

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

**February 4, 2013**

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, February 4, 2013 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   Patrick Gossett  
              Commissioner   Bill Sargent  
              Mayor            Samuel R. Cooper  
              Commissioner   Stan Mills  
              Commissioner   Lorraine Zellers

Absent:     Commissioner   Pat Coluzzi  
              Commissioner   Mark Hunker

Also in attendance was:     City Solicitor Glenn Mandalas  
                                  City Manager Gregory Ferrese

**CORRESPONDENCE**

There was none.

**OLD BUSINESS**

There was none.

**NEW BUSINESS**

Mayor Cooper called to discuss with Max Hamby, the City's Information Technology Director, all aspects of his department.

Mr. Max Hamby, IT Director provided a brief introduction of himself and presented the priorities for the City. Currently, the main priority is to focus on the infrastructure of the City. Most of the equipment is significantly outdated, and there are significant issues with core switching and wiring. He is trying to bring in the idea of focusing on the services that are being provided to the City and making sure they are reliable and available. This includes software, hardware, etc. With regard to hardware infrastructure, the City has been run off of equipment that he would consider either at entry level or not geared for the consumer. It has been hard for departments to accomplish their missions because of inefficient hardware. There are longer periods of downtime. The architecture of the physical plan is creating problems with keeping departments running on the network. These issues are currently being addressed.

Commissioner Stan Mills noted that there are monies in the budget for the IT Department. The Communications Committee has advocated in the past that it supports sufficient labor, funding, etc. to maintain the City website whether it is maintaining the content or maintaining software, making changes to the layout in a timely fashion, having the opportunity to increase functionality and a third person. Now the budget only reflects two persons in the IT Department. He would like to address now whether there are sufficient monies in the budget. Some of the budgetary concerns for the website overhaul include a program for processing forms. Those monies were to buy software and to be put towards labor. With regard to the website overhaul, there are hundreds of photographs which were planned to be redone. City Manager Gregory Ferrese had spoken with Commissioner Mills with regard to hire an engineering company to do floor plans for the Convention Center to do a better job of marketing the Convention Center. Essentially, it may become a mini website with the City website. The second component is timing of the website overhaul. Commissioner Mills was supportive of Mr. Hamby putting the overhaul on hold because of learning the system. He was having a hard time explaining to the Communications Committee why the website is being postponed so much. The fear is that it will be postponed for six month or more. At the last budget meeting, there was consensus that the City website needs attention.

Commissioner Bill Sargent said that the City is ready for the next generation to the website. The question

is whether to address the design and features in-house or by an outside contractor.

Mr. Hamby did not recommend that the website overhaul should be done in-house as a whole, to rebuild the website, build the initial framework, etc. At this time, it is unknown if the City will stay with the current vendor or go with another company. The Communications Committee has put together a document that goes too far into dictating requirements, but it is a great start. There is no timetable at this time because the equipment and hardware is the No. 1 priority. Equipment is needed more than people at this point.

Commissioner Patrick Gossett - %

Mr. Hamby noted that the IT Department's role for the website is of content management. Ms. Ann Womack, City Secretary, does a lot of the management on the website. Mr. Hamby and Mr. Willie Merchant spend less than two hours a week on the website. Their other time is working with the Parking Department, planning solutions, etc. Mr. Hamby is trying to rebuild the IT Department's relationship with the other departments which in the past years has deteriorated. There are monies in the budget to move everything stored at the user level to a global level in the next five years. The records management and retention policies are stored at the user level. Backups are being done as a disaster recovery plan. The goal is to move everything to a global level which may be broken down into a departmental level but will be stored at a centralized location. Training courses will be made available for staff along with resource manuals. The goal one year from now would be the implementation of the centralization of services, bring in data storage, reducing disaster recovery conglomeration and making sure that the services are reliable. With regard to the City website, 95% of the visitors primarily look for parking information. The website is visitor based vs. resident based. Mr. Hamby did not think that there were enough monies allocated in the budget to completely redo the website. He thought that it would cost approximately \$15,000.00 for a consultant to develop a new version of the City website.

Commissioner Mills noted that there was a \$25,000.00 increase in the contingency from the first budget session to the second session. This money may be allocated to the IT Department budget for the redo of the City website.

Commissioner Sargent thought that it would make sense to bring in a consultant who is familiar with the landscape of city websites. The software should be done by a consultant, and the content should be done by the users.

Commissioner Gossett said that Mr. Hamby has some critical issues to address within the City, the website being on the list but not a high priority.

Mr. Hamby thought that the redesign of the website would begin in approximately four to five months.

Commissioner Sargent suggested putting in the budget to hire consultants to begin the process of doing the new development. Monies in the amount of \$20,000.00 would be a good start.

Ms. Toni Sharp, Scarborough Avenue Extended, asked for clarification that the leadership for the overhaul and maintenance of the public website is to lie with the IT Department or whether the IT Department would become a partner with another entity. Consultant work is the drive in getting the website refreshed. It would not exclude the IT Department.

Mr. Hamby said that the leadership should stay with the IT Department. While Mr. Hamby understands the role of a consultant, he would not turn the leadership over to them.

Commissioner Sargent said that the Communications Committee should also have leadership.

Commissioner Mills said that the Commissioners will need to defer to Mr. Hamby on whether he wants an outside consultant.

Mayor Cooper called for the presentation for discussion of the draft Rehoboth Beach Emergency Operations Plan.

Mayor Cooper noted that a working group has been meeting for the past 18 months with regard to drafting the Plan. The services of Mr. Clay Stamp were utilized. He was the Emergency Operations Director for the Town of Ocean City, MD for a number of years and the Maryland Department of Public Safety.

Police Chief Keith Banks provided an overview of the Emergency Operations Plan. The City has the responsibility to protect and preserve the lives and property of the residents and visitors of Rehoboth Beach from disasters. State and Federal regulations require municipalities to adopt Emergency Operations Plans meeting NIMS and National Framework guidelines in order to receive assistance. Rehoboth Beach already has

an Emergency Operations Plan. It was last revised in 2005. The Plan needs to be updated regularly, but at a minimum annually. After each significant event, an after action review must be performed and make changes to the Plan as needed. It is imperative to have training for the City employees on the Plan along with anyone else who will be involved in this Plan. The City must be prepared by conducting live exercises. Most importantly, the Plan must be followed. This proposed Plan has been written to strike a balance between too broad in scope like the current Plan and being too detailed. This Plan is divided into sections that include introduction and overview, the basic Plan and hazard specific annexes. It facilitates the working relationships with Sussex County, State of Delaware and federal agencies and all of their resources. The introduction of the basic Plan addresses the key components necessary to achieve effective and efficient management during emergency operations. They are the establishment of an emergency operation center or incident command post coupled with a clear understanding of each department's roles, positions and responsibilities in advance of a major emergency. It establishes basic direction and control for all levels of disaster based on planning assumptions and historical experiences. It creates a constant unified approach to emergency management operations by employing the NIMS and ICS principles. It addresses the distribution of information and how to alert and warn the public during an emergency. This includes the lines of succession. The Mayor has the overall authority for emergency operations in the City. The City Manager is responsible for implementing decisions by the Mayor and Commissioners. The Emergency Management Coordinator is responsible for the overall operation of the Rehoboth Beach emergency operations center and will ensure that all departments and support agencies are prepared to carry out the Plan. The hazard specific annexes include evacuation, civil disorders, flooding, hazardous materials, hurricane, severe weather and recovery. The evacuation section outlines phases for evacuating by working with a Sussex County as well as the Department of Transportation in the event of a tropical storm, hurricane or other event that threatens the City of Rehoboth Beach requiring a coastal evacuation. The civil disorder section provides guidance in planning, responding and recovering from incidents involving civil disorder such as riots, protests, marches and demonstrations. The flooding section specifically addresses the threat of flooding by providing recommended actions to be taken at strategic points in time. The hazardous materials section has been designed to integrate with the State of Delaware, Oil and Hazardous Substance Incident Contingency Plan to respond to incidents involving hazardous materials that may occur. The hurricane section establishes guidelines and procedures for the direction, control and coordination of protective actions with special emphasis on defined decision points when responding to the threat of a hurricane. The severe weather section assigns general responsibilities and provides recommended actions to be taken at strategic points in time when responding to severe weather events. The recovery section has been designed to address various issues associated with recovery, specifically, actions to be considered through a series of phases after the area has been affected by a major emergency or disaster. Police Chief Banks would like to see the Plan be adopted by the Mayor and Commissioners. He would like to meet with the departments and supervisors to update or write the SOP's, continue to work and elicit suggestions from others who will play an important function of making this Plan a success like the Chamber of Commerce, Main Street, Fire Company and reach out to Henlopen Acres, Dewey Beach and Sussex County to make sure they are on the same page and know what the City is doing. He asked permission to work with the City Solicitor to draft a proclamation so that it is prepared for the Mayor in case of an emergency. He would like to establish the needs and equipment for the emergency operations center. A table top exercise to the Plan will be performed to make sure it is working properly.

Mayor Cooper recommended that Police Chief Banks fulfill the emergency management coordinator position. Police Chief Banks has agreed to it. Mayor Cooper noted that Mr. Stamp will continue to work with the City because he could be an outside facilitator.

Commissioner Stan said that the keys to effective emergency response are having a good plan, policies and procedures. He asked what the public access is to this Plan. Police Chief Banks said that he plans to work on this with the City Solicitor and then bring it back to the Commissioners for their review.

Police Chief Banks noted that the location of the command center would be the Conference Suite in the Convention Center.

This item will be placed on the agenda for the March Regular Meeting.

Mayor Cooper called to discuss a draft ordinance that would implement the Planning Commission's recommendation that the City establish a ten foot "No-Build Buffer" landward of the water's edge around the City's two lakes.

Mayor Cooper noted that a moratorium had been enacted in Spring 2012. At that time the Planning Commission was tasked with looking at the lakes and what could be done to enhance the quality of the water

and maintaining views, etc. One of the recommendations was to institute a 10 foot no-build buffer zone. The plan had been submitted to the State Planning Office for a PLUS review. The State is now saying that it owns Silver Lake, but it is not yet prepared to take over the administration of it. The moratorium is set to expire on February 15, 2013. It was important to draft an ordinance and at least discuss it. There are three options: 1. Proceed with an ordinance. 2. Let the moratorium lapse and do nothing. 3. Extend the moratorium which would be the least desirable. Mayor Cooper read a portion of the proposed ordinance. In all zoning districts, the area of land located within a distance of ten (10) feet from the ordinary high watermark of Lake Gerar or Silver Lake shall remain a natural area as defined in Section 270-4. To the extent this required no-build buffer forms a portion of a buildable lot, such area may be counted toward any requirement for natural area contained elsewhere in this chapter. City Solicitor outlined some of the questions. 1. Fences. The entire area has to be a natural area, and a fence would not be permitted on its face. It would be best to clarify this. 2. Stone. The natural area has to consist of grass, mulch, etc. which brings up the idea of rip rap and whether it would be included if it is in the natural area or not if the edge of the water is rip rapped. This would be an issue which would involve the State. The City could prohibit rip rap within the terms of the ordinance. The City does not know what the State's position will be on regulating anything in the water.

Commissioner Mills was comfortable in setting a public hearing at the next meeting on this ordinance. Currently, there is a 10 foot rear yard setback requirement. However, the 6 Silver Lane property and possibly others have a side yard setback of six feet because this is a portion of the land that attaches to the lake. He would consider recognizing that all setbacks along the lake edge should be considered rear yard which would be 10 feet. This would prohibit accessory buildings to be built up to the rear property line which means a garage with masonry construction could not be placed to the rear property line at the lake's edge. The natural area must be vegetative ground cover such as trees, grass, flowers, bushes, other plantings or mulched areas. Use of clamshells, decorative stone or similar materials is excluded from being part of the natural area. An allowance would need to be made for bulkheads, rip rap, etc. that would be permitted by DNREC.

Commissioner Sargent said that this ordinance would not allow any kind of elevated walkway which preserves natural area underneath it.

Commissioner Zellers had a concern about mulching and runoff particularly around the lake's edge.

Commissioner Sargent thought that mulch should be excluded for the lakefront properties.

Commissioner Gossett said that the Planning Commission has recommended for the health of the lake that bio-logs are preferable for lake edging as opposed to rip rap or bulkheads. He asked if there is a way to encourage or develop a standard that bio-logs are recommended to encourage that treatment to people who are going to retrofit if their rip rap fails, more is needed or the bulkhead fails. Mayor Cooper thought that this should be left for later consideration.

Mr. Walter Brittingham, 123 Henlopen Avenue, asked if someone who has riparian rights will cease ownership if the State takes over.

City Solicitor Mandalas said that this ordinance only regulates landward, and there is some question right now as to what authority the City, County and the State has. This ordinance would not preclude building within the lake.

Mayor Cooper understood that if the lake part is within the City, the building official has taken a position that a person has to prove ownership where he/she will be building.

City Solicitor Mandalas said that if the Zoning Code allows something, site plan review cannot prohibit it. Site plan review provides an opportunity to attach reasonable conditions to a project if there is a health, welfare or safety concern about a project, and the Planning Commission could attach those reasonable conditions. Site plan review cannot be used as a mechanism to prohibit something that is allowed under the Zoning Code.

Commissioner Gossett said that the City has regulations which are imposed on the beach which is owned by the State of Delaware and controlled by DNREC. He asked if this would be a parallel situation where the City could enforce its Code onto Silver Lake.

City Solicitor Mandalas said that municipalities generally have authority to regulate somewhat beyond the municipal boundaries, but it is under limited circumstances where a specific concern is identified that deals with the health, welfare and safety of the community.

Mayor Cooper did not agree that the State of Delaware owns the beach in Rehoboth. The State controls it, but the City owns it. If the City has something in its Code that conflicts with the State Code, the State Code

would have control because the State is the original authority over the lake.

Commissioner Mills said that if someone wants to build a dock in the water and affixes it to their property, essentially it is a structure touching the land within the 10 foot no-build zone. With regard to the proposed ordinance, the dock cannot touch the property within the 10 foot no-build zone.

Ms. Sharp asked if she could build a home 10 foot from the water's edge. The setback on the lake side would be 10 feet.

Commissioner Gossett said that the recommendation from the Planning Commission came from an actual situation where the Planning Commission approved a subdivision by the school property. The 10 foot dimension was developed from that case.

Mayor Cooper said that there would be other restrictions on the remainder of the lot. It would prevent building a shed, etc.

Commissioner Mills said that he would contemplate that a 15 or 20 foot setback would please those people who voiced opposition and displeasure with the house at 6 Silver Lane.

Building Inspector Terri Sullivan said that any fences would be excluded because they are allowed in the natural area.

Mayor Cooper said that in theory, fences should be taken out of the calculation of the natural area.

City Solicitor Mandalas said a buffer is being created, not a setback. The special exceptions for fences are within the setback areas not within the specially created lake buffer area.

Ms. Sullivan said she interprets that rip rap is not allowed because it is stone and is not natural.

Commissioner Gossett said that the intent is to not have fences in the buffer area.

Mayor Cooper said that the fence is excluded in the ordinance, but it should be clarified.

Commissioner Gossett thought that fences should be addressed separately in the same section.

City Solicitor Mandalas will provide the language regarding fences in the proposed ordinance.

Mr. Tom Zellers, 308 Stockley Street, said that no-build means no build which includes fences, etc. The Commissioners may want to address the need for aesthetics because six foot privacy fences could be put up.

City Solicitor Mandalas will provide the language regarding fences in the proposed ordinance. He will draft a resolution setting the public hearing on March 15, 2013.

Mayor Cooper called to discuss recycling including an update on State requirements for commercial recycling and implication for the City.

Commissioner Mills provided an understanding of State mandates for recycling. The Universal Recycling Bill was passed in June 2010 and had three mandated processes in it: 1. Trash service vendors to provide recycling service to single family homes and certain restaurant and bar type businesses by September 15, 2011. 2. Trash vendors providing trash services to multi-family units to provide recycling to multi-family units by January 1, 2013. 3. Commercial requirement for participation in a comprehensive recycling program by January 1, 2014. The Recycling Public Advisory Council developed the rules for implementation in the commercial sector and government services. The Council deferred enforcement for at least one year to give the commercial sector time to develop and implement its plan. The Council will have a review in 2015 at which time it will compare the rate of diversion of recyclables from the municipal solid waste streams to what the goals are in universal recycling. DNREC's philosophy is that where there is trash service, there should also be recycling which includes beaches, parks, boardwalks, etc. Commissioner Mills will be working with Mayor Cooper and City Manager Gregory Ferrese in developing a written comprehensive plan. Two grants have been received in the amount of \$58,000.00. There have been advances in sorting technology at the recycling plants. Plastics that are recycled have Nos. 1, 2, 4, 5 & 7. The excluded plastics are Nos. 3 & 6. Refrigerator magnets are available which detail what the new acceptable recyclables are. This information will also be placed on the City website. DSWA will be evaluating each recycling collection stations to see what the production level is and whether or not the bins are a nuisance.

Mayor Cooper called to discuss Boardwalk amenities including but not limited to trash can style/color.

Commissioner Mills gave presentation. The vendor for the a specific trash can on the Boardwalk who has loaned it to the City for two years, requested that the City either buy that particular style of trash can or it will be picked up. Photographs were provided of the current trash cans on the Boardwalk, in the commercial areas and in the parks. Commissioner Mills found it offensive with the green bags hanging out of the trash cans. A brief analysis was provided of the different options comparing the metal drums, concrete drums and Victor Stanley trash cans. Options for updating the Boardwalk refuse containers are to do nothing and retain the existing blue drums, repaint existing metal drums charcoal gray or another color, change to concrete drums or change to Victor Stanley trash cans or another style. The estimated cost for the metal drum is \$200 plus labor to paint. The estimated cost for the concrete drum is \$750.00. The estimated cost for the Victor Stanley trash can is \$1,200.00. Currently, there are approximately 60 trash cans located on the Boardwalk. Buying the Victor Stanley trash cans could be done in phases starting with the commercial area and then expanding out. For every eight blue drums that are replaced, there may need to be an extra Victor Stanley trash can because of the smaller size.

Commissioner Sargent said that he would like to see the Victor Stanley trash cans along the Boardwalk apart from the expense of them.

Mayor Cooper said that the barrels are very functional.

Commissioner Mills liked the Victor Stanley trash can because it hides the bag and contains the effluent. Discussion ensued as to different types of trash cans and their effectiveness.

City Manager Gregory Ferrese suggested that looking into where Ocean City, MD is buying their trash cans.

Commissioner Mills said that he would want to look at them and whether they are acceptable. Part of this conversation is whether or not there should be a different aesthetic for the Boardwalk and upgrade slightly.

Commissioner Gossett noted that it would cost approximately \$78,000.00 to replace all the cans with Victor Stanley trash cans. There are a number of vendors that will custom make trash cans. There may be a need to investigate further to look at different types of opportunities for trash cans on the Boardwalk.

Mr. Ferrese said that the City should buy black lids and black trash bags for the blue trash cans that are presently located on the Boardwalk. He will talk with Ocean City, MD to see where they are buying their refuse cans.

## **CITY MANAGER'S REPORT**

City Manager Gregory Ferrese reported that the Geotechnical Study Grant was received on January 31, 2013 from Parks & Recreation. The Grant was awarded in the amount of \$22,500.00.

## **DISCUSS DRAFT 2013/2014 BUDGET PRESENTED TO CITY MANAGER.**

Mr. Ferrese said that at the last meeting, changes were made. The contingency was increased from \$100,000.00 to \$122,000.00. On the revenue side, the delinquent parking tickets were decreased from \$70,000.00 to \$60,000.00. The new electronics for the Convention Center sign was eliminated. These monies were put in the contingency in case the Commissioners want to go with the City website. At the last meeting, mapping was discussed. The City will be getting a proposal from Thompson Mapping. Hopefully when going out to bid for repairing and painting the fire hydrants at all locations, if the bid comes in lower than the estimated \$175,000.00, then that money would be transferred into the contingency. Monies in the amount of \$52,000.00 are allocated in miscellaneous for replacement of inlets at Brooklyn Avenue and the Boardwalk. Mr. Ferrese was hoping to get State funding in the amount of \$30,000.0 to \$40,000.00 for this project. This money could be put into the contingency. The Budget still includes an average 3% raise on April 1, 2013 for all employees, and it includes the workman's compensation rates increasing drastically. In April 2013, Mr. Ferrese will know the firm figure. The budget of \$340,000.00 is a fair amount. The hospitalization rates are budgeted at 8%. The Police Department includes hiring of two additional police officers starting April 1, 2013 and two marked vehicles. The transaction fees on Parkmobile were kept at \$200,000.00. The garden was decreased from \$7,000.00 to \$2,000.00. The \$5,000.00 was transferred to the \$20,000.00 so there is a \$25,000.00 allocation for trees, pruning and landscaping. Donations and contributions remain the same as last year. The water principal and interest for the wastewater project in Schoolvue was budgeted this year. The capital improvement program was budgeted in the amount of \$1,274,345.00. All of this was done without increasing any revenue sources. Monies in the amount of \$100,000.00 were allocated to continue with the building design for City Hall. Once the budget is adopted in March 2013, Mr. Burt Dukes will take the capital improvements and allocate the money to each department. There is \$55,000.00 allocated for ADA ramping.

Mr. Ferrese had hoped to get \$50,000.00 from Representative Schwartzkopf. The project will begin Phase V. Bids will be opened on February 7, 2013 for the ADA Ramping Program. Monies have been allocated for the city-wide assessment.

## **COMMITTEE REPORTS**

Commissioner Mills reported on discussing establishing timelines for acting on certain Commissioners' agenda items, by example establishing minimum time between introduction of an agenda item and a vote. His goal was to receive feedback and then follow up with outlining timeline criteria as a best practice to establish expectations of the public and Commissioners, and provide the benefits of conducting more efficient meetings, allowing more time for research, reflection and engagement opportunity for topic to be broadcast in the media before being on the agenda again, better opportunity to inform the public and more opportunity for public involvement. This may apply to many documents, but there should also be some exemptions. Commissioner Mills thought that a discipline could be established when aiming for introduction at a workshop meeting. There are a lot of times, by not having any rules or guidelines that the Commissioners tend to ignore them as if it does not make any matter to the public.

Commissioner Zellers said that the Communications Committee has been looking at ways to get the information out to the public. With many things, it makes sense that the Commissioners could introduce it and then talk about it.

Commissioner Mills said that there is room for improvement. Once it becomes a best practice, then it will become a discipline and will be easy to follow. Types of topics that might fall under a timeline would be proposed new or amendments to ordinances, resolutions or policies,, awarding of large contracts that warrant public discussion, etc. Types of documents that might be exempt from such a policy would be emergency situations as designated by the City Manager and/or Commissioners, awarding small contracts for purchase of equipment, etc.

Commissioner Sargent said that the Commissioners are all in agreement that these are good practices, but there may be a problem with trying to codify it.

Commissioner Mills suggested that something should be written as a policy or best practice that can be a guideline. Discussion ensued.

Commissioner Zellers said that this is a practice and it is not typically onerous.

Commissioner Gossett did not have a problem with a policy, but it would be how it is implemented. He suggested that three Commissioners develop a policy or guidelines and then, not implement it, but follow and observe it for six or nine month or a year period to get metrics on it from the standpoint of what is happening. Another part of the equation is how this would have an impact on staff. This is also an element that needs to be considered when developing something like this. Commissioner Mills agreed.

Commissioner Gossett will work with the Communications Committee on this issue.

Commissioner Zellers reported on discussing parking of bicycles and motorized scooters and mopeds including the placement of parking area. The Streets & Transportation Committee held its meeting on February 1, 2013. There was consensus that the main reason for looking at scooters was to keep them off of the sidewalks and provide spaces because there are more and more scooters. Commissioner Coluzzi had identified quite a few spaces in conjunction with the City Manager and Commissioner Gossett. The Committee was in consensus with going forward with the spaces at the Commissioners' pleasure. Approximately 170 scooters could be accommodated in the spaces that were identified throughout the City. The Committee is still investigating availability of spaces for bikes. Commissioner Sargent and Ms. Kathy Osterholm are working on locating spots and getting more information about some work that has been done by the Boardwalk on amenities.

Commissioner Sargent said that there was considerable debate as to whether or not more parking should be available for scooters in the first two blocks. The consensus of the Committee was to wait and see what the problem is instead of trying to anticipate it this year when it may not be a problem for a year or longer. A parking place on Baltimore Avenue was identified that could accommodate up to 10 scooters and would provide a walk through to Rehoboth Avenue. There was discussion about putting corrals on the median, but the consensus was to avoid these areas. There was also discussion about whether or not there should be a reduced charge for people who own scooter in town vs. those who are outside of the City limits.

Mayor Cooper voiced concern with the timeframe to have all the elements in place in time to publicize it, etc. for this summer. He suggested possibly having scooter spaces at Deauville Beach. The improvement at Queen Street could be a problem.

Commissioner Zellers said that the Committee is currently working on the education piece and a policy.

Commissioner Gossett requested that the Committee Report be presented to Commissioners in written form. He would like to see some action from the Committee about measurement evidence on this project such as a process in place to take photographs and build a record.

Commissioner Mills said that at some point the Commissioners need to have the Parking Department and the Enforcement Division in attendance at a meeting. Another concern to consider is whether or not the parking areas in front of houses will be noisy. The Commissioners need to decide on the permit system and clarification on where the scooters are allowed to park.

Commissioner Zellers said the idea was that the permit would park in marked areas in the downtown area and in any of the residential permitted areas. The key is to keep all motorized vehicles off of the sidewalks.

Commissioner Mills shared the Annapolis, MD concept and philosophy and an array of photographs on scooter parking, fees, definitions, signage etc. With regard to parking areas on Rehoboth Avenue, it gave him great pause that people would have to stop in the middle of the street to dismount or remount. He would prefer scooter parking on a side street. He would like the area behind the Fire Department to be utilized for free scooter parking and have the pathway opened up to Baltimore Avenue. All the scooter parking is closest to the beach. Single or double spaces should be utilized that are naturally occurring and that about a fire zone, fire hydrant or driveway so that barriers would not be needed and cars would not hit them.

Mr. Howard Menaker, 16 Dover Street said that it may be good to move the proposed scooter parking off of Rehoboth Avenue, but a lot of the parking that Commissioner Mills' has proposed is in residential areas. The noise will be loud in those areas.

Mayor Cooper said that scooter parking spaces will not be provided everywhere where people want to park their scooters.

Discussion ensued with regard to a permit system vs. free parking.

Mayor Cooper said that scooter parking spaces will not be provided everywhere where people want to park their scooters. He voiced concern with parking spaces on the islands on Rehoboth Avenue.

Discussion ensued as to the locations for scooter parking.

Commissioner Sargent will take photographs of the available areas for scooter parking.

Commissioner Mills said that the Commissioners were moving too fast on the scooter parking issue, and he could not support scooter parking on Rehoboth Avenue. There are viable alternative to parking on Rehoboth Avenue.

Commissioners Sargent and Mills will work together on some of the issues with the parking for scooters.

## **CITY SOLICITOR'S REPORT**

There was nothing to report.

## **COMMISSIONER ANNOUNCEMENTS/COMMENTS**

Mayor Cooper said that the Emergency Operations Plan books are to be returned to Police Chief Banks in order to make changes. The ongoing problem with the outfalls on the beach was that the Army Corp of Engineers (ACOE) held a pre-construction meeting with the contractor on January 31, 2013 and the contract was not issued until January 25, 2013. The contractor thought it would mobilize in two weeks. Under the terms of the contract, the contractor has until April 30, 2013 to complete the work. Work will be started at Delaware Avenue which is the most problematic. During most situations, the beach has eroded back enough that the pipes are partly exposed so if there is a storm, it would clean them out. The City has no control over the contract.

Commissioner Mills noted that Mr. Hoyte Decker has resigned from the Communications Committee. The Committee is looking for volunteers that would like to serve. The American Shore & Beach Preservation Association has a local chapter will be coming to town. Commissioner Mills and others are trying to get a few municipalities together to garner interest.

Commissioner Gossett asked what the status is with the Memorandum of Understanding between Sister Cities and the City. He also asked how the City is progressing with the process of being in compliance with FOAI and the Executive Order.



City Solicitor Mandalas said that the MOU is in final form and will be distributed today or tomorrow for signatures. He also noted that Ms. Ann Womack, City Secretary, has a good policy packet put together along with a document log for tracking. An ordinance has been drafted to create a new chapter within the Code, directly dealing with public access to records. Mayor Cooper had hoped to have this topic on the next Workshop Meeting agenda.

**DISCUSS ITEMS TO INCLUDE ON FUTURE AGENDAS.**

An item to include on the next Workshop Meeting agenda is no mopeds parking or riding on sidewalks.

The next Regular Meeting will be held on February 15, 2013 at 7:00 p.m.

There being no further business, Mayor Cooper adjourned the meeting at 12:54 p.m.

**Respectfully submitted,**

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**(Ann M. Womack, Assistant Secretary)**