# MAYOR AND COMMISSIONERS MEETING CITY OF REHOBOTH BEACH

#### **November 5, 2012**

The Workshop Meeting of the Mayor and Commissioners of the City of Rehoboth Beach, was called to order at 10:43 a.m. by Mayor Samuel R. Cooper on Monday, November 5, 2012 in the Commissioners Room in City Hall, 229 Rehoboth Avenue, Rehoboth Beach, DE.

#### ROLL CALL

Present: Commissioner Patrick Gossett

Commissioner Bill Sargent
Commissioner Pat Coluzzi
Mayor Samuel R. Cooper

Commissioner Stan Mills
Commissioner Lorraine Zellers
Commissioner Mark Hunker

Also in attendance were: City Manager Gregory Ferrese

City Solicitor Glenn Mandalas

#### **CORRESPONDENCE**

There was none.

#### **OLD BUSINESS**

There was none.

#### **NEW BUSINESS**

Mayor Cooper called to discuss a proposed rewrite of Chapter 159, titled Flood Hazard Areas of the City which change would bring this chapter into agreement with FEMA's current requirements..

Building Inspector Terri Sullivan noted that in October 2010, DNREC conducted its Community Assistance Visit (CAVV). She and Mr. Greg Williams filled out an ordinance review checklist to determine what was lacking in the current floodplain ordinance. The checklists were compared, and a determination was made that the ordinance was not in compliance with the minimum standards required by the Federal Emergency Management Agency (FEMA). Mayor Cooper and Ms. Sullivan worked on a draft ordinance and sent it to Mr. Williams of DNREC for review in April 2011. During DNREC's review, Governor Markell mandated a Floodplain and Drainage Review Committee be formed to look at the existing standards and practices for building in flood-prone areas in the state. In August 2012, Ms. Sullivan attended a meeting held by DNREC to review the proposed minimum standards that the Committee determined would be put before the municipalities and counties for their input as to the capacity to implement the proposed standards. After the meeting, she met with Mr. Williams to review the City's proposed ordinance. Mr. Williams sent the proposed ordinance to FEMA for its review. The proposed ordinance was accepted by DNREC and FEMA with a few minor changes. Two issues still need to be addressed: 1. Currently the City does not have an AO zone (Areas of shallow flooding with or without a designated average flood depth) but the language is in the ordinance. Commissioners can choose to leave the language in the ordinance or remove it. 2. In the current ordinance, it does not allow manufactured homes or recreational vehicles in the floodplain. The proposed ordinance gives the design criteria for placing these items in the floodplain. The Commissioners can choose to allow manufactured homes and recreational vehicles in the floodplain or add a statement that says "[M]anufactured homes and recreational vehicles are prohibited in these areas". Some of the main items that were changed are: 1. No enforcement section. 2. No violations and penalties section. 3. Lowest floor could be at base flood elevation, but now it has to be one foot above base flood elevation. 4. Definitions have been added. 5. Floodplain Administrators' duties and responsibilities are defined. 6. Application requirements are spelled out. 7. FEMA Elevation Certificate requirement was added. Design criteria for building, fill, historic structures, recreational vehicles, gas and liquid storage tanks and protection of water supply and sewage were added with regard to where the property is located. 8. Floodway provisions were added. 9. Coastal High Hazard design criteria. There may be updates in the future which should provide the City with a new Flood Insurance Rate Map (FIRM). Senate Bill No. 64 - Floodplain and Drainage Standards may require additional standards above FEMA's requirements.

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Mayor Cooper referred to the definitions of pre-firm and post-firm structures on page 6 of the proposed ordinance in that the dates of the initial Flood Insurance Rate Maps would need to be determined and placed in the proposed ordinance. Ms. Sullivan will find the date of the initial map.

Commissioner Mark Hunker thought that most of the updates should be done post-haste.

Commissioner Lorraine Zellers said that the City should be in compliance with FEMA.

Mayor Cooper said that the AO zone is a floodway which is a place where there would be sheet flow from another area. The AO zone is a FIRM map designation, not a Zoning Map designation. Mayor Cooper recommended that recreational vehicles and manufactured homes should remain in the proposed ordinance.

This item will be placed on the agenda for the Regular Meeting on November 16, 2012.

Mayor Cooper called to discuss adoption of the 2012 versions of various codes as written by the International Code Council in lieu of the 2006 versions which are currently contained in the City Code.

Mayor Cooper noted that the City currently uses the 2006 version of ten different codes of the International Code. He has asked that the City Solicitor work with the building official to draft the ordinances necessary to adopt the 2012 versions. In the Building Code, there are substantial changes.

Ms. Sullivan said that in the Residential Code in 2009, it was mandated that residential sprinklers are required in all new homes. The Commissioners will need to make the determination if they want to leave this provision in the code or remove it.

Mayor Cooper suggested that the residential sprinklers be amended out and taken up at a later date if desired by the Commissioners.

Ms. Sullivan said that the 2012 Code changes the map for wind design criteria. It takes the City out of the 110 mph wind zone. In doing that, things like impact resistant glass would no longer be required. Some of the hurricane standards would not be required. The new maps have been based on history.

Commissioner Mills hoped that the Commissioners give thought to whether these changes should be removed.

Commissioner Gossett suggested that Ms. Sullivan provide to the Commissioners an estimate of the cost of construction to meet the higher standard.

Ms. Sullivan said that Governor Markell has mandated that the 2012 International Plumbing Code and the 2009 International Energy Conservation Code be enforced.

#### CITY MANAGER'S REPORT

City Manager Gregory Ferrese reported that the mandatory pre-bid meeting for the re-assessment is scheduled for November 7, 2012 at 10:00 a.m. Six firms that picked up specifications were notified of the change of the date of the meeting because of Hurricane Sandy. The ADA Ramping Project is proceeding on schedule. Mayor Cooper approved the final re-assessment letter that will be mailed to the residents. Mr. Ferrese will have 2,900 copies of the letter mailed and mailed out by next week or sooner. The administrative offices will be closed on November 6 for Election Day, November 8 a half day for Returns Day and November 12, 2012 for Veterans' Day. A memorial will be celebrated on November 11, 2012 at 11:00 a.m. at the Bandstand.

On behalf of Mr. Ferrese and himself, Mayor Cooper thanked all the City employees and Fire Department who had worked during Hurricane Sandy to keep the City safe.

### **COMMITTEE REPORTS**

Commissioner Pat Coluzzi commented that the Streets & Transportation Committee held a meeting on November 2, 2012. There was conversation about stop signs in Country Club Estates at Hickman and Stockley Streets. A petition has been signed by 60 individuals. The Committee conferred with Mr. Tom Zellers, President of Country Club Estates Homeowners' Association and instead of stop signs, the Committee came up with the idea of temporary speed cushions. The Committee made the recommendation to move this idea forward to the Commissioners. An item to be included on the agenda for the December 10, 2012 Workshop Meeting is discussion with George from All Wheels on scooter parking and bicycles in general and a permit process. With regard to scooter and bicycle parking, the Streets & Transportation Committee recommended looking at engaging a consultant to help with making determinations.

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Commissioner Zellers noted that the speed humps are rubberized and highly visible. They can accommodate fire trucks and can be bolted down or removed.

## CITY SOLICITOR'S REPORT

There was nothing to report.

## COMMISSIONER ANNOUNCEMENTS/COMMENTS

There was nothing to report.

## Discuss items for future agendas.

Refer to Committee Reports above.

The next Regular Meeting will be held on November 16, 2012 at 7:00 p.m.

There being no further business, Mayor Cooper adjourned the meeting at 11:23 a.m.

Respectfully submitted,
(Patricia Coluzzi, Secretary)