

important. The Commissioners may accomplish that by using the audio. By providing this opportunity for video broadcasting, the Commissioners may be encouraging people to not attend meetings. His preference is to encourage people to come to the meetings and participate in a face-to-face dialogue so the Commissioners can interact with them. Commissioner Mills said that at a previous meeting Commissioner McGuinness mentioned that people may not watch the meetings from beginning to end, but it is a good opportunity to go back and target an issue and pull it up to look at it. Cuts have been made to the budget, and now the Commissioners are looking to spend money. Commissioner Mills had previously asked the IT Department to provide the Commissioners with a realistic cost evaluation of this item. He voiced concern that the initial cost of \$2,000-\$3,000 might end up being a \$10,000-\$15,000 cost. Should the Commissioners decide to go with video streaming, he would want a good system with multiple cameras. The audio system would need to be upgraded. He was very concerned about what the overall cost would be in this economic climate. He thought that the first step should be to upgrade the audio system. Mayor Cooper said that Commissioner Mills is on target. All those things need to be factored in.

Commissioner Coluzzi said that the system is scalable. She did not think that the Commissioners want to target \$10,000 because it would be smarter to go with a scalable project with one camera. The Commissioners could use one camera this year; and next year it could be two or three cameras. In Commissioner Coluzzi's comments to Mr. Huffman yesterday, she thought that what the Commissioners are interested in is having the camera in one corner that targets the Commissioners, the podium and the screen; and then for the Commissioners to look at it on Mr. Huffman's laptop to get a feel for what people are going to see at home. This is the proposal Commissioner Coluzzi has asked Mr. Huffman to report on today.

Commissioner Barbour suggested that a timeline should be set, and a decision should be made by a set date.

Commissioner Mills wanted to continue with policy items to be passed on to the Communications Committee, and one is to come to more of a consensus on live broadcasting vs. delayed broadcasting. He did not favor at this moment the live broadcasting or the potential of receiving emails or communications. People need to come to the meetings, or the Commissioners would like to encourage them to be there. Commissioner Mills would prefer delayed broadcasting. He was not sure that 15 minutes delay would be the optimum time because of the length of time some of the topics are discussed, and questions could still be forwarded to the Commissioners by way of their laptops. He did not think that this is appropriate for the meetings. Commissioner Coluzzi said that the Committee can discuss the pros and cons of this issue.

Commissioner Sargent was still concerned that even though there might be just a couple of people in the audience, it would be a mythical audience with a camera. Remarks may be sharper; and there is a possibility that the Commissioners may play to the camera. There is a degree of collegiality here, and he would hate to have anything undermine that. Commissioner Barbour said that this concern says more about the Commissioners than it does of the system. The Commissioners are performing in a professional capacity; and Commissioners thinking they have to play to the camera says more about their behavior. Commissioner Sargent said that starting with a scalable system is fine as long as the quality is very good.

Commissioner Lorraine Zellers had issues with policy as far as taking comments as they are happening. It may be disruptive if the comments are coming to the Commissioners during a meeting. The Commissioners will need to organize something that will cover those kinds of things. A time limit could set if any comments come in to the audience. This needs to be looked ahead of time before going into the whole process.

Commissioner Mills said that there possibly will be a change in behavior at the beginning, but he was doubtful that later it would continue. He noted that Mayor Cooper and Commissioner Sargent were vocal about the potential for abuse such as editing if archived. The audience or citizenry can take the recordings and edit them to manipulate them and perhaps take things out of context. Mayor Cooper said that if something happens and it is not recorded for some reason, then there could be the perception that it was done deliberately. Commissioner Mills said that there is the potential to abuse or send out reports on the Commissioners' meetings which would omit information.

Commissioner Mills thought that every committee or commission which meets in this room should utilize the system, not just the Commissioners. The main focus of the meeting is conducting business. If the system breaks down in the middle of the meeting, the Commissioners would not stop the meeting to fix the system. Another concern would be if a meeting is held offsite and what the procedure would be.

Mayor Cooper called to discuss a proposed revision to the City Tree Ordinance, Chapter 253 of the City Code.

Commissioner Barbour requested that discussion of this topic be deferred.

Mayor Cooper called to discuss increasing City revenues to include possibly raising the current gross receipts tax on rental cottages and houses, and the possibility of extension of gross receipts taxes to hotels/motels and commercial rentals.

Commissioner Mills has reached out to the Rehoboth Beach/Dewey Beach Chamber of Commerce and Main Street Inc. to specifically ask for feedback for these items as well some other items. He requested that this topic be deferred until feedback has been received. Commissioner McGuinness agreed. The Main Street board needs to meet, have a copy of the budget, and come up with ideas for possible revenue generators.

Ms. Carol Everhart of Rehoboth Beach/Dewey Beach Chamber of Commerce has the Downtown Advisory Committee meeting set for May 17, 2010 at 10:00 a.m., and anyone is welcome to attend.

Commissioner Sargent suggested that at the June Workshop Meeting the Commissioners should have a general discussion with joint contributions from Main Street, Chamber of Commerce and other interested businesses. It would be a good idea to have an open discussion as to what is fair and how to balance the taxes, etc. He also suggested that today the Commissioners should set an objective. One of the highest priorities is getting a new public safety facility. Commissioner Sargent would like to generate enough revenue from some of the increases to build a fund of \$1,000,000 per year; and then 3-4 years from now, the Commissioners are in a position to move forward with the public safety facility or whatever is the highest priority at that time. If there is a clear objective, it will be easier for businesses, taxpayers, etc. to come up with their share. He would like the community to have a strong feeling that it had input into the Commissioners' process. Mayor Cooper cautioned that while setting aside \$1,000,000, other costs are also increasing to the City. When the existing rental tax was put into effect, it was to be earmarked for capital improvements.

Commissioner McGuinness thought that Main Street could hold an emergency meeting to get some ideas.

Commissioner Zellers said that the Commissioners need buy-in from the community and the businesses. It would be a good idea to get as many people as possible into the process.

Commissioner Coluzzi said that a budget will be forwarded to Main Street.

This item will be placed on the agenda for the Workshop Meeting in June 2010.

Mayor Cooper called to discuss proposed sign ordinance changes.

Commissioner McGuinness had forwarded pictures to the Commissioners of various signage without targeting any particular businesses. The pictures are being used as examples for clarification, not what is right or wrong. Commissioner Mills suggested getting the signs in hand and taking more photographs, then a power point presentation could be done at next meeting.

Mayor Cooper did not know how to enforce a temporary sign. He asked if a sign is the physical or if it is the message. Commissioner McGuinness said this topic was brought up to help Building Inspector Terri Sullivan enforce the temporary signs. Ms. Sullivan noted that she does not know when the temporary signs go up to be able to say that it has been 120 days.

Commissioner Barbour said that there is an issue with vagueness here; and he suggested that City Solicitor Glenn Mandalas should look at other jurisdictions and the terminology they use. City Solicitor Mandalas mentioned that signs in general are a difficult topic. He has never seen clarity in any jurisdiction on signs.

Mayor Cooper said that signs are in the Zoning Code, but that makes it a level of difficulty to enforce. As a zoning matter, there is a right to grandfathering. The City passed a strict sign code in 1976, and it had a sunset provision of five years which was later taken out of the code. City Solicitor Mandalas noted that is much more difficult to outlaw something if it is in the Zoning Code. There are amortization ordinances which phase things out over a period of time, but courts and the general public do not like them.

Commissioner Coluzzi said that the Commissioners are back to figuring out the 120 day problem that Ms. Sullivan cannot really track it, unless the Commissioners come up with some type of procedure to apply to having temporary signs. Then if there is a trigger date, someone from Building & Licensing will need to go out to check it.

Mayor Cooper said that the provision for a banner, etc. for a business to open is fine until it can get the permanent sign. As a matter of course, to say that a business can have any temporary sign for 120 days is

totally unenforceable. The original interpretation from the City Solicitor given in the Code in 1980's, was that anything behind glass was not a sign because it was part of the structure and inside the building. The Code was changed to say that a window sign was not a sign unless it covered more than 25% of the window or was more than a certain height. Commissioner McGuinness said that the issue which Ms. Sullivan has highlighted is where the temporary window signs are going to be located, and how they will be regulated.

The suggested changes are:

1. Section 270-66(E)(8)(a). Delete this sub-section in its entirety.
2. Section 270-66(E)(8)(d). "Changeable-copy signs" should be changed to "[C]hangeable-copy signs excluding chalkboards". "[V]acancies and special events" should be changed to "vacancies and special events in the bottom left or bottom right corner of a window".
3. Section 270-66(E)(8)(e). Add "[E]ach side of a freestanding sign counts as one of the three signs permitted per business".

City Manager Gregory Ferrese noted that in regard to enforcement on public property, one warning should be given and then the business should be cited. After that, the sign should be taken away.

4. Section 270-66(E)(10). "Perpendicular signs. Businesses may have one perpendicular sign on the side of a building where a sign is permitted. A perpendicular sign may not exceed three feet in width and a maximum of 4 1/2 square feet on each side. The inboard side of a perpendicular sign may not be more than 18 inches from the attaching wall. The lowest point of a perpendicular sign and its supporting structure that extends over a public or private sidewalk or other pedestrian way by more than four inches must be at least eight feet above the surface below, and no portion of a perpendicular sign may extend over any surface designated for vehicular traffic. The highest point of a perpendicular sign and its supporting structure may not be more than 15 feet above the surface below. Perpendicular signs must be in a fixed position and may not include internal lighting. Perpendicular signs may not interfere with pedestrian visibility, as determined by the Building Official. Perpendicular signs are not permitted for any business with its primary entrance on the Boardwalk" should be changed to "Projecting signs. Businesses may have one projecting sign on the side of a building where a sign is permitted. A projecting sign may not exceed three feet in width and a maximum of 4 1/2 square feet on each side. The inboard side of a projecting sign may not be more than 18 inches from the attaching wall. The lowest point of a projecting sign and its supporting structure that extends over a public or private sidewalk or other pedestrian way by more than four inches must be at least eight feet above the surface below, and no portion of a projecting sign may extend over any surface designated for vehicular traffic. The highest point of a projecting sign and its supporting structure may not be more than 15 feet above the surface below. Projecting signs must be in a fixed position and may not include internal lighting. Projecting signs may not interfere with pedestrian visibility, as determined by the Building Official. Projecting signs are not permitted for any business with its primary entrance on the Boardwalk".
5. A neon "Corona", etc. sign located in the window area is considered a window sign, counts against the (3) allowable signs, and counts against the square footage.
6. An "Open" sign is considered an informational sign.
7. Section 270-66(F). Delete this sub-section in its entirety.
8. Section 270-68(C). Add this sub-section. "The City Manager, by and through the duly authorized employees of the City, shall provide a dated and numbered sticker for each authorized sign. The sticker is to be placed in a conspicuous area on the sign for which it was issued or for any sign higher than 2 stories, the sticker shall be located in the window closest to the entry door. All real estate signs (rental and for sale) shall be required to have a sticker. However, the real estate signs may be transferrable from property to property.

Mayor Cooper said that as part of the process, the stickers should be numbered serially. There should be a file on each sign with pictures. He suggested that if someone comes in for a new sign, Building & Licensing could sticker all of that business' signs, and an annual inspection could be done.

Commissioner Mills said that Main Street has been promoting exterior lit signs with the goosenecks. The Architectural Review Manual mentions a preference for something decorative like that. He asked if the gooseneck type lights should be encouraged. Mayor Cooper said that this would be a regulation of lighting.

NEW BUSINESS

There was none.

CITY MANAGER'S REPORT

City Manager Gregory Ferrese reported that Teal has started the sanitary sewer line construction project on St. Lawrence Street. When Teal is done with that, it will move over to Lake Gerar behind Olive Avenue. The Art Festival will be held on May 8, 2010 on the ocean blocks of Baltimore and Wilmington Avenues. A pre-construction meeting was held in regard to the Museum, and that project is on schedule. The majority of the newsletters have been sent out. The remaining 500 will be sent out on May 10 & 11, 2010.

COMMITTEE REPORTS

Commissioner Mills, Boardwalk Committee, provided an update on the Committee activity and Phase 2 of the Board Reconstruction Project. There has been no activity lately with the Boardwalk Committee. The status of the Boardwalk is that it is on schedule for re-opening at the north end, and the entire Boardwalk should be walkable on or before Memorial Day 2010. DNREC will be working on the sand fencing at the toe of the dune as well as working on some dune crossings. DNREC will also be working on the handicap accessible dune crossing in front of the Boardwalk Plaza. Some light shields may need to be put on; re-vegetation would be done in Fall; there may be a possible foot shower that would need to be done. The private connections are the responsibility of the property owners.

CITY SOLICITOR'S REPORT

There was nothing to report.

COMMISSIONER ANNOUNCEMENTS/COMMENTS

Commissioner Zellers said a notice was received from the Assistant Principal of Rehoboth Elementary School, noting that all the sidewalks from the Safe Routes to Schools are in place. Safety Day was held on May 6, 2010, along with a bike rodeo. A sidewalk connection was provided for the people from Schoolvue.

DISCUSS ITEMS TO INCLUDE ON FUTURE AGENDAS.

No topics were noted to be included on future agendas.

The Mayor and Commissioners Regular Meeting will be held on Friday, May 21, 2010 at 7:00 p.m.

There being no further business, Mayor Cooper declared the meeting adjourned at 10:56 a.m.

Respectfully submitted,

(Kathy McGuinness, Secretary)