:41 p.m. for the purposes as permitted by the Delaware Freedom of Information Act.

#### *Return to Open Session*

Councilmember Burk moved to return to the regular session, seconded by Councilmember Mergner. Motion carried.

City Council returned to Open Session at 8:15 p.m.

#### *Teamsters Local 326 Contract*

No action.

#### *IBEW Potential Contract*

No action.

*Potential Land Purchase*

Councilmember Burk moved to authorize the City Solicitor to continue negotiations on a potential land purchase as was discussed in Executive Session, seconded by Councilman Brooks. Motion carried.

ADJOURN

Councilmember Mergner moved to adjourn the Council Meeting, seconded by Councilmember Campbell. Motion carried.

Council Meeting adjourned at 8:16 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder