

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

**December 6, 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, December 6, 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**

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

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

**CORRESPONDENCE**

There was none.

**OLD BUSINESS**

Mayor Cooper called to discuss potential changes to Section 270-19(A) of the City Code, which Section relates to the regulation of patios associated with restaurants and Chapter 189 of the City Code, which Chapter relates to the control of noise.

Commissioner Pat Coluzzi noted that several of the Commissioners, including Mayor Cooper, have met with the restaurant owners to talk about the issues which they are having. At the December 17, 2010 Mayor and Commissioners Regular Meeting, a police officer from Newark, DE will be present to talk about the code that is used to enforce noise violations.

**NEW BUSINESS**

Mayor Cooper called to discuss a proposed revision of Chapter 22 (Emergency Operating Plan) of the City Code and the proposed new City Emergency Operations Plan drafted by Sumter Consulting.

Mayor Cooper noted that in 2008, Mr. Jim Weldon of Sumter Consulting to help draft an Emergency Operations Plan. At that time, there were a number of people, both staff and Commissioners, who were involved in that process. The last step in the process is to adopt an ordinance that would put the Plan into place and modernize the Code. Mayor Cooper has written the proposed ordinance (copy attached) which has been pulled from Mr. Weldon's originally proposed ordinance and other Delaware municipalities' codes. Mayor Cooper proposed to change the title of Chapter 22 in the existing Code from "Emergency Operations Plan" to "Emergency Planning and Operations" because this is more than just a plan; it is how to operate during an emergency, etc. Mayor Cooper reviewed the following sections of the proposed ordinance:

- §22-1. Purpose. The purpose clause was added in the proposed ordinance which identifies three areas which describe the purpose.
- §22-2. Definitions. In regard to the definitions which Mr. Weldon had originally written, Mayor Cooper was not sure that all of them are necessary because they are not necessarily used in the ordinance. In the red-line version, the definition of Civil Emergency was changed to read "[A]ny disaster impacting or likely to impact the City of Rehoboth Beach to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare". Mayor Cooper was not sure that "Qualified Medical Personnel" would need to be defined because it is not found in the ordinance itself.
- §22-3. Proclamation of civil emergency by Mayor. "In exigent circumstances such a proclamation of civil emergency may be issued in writing subsequent to its effect so long as a written log recording the dates and times of such proclamation is maintained and the proclamation is reduced to writing

as soon as practicable” was added. Literally, there could be no state of emergency until the Mayor has written and signed the proclamation, but in very catastrophic events the state of emergency may need to be put into effect and then the proclamation signed soon afterwards.

- §22-4. Imposition of curfew by Mayor. Drafted from what exists in the current Code.
- §22-5. Additional authority of Mayor. Mayor Cooper pulled into the proposed ordinance additional items A through N that are called out in the proposed Plan.
- §22-6. Public notice of proclamation. Drafted from what exists in the current Code.
- §22-7. Mutual aid. Drafted from what exists in the proposed Plan.
- §22-8. Emergency Management Coordinator. “The City” was changed to “The Mayor and Commissioners” shall designate one individual as the Emergency Management Coordinator. Mayor Cooper and the Commissioners will need to discuss in the future who the Coordinator will be.
- §22-9. Emergency Operations Plan. The Commissioners currently have a copy of the draft Emergency Operations Plan. At a future date, this Plan shall be adopted by the Commissioners and be maintained under authority of the Emergency Management Coordinator. Six items describing what should be in the Plan were included in the proposed ordinance.
- §22-10. Violations and penalties. Drafted from the existing Plan.

Mayor Cooper said that he will email the Plan and its appendices to the Commissioners. Before the ordinance is adopted, the Plan will need to be finalized.

Commissioner Coluzzi said that she has action items to be discussed: 1. A line of succession needs to be resolved. 2. Emergency Management Coordinator needs to be appointed. 3. The Commissioners need to develop a “How-to” for implementation. 4. Departments should have a Standard Operating Procedure for emergency situations. 5. Post on the City website a 72-hour self-sufficiency kit for residents that FEMA has suggested. 6. Appointment of Emergency Management Council. 7. Formalize relationship with volunteer groups for Council. 8. City should create drills with results used to approve the Plan. 9. Care of critical staff dependents throughout a disaster. Commissioner Coluzzi will email the action items to the Commissioners.

Commissioner Mills said that those items need to be addressed concurrently with the proposed ordinance. This is a broad Plan and the first step is for the Commissioners to adopt the ordinance. This will then facilitate the Commissioners with moving on to the extra addendums which means at that time, engaging someone to write a specific plan on how to deal with a snow emergency, hurricane, etc. Sometime in the future, the Commissioners need to have a conversation about the policy for publicizing the Plan whether it is on the City website in whole or in part.

This item will be placed on the Agenda for the December 17, 2010 Regular Meeting.

## **CITY MANAGER’S REPORT**

City Manager Gregory Ferrese reported that approval has been received from the State Parks and Recreation Agency to begin incurring costs associated with the upgrade of the Baltimore Avenue restrooms. The City has received a State Grant in the amount of \$62,400.00 for this project. State approval has also been received to purchase another mobi-mat that will be placed on the crosswalk going to the beach at Laurel Street. The City intends to advertise the Stormceptor Project in January 2011. It also intends to advertise for new wood decking around the restroom facility at Delaware Avenue in January 2011. Sealed bids are currently being advertised to install a storm drainage system around the outside of the Rehoboth Beach/Dewey Beach Chamber of Commerce Building. Bids will be opened on January 11, 2011. The storm drainage system will alleviate potential flooding inside the Chamber office.

## **COMMITTEE REPORTS**

There was nothing to report.

## **CITY SOLICITOR’S REPORT**

There was nothing to report.

## **COMMISSIONER ANNOUNCEMENTS/COMMENTS**

Commissioner Mills commented that Apple Electric is installing brackets to the sports lights on the Boardwalk. It is expected that this work will be done by lunchtime today.

Commissioner McGuinness announced that the annual Community Unity dinner was held on December 5, 2010,

and it was the biggest and greatest dinner so far. Mr. Steve Crane was the recipient of the Outstanding Citizen Award. She also thanked all the volunteers and staff.

Commissioner Sargent commented that the gate has been put up at One Virginia Avenue. Commissioner Mills suggested that a sign be posted to note the dates the area will be closed. All of the balconies that face the Boardwalk will need to be removed at One Virginia Avenue. This area needs to be blocked off for safety reasons. Removing the balconies will take approximately seven to ten days; and after that, scaffolding will be installed. The duration of the remainder of the construction will possibly take until Memorial Day 2011.

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

There were no items to be included on future agendas.

There being no further business, Mayor Cooper adjourned the meeting at 9:29 a.m.

Respectfully submitted,

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**(Kathy McGuinness, Secretary)**