

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

**January 4, 2010**

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, January 4, 2010 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**

Commissioner Pat Coluzzi called the roll.

|          |              |                  |
|----------|--------------|------------------|
| Present: | Commissioner | Bill Sargent     |
|          | Commissioner | Pat Coluzzi      |
|          | Mayor        | Samuel R. Cooper |
|          | Commissioner | Dennis Barbour.  |
|          | Commissioner | Stan Mills       |
|          | Commissioner | Lorraine Zellers |

|         |              |                 |
|---------|--------------|-----------------|
| Absent: | Commissioner | Kathy McGuiness |
|---------|--------------|-----------------|

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

**CORRESPONDENCE**

There was none.

**DISCUSSION** of the City's budget and financial matters to include a brief update on the current fiscal year's activity by Burt Dukes, City Accounting Consultant.

Mr. Burt Dukes distributed his report to the Commissioners prior to the meeting. For the April through November 2009 period, the General Fund revenue exceeded expenditures by \$490,000. The Water Fund revenue exceeded expenditures by \$697,000. The Wastewater Fund revenue exceeded expenditures by \$624,000. The cash position in the Water, Wastewater and General Funds is \$7,600,000. General Fund cash increased by \$73,000 from the prior month and by approximately \$836,000 since the beginning of the year. General Fund cash declined by \$1,800,000 since November 30, 2008 due primarily to expenditures for projects. Water Fund cash declined by \$282,000 from the prior month and by approximately \$974,000 since the beginning of the year. Wastewater Fund cash declined by \$1,400,000 since November 30, 2008. Wastewater Fund cash has increased by \$39,000 from the prior month, and by \$104,000 since the beginning of the year. Wastewater Fund cash has increased by \$179,000 since November 30, 2008. In the analysis report, General Fund revenue was \$319,000, and the budgeted amount was \$337,000. The actual revenue for year-to-date is \$7,500,000, and the budgeted amount is \$10,000,000. The remaining \$2,500,000 needs to be collected before the end of the year. The revenue projection is approximately \$9,000,000. The General Fund expenditure forecast is broken down into departments, and for year-to-date there is a \$489,000 surplus. For the month of November 2009, there was a \$537,000 deficit. A quarterly loan payment of \$190,000 was made on the \$6,000,000 loan. In the Wastewater Fund revenue expense forecast, the deficit for the month of November 2009 was \$107,000. This deviated substantially from the Budget primarily because of the timing of when the sewer allocations for Dewey Beach and Henlopen Acres were billed. The forecast for Wastewater Fund, excluding depreciation, is a surplus of \$804,000 for the year. In the Water Fund revenue expense forecast, the actual revenue for the month of November 2009 was a deficit of \$14,000. The actual revenue was budgeted to be a negative of approximately \$5,000. The annual Budget amount was \$614,000, and the forecast was \$746,000 primarily because of anticipated expense reductions. The General Fund Budget Report was broken down into departmental revenues and expenditures. The purpose of the Analysis of Cash Flows report is to show where the City's cash position was at the beginning of the year and how it has changed over the first eight months, and to show the sources and uses of the money. The Summary of Long Term Debt shows that the original \$6,000,000 loan to projects is now \$4,900,000 with a 10-year payoff. The total debt for the General Fund Projects Loan, Water Fund – Water Tower Loan and Water Fund Delaware Drinking Water (Lynch Well) is \$10,800,000. Mr. Dukes noted that most of the revenue is earned in the first six months of the year; so from this point on, in the General Fund especially, there will be deficits on a monthly basis through March 2010.

The General Fund was budgeted as a deficit, and the projected deficit is \$466,000. There is an approximate \$250,000 difference from what was originally budgeted. Mr. Dukes said that the bottom line is that expenditures will exceed revenues in the General Fund by \$466,000; revenue will exceed expenditures in the Wastewater Fund by \$803,000 (excluding depreciation). Depreciation will be \$750,000.

Commissioner Sargent and Mr. Dukes have been working together on a spreadsheet with the intent to implement next year on it. The Summary of Revenue and Expenditures reflects both the budgeted and the actual amounts. Currently this reflects only the General Fund. The Wastewater and Water Funds will be set up the same way. The spreadsheet will highlight all the differences in revenue and expenditures. Financing and operating revenues were looked at independently. Financing revenue includes grants and loan proceeds, etc. The difference between the Budget and what was forecasted is \$49,000. This document focuses on expenditures and basic revenues, the operations not the financing.

Commissioner Dennis Barbour suggested that one session should be held to go through the budgets and figure out exactly how things are done. There should be some way to get the general concepts straight.

Mayor Cooper said that part of the confusion is that it has been the City Manager's policy in the past to treat the Budget as a reflection of the expenditures and sources of funds for the fiscal year. Often times there was money shown coming from accrued surpluses, etc. Mr. Dukes has not recognized those as revenues, when in the Budget they are shown as revenues but are actually being taken from monies that are on hand by the City to borrow or having been accrued. Commissioner Sargent said that this would be more appropriate for a projected cash flow which probably needs to be done.

Mr. Dukes will meet with Commissioner Barbour to provide a narrative regarding the finances of the City.

Commissioner Sargent's point in putting together the spreadsheet is to watch the trends each month. The Budget for next year will be put into a monthly form and will make it possible to monitor where the big changes are. He would like to have a package that the Commissioners will relate to, and he recommended that the Commissioners should provide suggestions for changes to it.

This item will be placed on the Agenda for the January 15, 2010 Regular Meeting.

## **NEW BUSINESS**

Mayor Cooper called to discuss the issue, raised by the Planning Commission, regarding Section 236-23(C) of the City Code which requires that each lot created in a major subdivision must front on a public street at least 50 feet in width.

Mr. David Mellen, Vice Chair of the Planning Commission, gave his presentation and stated that on December 18, 2009, the Planning Commission alerted the Commissioners to the fact that it felt there is a problem relating to Section 236-23(C) of the City Code. The provision reads that each lot must front upon a public street with a width of at least 50 feet, excepting lots fronting on an approved short dead-end street. The question the Planning Commission posed to the Commissioners is whether the intent of the provision is to apply to newly planned/created streets within or abutting a major subdivision or to all streets, even existing streets that have been previously platted with associated lots. The provision does not apply to minor subdivisions, partitionings or properties developed as condominiums. The Oak Grove property is currently before the Planning Commission as a request for a major subdivision. If that property or any other piece of land considered to be a subdivision-type property is to be developed as a condominium, the provision does not apply even though the condominium layout would be exactly the same as a major subdivision. This issue came up as part of the Planning Commission's review of the Oak Grove proposal. At the Planning Commission's meeting in December 2009, it noted that Canal Street was labeled as a 40 foot width on a survey provided by the Lovetts. At one end of Canal Street near Canalside Inn, the street is more than 50 feet wide when looking at the Army Corps of Engineers markers and the street itself. In moving closer to Rehoboth Avenue, the street width decreases to less than 50 feet wide. The Planning Commission does not know what the width of Canal Street should have been or has been. Mr. Mellen and Mr. Timothy Spies presented research they had done in the prior week. Currently, there is a map in the Building & Licensing Office which is dated May 1925 and is titled Rehoboth Heights. The map has been signed by an engineer, but was not been signed by the Mayor at that time. The area to the east side of the Canal includes what is now Grove Park, the Oak Grove Park area and a smaller park which were not platted. Grove Street which is Grove Avenue on the north side of Rehoboth Avenue was platted, but there is no Grove Street on the south side of Rehoboth Avenue. Mr. Spies and Mr. Mellen researched old Mayor and Commissioners meeting minutes. In September 1925, the Rehoboth Beach Commissioners hired an engineer to plat unplatted encampment ground areas into lots. In December 1925, the

Rehoboth Beach Commissioners authorized paying for the platting of the unplatted encampment ground areas. In February 1926, a series of lots in the Canal, Sixth and Grove Streets locations were sold by the City. The original plat of this area was platted in September 1925 and was recorded at the Georgetown Recorder of Deeds on December 31, 1925 in Deed Book No. 255, Page 599. Most of the deeds recorded during that period of time only listed lot numbers. There were no surveys associated with the deeds. A deed from Mr. John Dick in 1930 was found which referred to where the plat could be found in Deed Book No. 255, Page 599. A reduced copy of the September 1925 plat was presented to the Commissioners. Canal Street was platted as 40 feet wide; Grove Street was platted as 50 feet wide; and Sixth Street was platted as 53 feet wide. If Canal Street was platted as 40 feet wide, the question is why it was 40 feet wide. It is obvious that all of the lots along Canal Street are long and deep except for the two end lots. Perhaps the City was trying to squeeze a little extra land to sell or perhaps there was a roadway which had been built along the Canal during construction of the Canal. Mr. Mellen provided a brief history of the Canal. The Canal was authorized in 1912 by an act of Congress in the U.S. River and Harbor Act. In February 1913, Delaware legislature granted consent to the U.S. government to acquire land for construction by the Army Corps of Engineers. Digging of the Canal began on November 5, 1913. The first boat went through the passageway on October 8, 1916. Construction was completed in 1927, and Roosevelt Inlet was opened on May 5, 1937. From a historical standpoint, it was not unusual when a canal was built to have lanes alongside of the canal. Mr. Mellen imagined that a roadway or service road was built along the Canal which might explain why Canal Street was platted as 40 feet wide. If the City does not have the original plat, it might be archived in Dover, DE. A reduced copy of the first recorded plat was provided for the Commissioners. Canal Street varies in width based on two existing Army Corps of Engineers markers. The Army Corps of Engineers would need to be contacted or possibly the City records would show what property was actually purchased in the 1912-13 timeframe. From the Planning Commission's standpoint of land use, this is a generic problem in the Code. Although this problem came up because of the proposed Oak Grove subdivision, it is generic in nature. Canal Street is at least one street which was platted at 40 feet wide.

Mayor Cooper said that 53 feet is the dimension along Grove Street for the angle, not the perpendicular distance across the street. Mr. Mellen disagreed.

Commissioner Sargent thought that all of the 15 proposed lots for the Oak Grove subdivision focused on the new street which had been discussed. Mr. Mellen said that there are a whole series of lots along Canal Street. The Oak Grove property has been merged by use, so it needs to be unmerged and new lots need to be created. The Code currently reads that a lot cannot be created unless it is on a street of 50 feet in width. Some of the lots in the proposed Oak Grove subdivision will face Canal Street; some lots will abut Sixth Street; and some lots will face a single dead-end street. This problem will cause the Planning Commission to come to a halt with this major subdivision if the lots cannot be created on Canal Street.

Commissioner Barbour asked if it is clear in the provision, that the 50 feet refers to a street and not to a lot. Mr. Mellen said that the Planning Commission has argued this issue many times, and the interpretation which the Planning Commission has gotten is that the street right-of-way is 50 feet in width.

Commissioner Coluzzi thought that in regard to a major subdivision, this refers to creating new streets, not pre-existing streets.

Mayor Cooper said that there is a simple solution to this problem. In the street design provision of the Code, subdivisions that adjoin or include existing streets which do not conform to street width requirements of this section shall dedicate additional width along either or both sides of the road. Mr. Mellen noted that there are two issues with this: 1. A zig-zag right-of-way line would be created because there are other properties along Canal Street. 2. It is not clear the Lovetts could produce the lots that they want. Mr. Mellen raised the issue that there is no way to return to the original plat.

City Solicitor Mandalas said that the language is entirely clear that a lot has to front on a street 50 feet in width. It was not clear to Commissioner Barbour that the 50 feet refers to a street and not a lot. In the City, the lots have to be 50 feet wide; and in other cases, it is always referred to as 50 feet as the measurement for creating lots, which is in a separate section of the Code.

Mr. Mellen said that if the property would be developed as a condominium property, this Code provision would not apply; and it would allow for a higher density. The City would have no control over the impact of the neighborhood, and that is why the Site Plan Review Ordinance was developed.

Mr. Mellen said that the Commissioners need to decide to either deal with this issue of whether it should only apply to newly created streets, or let the provision stand as it is.

Commissioner Stan Mills thought that Section 236-21(F) is clear and is applicable to this situation, and it should apply. If the consensus of the Commissioners is to deviate from this provision, they could look at changing the Code and perhaps send it to the Board of Adjustment. City Solicitor Mandalas said that the Board of Adjustment would not be an option in this case.

Mayor Cooper would like to see a survey of Canal Street as it relates to the Canal right-of-way. If there is an indication that there is additional land which may/may not be right-of-way, it may be to get a minimum of 50 feet if land exists between the right-of-way and what is now the property. Mr. Mellen said that to satisfy what has been suggested, it will need to be figured out where the U.S. government bought its property.

Mr. Mellen noted that the first drawings supplied by Lovetts showed Canal Street as 40 feet wide. The property was then measured from the corner of their property to the Army Corps of Engineers marker which presumably marks the end of its land. At one end it is more than 50 feet wide; and at the middle where there is another Army Corps of Engineers marker, Canal Street measures approximately 45 feet wide. The next marker is across Rehoboth Avenue at Grove Park. Six of the proposed lots would be affected on Canal Street. If the Lovetts would dedicate land along Canal Street, a zig-zag line would be created; and they may not be able to meet the 5,000 square foot requirement. A clerk in Georgetown, DE had said that the Canal property is not where it used to be. In the 1970s, the Canal was deepened, and embankments were steepened. The Planning Commission did not take the position on whether a 40 foot width from a planning perspective makes sense in the context of Oak Grove. There was no recommendation to allow the 40 foot width on Canal Street. Mr. Mellen thought that there was a consensus from the Planning Commission members that the particular wording in the Code should apply to new streets and not existing streets.

Commissioner Coluzzi said that the City should be concerned with the appearance of the property; and it would be to the City's benefit to have R-2 single-family residences, not a condominium.

Commissioner Barbour noted that the other issue is what the public policy is behind having a 50 foot wide street, and if the public policy applies in this particular location as opposed to carving out and doing a zig-zag street. If the public policy for having a 50 foot wide street is because of safety and by creating a 50 foot width on Canal Street it would become a zig-zag road and would make it unsafe, then the public policy is being defeated. Commissioner Barbour asked what the objectives are in this particular case. Mr. Mellen said that a precedent was set with the Prospect Street properties facing the Boardwalk and whether Surf Avenue is/is not a street. In general, from a planning point of view, it is not advisable to create certain rules for certain people.

Commissioner Coluzzi said that the Army Corps of Engineers right-of-way line is the missing information at this point. Additional information is needed in regard to the survey of the Canal. Ms. Cindy Lovett, 510 Rehoboth Avenue, has contacted the Army Corps of Engineers and is waiting for a response.

Commissioner Sargent said that it does not make sense to him for the Code provision to say that a new lot cannot be created if the street is less than 50 feet wide. The language in the provision needs to be changed. He was not comfortable with slicing out a piece of property because of the 40 foot width. He did not believe that the intent was to exclude narrower streets. Mayor Cooper said that the remedy is to widen the street if it is less than 50 feet wide where a major subdivision is proposed. Commissioner Sargent said that Canal Street may justifiably be a narrow street. There are no houses and no parking on the Canal side of the street. The reasons for the 50 foot width are not very strong along the Canal. It is hard for him to believe that this provision was made for existing streets. Commissioner Sargent thought that the provision was meant to say that if a new street is being designed, it is required that the street is 50 feet wide. Mayor Cooper said that the provision would say exactly what Mr. Mellen is proposing in applying to new streets, but it does not. It would not be a mechanism to increase the street to 50 feet wide if the street is not that wide.

Commissioner Barbour asked what would happen at the Canalside Inn property if there would be a change in ownership of the property, if it would be required that the street is 50 feet wide, 10 feet would come from private property, and a zig-zag line would be created. Mayor Cooper said that this would only come into effect if a major subdivision is requested.

Mr. Mellen did not know where the Army Corp of Engineers right-of-way line is located. Mayor Cooper would like to see, before going any further, where the Army Corp of Engineers right-of-way line as demarcated on the ground today, exists in relation to this and where the City's pavement is located. When he looked at aerial photographs, the pavement was larger than a 40 foot wide right-of-way.

Commissioner Coluzzi asked if the markers delineate whether the land is owned by the Army Corps of Engineers or the government, or if they are for the purposes of demarcating the construction area of the Canal in

1913. Mayor Cooper said that recently the markers were put in by the Army Corps of Engineers as a direct result of a request by the City's Planning Commission as it related to Park Place.

Mr. Paul Lovett, 510 Rehoboth Avenue, said that the Code is out of date to current standards of City planning. The rules should be adjusted before problems happen in the context of an individual project or make sure it is not a precedent for other projects. He asked for the Code to be adjusted before a project instead of afterwards, if the rules cannot be adjusted.

Ms. Cindy Lovett, 510 Rehoboth Avenue, wanted to make sure the Commissioners understand that if the Lovetts were to donate 10 feet of land, there would perpetually be a jagged line; and there is a rule in the City against jagged lines. Further into the future, the jagged line could cause problems. No one can build on the federal land across from the proposed Oak Grove subdivision.

Commissioner Mills thought that having a map would be helpful to better illustrate what would be required to fulfill Section 236-21(F).

Commissioner Sargent requested a map of the proposed major subdivision from the Lovetts. He would be interested in seeing the information which may be received by the Lovetts from the Army Corps of Engineers. Commissioner Sargent would also like to see the Army Corps of Engineers markers north and south of Rehoboth Avenue and a delineation line of the federal government's property on an overall plat. Mr. Lovett noted that a corner of the Museum building is actually on the Army Corp of Engineers property.

Commissioner Barbour thought that it would be a good idea for the Planning Commission to articulate what the specific options are, and then people could provide input.

City Solicitor Mandalas said that there might be a possibility of land on the Canal side, which could be the right-of-way that could be extended in that direction.

Commissioner Sargent volunteered to work with Mr. Mellen in developing the specific options.

Information will be made available for the February 5, 2010 Workshop Meeting.

## **OLD BUSINESS**

Mayor Cooper called to discuss possible ordinance change or policy to require the construction of missing or discontinuous sidewalks upon the occurrence of certain events.

Mayor Cooper said that there was consensus of the construction of missing or discontinuous sidewalks to be in ordinance form as opposed to strictly policy, but what is outstanding are the triggering events and where they would be required.

Commissioner Mills said that the intent was to address those sidewalks within the Charter where it indicates at least 50% or more of the sidewalks are already filled in.

Commissioner Sargent recommended that nothing should be changed.

Mayor Cooper has reservations with the sale of a property being used as a trigger. His suggestion would be the issuance of a building permit for a major improvement of \$10,000. Doing nothing would be a clear indication to the Building Officials that they are not to require any sidewalks into the future. Commissioner Mills agreed that the issuance of a building permit should be codified or Building & Licensing needs to cease and desist.

Commissioner Coluzzi said that the idea of the issuance of a building permit is reasonable. The Comprehensive Development Plan addresses this discontinuous sidewalk issue. The Commissioners should move forward.

Building Inspector Terri Sullivan said that current practice of putting in sidewalks is with new construction and additions of over 500 square feet.

Commissioner Mills said that a building permit value had been discussed to be a trigger, so setting a value to do that should be entertained. Mayor Cooper said that as long as the Building & Licensing Department tells people up front that taking out a building permit will trigger this, then \$10,000 would be a good figure.

Commissioner Zellers said that if the owners can afford to do major construction and they have a discontinuous sidewalk, then at that point the owners should be required to fill in the discontinuous sidewalk.

It would be a way of getting those sidewalks filled in and not making it onerous. Commissioner Coluzzi agreed. The Commissioners have agreed in the past that filling in missing sidewalks is a priority, and now have a mechanism to do it.

City Solicitor Mandalas will draft the ordinance with a dollar amount to be reviewed by the Commissioners at a later date.

Mayor Cooper called to discuss possible revisions to the City tree ordinance, Chapter 253 of the City Code and report on grant funding available for tree issues.

Commissioner Barbour forwarded the most recent version to the Commissioners prior to this meeting. Mr. Bryan Hall has made suggested amendments to this version. Commissioner Barbour wanted to establish a baseline to move forward. The December 18, 2009 version incorporates all but Bryan Hall's recent suggestions. Commissioner Barbour broke the changes up into two groups: 1. Substantive. 2. Technical. He forwarded a list of the substantive changes in this draft and the current Code, to the Commissioners. Commissioner Barbour would like all of the Commissioners' comments hopefully at the next meeting, and to categorize them as one or the other of the two groups. Commissioner Sargent has provided comments in response to an earlier request, and those comments will be reviewed at the next meeting. He will also forward Mr. Hall's comments to the Commissioners for their review.

Commissioner Mills questioned deleting Article 1. He thought that a review of Article 1 would be worthwhile. Commissioner Zellers said that not all of Article 1 was combined with the second section to make one Article. She also noticed that definitions are missing in the body.

Commissioner Sargent said that the general guidelines need to be in the Code, but too much of the detail could be placed in the hands of who administers the Code.

Commissioner Barbour will talk with Mr. Ferrese, Mr. Mel Craig and Ms. Sullivan to discuss the operations for administering of trees.

Mayor Cooper thought that the basic framework for Article 1 was not bad, but the list of trees was outdated. He favored breaking things out into separate articles; and by having articles, the scope is limited to that article.

Commissioner Mills suggested that the draft should be placed on the City website.

Commissioner Barbour said that while meeting with Mr. Hall about one month ago, Mr. Hall had suggested the City should pursue funding for tree related activities. Mr. Ferrese and Ms. Sullivan, along with the help of Mr. Hall, are in the process of putting together a grant applicant for \$20,000.00 to do a citywide tree inventory. Ms. Sullivan met with Mr. Hall last week and give him the required data from the City. Mr. Hall has completed a RFP (Request For Proposals). Mr. Ferrese, Ms. Sullivan and Mr. Hall will be meeting on January 12, 2010 to finalize the application

Mr. Ferrese said that the quotes for the project are required before the application for the grant is submitted. The proposals will be received before January 8, 2010. The grant is a 25% local in-kind grant.

Mayor Cooper called for an update on progress for Rehoboth Beach becoming a sister city with Greve, Italy.

Commissioner Coluzzi distributed a Sister City celebration timeline for the Rehoboth Beach, DE and Greve-in-Chianti, Italy. On November 25, 2009, a formal letter was sent to Greve expressing the City's interest in becoming Sister City. On December 3, 2009, Greve City Council had a meeting and endorsed the idea of a Sister City relationship. What the Council would like to do is to have the Sister City relationship agreement signed on April 17, 2010 on Verrazzano Day in Greve, Italy. On December 17, 2009, the official Sister City Steering Committee was formed, and Commissioner Coluzzi and Mayor Cooper (Honorary Chair) are members. On December 23, 2009, an email was sent to Alberto Gianetti requesting a formal invitation letter from Greve Mayor, with details of the City's participation in the celebration. On December 28, 2009, the Sister City application was sent to Sister City International. The next trigger is getting the response letter from Greve Mayor.

## **CITY MANAGER'S REPORT**

Mr. Gregory Ferrese reported that the City is in the process of submitting a grant in the amount of \$20,000.00 for a citywide tree inventory. Mr. Bryan Hall is working with Ms. Sullivan in formalizing the grant, and he is also securing Requests for Proposals (RFPs) to have a cost to perform the tree inventory. The proposals will be

submitted to Mr. Ferrese by January 8, 2010, and the grant must be submitted to the State by January 15, 2010. Mr. Ferrese will be in Dover, DE on January 6, 2010 in the afternoon for a meeting with City Managers and Delaware Solid Waste Authority (DSWA) in regard to its rate increase. Mayor Cooper and Mr. Ferrese will be in Dover, DE on January 7, 2010 for a Workman's Compensation Meeting. The City will begin negotiations with the Police Union, and the first negotiation session will be held on January 26, 2010. Bids will be opened on January 20, 2010 for the Museum. The City's Audit Committee will be meeting on January 19, 2010 at 10:00 a.m. to discuss with the City's auditor the audit ending March 31, 2009. Mr. Ferrese would like to hold the first Budget Meeting on January 23, 2010 at 9:00 a.m.

#### **COMMITTEE REPORTS**

Commissioner Mills, Boardwalk Committee, provided an update on the Committee activity and Phase 2 of the Board Reconstruction Project. The next Committee meeting is to be scheduled in late January 2010. In regard to the southern area of Phase 2, completion is anticipated at the end of January 2010. Commissioner Mills will be reporting at the January 15, 2010 Regular Meeting whether the project is on schedule. Design changes by the City may/may not be resolved and may delay the opening date. In regard to the northern area, the beams have been pored in the Rehoboth Avenue area. Some of the wood stringers and the wood structure is in place. Demolition has been completed, and pilings have almost been completed. Everything in the northern phase is ahead of schedule at this time.

Commissioner Sargent distributed a summary of the Boardwalk project status.

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

There was nothing to report.

#### **COMMISSIONER ANNOUNCEMENTS/COMMENTS**

There were no announcements/comments.

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

Topics to be included on future agendas: Representatives from DNREC will be at the February 5, 2010 Workshop Meeting to discuss issues of the beach vis-à-vis the storms and what is seen as recovery from that.

The Mayor and Commissioners Regular Meeting will be held on Friday, January 15, 2010.

There being no further business, Mayor Cooper declared the meeting adjourned at 11:38 am.

Respectfully submitted,

---

(Ann M. Womack, Assistant Secretary)