

**MAYOR AND COMMISSIONERS MEETING
CITY OF REHOBOTH BEACH**

April 17, 2015

The Regular Meeting of the Mayor and Commissioners of the City of Rehoboth Beach was called to order at 7:00 p.m. by Mayor Samuel R. Cooper on Friday, April 17, 2015 in the Commissioners Room in City Hall, 229 Rehoboth Avenue, Rehoboth Beach, DE.

City Solicitor Glenn Mandalas gave the invocation followed by the Pledge of Allegiance.

ROLL CALL

Present: Commissioner Toni Sharp
 Commissioner Patrick Gossett
 Mayor Samuel R. Cooper
 Commissioner Stan Mills
 Commissioner Lorraine Zellers
 Commissioner Kathy McGuiness

Absent: Commissioner Bill Sargent

Also in attendance: City Manager Sharon Lynn
 City Solicitor Glenn Mandalas

APPROVAL OF AGENDA

Commissioner Stan Mills made a motion, seconded by Commissioner Lorraine Zellers, to approve the Agenda with the deletion of the January 5, 2015 Workshop Meeting, January 16, 2015 Special Workshop Meeting, February 9, 2015 Workshop Meeting, February 20, 2015 Special Workshop Meeting, March 9, 2015 Workshop Meeting, March 20, 2015 Special Workshop Meeting and April 6, 2015 Workshop Meeting Minutes. Motion carried unanimously.

CORRESPONDENCE

There was none.

APPROVAL OF MINUTES

Minutes of the November 25, 2014 Workshop Meeting, December 8, 2014 Workshop Meeting December 19, 2014 Special Workshop Meeting and March 20, 2015 Regular Meeting were distributed prior to the meeting. Minutes of the January 5, 2015 Workshop Meeting, January 16, 2015 Special Workshop Meeting, February 9, 2015 Workshop Meeting, February 20, 2015 Special Workshop Meeting, March 9, 2015 Workshop Meeting, March 20, 2015 Special Workshop Minutes and April 6, 2015 Workshop Meeting Minutes were not available for approval.

Commissioner Mills made a motion, seconded by Commissioner Toni Sharp, to approve the November 25, 2014 Mayor and Commissioners Workshop Meeting minutes as written. Motion carried unanimously.

Commissioner Mills made a motion, seconded by Commissioner Sharp, to approve the December 8, 2014 Mayor and Commissioners Workshop Meeting minutes as written. Motion carried unanimously.

Commissioner Mills made a motion, seconded by Commissioner Zellers, to approve the December 19, 2014 Special Workshop Meeting minutes as written. Motion carried unanimously.

Commissioner Mills made a motion, seconded by Commissioner Sharp, to approve the March 20, 2015 Regular Meeting minutes as written. Motion carried unanimously.

PUBLIC HEARING on and consideration of a proposed ordinance amending Chapter 270, Sections 270-4 and 270-46.1 of the City Code relating to the definitions of Lot and Lot Area, Gross and the consolidation (merger) of lots

City Solicitor Mandalas read the ordinance.

Commissioner Mills noted that this topic has been before the Commissioners for a little less than three years. In June 2012, the Planning Commission brought an amendment proposal to the Commissioners seeking clarity with separation and consolidation of lots. The Commissioners held multiple meetings on this matter. In January 2014, the Planning Commission came to the Board of Commissioners with the same issue. No action

was taken by the Board at that time. During this time period, the Board of Adjustment had been conducting hearings of appeals of the decisions of the building inspector that lots were either merged/not merged or consolidated/not consolidated. Those actions resulted in a determination by the Board of Adjustment that multiple lots would be considered separated. In April 2014, the building inspector changed the policy that where the circumstances causing a merger or lot consolidation have abated, Building & Licensing will no longer advise property owners that a subdivision by the Planning Commission is necessary to unmerge lots. The lots will unmerge with no further action by a board or commission. The policy is limited to occasions where the unmerged lots will be as they were originally plotted. At that time, the Commissioners focused on concerns of the different entities, and they found and identified a lot of deficiencies in the current Code. The proposed ordinance grew organically from the many discussions the Commissioners had. The new amendment to the Zoning Code incorporates new expanded definitions for lot and lot gross area. It defines the process and conditions for what causes lots to become consolidated. The processes and conditions are defined for separating lots that are consolidated. It allows for the separation of lots if encroachments are removed per the Building & Licensing policy. The new amendment adds a process to seek separation through a special exception by the Board of Adjustment when a legislative action such as rezoning forces a consolidation of lots. It also adds a process to notify property owners who are contemplating consolidating lots of the consequences of consolidating and notices all the property owners of the existing consolidated lots of the process to separate them. A process is added to formally record lot consolidations and separations to ensure the conditions in the Code are satisfied. The Commissioners have developed three Affidavits, one for consolidation of lots for recordation at Sussex County, one for separation of lots for recordation at Sussex County and one for separation of lots for internal use only. The Affidavits comprise the recordation and notice policy for Building & Licensing as a tracking mechanism.

City Solicitor Mandalas noted that the public hearing has been properly noticed. City Secretary Ann Womack had the public hearing noticed in the Cape Gazette on March 27, 2015 and March 31, 2015, Coast Press on April 1, 2015 and Delaware State News on March 26, 2015 and March 27, 2015. The public notice was posted at City Hall, Building & Licensing and on the City website.

Correspondence:

1. Letter dated April 15, 2015 from Planning Commission to the Board of Commissioners urging them to reconsider the proposed ordinance changes and to include the provision for a public review process for all situations related to the un-merger of properties that have previously been merged-by-use.

Public Comment:

1. Mr. Frank Cooper, 96 East Lake Drive, asked if the definition of a lot has changed, and how it would affect the people who have properties that are divided by a street.

City Solicitor Mandalas acknowledged that it had changed. The original definition of lot is a parcel of land on which a main building and any accessory buildings are placed together with the required yards. The area of the lot shall be measured to the street line only. A lot shall be as shown on the Zoning Map of the City except that nothing herein shall prevent the merger of two or more lots as shown on the Zoning Map into a larger lot if the lots are utilized as one parcel through the placement of a structure or structures thereon. The area of the lot divided by a street is not to be included in FAR calculations and other zoning.

Mayor Cooper said that should there be a subdivision in the future, it would not be permitted to have a lot that is divided by a street. The piece of land across the street would be kept from being used as part of FAR and lot coverage calculations. In no future case could a lot be bisected by a street.

2. Mr. Walter Brittingham, 123 Henlopen Avenue, said that the Planning Commission cared enough to write the letter, and he was curious if there was a straw vote.

Mayor Cooper closed the public hearing portion of the meeting.

Commissioner Mills was comfortable that the Commissioners have addressed this issue enough. While this process reflects what the Board of Adjustment does and the current policy of Building & Licensing for having an administrative separation and it takes the Planning Commission out of the equation, there are still instances where the Planning Commission has sole authority such as major subdivisions, repositioning or rotation of lot lines, etc. There is a dual process. The Planning Commission can grant a partitioning, but property owners are seeking to appeal the building inspector's decision to the Board of Adjustment. There will always be an opportunity to appeal to the Board of Adjustment. To have

a public review process on everything might be cumbersome and may not be realistic. Commissioner Mills was satisfied that this proposed ordinance is the prudent thing to do.

Mayor Cooper agreed with the proposed ordinance. There are vast areas of Rehoboth that are subdivided into lots which do not meet the Zoning Code, so this would require that when one of those lots is redeveloped, an affidavit would have to be filed. The proposed ordinance is fair and will treat people equitably.

Commissioner Zellers supported the proposed ordinance and said that it attempts to address concerns. It gives a better definition and circumstances when a lot is merged. It requires both the property owner and the City to acknowledge that a merger has taken place and is recorded. It gives a process for unmerging which has to be legally conforming to the standard buildable lot.

Commissioner Sharp agreed with Commissioner Zellers and said this proposed ordinance is specific to this situation and not others.

Commissioner Gossett thought that this is a great move forward. The proposed ordinance gives an expanded definition of lot and administrative policies to put into place about merging/unmerging. The Planning Commission is being taken out of the process, and public input is being removed. Currently, with what is happening in the community with the character of neighborhoods and streetscapes, the opportunity for a public hearing needs to exist. With regard to the process, going from 60 days to 15 days is not proper.

Commissioner Mills made a motion, seconded by Commissioner Kathy McGuiness, to adopt the ordinance amending the Zoning Code. (Sharp – aye. She acknowledged the concerns raised by the Planning Commission and appreciate what it is saying, but Commissioner Sharp agreed with this because she finds it to be fair, equitable and specific. Gossett – nay, for reasons he had expressed before, but primarily for concerns from the Planning Commission about the adverse impact placed on the neighborhoods. Cooper – aye. It clarifies many gray areas that have existed for a long time and how merger of lots should be treated. It does it in an equitable and fair way. Mills – aye. The Commissioners identified many deficiencies, and by adopting this amendment, it provides clarity in terms of incorporating an expanded definition for lot and lot gross area, defines processes and conditions for not only consolidation, but also separation of lots, adds a process to seek separation through a special exception via the Board of Adjustment and adds a process to notify property owners who are contemplating consolidating lots of the consequences of doing so and notices all property owners of existing consolidated lots of the process to separate if desired in the future. It adds a process to formally record lot consolidations and separations and mirrors the current Building & Licensing policy and actions of the Board of Adjustment. Zellers – aye, for reasons previously stated. McGuiness – aye, for reasons stated by Commissioner Zellers and Mayor Cooper.) Motion carried.

REPORT OF THE POLICE DEPARTMENT

Police Chief Keith Banks presented the report of the Police Department for the month of February 2015. There were 15 criminal, 227 traffic and three civil charges made during the month. Five traffic crashes were investigated. The 2015 seasonal officer training begins its second week of training on April 18, 2015. Chief Banks thanked Commissioners Mills and McGuiness for the addressing the class and noting what the expectations are of the officers for the summer season. The Dispatch Center handled 161 police incidents, 193 ambulance incidents, 206 traffic stops, assisted other agencies six times during the month and 9-1-1 calls totaling 392 were received.

REPORT OF REHOBOTH BEACH VOLUNTEER FIRE COMPANY

Mr. John Meng of the Fire Company reported that there were 31 fire calls, 29 crew calls and two alarms. Station 2 is now open. A dedication ceremony will be held on May 16, 2015 from 11:00 a.m. to 1:00 p.m.

REPORT OF THE BUILDING AND LICENSING DEPARTMENT

Chief Building Inspector Terri Sullivan presented the report of the Building & Licensing Department for March 2015. During the month, 87 permits were issued for a value of work totaling \$4,112,369.30. Fees collected totaled \$105,408.66 for the month. Ninety-nine permit processing fees were received in the amount of \$1,980.00. The Board of Adjustment heard one case in March. No restaurant applications were received in March. One notice of violation was issued for a contractor working without a building permit. One notice of violation was issued for construction after hours. Two notices of violation were issued for no cones around a dumpster. One notice of violation was issued an obstruction on a sidewalk. There were 47 building inspections, 20 plumbing inspections, seven rental inspections, eight meetings regarding trees, 52 meetings regarding new projects and 16 meetings regarding City business. Eight trees have been received from Delmarva Power, and one tree was received from the State of Delaware for being part of Tree City USA.

REPORT OF PLANNING COMMISSION

Chairman David Mellen presented the report of the Planning Commission. The Regular Meeting was held on April 10, 2015. The Planning Commission conducted a Public Hearing for a property located at 101 & 105 Columbia Avenue. The Planning Commission unanimously approved the partitioning as a final approval. The Planning Commission continued its discussion of the procedure/process of the 5-year review of the 2010 Comprehensive Development Plan (CDP) update as required by the State. The Commission has completed its status update of the CDP action items that had been itemized in a working spreadsheet document and assigned a ranking order of importance to the individual items. Members requested that the Chair explore the possibility of holding a joint meeting with Planning Commission members of nearby seaside communities for the purpose of discussing issues that have impact collectively. This is a subject area that, during the PLUS process review by State Planning, is always questioned and often not addressed adequately. The Planning Commission is contemplating holding an all-day public workshop during May so that specific items pertaining to the CDP review may be discussed in more detail. This workshop may be combined with the regular May meeting, depending upon availability of members. No new partitioning applications have been submitted to date.

PRESENTATION by and discussion with Jeff Sturdevant of GHD, the City's engineer, regarding the status of the City's wastewater outfall and wastewater treatment plant improvements and options for how bio-solids are treated at the wastewater treatment plant and the budget for these projects.

Mr. Jeff Sturdevant of GHD was unable to attend the meeting. Mr. Mert Muftugil of GHD was in attendance at the meeting.

Mr. Mert Muftugil provided his presentation which covered the estimate of probable construction costs for the outfall project, improvements at the wastewater treatment plant and associated bio-solids improvements and a user rate analysis for each of the projects. These projects are to basically take the treated wastewater from the facility and discharge it out to an ocean outfall. The City is currently putting bio-solids on land application through a DNREC approval process. The process for permit renewal is done every five years. Recently, the documents were submitted to DNREC for the permit renewal, and Mr. Muftugil had received a few minor comments. While that process is going on, DNREC also requested the installation of some groundwater monitoring wells followed by the approval of the groundwater monitoring plant at this site. There has been some restrictions on what the treatment plant can discharge into the receiving surface waters in terms of nitrogen and phosphorous. As the phosphorous restrictions become stricter, the plant has to settle the phosphorous down into the bio-solids and land apply it onto a farm. This is known as a Class B product which consists of 2% concentrated bio-solids and 98% water. GHD has determined that there is a need to expand the land application area because of some of the phosphorous limitations. This will become effective in March 2016. The current process is costly. In 2012, a few alternatives were looked at; and as a result of these alternatives, solid drying was selected as the recommended alternative at the time. With the 2% bio-solids, there is a process of de-watering, and then it is put in a dryer for the water to be removed from the solids which raises the concentration of solids to approximately 90% and water to 10%. There are four major components of this process. The existing digester at the treatment plant would have to be rehabilitated. New de-watering equipment, dryer equipment and a building would be required for this process. Probably construction costs for the bio-solids project is approximately \$12,500,000.00 which includes design and bidding services and miscellaneous support costs. A preliminary analysis was done based on the 2010/2011 user rates and an interest rate based on 2% and different loan terms. The estimated user rate for the entire outfall project would be \$701.00 per year on average.

Mayor Cooper noted that the City transported 2,565,000 gallons of sludge which equates to approximately 11,000 tons. In that there was approximately 428,000 dry pounds of sludge or 214 tons. Four hundred twenty-eight loads were done during the year at 50,000 pounds per load to get rid of it. The sludge is hauled from the wastewater treatment plant up Route 1 to a farm approximately five miles south of Milford, DE. Drying the sludge to 90% solids would result in the same tonnage to dry (214 tons), but there would be 32 loads at 11 yards per load per year of dried sludge. With the Class A product associated with the dryer would not have to be permitted to get rid of it. The Commissioners need to request permission from the property owners in the City through the upcoming special election to do borrow the money for this project. Since the applications have been made for funding, \$36,500,000.00 has been approved by DNREC at 2% over 25 years. The one loan at \$10,500,000.00 would be for 20 years, and the other at \$25,000,000.00 would be for 25 years. If the Commissioners wish to go forward, the City would make an application to the Clean Water Revolving Loan Fund for the \$12,500,000.00 for 25 years. If it is approved this year, the loan would carry a 2% interest rate. In Class B sludge, there is no assurance that all the pathogens have been killed.

Mr. Muftugil noted that Class A sludge is pasteurized and heated long enough that the concentrations of

pathogens are suitable for growing crops for human consumption. A Class B product is suitable for growing animal feed and cannot be used for human consumption. At the South Coastal facility, the County de-waters the sludge, heats it and stabilizes it with lime. The lime increases the pH so it makes the bio-solids more alkaline so the heat and the combined pH is another way to kill the bacteria after a certain of exposure to the heat. This alternative had been considered for the City at that time, but it was a more expensive option. With the proposed dryer method, the dryer would use fuel oil or natural gas and would eliminate the water as steam. The steam is condensed and treated again in the treatment plant. The phosphorous limits that the City is subject to are more stringent than in Maryland.

Mayor Cooper said that the City has 85 acres to spread the sludge. It will have to go to almost double that acreage. There is no crop growing when the sludge is spread. The County is talking about putting a dryer in at its Inland Bays facility. The City would probably have more solids than the County would have. GHD has talked to the County, but no one is willing to talk to the Commissioners about possibly using the Inland Bays facility at this point. In 2008, it was determined that the user rate was approximately \$345.00. When the 20% surcharge was implemented, the user rate was \$390.00. The surcharge is now 50%, and the user rates may go to slightly higher than \$701.00. The average residential user uses approximately 150 gallons per day throughout the year.

Mr. David Mellen, 105 Rodney Street, did not think the Commissioners have many options of not going to solid disposal. In the future, it may become difficult to find farmland needed for liquid disposal.

Mr. Frank Cooper, 96 East Lake Drive, said that Class A solids are a material that can be distributed in other places as opposed to one specific farm.

Mayor Cooper, Mr. Bob Stenger and representatives from GHD went to Easton, Maryland approximately five years ago to look at the facility for solid disposal. This facility has a landscaper who comes and gets the bio-solids.

Commissioner Patrick Gossett noted that EPA defines Class A as bio-solids that can be legally used as fertilizer on farms, vegetable gardens and can be sold to home gardeners as compost or fertilizer.

Ms. Linda Kauffman, 206 Laurel Street, asked what the surcharge is being used for.

Mayor Cooper said tha the surcharge money has been used to date for all of the engineering, production of the EIS report and soil borings in the ocean. Otherwise it is being banked in a separate account and will be used for the engineering going forward.

Mr. John Gauger, 304 Laurel Street, requested an explanation of the real liability of the project.

Mr. Muftogil said that the reliability improvements address renewal of the equipment that is past its useful life. Mayor noted that a fair amount of maintenance has been deferred.

Mr. Francis Markert, 520 New Castle Street Extended, said that from the description of the process, the costs for transportation and environmental risks would be reduced. He asked if there are any greener alternatives, such as solar or other methods, with regard to the expense for operating the system.

Mr. Muftogil said that there is a carbon footprint because the process uses either fuel oil or natural gas. Natural gas has become cost effective, but it is not currently available to the City. Given the size of the project, it may not be cost effective to use solar power.

Mayor Cooper said that he and the City Manager are working toward financing of the ocean outfall project and the City Hall project. Two things that have to go into the Special Election vote are the total amount of money that Commissioners would be authorized to borrow and what it is going to be used for. The City would need to go for a bond authorization of \$52,500,000.00. The first step in the process for the Special Election is for the Commissioners to pass two resolutions, one for each project, setting a public hearing. After the public hearing, the Commissioners would need to adopt another resolution to move forward with setting the Special Election. A Special Meeting could potentially be held on April 27, 2015 to adopt the two resolutions setting a public hearing on May 16, 2015 with the vote on June 20 or 27, 2015.

Mr. David Mellen asked how the associated costs will be handled for the stormwater outfall project.

Mayor Cooper noted that within the Record of Decision, the City is required to make a report on the stormwater outfalls, but there is no obligation to anything with the report. The \$10,500,000.00 was approved in 2013 at an interest rate of 3.15%. The City has until January 2016 to tell the State whether it wants to borrow the extra money. The extra money would carry a 0% interest rate but it would have to be

repaid over the same length of term as the other loan. It would carry the same caveats of having public approval of it. The money will not be available until the City closes on its loan. If the City does not use the money, it will be made available to another entity to use it.

There was consensus from the Commissioners to have two resolutions drafted for the wastewater improvement project at \$52,500,000.00 and the City Hall Complex project at \$18,000,000.00 and hold a Special Meeting on April 27, 2015 at 9:00 a.m.

OLD BUSINESS

There was none.

NEW BUSINESS

Mayor Cooper called to consider adoption of an ordinance to amend Chapter 189 of the City Code related to the control of any loud, excessive, unnecessary or unusually loud noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of reasonable persons of normal sensitivities.

Mr. Kyle Gulbranson of AECOM noted that the Commissioners have modified and updated the existing noise ordinance to better deal with the noise issues in the residential districts. The proposed ordinance incorporates definitions for plainly audible and noise. Noise disturbance has been redefined. There is a section of the draft ordinance that specifies what a noise disturbance is and what constitutes a noise disturbance in the commercial districts, residential districts and other areas within the City. The Commissioners looked at what is classified as construction noises. There were concerns about landscape noises and what it actually is, appropriates times for those and when there should be prohibition on those types of noises, especially in the residential districts. The biggest change to the noise ordinance is how noises and noise complaints are registered in the residential districts. The plainly audible standard will be used for all noise complaints in the residential districts which is consistent with ordinances in other municipalities. Updating and housekeeping was done with the existing noise ordinance so the Police Department can interpret the ordinance much better and more efficiently.

Commissioner Mills made a motion, seconded by Commissioner Zellers, to adopt the ordinance amending Chapter 189 related to noise.

Mr. Linda Kauffman, 206 Laurel Street, thought that the hours for landscaping was removed from the draft ordinance.

Commissioner Mills said that the existing code references landscaping noise from 8:00 a.m. to 8:00 p.m., seven days per week. This will remain the status quo.

Ms. Donna Mabry, 221 Hickman Street, asked if the final copy of the ordinance will include fines for violating the noise ordinance.

Commissioner Gossett said that any person or persons charged with a violation of this chapter, the first offense shall be subject to a fine of at least \$200.00 and not to exceed \$250.00. For each subsequent offense, such person shall be subject to a fine of at least \$250.00 and not to exceed \$500.00 or by imprisonment for not more than 30 days or by both fine and imprisonment.

Mr. John Watts, Country Club Drive, was not opposed to the adoption of the ordinance, but there are serious inconsistencies with it, and the Commissioners should take more time to look through it.

Mr. Thomas DePasquale, 11 Queen Street, was concerned that the Commissioners are positioning this thing to be a huge fight between neighbors.

(Sharp – aye, Gossett – aye, Cooper – aye, Mills – aye, Zellers – aye, McGuinness – aye.) Motion carried unanimously.

Mayor Cooper called to consider adoption of a resolution setting a public hearing on the subject of extending Moratorium Ordinance No. 1014-01, adopted by the Commissioners on October 17, 2014, which established a moratorium on permits or other approvals for the construction of unenclosed swimming pools in the residentially zoned areas within the municipal limits of the City of Rehoboth Beach.

Mayor Cooper noted that the Commissioners feel they have not completed their work under the moratorium, and there needs to be an extension in order to complete that work.

City Solicitor Mandalas said that the current moratorium expires today if no action is taken upon it. He

read the resolution setting a public hearing on the extension of the moratorium. This resolution indicates that the ordinance to be considered at the public hearing is subject to the pending ordinance doctrine and until the Mayor and Commissioners act upon the ordinance, the Building & Licensing Department shall continue to reject any new applications not compliant with Section IV of Moratorium Ordinance No. 1014-01 that would allow the construction of an unenclosed swimming pool within any of the residentially zoned districts within the City. City Solicitor Mandalas read the proposed ordinance.

Commissioner Mills said that the Commissioners have been deliberate in going forward. Meetings have been accelerated with twice as many meetings as normally done. It would be prudent to have more time to do the best job they can. Commissioner McGuinness agreed. She would like to see more meetings added.

Commissioner Mills made a motion, seconded by Commissioner Zellers, to adopt the resolution setting the public hearing for May 15, 2015 at 7:00 p.m. on the subject of extending Moratorium Ordinance No. 1014-01. (Sharp – aye, Gossett – aye, Cooper – aye, Mills – aye, Zellers – aye, McGuinness – aye.) Motion carried unanimously.

Mayor Cooper called to consider adoption of a resolution proclaiming Rehoboth Beach an “Idle-Free City”.

City Solicitor Mandalas read the resolution which promotes the elimination of unnecessary idling by vehicles resulting in better air quality in order to preserve the health and welfare of everyone in the City and promotes the reduction of unnecessarily wasted fuel.

Commissioner McGuinness made a motion, seconded by Commissioner Sharp, to adopt the resolution concerning making Rehoboth Beach an idle-free city. (Sharp – aye, Gossett – aye, Cooper – aye, Mills – aye, Zellers – aye, McGuinness - aye.) Motion carried unanimously.

Mayor Cooper called to consider adoption of an ordinance repealing Subsections 236-4(D) and (E) of the City Code which relate to the cost for reproducing certain documents.

Mayor Cooper noted that this ordinance deletes from the chapter regulating the subdivision of land the fees for providing copies of the Zoning Map and associated chapter since these fees are now provided for in Chapter 55 of the Code.

Commissioner Gossett made a motion, seconded by Commissioner Mills, to adopt the ordinance amending Chapter 236 related to fees for copies. (Sharp – aye, Gossett – aye, Cooper – aye, Mills – aye, Zellers – aye, McGuinness – aye.) Motion carried unanimously.

Mayor Cooper called to consider adoption of an ordinance to amend Section 92-73 of the City Code related to increasing the fee for parking at a space controlled by a parking meter.

City Solicitor Mandalas summarized the ordinance which raises the hourly charge to \$2.00 for certain parking meters with current hourly rates of \$1.50.

City Manager Sharon Lynn noted that the fees have not changed for eight years. The main purposes is to help with the cost of more than \$700,000.00 for 97 multi-space meters needed to be purchased for Rehoboth Avenue. Replacement will be done in a two-year period of time. Fifty-one meters will be placed on the first two blocks of Rehoboth Avenue by Memorial Day 2015.

Commissioner Mills made a motion, seconded by Commissioner Zellers, to adopt the ordinance amending Section 92-273 relating to parking meter fees. (Sharp – aye, Gossett – aye, Cooper – aye, Mills – aye, Zellers – aye, McGuinness - aye.) Motion carried unanimously.

Mayor Cooper called to consider adoption of an ordinance to amend Section 92-263 of the City Code related to increasing the fee for certain parking permits.

City Solicitor Mandalas summarized the ordinance which raises the fee for rental unit parking permits from \$20 to \$30, the fee for weekly parking permits from \$45 to \$60, the fee for three-day weekend parking permits from \$30 to \$35, the fee for weekend daily (Saturday and Sunday) parking permits from \$13 to \$15 and the fee for weekday daily (Monday, Tuesday, Wednesday, Thursday or Friday) parking permits from \$8 to \$10.

Commissioner Mills made a motion, seconded by Commissioner Zellers to adopt the ordinance amending Section 92-263 related to parking permit fees. (Sharp – aye, Gossett – aye, Cooper – aye, Mills – aye, Zellers – aye, McGuinness – aye.) Motion carried unanimously.

Mayor Cooper called to consider adoption of an ordinance to amend Section 92-264 of the City Code related to increasing the fees for parking in the Deauville Beach parking lot.

City Solicitor Mandalas summarized the ordinance which increases the parking rates in the Deauville Beach parking lot from \$7 to \$10 for daily parking and from \$60 to \$75 for seasonal parking permits.

Commissioner Mills made a motion, seconded by Commissioner Zellers, to adopt the ordinance amending Section 92-264 related to increasing the parking fees at Deauville Beach parking lot. (Sharp – aye, Gossett aye, Cooper – aye, Mills – aye, Zellers – aye, McGuiness - aye.) Motion carried unanimously.

Mayor Cooper called to consider adoption of an ordinance to amend Article IV of Chapter 120 of the City Code related to increasing business license fees.

City Solicitor Mandalas summarized the ordinance.

Mayor Cooper noted that there was a 20% increase in fees other than accommodations at 50%.

Commissioner Mills made a motion, seconded by Commissioner Zellers, to adopt the ordinance amending Chapter 120, Sections 120-17, 120-18, 120-19, 120-20, 120-21 and 120-22 related to business license fees. (Sharp – aye. Gossett – aye. For next year's budget, the categories should be better managed, and there should be a fee schedule separate from the Code. Cooper – aye. Mills – aye. Zellers – aye. McGuiness - aye.) Motion carried unanimously.

Mayor Cooper called to consider adoption of an ordinance to amend Section 227-24 of the City Code related to increasing certain fees for the collection of garbage and refuse.

City Solicitor Mandalas summarized the ordinance which increases the residential fees less than six months seasonal rate from \$230.00 to \$250.00, the condominium related to single family dwellings from \$255.00 to \$275.00.

Commissioner Mills made a motion, seconded by Commissioner Zellers to adopt the ordinance amending Section 227-24 relating to collection of refuse. (Sharp – aye, Gossett – aye, Cooper – aye, Mills – aye, Zellers – aye, McGuiness - aye.) Motion carried unanimously

CITY MANAGER'S REPORT

City Manager Sharon Lynn reported that bulk pickup for the south side of the City will begin the week of April 27th and the north side the week of May 4th. Fire hydrant painting outside of the City should be concluded by the end of April or the first week of May. The contractor is preparing a change order to paint the remaining hydrants within the City starting in September 2015.

City Manager Lynn recommended the approval of the Street Aid expenditures:

03/25/2015	560	Delmarva Power	\$ 889.24 (Street Lights)
04/15/2015	561	Delmarva Power	\$8,725.25 (Street Lights)

Commissioner Mills made a motion, seconded by Commissioner McGuiness, to approve the Street Aid expenditures as presented. Motion carried unanimously.

COMMITTEE REPORT

There was none.

CITY SOLICITOR'S REPORT

City Solicitor Mandalas updated the Commissioners on the case outlining construction activity that violated the Zoning Code and some rental activity that violated the business license code. This case involves 114 New Castle and 340 Hickman Streets. The case has been settled. As part of the settlement, there is a portion of a public statement City Solicitor Mandalas read. The residential character of the neighborhoods needs to be sustained, and the City is stepping up its enforcement mechanisms to ensure the quaint residential character is maintained.

COMMISSIONER ANNOUNCEMENTS/COMMENTS

There were none.

DICUSS ITEMS TO INCLUDE ON FUTURE AGENDAS.

There were none.

CITIZEN COMMENT

Ms. Linda Kauffman, 206 Laurel Street, asked if zoning will be looked at in conjunction with the swimming pool issues. Mayor Cooper and Commissioner Mills said that it is their intention to look at zoning at the same time as the other issues.

Mr. Walter Brittingham, 123 Henlopen Avenue, asked if the Verizon antenna will be located on the water tower at the Public Works plant. City Manager Lynn confirmed this. Mayor Cooper said that the City receives \$25,000.00 from Verizon.

Mr. Frank Cooper, 96 East Lake Drive, suggested that for the upcoming season, the Commissioner should allow scooters to use open air stickers.

The next Workshop Meeting will be held on May 4, 2015 at 9:00 a.m.

There being no further business, Mayor Cooper adjourned the meeting at 9:27 p.m.

Respectfully submitted,

(Lorraine Zellers Secretary)