

MILFORD CITY COUNCIL
MINUTES OF MEETING
April 22, 2019

A Meeting of the City of Milford Police Committee was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, April 22, 2019.

PRESIDING: Acting Chairperson Lisa Peel

IN ATTENDANCE: Mayor Arthur Campbell

Committee Members:

Councilmembers Michael Boyle and Jason James

Councilmembers Todd Culotta

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

ABSENT: Chairperson Katrina Wilson

CALLED TO ORDER

In the absence of Chairperson Wilson, Acting Chairperson Peel called the Committee Meeting to order at 5:32 p.m.

UNFINISHED BUSINESS

Update/Replacement Milford Police Station

City Manager Norenberg said he and Chief Brown want to keep the Committee informed of the work as it progresses, in addition to a few topics that feedback is needed. As a result, several items will be covered.

Mr. Norenberg noted that the packet included in the Council Packet is not what is being presented and asked the Committee members to refer to the version on the screen.

Chief Brown had nothing to add.

Associate Principal Brenden Frederick of Becker Morgan Group said they have been working and shared some information and received some updated information this morning regarding layouts. Also, Civil Engineer Jonathan Falkowski was present.

Mr. Frederick explained that part of the process of what they have undertaken is looking at the project from a site perspective how the site fits in with the police functions. They understand that the police do not need the entire site and must determine what the natural components of the site dictate and what the police needs for safety, security and setbacks.

The footage provides direct access from the existing police department and provides clear access to Route 113 and will be used as one of the primary access points. The other access point will be from Northeast Fourth Street which is more residential in nature.

They have met with the staff at the police department and discussed their program needs, independent of the Redstone report due to the length of time that has passed since that was created. They then took their wish list, along with their space needs analysis, and compared that to the Redstone report. They have a couple items that overlapped and some things in the Redstone report that were no longer needed and several items were added.

They refined that information to get to a final building block diagram drawing shown by various groups including holding, patrol, detectives and record/paperwork areas. Also referenced were the command/administration, public entry and community room.

He noted that the public interface will be located in the front of the building with convenient access to the dispatch/front desk and holding areas were referenced.

A line depicted the public domain and the private, secured space that will be used by the police.

Mr. Frederick also pointed out other areas, including the communal break/kitchenette, the building systems area (mechanical, electrical, teledata, etc.), evidence, main staff entrance, staff locker and workout rooms.

The various areas were intermingled to come up with a block diagram that was presented this evening.

Mr. Frederick said there is a great deal of work that is will needed and the design will continue to be refined. He explained that they had a long discussion today about one office being located off a corridor versus the exterior wall.

They will then refine the plan into the small scale and the type of desks that will be needed.

Mr. Falkowski the reviewed the drawing (unintelligible).

Mr. Frederick discussed the video/internet viewing room and the need for access to Facebook, Instagram where two separate rooms are needed for officers to review internet-based crimes. It could also be used as a flex office should an administrator need it for some other purpose.

The community room is set up for 100 patrons. In addition, that will require additional storage and a vestibule, which is an HVAC/ventilation requirement and security function. Separate public restrooms and facilities will also be provided for the community room appropriate for the number of persons the room can serve and a waiting area for the public.

A men's restroom, women's restroom and a family restroom will also be available for the public's use.

The public waiting area will be designed with seating and there has been discussions about a vending operation available for people waiting. There will also be access to the community room on the right for public events.

Security measures were also discussed including a UL ballistics rating that separate the private functions from the public areas.

There was some confusion over the drawings included in the packet and what was being shown. The original first floor plan in the packet was more detailed and answered a number of questions being asked.

Mr. Frederick agreed pointing out specifics from toilets to front desks, though they will be much more defined once they start adding equipment and the workstations.

He then discussed several building codes and CALEA requirements planned for the new facility and additional details of the design. Inaudible due to speaker not using microphone.

Mr. Frederick provided a rundown of officers entering the building in various situations.

In addition to the two primary entrances, one for staff and a separate one for the public, there will be secondary egress entrances that will be used based on security needs.

Mr. Norenberg reminded Council that this is still very preliminary and there are some other matters that he and Chief Brown need input.

Mr. Frederick confirmed that what is being shown tonight is very preliminary, but is a result of the information received from the police staff, which created individual spaces to things that resemble a floor plan with doors, etc.

He again referenced the primary occupancy areas that entail the command area, large detective area, offices surrounding the perimeter and the patrol areas. On the backside is the evidence area and the mechanical room previously discussed as being kept on the exterior for easy access.

They continue to refine the drawing as more suggestions are made, though often it is changed once staff sees it on paper. In some cases, it is something similar to moving one office to the other side. They will continue to develop the plan and look for more opportunities to develop the layout.

When asked for questions, Councilman Boyle asked if the location of the building as shown on the aerial is the permanent location.

Mr. Frederick said it will be easier to show with the updated version (not included in the packet). He said they will discuss the methodology of how they arrived to that location and how they progressed forward. It was agreed that perhaps they may be moving too far ahead because of other issues that could impact the use of the site.

Mr. Frederick agreed adding that he spent six hours one day with his staff discussing the foyer though he welcomes the comments and prefers to focus on the big things.

Councilman James concurred the plan will change daily and the important thing is to include everything needed. The experts can then figure out the arrangements. Mr. Frederick said they have met a lot of headway over the past three weeks.

Acting Chair asked Mr. Frederick to discuss the items that need the Committee's input.

Mr. Frederick said the first item was the building location though it will be left on the site currently shown for now. He said they discussed whether putting the building on the front half or the back half and considered the merits of both possibilities. It quickly became evident having the police station in the front is better because of primary road access

The next consideration was the connection of the police site to the future potential park and the community and having the police station as being prominent to give the view and presence in the front.

Mr. Frederick then explained that the plan changed as a result of the conversations this morning. Initially they planned to simply add the building to the schematic site plan and located it in the corner. In the charette discussions they talked about utilizing the existing entrance off A1 and use the circulatory path. However, due to a number of limitations on the site, there is more potential to bring the private parking away from the public view. The new plan provides a 25-meter standoff and also consider future development. This facility will be built for today or in the near term, but a very common need is evidence storage and that will need to be expanded in the future and this will provide that ability.

There is also a corridor that will allow the other end should community programs continue to grow. In addition, if the departments needed to expand, there is an ability to expand from the office areas.

Mr. Frederick emphasized they are not building for that, but want to make sure they work smarter and not harder and preparations are made for a likely expansion.

He told the Committee to expect the drawing the change three days from now as they work through the site perimeters.

PE Falkowski again pointed out the plan is much different than what was included in the packet. The original location was more to the south, though it has since been pulled away from the woods line along the south boundary to provide additional space for future expansion.

He explained there is a required 25 meter or 82 feet buffer from the public to the building depicted by a yellow-dash line on the drawing, which he believes is a federal requirement.

Mr. Frederick pointed out that though that distance is difficult to achieve in an urban setting, the risk can be mitigated by separating the potential by separating access ways for vehicles and softly through regrading and berms. They have also used bollards or large stones as can be seen in cities like Washington DC. Turning the building helps which creates a lot less to control and provides a better efficiency for the building layout. It also provides for views from the community room out onto the river and across what is a potential park area.

Councilman James confirmed that the berm was included in the current drawing. Mr. Falkowski noted that it pulls it out even further away from the south property line which would allow additional expansion and the 82-foot buffer would remain.

Councilman James stated that it is a good concept but the tilting is not required because it has already been accommodated. Mr. Falkowski explained that when it was not tilted, if the building was expanded to the south, the buffer would end up in the road.

Mr. Frederick then talked about the grade differential which is not ideal for a building footprint though it can accomplish with vehicular access.

Councilman James expressed concern about the entrance and asked if we would lose the A1 building. Mr. Frederick reported that the entrance would go through the A1 building.

Councilman James recalled Chief Brown discussing the use of the A1 building for storage and other uses by the police. He asked if losing that storage space is a concern.

Chief Brown stated that the main reason to purchase the A1 building was to use the property as an entrance. In the meantime, the building was going to be used for storage to allow them to spread out and have more room. However, he always intended to remove the building once the new facility was built.

Councilman James confirmed the building was only intended to be temporary; Chief Brown stated yes that always the intent.

The status of another building was also questioned and Mr. Frederick said depending on the grading, it may not have to depending on its use. Right now, it is not a problem but that would need to be a decision of the City. Chief Brown stated he is fine with it and it is up to Council to do whatever they wish.

Mr. Falkowski referred to the wetlands and the buffer that would need to be included in the site plan. He then pointed to various areas of the site plan showing circulation, security gates, patrol parking and Sally port. They have also included a fueling station that would allow an above fueling storage tank for onsite gas pumps.

Mr. Frederick then asked for feedback about what the Committee thought the residual lands could be used for.

Councilman Boyle stated that though no one wants to talk about it, a lot of that will depend on the outcome of the findings of this building. He can foresee that becoming a municipal center, in addition to the police station. If that were to occur, he would think the municipal center should be closer to Front Street where people can easily access and view it to provide customer service and city hall functions.

If that were to occur, he would think the police station should be moved to the top of the site while retaining high visibility.

Mr. Norenberg confirmed that the information on the status of City Hall should be received within the next couple of weeks after which a decision can be made. During the charettes earlier mentioned, they did discuss selected municipal offices and Chief discussed using the community room, not just for police training and community uses, but also as a

City Council chambers. The offices that relate to that room would need to be located somewhere on that parcel of land.

When discussing the floodplain areas surrounding Front Street, Mr. Frederick explained that will absolutely be considered and because the current police department in the floodplain, this will be further away. Mr. Falkowski stated that runs close and through the wooded area and is mapped as an elevation 9. He confirmed that Front Street has portions in the floodplain and the site is higher and actually in the 20 range.

Mr. Frederick confirmed that consensus of Council is to keep the residual lands potential use as municipal buildings if and when it is needed.

Discussion followed regarding the problems associated with the older buildings housing City Hall staff and Customer service staff.

Mr. Frederick then asked for input regarding architectural design types. In discussing the plans, it was agreed that engagement of the community would be paramount. The inner working of the police department should remain semi-private. But public input on the building's appearance and its connection to downtown are discussions this C

He then presented several architectural examples, including City Hall, classical/historical downtown styles, colonial or more traditional/modern designs.

In addition, various police facilities with varying styles were also presented.

Council agreed that before a final decision on architectural design could be made, costs need to be considered based on building material needs and so forth. A thorough cost estimate will be done and is determined by a number of factors, including the total square footage of the facility.

Mr. Frederick said the last question is for Council to provide a time line for when they want to start scheduling the public interaction meetings.

Mr. Norenberg said that right now, there is a need to get some public input, but not about voting yes or gaining support so that final decisions can be made as to aesthetics, materials, design, etc. They want the public to feel like they have been able to provide input and made part of the process.

Councilwoman Peel agrees but emphasized that the public is going to ask about the costs. The plan needs to be in place so all questions can be answered. She suggests we move with caution as we start gathering input because that will be the comments that come up.

She reported that Milford School District is doing the same thing for their upcoming referendum and most of the questions and comments involve costs.

Councilwoman Peel pointed out that the financial portion has not yet been decided which she believes is where this committee left off at the last meeting.

It was agreed the school referendum and the police referendum should not occur at the same time. The school has a slight advantage with the cost of the new school at \$54 million of which the state pays 70 plus percent. The balance will be around \$14 to \$15 million.

Councilman James agreed that the police asking for another \$15 to \$18 million will be difficult.

Councilwoman Peel understands that we will not know the exact amount, but there is a need to determine whether the City will pursue this through a referendum or if there are other financial sources.

It was agreed that most people will like what is being built and understand the need, but it is going to come down to what it is going to cost those property owners.

Councilman James is aware of different funding sources, as well as restrictions depending on the amount of money that is borrowing. He understands a referendum will be needed and whether property taxes will need to be increased. But all of that information needs to be accurate and provided.

If we are unable to answer those questions, the residents are going to lose the excitement of the new building.

Councilwoman Peel agreed said this is the exact point we were at that Mr. Frederick attended last time. Unfortunately, we still do not have that information, so it will be difficult to provide those dates.

Mr. Norenberg stated that he and Chief Brown are working on some behind the scene options to bring the total number of the project down significantly. They will continue to work on that and continue to work with Becker Morgan Group in order to get to that point.

Mr. Norenberg agreed that is needed and he does not want to put a number out that has the potential to be too high or too low which could end up disastrous in the long run.

Councilman James asked if it is possible for the Finance Department to do some financial forecasting if the project is x amount of dollars; Mr. Norenberg said he and the Finance Director have discussed those scenarios and is starting to work on how to accomplish certain budgets. In addition, we are estimating the property tax impact of the new homes being built though not all of that money can be used for the police facility and instead will be needed across the board.

Mr. Norenberg hopes to provide the City Hall findings at the next meeting and possibly discuss both topics at the same time, knowing the police department is the most crucial.

It was agreed that options for funding need to be presented so that the Committee has a better understanding before we move forward.

Mr. Frederick said he will continue to work with Mr. Norenberg and the police staff. If anyone has any questions after the meeting, they can be provided to the City Manager and he will get those answers.

He also pointed out that as far as the number goes, they work with RY Johnson who are actively completely DSP Troop 7. That provides a real time comparative that is cost per square foot that can be used. He anticipates that the new Troop 7 and the new Milford Police Department will be very similar. As far as the funding, he will wait to hear from the City.

He is here to help and anxious to hear back

NEW BUSINESS

Discussion/Business License

City Manager Norenberg explained that Chief Brown wanted to make a case for the reason there is a need for a business license discussion again.

He put in the packet the draft ordinance and associated meeting discussions as a reminder and to update new Councilmembers.

Chief Brown said he wants to talk about why the City should have a business license from a police standpoint.

One of the most important ones is tracking false alarms. He referenced the false alarm code where fines are issues beginning with a third occurrence. Those occurrences are tracked by address and whenever a business moves out and

a new one moves in, there is no change in their system. His staff then sends out a bill to a business that just moved in even though their records show there have been more than three alarms based on the address.

If a business license was required, the police could be sent the updated information and simplify the system.

The police department also maintain emergency contacts for all businesses. Most businesses don't realize the police keep that information until an incident occurs, typically after hours. Most often the contact information is not on file. That information could also be required when the business license is applied for, which would it make it much easier for the police in these situations. Many times, the police do not know the name or what type of business is in a certain location.

For these reasons, he recommends having a business license.

When asked why the business license was voted down, Councilwoman Peel said because of the fee.

The Committee believed the fee was \$100. Councilman James said he has done business in a lot of towns and most require business licenses and some are as low as \$25 to \$50.

Mr. Norenberg also recalled there was a lot of discussion about brick and mortar businesses and home-based businesses being exempt. In addition, there were a few realtors with concerns because they were required to obtain licenses in other Delaware towns to list a home, for example.

Mr. Norenberg asked if this is an item that the Committee would like to reconsider or if there is no interest, considering what Chief Brown is requesting. The proposal could be updated based on other towns policies, fees, etc.

He also reported there is a proposed state bill that would exempt realtors from purchasing any municipal business licenses.

Chief Brown said he is asking this apply to brick and mortar businesses only.

Councilmember Peel recalled the language was ambiguous and recalled there was a room full of business people and there were questions about who would be impacted by the business license. Cleaning up the language and looking at the actual fee structure might help. She referenced the language that states the fee would be 'set by City Council each year' though she remembers the fee being explicit because that was that was a point of contention and the reason it was voted down.

Mr. Norenberg advised the contractor fee is a \$100 and there may have been an initial comparison made.

He recommends we engage the entire community and all affected individuals and organization if we agree to proceed.

Councilman James agrees adding that it not become a revenue generator but instead cover the cost to administer the service. To Chief Brown's point, this serves a greater purpose which is a very important argument. He would like to see it on a future agenda.

Councilmember Peel believes that looking at it as a public safety registry rather than a fee being imposed on businesses seems more appropriate. She also cautions about adding any language that seems less than business friendly and referenced the explicit language about penalties, when you pay and late fees, included in the previous ordinance. If it is about that money, that language is correct; if not, it needs to be changed.

Mr. Norenberg thanked the Committee for the feedback.

Chief Brown said that some of the Councilmembers have seen this. It is something that every police department has statewide though its about each town deciding whether it is public. He needs guidance from the Police Committee on whether they want this done.

He has yet to get a firm price but Smyrna is paying \$600 annually which is a town comparable to Milford. It could then be linked to the City site.

Councilman James said when this was previously discussed, he could not think of a reason why not. Chief Brown agreed stating it is transparent. Councilmember Peel said it is going to the press anyway and people can view it and make their own decisions anyway.

Mr. Norenberg stated that one of the things that prompted this discussion is there are other sources providing out of date analysis of Milford's crime statistics. This will provide more accurate and current information and provide hard facts and figures versus inaccuracies.

As a result, the City Manager will include this in the police budget as they prepare the launch the program.

ADJOURNMENT

Councilman Boyle moved to adjourn, seconded by Councilman James. Motion carried.

The Police Committee meeting adjourned at 6:59 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder