



## REPORT OF THE BUILDING AND LICENSING DEPARTMENT

(See attached report.)

Building Inspector Terri Sullivan presented the report of the Building & Licensing Department for May 2010. During the month, 103 permits were issued for a value of work totaling \$1,011,757.55. Fees collected totaled \$34,440.07 for the month. One hundred two permit processing fees were received in the amount of \$2,040.00. Two restaurant applications were received in May. Three stop work orders were issued for contractors working without permits. Three signs were confiscated from City property. Three notices of violation were issued for tall grass. Four notices of violation were issued for "open" flags hanging too low. One summons was issued to a contractor for removing trees without a permit. One summons was issued to a property owner for removing trees without a permit. The Board of Adjustment heard no cases in May.

Commissioner Dennis Barbour confirmed that in regard to the Mayor and Commissioners granting the Purple Parrot a Permit of Compliance, the drawing which was received on January 20, 2010 depicted a door or window, and he clarified that the drawing is consistent with a roll-up window.

## PERMIT OF COMPLIANCE HEARINGS

Mayor Cooper opened the Permit of Compliance hearing requested by Antonius Nomikus of Ocean Point Grill L.L.C., to operate a new restaurant to be known as "Ocean Side Grill", to serve food and alcohol pursuant to the City of Rehoboth Beach Municipal Code, Chapter 215 – Restaurants. The restaurant will be located at 19 Wilmington Avenue. Mayor Cooper noted the Permit of Compliance hearing procedures.

Building Inspector Sullivan presented a complete report of her findings based on the application and her knowledge of the Code. (See attached report.) The Applicant has stated that the approximate percentage of revenue between the sale of alcohol and food is 25% alcohol and 75% food. The Application is for a 4,282.5 square foot restaurant. The bar area is 126 square feet with a ratio of bar to permanent seated dining of .07. In summary, this is an Application to open a new restaurant at 19 Wilmington Avenue. No patio is included with this Application.

Ms. Bonnie Benson was in attendance on behalf of Ocean Point Grill L.L.C. This is a concept for a family-style restaurant and is not a club or bar. There will be no entertainment offered at the restaurant. The Applicant offers a product which is not readily available in the City. The restaurant will be open at 7:00 a.m. and will be serving breakfast daily. A different mix of product will be offered. The bar to restaurant seating ratio is 10%/90%. Mr. Nomikus and the corporation own another restaurant with a similar mix, but there is no bar seating in that restaurant. Mr. Nomikus has operated a restaurant in Sussex County for 20 years and operated other restaurants for 40 years. Liquor has been served in the other locations for at least three years with no violations of any type.

There was no correspondence.

Public Comment:

1. Mr. Drexel Davison, representative of Rehoboth Beach Main Street – in support of.

Mayor Cooper closed the public portion of the hearing and called for discussion among the Commissioners.

City Solicitor Glenn Mandalas read from the Code that in reaching their decision, the Commissioners shall consider the following factors including but not limited to:

1. Whether the Applicant has demonstrated the establishment's primary purpose will be that of a restaurant or dinner theater as defined in this chapter.
2. Whether the establishment meets all the City's applicable zoning and licensing provisions.
3. Whether the establishment would be a detriment to the peace, order and quiet of the neighborhood and the City.
4. Whether the establishment will have an adverse impact on neighboring properties or on the City of Rehoboth Beach considering the impact on traffic, parking and noise.
5. Whether the Applicant has made any false representation or statements to the City's employees or the Commissioners in order to induce or prevent action by the City, not only in regard to the pertinent pending Application under the statute, but also with regard to the issuance of a building permit or business license for the subject establishment.

City Solicitor Mandalas identified the exhibits: 1. Notice of Public Hearing signed by the City Manager and posted in City Hall on May 26, 2010, and published in the Cape Gazette on June 1, 2010,

Coast Press on June 2, 2010 and Delaware State News on June 3, 2010. 2. Report of the Building Official dated May 25, 2010. 3. Application notarized by Ms. Benson on May 17, 2010. 4. Menu. 5. Floor Plan received on May 17, 2010. 7. Tax Record. 8. Illustration of the neighboring properties which were notified within 200 feet of this establishment.

Commissioner Mills noted that there is no dance floor depicted on the floor plan. The Commissioners act on a specific floor plan; and within the Code, it mentions that if significant modifications are made, the Applicant will need to come back for the City Manager's approval. Commissioner Mills found the following to be true:

1. The proper Application has been filed.
2. The proper fee has been paid.
3. The proper notifications have been made.
4. All parties wishing to be heard have been heard.
5. The primary purpose is that of a restaurant.
6. The Application meets the City's applicable zoning and licensing provisions.
7. The restaurant would not be a detriment to the peace, order and quiet of the neighborhood and the City.
8. The restaurant will not have an adverse impact on neighboring properties or on the City of Rehoboth Beach considering the impact of traffic, parking and noise.
9. The Applicant has made no false statements to the City employees or Commissioners.

Commissioner Mills made a motion, seconded by Commissioner Kathy McGuiness, to issue the Certificate of Compliance to Ocean Side Grill for a restaurant located at 19 Wilmington Avenue. (Sargent – aye, Coluzzi – aye, McGuiness - aye, Cooper – aye, Barbour – aye, Mills – aye, Zellers – aye.) Motion carried unanimously.

Mayor Cooper opened the Permit of Compliance hearing requested by Danielle Panarello of Jam Holdings, L.L.C., to operate a new restaurant with dining on a patio to be known as "JAM", to serve food and alcohol pursuant to the City of Rehoboth Beach Municipal Code, Chapter 215 – Restaurants and Section 270-19 – Use Restrictions. The restaurant will be located at 20 Baltimore Avenue. Mayor Cooper noted the same procedure will be followed for this Permit of Compliance hearing.

Building Inspector Sullivan presented a complete report of her findings based on the application and her knowledge of the Code. (See attached report.) The Applicant has stated that the approximate percentage of revenue between the sale of alcohol and food is 30% alcohol and 70% food. The Application is for a 4,641 square foot restaurant. The proposed bar area is 329.5 square feet with a ratio of bar to permanent seated dining of 15%. There is a patio of 204 square feet. In summary, this is an Application to open a new restaurant at 20 Baltimore Avenue. The 204 square foot patio, which was approved as part of the Ovations Permit of Compliance, was imposed by the Board of Commissioners at the hearing and required fencing or planters surrounding the area so it was defined.

Mr. Mark Unger and Mr. Jeff McCracken of Jam Holdings, L.L.C. gave their presentation and noted that their intent is to extend the brand, have lower pricing and be family friendly. The dance floor has been removed, and there will be no entertainment other than possibly during Jazz Week. The issues with the outdoor planters will be addressed. Planters will be used in the same fashion, but not on wheels. The primary entrance will be the one on the right of the building directly off of the sidewalk on Baltimore Avenue. The secondary entrance comes into the back of the restaurant. Food and alcohol will be delivered to the patio area via the back stairway. The Applicants understood the issues with the past tenants, and it was stated that they are not in business of a bar or nightclub. Mayor Cooper said that he did not want those issues repeated.

There was no correspondence.

Public Comment:

1. Mr. Drexel Davison, representative of Rehoboth Beach Main Street – in support of.
2. Ms. Bitsy Cochran, 27 Baltimore Avenue – in support of. She had issues with the door in the past and requested that the door be closed if there is entertainment.

Mayor Cooper closed the public portion of the hearing and called for discussion among the Commissioners.

City Solicitor Mandalas incorporated his comments from the previous hearing, and he identified the exhibits: 1. Notice of Public Hearing signed by the City Manager and posted in City Hall on May 25, 2010, and published in the Cape Gazette on June 1, 2010, Coast Press on June 2, 2010 and Delaware State News on

June 3, 2010. 2. Building Official's Report dated May 25, 2010. 3. Application notarized by Ann M. Womack on May 17, 2010. 4. Menu. 5. Trash Removal Service Agreement. 6. Basement Power Plan – Methodist Meeting Mall dated March 28, 2008. 7. Plaza Plan – Celebration Mall received on May 17, 2010. 8. Tax Record. 9. Illustration of the neighboring properties which were notified within 200 feet of this establishment.

Commissioner Mills found the following to be true.

1. The proper Application has been filed.
2. The proper fee has been paid.
3. The proper notifications have been made.
4. All parties wishing to be heard have been heard.
5. The primary purpose is that of a restaurant.
6. The Application meets the City's applicable zoning and licensing provisions.
7. The restaurant would not be a detriment to the peace, order and quiet of the neighborhood and the City.
8. The restaurant will not have an adverse impact on neighboring properties or on the City of Rehoboth Beach considering the impact of traffic, parking and noise.
9. The Applicant has made no false statements to the City employees or Commissioners.

Commissioner Mills made a motion, seconded by Commissioner Dennis Barbour, to issue the Certificate of Compliance to Jam Holdings, L.L.C. for a restaurant located at 20 Baltimore Avenue, subject to the following condition that for patio use there be stationary fencing or other stationary barrier erected to define the outside patio area. (Sargent – aye, Coluzzi – aye, McGuinness - aye, Cooper – aye, Barbour – aye, Mills – aye, Zellers – aye.) Motion carried unanimously.

## **REPORT OF THE PLANNING COMMISSION**

Mr. David Mellen, Vice Chair of the Planning Commission, presented to the Mayor and Commissioners the framed Sister City agreement between Greve in Chianti, Italy and Rehoboth Beach, Delaware which was brought back from Italy by Dr. Preston Littleton, Chair of the Planning Commission.

Mr. Mellen presented the report of the Planning Commission. On June 11, 2010, the Planning Commission conducted its Regular Meeting. The Public Hearing for Major Subdivision Application No. 0708-05 (the Oak Grove property) was reopened. Pending the outcome of the Applicants' variance request concerning rear lot lines to be considered by the Board of Adjustment on June 28, 2010, the Planning Commission continued its review of the major subdivision application. Discussion focused primarily on the proposed road design, right-of-way width and easements. Further analysis of on-street parking capacity will be conducted prior to the Planning Commission's next meeting. As reported last month in the Planning Commission's Report to the Board of Commissioners, the Planning Commission wishes to re-state its desire to be able to review and provide input on any proposed change to the Tree Ordinance prior to the Board of Commissioners taking final action on any revision. Not only does the Planning Commission believe that it has valuable input which may be helpful to the Board of Commissioners, but it has a major subdivision application before it which the applicants, in their commitment to preserve trees/natural resources, have agreed to mitigation and remediation conditions as currently provided for in the Code. The Planning Commission needs to determine if action it might take regarding subdivision decisions can be to simply cite Code provisions in the current Tree Ordinance or if it needs to be separately stated as a condition of approval.

Mayor Cooper said that in regard to Tree Ordinance and the current major subdivision application the Planning Commission has before it, if the conditions will survive the subdivision and application process, it would be best to state what the Code currently says.

Vice Chair Mellen, Secretary Timothy Spies and Mayor Cooper attended the State PLUS review meeting concerning the Comprehensive Development Plan (CDP). The Planning Commission was briefed on the discussion concerning "Destination Station" decisions by the State that was cited as an example of the lack of coordination of major developments which directly impact the City. Planning Commission members expressed their concern that they had just spent two-years drafting the 2010 CDP which the Mayor and Commissioners had adopted, and there had been no mention of this proposed development that was being planned within Rehoboth's designated area of concern. It was felt that the City needed more factual information on what was being proposed, the status thereof, and the processes that had or had not been followed in reaching the announced decision concerning the proposed "Destination Station". Because it calls into question the intent of State mandated planning by its counties and municipalities, the Planning Commission thought under its 22 DelC 703 authority, that it could assist the City in getting needed information and public input. The Planning Commission agreed to take on the responsibility of

getting needed factual information; and if necessary, hold a public meeting and/or hearing, and prepare a report to be submitted to the Office of State Planning Coordination. This item will be placed on a future agenda. A Preliminary Review of Application No. 0610-01 for a property located at 73 Park Avenue will be conducted at the Planning Commission's Regular Meeting on July 9, 2010.

Commissioner Barbour voiced concern regarding Destination Station and the City not being notified about it until the day before the announcement. He has spoken with Senator George Bunting and Governor Jack Markell's assistant about this. The City should have had some input regarding this matter.

Ms. Carole Everhart of Rehoboth Beach/Dewey Beach Chamber of Commerce said that the Chamber has a Memorandum of Understanding (MOU) with the State to try to move forward with this project. The MOU sets forth the condition which allows Destination Station to fund raise. All of the information is located on the Destination Station Center website, i.e. Q&A, information, etc. The MOU is available to any elected official, and it is available for at the Chamber of Commerce. This project is 10 years old, and the information has been available. Ms. Everhart is convinced that the Chamber has followed every procedure in getting this done the right way.

Commissioner Sargent said that he had gone to the Chamber the day of the announcement. His impression was that this is nothing more than DeIDOT and the Chamber saying that at least now they can begin to talk about the project. This is a concept, and there will be education and public hearings.

## **REPORT OF THE FIRE COMPANY**

Mr. Chuck Snyder presented the report of the Rehoboth Beach Volunteer Fire Company. Mr. Snyder reported that there were 54 fire and 162 ambulance calls for the month of April 2010, and 85 fire and 349 ambulance calls for the month of May. An issue was brought to the attention of the Commissioners for them to look at: 1. The ambulance was impeded today by delivery trucks on Wilmington Avenue. Last week Commissioner Mills and Mr. Snyder drove the command unit on the Boardwalk so Mr. Snyder could be familiarized with the travel lanes in case an emergency occurs. The Fire Company has had a new engine delivered. It will be on display at the expo in Slaughter Beach on June 19, 2010. Members have been meeting with Rehoboth Beach Main Street regarding the July 4, 2010 weekend. In regard to monies, the County has assured the Fire Company will not take a cut this year. Mr. Snyder reminded everyone that June 1, 2010 started the hurricane season, and everyone should be prepared with a storm kit.

## **OLD BUSINESS**

Mayor Cooper called to consider adoption of a Resolution setting a Public Hearing on a proposed Ordinance amending Chapter 270, Article VII of the City Code that would make changes to the Zoning Code related to signs.

City Solicitor Mandalas read the clauses in the resolution.

Commissioner Mills made a motion, seconded by Commissioner McGuinness, to adopt the Resolution setting the Public Hearing for July 16, 2010 at 7:00 p.m. on the proposed Ordinance to amend Chapter 270 of the Municipal Code relating to sign regulations applicable in commercial zoning districts and enforcement of sign regulations. (Sargent – aye, Coluzzi – aye, McGuinness – aye, Cooper – aye, Barbour – aye, Mills – aye, Zellers – aye.) Motion carried unanimously.

Mayor Cooper called to consider adoption of a Resolution setting a Public Hearing on a proposed Ordinance amending Chapter 270 of the City code that would create the zoning district ER – Educational/Residential and rezone the parcel of land occupied by the Rehoboth Elementary School from R-1 – Single Family Residence District to the new ER – Educational/Residential District.

City Solicitor Mandalas read the clauses in the resolution. This is the product of a process that involved the Cape Henlopen School Board, and it has made representations that as the Ordinance is currently constituted that it was an agreed upon process. Both parties are in agreement to the Ordinance as it is currently drafted. The conservation easement, while it is not incorporated into the Ordinance, is an easement that has been prepared and will be recorded in connection with the adoption of this Ordinance. City Solicitor Mandalas has received correspondence from the Cape Henlopen School Board indicating that it is agreeable to recording the document as soon as this moves forward.

Commissioner Sargent asked if garage apartments and two-family dwellings should be recognized in the ER District. Mayor Cooper said that it is a permitted use in the ER District. The ER District is to follow a tract to the R-2 District. The School Board's proposal was that it would be frozen in time to what R-2 is today. The City Solicitor and Mayor Cooper agreed that this was not acceptable, so they made a

decision to create a new ER District with all the same parameters that other districts have with the idea that if the City ever wanted to change anything in there, then it would have to be done upfront and openly and the School Board could come in and object to it. The City would not be bound if it wanted to change something to R-2. It would not automatically apply to the School Board nor would the City have to be bound by the entire thing. Commissioner Sargent had hoped that the park parcel would be rectangular. Presumably, the center could be carved out, and it might be advantageous to the developer because there would be more park area that he could have houses backed up to. Commissioner Sargent wondered if it would be better to keep the park area contiguous. Mayor Cooper said that the original proposal was that any development would occupy the area of the existing school. The School Board seemed to reject that proposal. If is in the Ordinance that if the School Board does not use that area, it will have to tear all the buildings down and return it to a natural state with topsoil and seed. Mayor Cooper did not think that the School Board contemplated having a restriction such as that. He clearly included wording that it has to be a single parcel because he was concerned that a developer would do a pod of 10 townhouses at one location and 10 townhouses at another location. It has to be one compact parcel of land. Commissioner Sargent said that language for the residential to be comprised of one compact parcel of land that is shape as a rectangular is great, but the park area could be broken up. He thought it would be unfortunate if it would be easy for the school to have a developer come in and end up with the park area split. In that case, it might be better to negotiate it now. Mayor Cooper said that he hoped that: 1. It remains a school. 2. If the School District decides to leave, he would expect intense pressure from the City to the State, etc. to preserve the entire parcel. 3. Absent that, he assumed there would be a lot of discussion because the subdivision of the property has to go through the subdivision process. The Planning Commission and whoever else was involved, would have to be reasonable. This is one of the reasons why Mayor Cooper suggested and pushed hard for the conservation easement because without that, the area along Silver Lake would be the area to go to first. With the conservation easement, this will not happen. Mayor Cooper said the first proposal was that the property could never be developed. The second proposal was that the School Board could use only the buildings which are there and convert them to garden apartments. There was a lot of indication from the School Board that it objected to that. Commissioner Sargent was concerned that the larger parcel would be broken up by the residential, and the large park parcel would be split.

Commissioner Mills was comfortable in moving forward with this matter as is.

Commissioner Coluzzi said that this would be a major subdivision, and the Planning Commission could place some restrictions on it. Commissioner Zellers said that this would fall under the site plan review process.

Commissioner Sargent thought it would be nice to ensure that the park parcel is either left a very large piece and is in no way broken apart.

Commissioner McGuinness was delighted to have that much open space as compared to what the alternative could have been, and she was happy with what the possibilities are to happen with the property. She did not mind if the park parcel is broken apart.

#### Public Comment:

1. Mr. David Mellen, 105 Rodney Street said that the Planning Commission made some recommendations in terms of criteria for the rezoning: 1. Classification of the zoning would be residential/recreation/educational in order to make sure to protect the open land as park land. The Planning Commission had some fear that with the development under education this land might be developed as a school or in some way use up the open space. Then at some point in time if the City was to get back the property on the 75/25 split, the City would be left with buildings and not park land. 2. The easement area which the Planning Commission had proposed. The Planning Commission wanted to make sure that on the other side of the lake there was an open space similar to what exists on the east side of the lake in terms of the park land. It also wanted to make sure that any of the public coming from Rehoboth over the foot bridge or whatever access bridge would exist, has ability to get to the fields.

Commissioner Coluzzi made a motion, seconded by Commissioner Mills, to adopt the Resolution setting the Public Hearing for July 16, 2010 at 7:00 p.m. on the proposed Ordinance to amend Chapter 270 of the Municipal Code relating to the creation of a new ER Educational/Residential Zoning District and placing the Rehoboth Elementary School property in such district. (Sargent – aye, Coluzzi – aye, McGuinness – aye, Cooper – aye, Barbour – aye, Mills – aye, Zellers – aye.) Motion carried unanimously.

Mayor Cooper called to consider adoption of a Resolution setting a Public Hearing on a proposed Ordinance amending Chapter 270, Section 270-2 of the City Code that would adopt a new zoning map for the City, such map reflecting the rezoning of the Rehoboth Elementary School property and correcting the inadvertent omission of the lot at 807 Scarborough Avenue from the current zoning map.

Mayor Cooper presented the map with the proposed changes. The map would be re-dated to today's date.

Commissioner Mills made a motion, seconded by Commissioner McGuiness, to adopt the Resolution setting the Public Hearing for July 16, 2010 at 7:00 p.m. on the proposed Ordinance to amend Chapter 270, Section 270-2 of the Municipal Code relating to the official zoning map. (Sargent – aye, Coluzzi – aye, McGuiness – aye, Cooper – aye, Barbour – aye, Mills – aye, Zellers – aye.) Motion carried unanimously.

Mayor Cooper called for the report on the status of the wastewater ocean outfall project.

Mayor Cooper reported that a meeting was held with DNREC, EPA, and USDA. A contractor who does marine work and the County were in attendance. The City will need to have an environmental impact statement, but it is unknown at this point who can do it. The City is getting excellent cooperation from DNREC with moving this project along. Mayor Cooper met with two of the Commissioners and the County on June 17, 2010 to talk about an agreement as to funding ratios, etc. A report will be presented at a future date. Data will need to be collected in the ocean. Mr. Rip Copithorn of Stearns & Wheler has contracted with the University of Delaware to put two buoys to collect data out in the ocean in the vicinity of the proposed outfall. Mayor Cooper attended a Clean Water Advisory Council (CWAC) meeting on June 16, 2010 and was pleased that the City has been encouraged to apply for planning grants in reference to this project. The CWAC had more money than applications so the City has two \$25,000.00 grants approved for this project, one for the wastewater plant and one for the outfall.

Commissioner Mills said that a representative of EPA had indicated that the City may need to consider moving the outfall discharge location slightly south of the proposed site. The same starting point would be kept at Deauville Beach, and the discharge location would be rotated south a little bit, if needed.

## **NEW BUSINESS**

Mayor Cooper called to set the City Real Estate Tax Rate for the tax year beginning July 1, 2010 and ending June 30, 2011.

Mr. Ferrese recommended that the Real Estate Tax Rate remain the same as last year at \$1.55 per hundred dollars of assessed value.

Commissioner Mills made a motion, seconded by Commissioner Sargent, to adopt the City Real Estate Tax Rate at \$1.55 per hundred dollars of assessed value for the upcoming year. (Sargent – aye, Coluzzi – aye, McGuiness – aye, Cooper – aye, Barbour – aye, Mills – aye, Zellers – aye.) Motion carried unanimously.

Mayor Cooper called for the submission of Nominating Petitions for Commissioners' approval as to qualifications of candidates for the annual Municipal Election scheduled on August 14, 2010.

City Manager Gregory Ferrese recommended the submissions for approval as to qualifications of Nominating Petitions for Commissioners.

Ms. Patricia A. Coluzzi is seeking the office of Resident Commissioner of the City of Rehoboth Beach. Her Nominating Petition was submitted on May 12, 2010 at 3:53 p.m., and she has 16 certified signatures of registered voters in the City of Rehoboth on her Petition. Mr. Ferrese recommended that Ms. Coluzzi's Petition be accepted.

Commissioner McGuiness made a motion, seconded by Commissioner Zellers, to approve the Nominating Petition of Ms. Patricia A. Coluzzi for the annual municipal election. (Sargent – aye, Coluzzi – aye, McGuiness – aye, Cooper – aye, Barbour – aye, Mills – aye, Zellers – aye.) Motion carried unanimously.

Ms. Stanley A. Mills is seeking the office of Resident Commissioner of the City of Rehoboth Beach. His Nominating Petition was submitted on June 4, 2010 at 11:08 a.m., and he has 20 certified signatures of registered voters in the City of Rehoboth on his Petition. Mr. Ferrese recommended that Mr. Mills' Petition be accepted.

Commissioner Sargent made a motion, seconded by Commissioner McGuiness, to approve the

Nominating Petition of Mr. Stanley A. Mills for the annual municipal election. (Sargent – aye, Coluzzi – aye, McGuinness – aye, Cooper – aye, Barbour – aye, Mills – aye, Zellers – aye.) Motion carried unanimously.

### **CITY MANAGER'S REPORT**

Mr. Ferrese recommended the approval of the Street Aid expenditures:

06/16/10          678          Delmarva Power          \$ 7,983.33 (Street Lights)

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

(See attached report.)

Mr. Ferrese reported that Mobi Mats have been delivered; and the company, with the assistance of the City, will install the mats on June 24, 2010 at Maryland Avenue and the Boardwalk. The Museum project is proceeding on schedule and completion is anticipated by mid-July or earlier. A grant extension has been received for the project through September 30, 2010. BrightFields, Inc. Environmental Services performed the energy audit for the City, and the audit was paid for with federal stimulus monies. The City intends to submit two (2) competitive grants in conjunction with the energy audit, and Mr. Ferrese will be attending along with Commissioner Coluzzi an Energy Reporting Workshop in Dover, DE on June 23, 2010. The Delaware Energy Office will go over the details for the reporting of the formula and competitive grant awards at the workshop. In regard to the Formula Grant, the City will receive authorization to advertise within the next two (2) weeks. The Formula Grant in the amount of \$35,000 will be allocated towards the purchase and installation of solar panels at 306 Rehoboth Avenue. The City allocated an additional \$40,000.00 towards this project. This project will follow all State requirements including Davis-Bacon Wage Rates. The City received a \$15,000 grant for tree inventory.

### **COMMITTEE REPORTS**

Commissioner Mills, Boardwalk Committee, gave an update on Committee activity and Phase 2 of the Boardwalk Reconstruction Project to the Commissioners. There has been no recent Committee activity. The ribbon cutting was successful with many dignitaries present. Commissioner Mills thanked the City workers, Sign Department, electrician, Water Department, Public Works Department, Boardwalk Committee, Commissioner McGuinness, Mayor Cooper, Mauria Stein of Stuart Kingston, Mark Henske of Funland, Bill Bahan, DNREC, DelDOT, Federal and State representatives, Representative Pete Schwartzkopf, and those who were impacted by the project. An additional bike platform has been built at Maryland Avenue. Some fencing needs to be erected. Adjustment of lights and brackets will need to be done. Adjustment to the brightness of the lighting will need to be done. The City is also trying to partner with DNREC to work on sand encroachment from the dune crossings. The sand fencing along the Boardwalk was designed to specifically help the City better manage sand encroachment.

### **CITY SOLICITOR'S REPORT**

There was nothing to report.

### **COMMISSIONER ANNOUNCEMENTS/COMMENTS**

There were no announcements/comments.

### **Discuss items to include on future agendas.**

Topic to be included on a future agenda is sound meters: Commissioners Sargent and Mills, including Mr. Mellen, will research this topic and report back to the Board of Commissioners at a future date.

### **CITIZEN COMMENTS**

There were none.

The Workshop Meeting will be held on July 2, 2010 at 9:00 a.m.

There being no further business, Mayor Cooper declared the meeting adjourned at 9:10 p.m.

Respectfully submitted,

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**(Kathy McGuinness, Secretary)**