



material will be used for bedding and backfill, and the rest would be redistributed after the pipe is installed. A map was provided of the alignment of the pipe going out to the diffuser. Cross-sections were provided of the horizontal directional drilling process and a typical trench. A typical pipeline and ocean outfall profile was also provided. Related permits for the project are the Coastal Zone Act Permit, Wetlands and Subaqueous Lands Permit and Coastal Construction Permit. These permits will be completed in draft and will be submitted to DNREC; but they will not be recognized as a draft permit until a record of decision is received. The force main alignment study determines what the best way is to run the pipe to the wastewater treatment plant. Alternate A alignment would be from the Lewes-Rehoboth Canal to Henlopen Avenue. Alternate B alignment would be from State Road to Fifth Street to Columbia Avenue. The preferred option is Alternate A because there would be less congestion of existing utilities, fewer bends in alignment, a wider right-of-way, less traffic and a lower cost of \$4,540,000.00 vs. Alternate B at a cost of \$5,640,000.00. In regard to the force main alignment study, DNREC Division of Parks & Recreation – Cultural Heritage Section conducted a desk top review and site visit, and found that there were no archaeological issues. DNREC Division of Fish & Wildlife found that there is no record of state or federal listed plants or endangered species that would be impacted. In regard to DNREC Division of Water Resources, Wetlands Division, it is not believed at this point that there are any wetlands along the alignment. A wetlands consultant has been contracted to walk the route of the alignment, and it is expected that he will confer that there are none. The objectives of the wastewater treatment plant study was to assess the condition of the existing plant and come up with a priority list of capital improvements. The report has not been completed. Two major things that were looked at were: 1. Filtration. 2. Biosolids treatment and disposal. Also found in the report will be a preliminary design of an effluent pumping station. A preliminary engineering report will be developed which is required for USDA funding. Process alternatives which were evaluated are: 1. Biosolids treatment and disposal alternatives Alt. B-1 – Liquid disposal of Class B biosolids product, Alt. B-2 – Autothermophilic aerobic digestion (ATAD), Alt. B-3 – Lime pasteurization, Alt. B-4 – Solids drying, Alt. B-4 – Outsourcing biosolids treatment and disposal. 2. Filtration alternatives Alt. F-1 – Cloth disc filters, Alt. F-2 – Continuous backwash filters, Alt. F-3 – Traveling bridge filters. Prioritizing improvements at the wastewater treatment plant were placed in four categories: 1. Replacement/rehabilitation needed immediately. 2. Replacement/rehabilitation needed within 5-20 years. 3. Replacement/rehabilitation needed for cosmetic reasons. 4. No replacement/rehabilitation needed within the next 20 years. Currently the tentative EIS schedule is for the Draft EIS to be submitted to DNREC in the beginning of December 2011, Draft EIS to be sent to Public Notice by the beginning of January 2012, Public Hearing on January 18, 2012, Close of the public comment period on February 17, 2012 and the Final EIS (respond to comments) on May 18, 2012. It is unknown how it will take to get the Record of Decision. In regard to engineering costs, the cost of the preliminary permitting in Task Order No. 1 was \$214,626.38 which has been completed. The cost of Task Order No. 2 for final permitting is \$22,797.02. The cost of Task Order No. 3 for field studies is \$229,915.18. The cost of Task Order No. 3.2 for archaeology ocean survey is \$29,137.51. The cost of Task Order No. 3.3 for boring services is \$139,780.00. The cost of Task Order No. 4 for dispersion modeling is \$205,606.29 with no cost for contingency. The cost of Task Order No. 5 for wastewater treatment plant PER is \$105,004.52. The cost of Task Order No. 7 for the alignment study is \$24,979.94. The total amount budgeted is \$1,290,384.00. The total amount expended/invoiced to date is \$832,066.84.

Task Order No. 2 will be placed on the Agenda for the October 21, 2011 Regular Meeting for approval.

Mayor Cooper said that the EIS is being necessitated by the funding source which is the State Revolving Loan Fund. Because the City applied and expected the funding to come from there, the EIS is required as part of the funding. The EIS will perform the basis and by far the lion's share of the information necessary for the permit, etc.

Mayor Cooper called to discuss implementation strategies for the City's 2010 Comprehensive Development Plan (CDP).

Commissioner Pat Coluzzi said that at the last meeting the Commissioners talked about putting in place a process and have a timeline for the projects to be undertaken to completion regarding items in the CDP. The consensus of the Commissioners was that each one would decide and spearhead their own priority and move forward. Commissioners Mark Hunker and Coluzzi have met with Building Inspector Terri Sullivan in regard to the rental licenses and collecting fees. An update will be provided at a future meeting.

Commissioner Mills said that at the last meeting, he had proposed assigning duties based on the Commissioners' input. One of the duties was for Planning Commission to comment and follow-up in brief detail the preparation of a citywide stormwater management plan and investigating a City policy requiring that all municipal facilities be green and forward them to the Commissioners so they can make a decision at a future meeting on how to move forward. Commissioner Mills would like to have a discussion and a vote at the

October 21, 2011 Regular Meeting on remanding topics to the Planning Commission such as examining and establishing a mixed-use zone, allowing a blend of residential/non-residential uses as a means of encouraging the development and re-development of selected commercial areas along major commercial streets, begin Silver Lake recovery by establishing regulatory buffer zones, and review all development regulations. At the last meeting, Mr. Patrick Gossett of the Planning Commission had indicated that it was undertaking a review of all development regulations. Commissioner Mills would like to ask the Planning Commission for a brief note on the buffer zones and mixed-use zoning and what notes it had for developing the CDP which may help the Commissioners in their discussion in determining whether they want to remand this to the Planning Commission.

Mayor Cooper suggested that a representative from the Planning Commission should be in attendance at a Regular Meeting to discuss what it is the Planning Commission feels it could do or is willing to take on. Commissioner Mills said that he would try to set up having a representative from the Planning Commission be present at the November 7, 2011 Commissioners Workshop Meeting to discuss these topics.

Commissioner Mark Hunker noted items he is interested in and would like to work on: 1. Municipal facility with possibly redeveloping City Hall. 2. Redeveloping Rehoboth, Wilmington and Baltimore Avenues business development and quality and retention of keeping the quaintness. 3. Lewes-Rehoboth water taxi and building of the path on both sides. 4. Long range development, renovation and maintenance of City parks. 5. Vacation rental housing safety, inspections and fee structure. 6. Architectural review process for the view and aesthetic of the City. 7. Biking and walkability in the City. 8. Downtown cityscape, business and residential overflow. Commissioner Hunker will be forwarding the priorities he would like to spearhead to the Commissioners in the near future.

Mayor Cooper suggested that the Commissioners should look at all business license fees.

Commissioner Coluzzi noted that the City is losing money in regard to initial inspections for rental housing. Ms. Sullivan had commented in her meeting with Commissioners Coluzzi and Hunker that annual inspections should be done. Commissioner Coluzzi will forward the inspection form to the Commissioners for their review. Commissioner Hunker noted that there is no method of getting back in the house for inspection purposes if there a complaint of too many people, a fire hazard, etc. once the house has been initially inspected. Commissioner Coluzzi would like to start discussion on this topic at the next meeting. In regard to the Bicycle/Pedestrian Master Plan, the Streets & Transportation Committee will be discussing the first deliverable October 14, 2011 at 11:00 a.m. The public is invited to attend. Technical Memorandum No. 1 is specific to existing conditions. A list of 10 stakeholders has been compiled within the City who have been invited to the meeting. Commissioner Coluzzi will forward the list of stakeholders to the Commissioners and a copy of Technical Memorandum No. 1.

Commissioner Sargent suggested that if any of the Commissioners are going to spearhead a priority, they should let the other Commissioners and the City Manager know about it. They should not be pulling on City resources or making decisions as Commissioners by their lonesome. The Commissioners should be operating as a member of the Commission.

## **NEW BUSINESS**

Mayor Cooper called to discuss amending various ordinances that are effective seasonally and/or have time of day provisions, to make beginning and ending dates and the time of day provisions more consistent between the various ordinances.

Commissioner Mills said that this topic stems from the amendments to the date provision of the times animals are allowed on the Boardwalk and beach. At that meeting, Police Chief Keith Banks and Building Inspector Sullivan indicated that other codes would warrant looking at also with respect the time and date provisions. The City Manager facilitated a meeting with Mayor Cooper, Commissioner Mills, Police Chief Banks and Ms. Sullivan. They tried to identify codes that had the date and time provisions in them, but they were confusing or ambiguous, there was a disparity between different codes of similar language and otherwise that they felt needed review. Commissioner Mills provided a memo, spreadsheet and pertinent sections of the Code to the Commissioners for their review. The spreadsheet is a final compilation of the codes which were picked for review. The final list of ordinances or codes which were selected for review all fall under the purview of the Police Department. Commissioner Mills' intent was to introduce this topic during this Workshop Meeting, and then have Police Chief Banks in attendance at the November 7, 2011 Workshop Meeting to field questions on this topic. This would allow the citizenry time to look at the documents.

These documents will be placed on the City website for review. Part of this exercise also looked at how activity is being expanded during the year. On the spreadsheet, the compilation consisted of: 1. Traffic/parking. 2. Use restrictions. These relate to prohibitions or dates allowing various activities such as skateboards, scooters, etc. 3. Additional proposed amendments to the codes. Additional dates which would essentially expand the season were proposed for certain activities and are recommended amendments to the codes. Commissioner Mills pointed out variations of times and daybreak in the different sections of the Code. There was also a proposal to make amendments to the times which were referenced for certain provisions in the Code. Commissioner Mills will verify and provide a list to the Commissioners of the times when daybreak occurs during the year. This list will also be placed on the City website.

Mayor Cooper said that it would be easier for the Police Department to have a consistent date so it does not have to try to remember all the different dates.

Commissioner Coluzzi said the times need to be decided.

Commissioner Lorraine Zellers thought that consistency would be better for everyone including visitors.

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

City Manager Gregory Ferrese reported that the application which the City submitted to the State pertaining to the Streetscape Improvements on Lake Avenue between Third Street and Rehoboth Avenue is eligible for Transportation Enhancement funding. Mr. Ferrese has been notified by the State that the application has been approved for funding of a concept plan phase only. This is the first phase of the project. In November 2011, the State's engineers will be meeting with the City to discuss the concept plan phase which will be funded with Transportation Enhancement funding. Mr. Ferrese held a pre-construction meeting on October 3, 2011 pertaining to the Energy Projects at the Municipal Building, Senior Citizen Center and Public Works facility. Work will begin in November 2011. The City will receive an \$80,000.00 grant from the State to upgrade the Delaware Avenue restrooms. It is anticipated to bid this project in December 2011. Also to be bid is the ADA Ramping Project in late October 2011 with bids being opened in early November 2011. The City will be submitting the expenses that were incurred from Hurricane Irene to FEMA for reimbursement. The amount estimated for expenses incurred is \$24,000.00. A meeting will be held with the FEMA representative in mid-October 2011. The City is eligible for reimbursement for manhours, outside contracting and a rental allocation for use of equipment. The Rehoboth Beach Homeowners' Association will have an appreciation breakfast for City employees on October 26, 2011 in the Convention Center. Numerous projects are currently being worked on: 1. Convention Center roof. 2. Energy Project. 3. ADA Ramping Project. 4. Delaware Avenue Restroom Project. 5. Phase 1 of Streetscape on Lake Avenue. It is anticipated that beach replenishment will begin in November 2011.

Commissioner Mills had heard from Mr. Tony Pratt that beach replenishment will begin in Dewey Beach the third week of October 2011. After completion, it is anticipated that replenishment will begin here in mid-November 2011. The project scope is that the beach contours will be extended and some of the dunes will be replenished, but it is not known to what extent until DNREC meets with Army Corps of Engineers.

Commissioner Sargent said that his interest is that the sand is not extended to the height which was done originally. The jetties were covered and a profile was put in which people had never seen before. In more than a year, the sand had disappeared leaving a very sharp profile. Mayor Cooper said that DNREC builds the beach higher – advanced fill, so the sand migrates out in the ocean naturally. He did not think the steep beach face is more a function of the grain size than it is how far out it goes. Commissioner Sargent said that at the north end an attempt was made to expand the width of the beach, and it did not last very long. He hoped that this would not be done again. Mayor Cooper said that the original function of the project is for storm damage reduction. It is not to provide a bathing beach. As he views it, a certain amount of sand between the structures and the ocean equates to more protection. Not building the beach further out would reduce the protection and would defeat the purpose of the project. He agreed that at the north end, it is a special case, and at some point, DNREC needs to look at that as a special condition because the dune will get damaged in storms which will not damage dunes elsewhere. Commissioner Sargent agreed that he does not want a reduction in the protection; but he does not want problems on the beach such as rocks and coarse sand. He requested that a representative from DNREC meet with the Commissioners to discuss what is going to be done. Mayor Cooper and Commissioner Sargent will talk to a representative from DNREC to get Commissioner Sargent answer without having the representative come to a meeting.

### **COMMITTEE REPORTS**

There were no reports.

## **CITY SOLICITOR'S REPORT**

There was no report.

## **COMMISSIONER ANNOUNCEMENTS/COMMENTS**

There were no announcements/comments.

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

Items to be included on future agendas are: Confirm the committees, commissions and board at the Regular Meeting on October 21, 2011, discussion in regard to how assessments are done on a future agenda and the Parking Department to report specifically on the meters and technology including the technology that fits what the consumers are looking for.

Commissioner Mills requested an update on the problems with the credit card machines, any information which would help the Commissioners make a decision in future budget discussions whether to resume adding more credit card meters, a review from Mr. Mike Peterman of the Parking Meter Department to see if there are problems, and a report from the Task Force on parking meter heads.

Mr. Ferrese noted that a Task Force meeting will be held on October 20, 2011 at 10:00 a.m. Commissioners Sargent and Coluzzi and Mayor Cooper will be in attendance to discuss the meter technology. A report from the Task Force will be presented at the November 7, 2011 Workshop Meeting.

The Mayor and Commissioners Regular Meeting will be held on Friday, October 21, 2011 at 7:00 p.m.

There being no further business, Mayor Cooper adjourned the meeting at 9:35 a.m.

Respectfully submitted,

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**(Pat Coluzzi, Secretary)**