

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

August 10, 2015

The Workshop Meeting of the Mayor and Commissioners of the City of Rehoboth Beach, was called to order at 9:02 a.m. by Mayor Samuel R. Cooper on Monday, August 10, 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
	Commissioner	Bill Sargent
	Mayor	Samuel R. Cooper
	Commissioner	Stan Mills
	Commissioner	Lorraine Zellers
	Commissioner	Kathy McGuiness

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

CORRESPONDENCE

1. Email received August 7, 2015 from Robert Worthing, 212 Stockley Street, proposed that if the Board adopts an ordinance based upon the number of toilets, that it associate parking restrictions or requirements with rental licenses, at least for the present. If the Board desires to impose the same requirements on everyone and have run with the land, it can study that matter further, but proceed to address the commercial rental portion. The Board could consider what restrictions are necessary or appropriate to zoning restrictions, considering the impact upon existing properties.
2. Email received August 8, 2015 from John & Susan Roehmer, 528 School Lane, requested consideration be given to a graduated either/or approach for vacation rentals. The Commissioners should consider a tiered-cost approach to rental licenses, relating to expected enforcement costs, based on the size and/or amenities of a property. The type of rental process could also be a determinant of the rental license fee.
3. Email received August 9, 2015 from Rebecca Howland, 510 New Castle Street, hoped that the Commissioners will consider and answer questions regarding the proposed vacation rental ordinance and (a) second business license. (b) define unreasonable noise and define serious violation. (c) training for the 24/7 agents. (d) response times. (e) the watch list.

PRESENTATION by and discussion with James McMackin, the City's labor attorney, concerning proposed revisions to the City Code related to bringing the City's personnel code and procedures into conformance with current standards.

City Manager Sharon Lynn has been working with Mr. James McMackin since March or April 2014 reviewing, organizing and updating the personnel ordinance.

Mr. James McMackin, Esq. of the law firm Morris James LLP was in attendance at the meeting on behalf of the Personnel Committee and the City Manager with regard to recommendations for updating the Code. The purpose was to make sure that the personnel ordinance is compliant with the U.S. Constitution, federal and state labor laws, the Delaware Constitution, EOC regulations and the Delaware Department of Labor regulations, paying special attention to anti-discrimination, anti-retaliation and sexual harassment provisions, and wage and hour issues in the personnel manual. The proposed changes are:

1. Section 46-3(B)(1)(g). All employees will need to sign an acknowledgement that they agree to be bound by the Acceptable Use policy because Delaware State law has a requirement that every time someone logs on, they receive notice that they may be monitored or a consent is done once in writing.
2. Section 46-5(C). There is a change with regard to commercial drivers' licenses. It is not a requirement, but it is an operational issue. This would incentivize individuals who have CDL licenses.
3. Changes have been made throughout the document with regard to discrimination, anti-harassment, anti-retaliation and reporting thereof in order to bring the document up to speed with the existing State law.
4. Section 46-10(D). Changes have been made with regard to disciplinary suspensions in order to make

clear that the City is complying with the U.S. Constitution because only up to 10 days can there be a period of time where there is going to be a suspension without pay and without the need for a pre-deprivation hearing.

5. Section 46-10(E). Changes have been made with regard to termination based upon policies which have been implemented for other municipalities in order to make sure that due process is provided in a way that is least cumbersome for workforce management purposes.

Commissioner Mills noted that disciplinary action in the past has been appealable to the Board of Commissioners.

Attorney McMackin noted that the appeal to the Board of Commissioners has been omitted in order to comply with the law. It is designed to streamline the process and still comply with the law. Rather than having special meetings on short notice for the Commissioners to hear grievances or appeals of termination, to defer to the workforce management is done by the City Manager and the department heads so that they can make the decision without having to gather the Commissioners.

Mayor Cooper found it odd that the City Manager suspends someone, but the department head can fire them. They can appeal to the City Manager, but the initial action would be taken by the department head. It needs to be clarified what constitutes a supervisor/department head and make clear that those terms are understood. Department head or supervisor needs to be defined.

Attorney McMackin noted that he will tighten up the language for the next read to the extent that there is any ambiguity with regard to who is a department head/supervisor.

Mayor Cooper said that as far as terminations of full-time employees, he would like to keep the Commissioners involved in the process. It is a good check of how the City Manager is dealing with disciplining employees. This would be an appeal process through the Commission. Mayor Cooper was not comfortable with the notice of intent to terminate from the City Manager because it is not known when the actual termination takes place.

Attorney McMackin noted that the termination would take place either when the time period for requesting a hearing passes without a request coming in by certified mail, when the hearing is concluded and after the decision is made to terminate the employee requesting the hearing or if there is no request for a formal hearing.

Commissioner Toni Sharp said that she would like to give this some additional thought.

Attorney McMackin noted that he will draft the language however the Commissioners feel most comfortable.

6. Section 46-13(C). Changes have been made with regard to what will occur when an individual employee is charged with a criminal offense. This is to comply with the law and for purposes of workforce management.
 7. Section 46-16. Changes have been made with regard to working on holidays, personal time and working overtime. These changes are to comply with the law. The Fair Labor Standard Act recent regulations require that if someone works comp time, it has to be used within the current pay period or the next pay period. If the comp time is not used, the City would owe that person overtime at time and a half.
- 2:35:24

Mayor Cooper suggested that in Section 46-16(D), it should read that the City will pay employees for all hours worked or something to that effect instead of employees who with permission begin working before their scheduled work time will be compensated for overtime according to the schedule set forth in section B.

Attorney McMackin noted that this subsection would be clarified.

8. Section 46-18. Changes have been made to sick and personal leave. In exchange for granting personal days, the City will cap the number of hours of sick leave that can be accumulated to 360 hours. The Commissioners will need to discuss whether there should be an overall cap at 360 hours for everyone, or if someone would be grandfathered in if they have more than 360 hours accumulated. Also, in this section as an option, the Commissioners would need to consider whether or not they would want a donated leave bank which mirrors the State policy for donating leave.

Attorney McMackin noted that with regard to freezing sick leave at 360 hours, there may be an issue

that some of the rights to hours in excess of 360 hours are vested, and the City cannot take them away without due process, so there may be a logical reason to grandfather those that have in excess of 360 hours already.

Mayor Cooper said that with regard to providing two personal days, the State did away with two holidays. This would be a policy question.

City Manager Lynn noted that in the Delaware manager draft with each municipality weighing in, on average one to three personal days were granted.

Commissioner Gossett noted that personal days are more common as a compensation.

Attorney McMackin said that vacation days are scheduled in advance, and personal days can be scheduled on short notice.

Mayor Cooper had issues with the employee donated leave bank. This would need to be discussed among the Commissioners to decide on a policy and what they would want to put in the Code. Discussion ensued as to paid time off.

Commissioner Gossett noted that there is interest among the Commissioners in looking at a paid time off program for comparison. This would be an opportunity as employees are retiring and the City hires new individuals that this type of policy could be made. There may need to be transition or parallel policies for existing vested employees. More investigation into this is worthy.

Commissioner Mills was receptive to more discussion on this topic.

Mayor Cooper said that whatever is decided, he would like to have some sort of a fiscal idea of what the cost is.

Attorney McMackin said that the Commissioners may want to think about having a blended sick and paid time off policy. The personal and vacation would be combined, but not the sick time.

9. Section 46-19. It is being made clear how vacation leave is compiled.
10. Section 46-21. Changes have been made with regard to military leave to comply with the U.S. ERA Act.
11. Section 46-22. This section was rewritten completely which implements a policy to comply with the Family Medical Leave Act and the National Defense Authorization Act. Both provide leave for sickness and deployments.
12. Section 46-25. Information has been provided with regard to health insurance. Rather than having to amend the policy in light of the Patient Protection and Affordable Care Act, it is recommended that in the final ordinance the Commissioners should strike out what each employee has to pay and put it in a policy, and leave the copays or the employee contributions to premiums. This will be changed on a yearly basis with the advice and consent of the City Manager or defer it to the Mayor.

Mayor Cooper thought there should be some guidance as to how the employee contributions to the premiums for the health insurance will be calculated. There should be some predictability to the employees and the City. The actual costs could be taken out, and it could say that from year to year the employee contributions shall be adjusted by whatever it may be.

Commissioner Sharp suggested that the dollar amount should be taken out, and the calculating should be left in this section.

13. Section 46-30. Longevity bonuses were clarified and how they will be paid out.

Commissioner Sharp thought it is embarrassing that after more than 20 years of service, an employee gets \$750.00 upon retirement. If the Commissioners say that one of their best assets in the City is the experienced staff, then the Commissioners should think about what the lump sum says to someone upon retirement.

Mayor Cooper said that people should be compensated for the work they do, not what they have done.

Commissioner Zellers said that if this is kept in the ordinance, the Commissioners should increase the amounts given.

14. Section 46-34. It is being required that worker compensation injuries be reported immediately. It was clarified when someone is under the influence of either excessive prescription drugs or illegal drugs or alcohol at work to comply with the Federal law. This is modeled after the National

Highway Transportation Safety Act administration guidelines. It was also clarified when a search can be done of someone who is believed to be under the influence.

15. There have been a number of changes throughout the document with regard to Section 46-38, prohibited acts of discrimination.

Attorney McMackin said that with regard to Section 46-38(C), there are all kinds of harassment that is unlawful, whether it is based upon gender, race, disability, etc.; but then there is quid pro quo, sexual harassment which is between a supervisor and a subordinate. He recommended that sexual harassment be left in the definition to protect against the claim that there is duress between an employee and a supervisor when there is a sexual relationship.

16. Section 46-39. The Computer and Network Acceptable Usage Policy was added to this document because it is a requirement of Delaware State law. This information needs to be acknowledged, signed and kept by the employer, or notice will need to be provided of monitoring, surveilling and recording each time an employee logs in.

Mr. McMackin noted that if the public emails a Commissioner, that information could be surveilled by the City, and it would be subject to the Freedom of Information Act. It is statutory, and that information is discoverable. He did not think that it would be required for the City to put the public on notice that their emails may be surveilled.

Commissioner Sharp thought that the City should put the public on notice as courtesy to let people know that things are discoverable.

Commissioner Patrick Gossett noted he is the Chair of the Personnel Committee. Commissioner Gossett and City Manager Lynn met with members of the committee two to three times, and all of them provided input. City Manager Lynn then forwarded the input to Mr. Mackin to incorporate the changes, etc. The members of the committee consist of representatives from each department.

Attorney McMackin noted that this ordinance will take the place of the employee handbook. There should be one document that concerns workforce management of the employees rather than having two.

Commissioner Gossett noted that the current employee handbook which is out-of-date refers back to the Code itself to explain the differences. The purpose of the employee handbook is to provide information at the time of hire about the benefit package and how to participate in the benefits offered by the City. It is reference material. It would be better for the City to create a digital handbook that can be updated and referred back to the existing Code.

Mayor Cooper thought that there could be a document that is a summary of the ordinance as a quick reference.

Attorney McMackin will forward a revised draft to the Commissioners with the non-contentious items for their review, and this item will be placed on a future Workshop agenda for discussion.

OLD BUSINESS

Mayor Cooper called for Commissioner discussion of an ordinance amending Chapter 270 of the City Code Section 270-35 related to the requirements for off-street parking for residential units, which ordinance was the subject of a public hearing held on July 17, 2015.

Commissioner Sharp suggested putting together an advisory committee or group to get varied skills and background at the table to come up with the best solution possible. Commissioner Sargent said that this makes a lot of sense.

Mayor Cooper said that action should be taken on the proposed ordinance so there is a finality to it.

Commissioner Mills said that a lot of communications had been received at the recent public hearing. Part of the content had to do with off-street parking. The Commissioners need more time to re-identify what the problem is, and what the potential cures are. The proposed ordinance was designed to control density, and the size of a house primarily targeting the number of bedrooms. The philosophy was that more people means more cars. It meant to many of the Commissioners that a lot of those cars should be taken off the street. The mechanism for how the Commissioners do this is still unknown. He was comfortable with controlling occupancy with toilets vs. bedrooms. Since the public hearing, Commissioner Mills has been looking to control occupancy by the number of bedrooms. The model ordinance from Bethany beach requires the number of off-street parking based on the number of bedrooms. The Commissioners need to talk more about applicability and

what causes people to come into compliance. Mayor Cooper agreed.

Mr. Walter Brittingham, 123 Henlopen Avenue, said that this topic should be deferred to a meeting where the public can speak. Mayor Cooper noted that the public had the chance to weigh in on this ordinance at the public hearing.

Commissioner Zellers acknowledged that the Commissioners need to amend the ordinance to get parking off the street and more relevant to the size of the house, and occupancy related to parking. If more bedrooms are created and more people are coming in with more cars, there is a responsibility that some of the cars should be taken off of the streets.

Commissioner Sargent said that occupancy should not be more than 12-14 people on a 50 foot x 100 foot lot in a residential neighborhood. This would solve the parking problem. The Commissioners will have to eventually address the influx from outside talking up parking places. The problem on the weekends is not caused by the renters or the residents; it is caused by influx from outside. The fees would need to be raised so high that the numbers can be controlled. Commissioner Zellers disagreed that part of the parking problem is not from the rentals in the residential neighborhoods. The parking problem is not just from people coming in from the outside. Commissioner Sargent thought that people should live with two parking places, and the allowable occupancy should be consistent with that.

Commissioner Mills thought that these would be great starting point for the committee to look at the alternatives and the pros/cons of it. Commissioner Gossett agreed that a task force should be established which should be given direction and what is expected, and a timeline. There should be representatives from the realtors, builders, owners, etc. and bring forth volunteers. He thought that an outside facilitator should be brought in to manage the group.

City Solicitor Mandalas noted that there seems to be an intention of the Commissioners to vote the ordinance down, but that decision has not been made at this point.

Mayor Cooper called to further discuss with Kyle Gulbranson of AECOM, the City's planning consultant, a draft Vacation Rental Ordinance that was a topic at previous meetings of the Commissioners.

Mr. Kyle Gulbranson said the last the Commissioners had discussed the proposed ordinance was in December 2014. Today, the Commissioners need to focus on how they will move forward with this ordinance if that is what the Commissioners are intending to do.

Commissioner Mills thought the way the proposed ordinance is written by be burdensome to City staff, City Manager, etc. He liked the mention of occupancy limits, trash and the concept of a contact person. Commissioner Mills was in favor of the inspection process, but he was concerned about the burden it would place on staff and the appropriate fee for inspections. Commissioner Mills did not understand why there is a need for a vacation rental license since landlords already get a business license to operate a rental.

Mayor Cooper agreed that there should be an inspection to see that people are getting a license for what they actually have and some life safety things, and that there should be someone who is responsible if there is a problem. He did not agree that the City should mandate a contract between a tenant and a landlord.

Commissioner Zellers said that the Commissioners should set basic expectations if the City is going to enforce things and tell people what is expected with regard to noise, occupancy, etc. The current business license does not do that. Reasonable expectations need to be set if the City is going to be enforcing things on the people who are renting and the renters coming in. The good neighbor brochure is not enough. The City should have something that they read and sign off on.

Commissioner McGuinness thought that this is a worthwhile endeavor to explore; however, there are mechanisms in place such as the noise ordinance, good neighbor brochure, etc. Commissioner Gossett said a lot of the information has come from other ordinances around the state. Rental agents have required this; they have their own standards.

Commissioner Sharp said that a level playing field needs to be created. The Commissioners need to think about whether the City wants to accept the role in this. Commissioner Gossett said that it is making what the City does in its aspects adapt to what the needs of the renters or the community is. The responsibilities are with the owners of the properties. The rules should be spelled out in the agreement with the owner.

Commissioner Mills noted that the onus is on the landlords and the builders to do everything possible to not create a nuisance with their rental properties. Mayor Cooper said that the owners should be responsible for the

operation of their properties. It is an overreach to say what the owners have to do with their tenants to ensure that. It should be part of the rental license application for the owner to acknowledge that it is their responsibility to make sure the property is not maintain, operated or rented in such a way to provide a nuisance to the neighborhood. If a nuisance would occur by the renters, the responsibility comes back to the owner, and the City would need to be reasonable in how that is done. All of the licenses can be revised to say that someone has to conform to the ordinances of the City of Rehoboth in order to maintain the license. The City needs to do inspections. The Commissioners will need to see guidance as to when inspections can be done. Rental licenses need to be pulled out of the business licensing section and made a separate section in the Code. There should be one licensure for a rental unit. Mayor Cooper said that he would like to see annual inspections done, but clearly the rentals need to be inspected the first time they are applied for and hopefully every year after that.

Mr. Gulbranson said that the Commissioners need to revamp the rental policy and the requirements for that, and educate the rental community on the expectations of what the City is looking for. Once all the information is in the policy that is needed, then the forms should be developed and the process of how it will work together, then the City needs to promote it to make sure people are aware and get some buy-in.

Mayor Cooper said that the biggest piece left is the idea of occupancy.

Commissioner Sargent said that by adopting something that restricts the occupancy and the rental is advertised higher than that amount, then the license will be revoked.

Commissioner Gossett said that occupancy needs to be a part of this matter. When the rental license is redesigned, that is the time that the bedrooms are declared as part of the rental. This would create a record that would be signed off by the owner of the property.

Commissioner McGuiness said that when a real estate entity is involved, occupancy may not be controlled, but it is on the lease and is enforced. Commissioner Sharp said that in the absence of something via the real estate community, the City will be at the mercy of individual owners and how they choose to manage their properties.

Mayor Cooper did not see occupancy as a huge issue except that the houses have gotten so much bigger so they sleep more people. He has not heard that overcrowding is a problem.

Commissioner Sargent said that on a 50 foot x 100 foot lot, the Commissioners should set a final limit as a standard. Anything over that amount should not be allowed in a residential area. Mayor Cooper noted that this would determine what the density of the town would be.

Mr. Gulbranson said that the Commissioners have made a series of zoning changes which will have the impact of reducing the sizes of houses. The current average under the old Code is five bedrooms per house. Processing applications under the new Code may be slightly less than that.

Mr. David Clark, 41 Kent Street, said that people who rent from a realtor, the realtor never goes to the property unless there is a problem. The Commissioners should consider children because there is usually one bunk bed in a rental house that probably sleeps six kids. He has six bedroom houses, and he provides three off-street parking spaces and two parking passes. He was concerned about requiring some kind of realtor representation.

Ms. Linda Kauffman, 206 Laurel Street, said that the issue with trash is that people put it out early. This has to do with tenants and homeowners. The Commissioners should address that trash cannot be put out early or that there is a timeframe, and that there is a higher charge for picking up a lot of trash vs. two to three bags. Cars are still on the street with regard to rental houses and whether parking permits are given or paid for. With the houses that have extra space for parking, it is an amenity that the tenants look forward to.

Commissioner Mills noted that he, Commissioner McGuiness and City Manager Lynn are working on separate trash ordinance.

Ms. Sharon Palmer Stauffer, rental manager at Coldwell Banker, said that all owners have occupancy limits on the houses they rent. General occupancy is two people per bedroom and two in the living room. Average occupancy is 12 people in a five bedroom house. A lot of the problems can be solved with licensing. The good neighbor brochures should be given out with each lease. She did not know how the City would be able to inspect 3,300 rentals. If there is a problem at a rental property, she will be there. The Commissioners should let the professionals help them when setting up a committee to deal with the problems.

Ms. Lori Bloxom, 9 Country Club Drive, has hired a property manager, and their occupancy is less than

what would have been allowed in the vacation rental ordinance. There is misinformation that people who are renting through venues such as VRBO are less responsible than realtors. The good neighbor brochure does not list the quiet time hours in it. She thought the parking problem is an exaggeration and incorrect. With regard to the trash problem, people should be required to put their trash in bins which will make it less unsightly. People cannot help to resolve issues if they are not aware of them.

Ms. Marsha Schiff, Scarborough Avenue Extended, said that she has rental properties and has not every had an incident with noise or overcrowding. She does not use realtors, but she is far more restrictive than the ordinance proposed by the Commissioners on limits. The Commissioners may be trying to legislate something for over 3,000 rentals that is really just less than 1,000 houses where there may be certain issues. It is better to look at what the problem really is vs. legislating broadly for 3,000 houses.

Mr. Mark Betchkal, 98 Sussex Street, said that he rents his house 10 to 12 weeks per year. The Commissioners' ordinance will make him a criminal if he cannot respond to a problem at the property within 15 minutes. He finds this to be offensive. Mayor Cooper said that maybe there could be a contact person. The time limits may be overbearing. Commissioner Mills agreed that there should be a contact person. He did not think the 15 minute requirement was appropriate or realistic.

Ms. Donna Mabry, 221 Hickman Street, asked what the occupancy would be for oversized lots. Occupancy could backfire where people certify the limit at a higher amount.

Mr. Tim Green, 14 Delaware Avenue, thought having a contact person is a good idea. The brochure is good, but it could be better. The registration certificate is good, but it is somewhat redundant. Annual inspections will be impossible to manage, except when people apply for the rental license the first time. An inspection could be done every five years after that to make sure they are compliant. Any changes in the house would be construction related for the most part. He has a contract that every one of his tenants has signed. Mr. Green suggested that the Commissioners should explore those options first. This is not necessarily an occupancy issue. He has not hear of any problems related to occupancy.

Ms. Elizabeth Roslewicz, 10-B Hickman Street, said that the renters are the inspectors which are already in place.

Ms. Susan, Gay 316 Country Club Drive, pointed out that there are a lot of responsible owners in the room and very responsible rental agencies. Places like VRBO have fundamentally transformed the travel industry. Trip Advisor provided a description for Rehoboth Beach is that it is like Myrtle Beach.

Mr. John Swift, 100 Sussex Street, said that there is no need for the rental ordinance, because the Commissioners will be modifying the licensing. The Commissioners should put in place the ability to do enforcement. Mayor Cooper said that the Commissioners owe it to the people who are honest and do a good job of abiding by the rules to make sure that everybody does.

Commissioner Mills said that he would like to withdraw trash from the proposed ordinance and keep it within the proposed trash ordinance. He would like to pursue the contact person concept and shy away from the given timeframe. With regard to inspections, he would leave that up to the City Manager and Building & Licensing to develop a program and come back to the Commissioners with how that would work. Inspections are definitely are very important for the life, safety and health aspects of these rental units.

Commissioner McGuinness noted that the brochure should be updated.

Mayor Cooper agreed with Commissioner Mills. He would like to look at the business license section that it is ironclad that the City can bring action. At some point, the rental licenses should be searchable online. At some point, there should be some sort of hotline via the web and telephone for things that do not need immediate attention.

Commissioner McGuinness said that there are agents, owners and representatives who are already being good stewards of the properties. She asked why does the City need to step in and regulate and administrate when it is already being taken care of and handled by good owners, agents and representatives. There are a few bad actors on both sides. Not everyone needs to be involved because perhaps some noise rentals or non-rentals or some people who call in complaints a lot. There is a noise ordinance. The rental license application can be updated to include a local contact person.

Commissioner Mills was hesitant to legislate this at this point. Administratively, the application should be changed. Upon receiving the rental license, the City Manager should issue a packet for them to sign. The packet would have the information acknowledging the noise ordinance, good neighbor brochure, etc.

Mayor Cooper said that the relationship between the rental owner and the tenant should be left to them. The City should not be put in the middle of it by mandating certain leases, etc. A local contact person should be listed on the application. Ideally the person should be able to respond to a complaint within a certain period of time. A rental ordinance is necessary, but it should not be mandated what is in the lease.

Mr. Jay Lagree, 7 Prospect Street, said that the occupancy code should be enforced now.

Mr. Gulbranson will return with a revised draft of the ordinance and a redesign of the rental permit application at the next meeting.

NEW BUSINESS

Mayor Cooper called to discuss the proposal of EDiS Company for management services related to construction of the new City Hall, Parking Meter Building and other related work.

City Manager Lynn said that the City received this agreement from EDiS Company. The agreement was also forwarded to the City Solicitor who has reviewed it and USDA. City Manager Lynn and City Solicitor Mandalas are in agreeance that EDiS Company as the owner's representative is sufficient.

This item will be placed on the agenda for approval at the Regular Meeting on August 21, 2015.

Mayor Cooper called to discuss a proposed resolution related to the sale of bonds approved at the special election held on June 27, 2015, and the next steps in the process.

City Solicitor Mandalas did not have the proposed resolution ready for this meeting. He is currently working with the bond counsel on this. With regard to the City Hall Project, there will be interim financing. The City Manager has reviewed the term sheets and discussed them with Mayor Cooper and City Solicitor Mandalas. The City Hall Project is being financed through a USDA loan. A bridge loan will pay for the City Hall Complex. The loan from USDA will be taken down to reimburse the City and pay off the interim financing. The outfall will be funded through the State Revolving Fund.

Mayor Cooper said that it would be good for the Commissioners through the form of a resolution to authorize the City Manager and/or the Mayor to take down the interim financing with PNC with ultimately the end loan with USDA.

City Manager Lynn noted that in the memo she outlined to the Commissioners, PNC Bank has the edge over four of the banks that submitted with regard to interim financing. Mayor Cooper noted that PNC's rate which is an adjustable rate is less than 1%. The other banks' rates were more than 1½%.

This item will be placed on the agenda for approval at the Regular Meeting on August 21, 2015.

CITY MANAGER'S REPORT

City Manager Lynn commended the Police Department regarding the carjacking that was reported two weeks ago. The Police Department has actively pursue the investigation. Within 2.5 days, there are active warrants for two juveniles with an additional juvenile coming up this week. The two juveniles are in custody in Pennsylvania. This incident will be cleared. This week the City will be advertising for bids to perform milling, patching, drainage improvement, curb ramp construction and paving on the first and second block of Oak Avenue and Hickman Street from State Road to Laurel Street. Bids will be due August 27, 2015 at 11:30 a.m. This is in conjunction with the work that is being done with the Water Department. City Manager Lynn thanked Ms. Terri Sullivan for almost eight years of service with the City.

Commissioner Mills noted that there has been a chronic problem with lack of drainage at First Street and Oak Avenue. He was hoping that this would be dealt with concurrently with the project previously noted by Ms. Lynn.

COMMITTEE REPORTS

There were no reports.

CITY SOLICITOR'S REPORT

There was nothing to report.

COMMISSIONER ANNOUNCEMENTS/COMMENTS

There were none.

DISCUSS ITEMS TO INCLUDE ON FUTURE AGENDAS.

Items to be included on a future agenda are: 1. Trash ordinance possibly at the September Workshop Meeting. 2. Discussion on incentives and tradeoffs at a future Workshop Meeting. 3. Charter changes in regards to requirements for elections and voting at a future Workshop Meeting. 4. Discussions of standing committees at the September or October Workshop Meeting. 5. Policy on drones at a future Workshop Meeting.

City Manager Lynn announced that Mr. Damalier Molina is the new Chief Building Inspector.

CITIZEN COMMENT

Mr. Walter Brittingham, 123 Henlopen Avenue, asked who the part-time horticulturist/arborist is and where someone should go about complaints. City Manager Lynn noted that Stacey Parsons is the part-time horticulturist. She will be taking on the services of City Arborist. Any issues can come through the City Manager's office for Ms. Parsons until she is actually an employee.

Mr. Walter Brittingham commented that too much stuff is not discussed here that should be. He did not think a traffic study should be done in September, October or November when it should be done during the summer months. Pictures are needed now to look at presentations for the Streets & Transportation Committee to put up on the board to see where crosswalks are located. There have been discussions about parking on one side of the street. There is no enforcement. Skateboarders are receiving courtesy notices, but there are no signs in the City regarding no skateboarding. There is no enforcement for bicycles on the sidewalks.

The next Regular Meeting will be held on August 21, 2015 at 7:00 p.m.

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

There being no further business, Mayor Cooper adjourned the meeting at 12:02 p.m.

Respectfully submitted,

(Lorraine Zellers, Secretary)