

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

**December 10, 2012**

The Workshop Meeting of the Mayor and Commissioners of the City of Rehoboth Beach was called to order at 9:07 a.m. by Mayor Samuel R. Cooper on Monday, December 10, 2012 in the Commissioners Room in City Hall, 229 Rehoboth Avenue, Rehoboth Beach, DE.

Mayor Cooper gave the Invocation followed by the Pledge of Allegiance.

**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 arrived at 9:17 a.m.

**CORRESPONDENCE**

There was none.

**OLD BUSINESS**

Mayor Cooper called to discuss the two proposals in response to the City's Request for Proposals regarding city-wide reassessment and the process for selecting the preferred firm.

Mayor Cooper noted that the City has received two proposals in response to its request for proposals (RFP's) regarding city-wide reassessment. The two proposals are different in their approach and the final cost. He would like a consensus from the Commissioners as to how to approach making the decision for a plan forward in selecting the preferred firm.

Commissioner Stan Mills said that evaluation criteria are indicated in Section 9 of the RFP. The City will evaluate proposals using criteria (1) firm capabilities and reputations, (2) experience in serving municipalities, (3) staff quality hours and mix, (4) service and timelines and (5) costs. Tyler had an approximate total cost in the amount of \$242,000.00, and PTA had an approximate total cost of \$130,000.00. Additional costs varied between Tyler and PTA. Firm capabilities and reputations, experience in serving municipalities, staff quality hours and mix and service and timelines were basically the same. PTA is partially onboard because it has been conducting all the commercial reassessments.

Commissioner Bill Sargent said that nothing struck him differently why the quality of Tyler would be much superior to what PTA can do.

Mayor Cooper said in the proposal, Tyler has a more robust feedback system and benchmarks with quality assurance tests, etc. It seemed that Tyler would hire people locally to do the legwork so there would be a need to check them more. Both are capable firms and both have demonstrated work in Delaware.

Commissioner Lorraine Zellers said that both firms have met the criteria. PTA was lacking in its communications plan. Tyler had a robust plan for notifying the community, media, having a point person, etc. Tyler also explained its training and how its people are qualified. Tyler had very good references.

Commissioner Mark Hunker said that for the difference in price between the two firms, the Commissioners could create their own communications plan. The process is important to him, and an RFP was needed. His thought was to go with PTA.

Commissioner Pat Coluzzi thought that PTA was lacking in the proposals. Her concern was that PTA's work product was not very good. In the path going forward, she would like that the references are checked, and each firm is interviewed.

Commissioner Patrick Gossett said that cost is a consideration. In looking at PTA, there is an annual ongoing cost of approximately \$23,000.00 for maintenance of the records. Over a five year period, Tyler would come out competitive in that regard. The Tyler system is more robust, and it has the opportunity for the Commissioners to look at growth in the future. Tyler offers the opportunity to integrate the City's stand-alone systems in building, utility, permitting, etc. The PTA program is a stand-alone database that would be developed and maintained. A little more investigation into integration of the systems is warranted. The Tyler system would allow the availability of the City to grow and to present its customer base with better interaction, abilities to research information on the web, etc. It offers updates, diagrams and photographs, etc. He would like to know how PTA has grown its product over the last five years and how it has changed and developed vs. Tyler's product. PTA's cost is approximately \$40.00 per parcel, whereas Tyler's cost is approximately \$73.86 per parcel for the initial phase. Commissioner Zellers agreed.

Commissioner Mills said that it may be prudent to do a five year plus cost benefit analysis and look at it over time to see what each firm provides.

Mayor Cooper said that with Tyler, there would be an assessor-in-chief who would make the final call on everything. He did not think that the Commissioners would want someone in the City making the decision on what the assessments are. Tyler proposed that it would first assess the land irrespective of the buildings, and it would require that the Commissioners accept that before the buildings are assessed. Mayor Cooper had a real concern with this approach. At the end, the Commissioners would vote to accept the assessment of PTA as presented after everyone has had a chance to weigh in on it. The methodology is different between Tyler and PTA.

Commissioner Gossett thought that with regard to the assessor-in-chief and PTA, the City would not have a role in it; but with Tyler, the City would have a role in it. The City would be in charge of the program, and the assessor-in-chief for the City would be either City Manager Gregory Ferrese or Ms. Donna Moore who deals with this on a daily basis. Commissioner Gossett will put together a five year analysis on the costs, and he will meet with Mr. Ferrese on other issues to be brought forward. Prior to interviewing both firms, Commissioner Gossett will come up with concerns, questions or issues and forward them to the Commissioners for their review. This would be used for discussion if another interview would be done.

Mayor Cooper did not think that there is enough data to do a cost comparison between the two firms. He envisioned that a third party would have access to changing the data. The integrity of the data would need to be insured. Commissioner Gossett disagreed.

Mayor Cooper called for the presentation by Ray Zebrowski, Landscape Architect, of revised plans for a garden proposed by the Rehoboth Sister Cities Association.

Mr. Ray Zebrowski noted that he had met with the Mayor and Commissioners individually to get some ideas, concerns and comments with regard to the proposed garden at Cranberry Park. In hearing all the concerns, he found a lot of common ground. A lot of the ideas that were proposed dealt with the overall design. He was asked to eliminate the seat walls, reduce the circle radius, narrow the footpaths, preserve the east side of the park in its entirety, use native plants that are reflective of Italy, adopt an informal Tuscan style garden, utilize low maintenance plants, address security issues and lessen the vandalism potential in the park. Mr. Zebrowski took into account all the Commissioners comments and provided a new design which addresses many of the concerns that the Mayor and Commissioners had.

Commissioner Mills was not against the garden, but it is a matter of location and scale. He was not satisfied with the scale of the design because it still consumes a lot of the park. Forty feet of the sidewalk between the pergola and the circle should be taken out, and the garden should be moved and condensed to one-quarter of the park.

Commissioner Sargent wished that there would be a continuous path much like there is in Greve, Italy. He has always been bothered by the huge circle and is still not happy with the design. The theme should be shifted to Sister Cities because in time, other sister cities could enjoin this area, and this garden would not be just for Greve.

Commissioner Coluzzi noted that in the Greve plan, there is a circle with a large monument and plaque. The Garden of the Navigators reflects the maritime idea of a coastal town. The Rehoboth Beach Sister Cities Association is paying for the garden, and it is not looking to accommodate some other sister cities in the future. It may happen, but the design should not be based on that.

Commissioner Hunker said that the circle is significantly smaller and answers everyone's concerns.

Commissioner Zellers had hoped that the garden would be shifted more to the corner so there would be an expanse of grass which would satisfy the openness from Third Street to the lake. Mr. Zebrowski said that there is not a lot of open space because of the existing trees. That is why the compass had been reduced in size but has stayed in the same general area that has been proposed. All the trees along the property line will remain, and no power lines will be moved. Low volume drip irrigation is part of the proposed garden.

Commissioner Mills did not favor the creation of a patio or gathering area due to the concern of nighttime get-togethers or skateboarding, etc.; but an 18 foot patio is being created with communal seating. The seating should be segregated. He requested that a printout of the design should be forwarded to the Commissioners for them to go over to the park to envision the garden.

Commissioner Hunker said that the Commissioners should not be looking to the next meeting for a vote or approval. The Commissioners cannot all get what they want with regard to this garden. Commissioner Sargent disagreed. The Commissioners have to be happy with the design. He voted for accepting the garden because it was the right thing to do. If he is not happy with the design, he does not feel bound by that vote.

Mayor Cooper left the Special Meeting with the understanding that the Commissioners were approving the concept of putting in a garden. Any final design would have to come back and be voted on. Discussion ensued.

Ms. Marcia DeWitt, board member of Sister Cities Association, said that if the consensus is to call it the Sister Cities garden, there would not be a problem with that. It should be the Sister Cities garden in many ways because it is a wonderful outreach to the world. The garden will not impede looking over to the lake or Olive Avenue from Third Street.

Mayor Cooper asked if the circle could be moved 15 feet west to preserve the open space. The rest of the park should be preserved as much as possible while still maintaining the features of the garden without destroying the intent of the design. Mr. Zebrowski said that if the circle would be moved another 15 feet west towards Third Street, it would have an impact on the existing trees. He has been mindful to not impact sight lines and has preserved more than half of the open space. Mr. Zebrowski will delineate the footprint of the hardscape and paths before the next meeting.

Mr. Walter Brittingham, 123 Henlopen Avenue, said that there should be some projected side views from the street elevation. The public has not had an opportunity to provide input, and no correspondence has been read with regard to the garden.

Commissioner Coluzzi suggested that the City Solicitor listen to the tape from the previous meeting to determine what the Commissioners' situation is for the next meeting.

Ms. Ronnie Laird, 72 Oak Avenue, said that this design is a great improvement over the first plan which was not suitable to this area. She was annoyed that a small group could come in to claim a portion of a City park for its own pet project. Ms. Laird hoped that this garden will be the end of any future sister park endeavors.

Mayor Cooper called to discuss draft ordinance(s) that would adopt 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.

City Solicitor Mandalas circulated a draft last evening. What is left to do with the ordinance is to review it by the Building Inspector to see if there is anything that needs to be in it. A better presentation of the draft ordinance will be given at the next meeting, but it may not be ready for a vote at that time.

## **NEW BUSINESS**

Mayor Cooper called to discuss acceptance of the recommendation of the Audit Committee approving the audit as prepared by the auditing firm Barbacane, Thornton Co. for the City's fiscal year end March 31, 2012.

Mayor Cooper said that the Audit Committee met with the auditors and has recommended the audit's approval.

City Manager Gregory Ferrese said that the audit is bid every three years with an option to renew for two years. The Audit Committee has requested that a proposal be obtained. Mr. Burt Dukes is currently working on developing a policy and procedures manual specific to departments.

This item will be placed on the agenda for the next Regular Meeting to accept the recommendation of the Audit Committee.

Mayor Cooper called to discuss the City becoming a municipal member of the American Shore & Beach Preservation Association and sending a representative to one of the annual conferences.

Commissioner Mills noted that he has been an individual member of American Shore & Beach Preservation Association (ASBPA) for four years, and he would like the Commissioners to consider the City joining ASBPA as a municipal member. He would like the Commissioners to consider providing funding to send a representative to the annual conference in Washington, DC. Commissioner Mills has attended the conference for the last four years representing the City as a Commissioner. Supporting materials were forwarded to the Mayor and Commissioners prior to this meeting. The mission of the ASBPA is that it recognizes the value of shore and beaches, specifically to protect recreational opportunities, environmental resources, economic development, aesthetic values and helps protect through mitigation of impacts to the natural processes. This Association is dedicated to preserving, protecting and enhancing the beaches, shores and other coastal resources in the nation. Mr. Tony Pratt of DNREC was one of the first vice presidents and has served with ASBPA for many years. He also serves as the government liaison for the Delaware committee. ASBPA sponsors two annual conferences, one in Washington, DC and the other is held in different locations around the country. Municipal membership is \$500.00. Registration for the 2013 Coastal Summit in February is \$360.00. There would be ancillary costs for hotel, parking and transportation.

Mayor Cooper said that the last time he looked at this association it seemed to be very much tied into a lobbying firm.

Commissioner Coluzzi supported the idea of the City becoming a municipal member of ASBPA, and a representative should be sent to the annual conference. Commissioner Hunker agreed, but the City should be careful as to what its involvement is. The attendance at the conferences should be from the City's perspective.

Commissioner Sargent said that supporting Commissioner Mills' attendance should be handled in the budgeting process.

Commissioner Gossett said that membership allows for information gathering and sharing, and he did not see a down side to the City being a member.

This item will be placed on the agenda for the next Regular Meeting.

## **CITY MANAGER'S REPORT**

City Manager Ferrese reported that the \$22,200.00 grant application submitted to the State's Parks and Recreation Agency pertaining to the State's share toward the Geotechnical Feasibility Study for the Water Taxi Dock will be presented to the Granting Committee in late January 2013. Commissioner Coluzzi and Mr. Ferrese intend to be in attendance at that meeting. In regard to the City's grant request to the State to extend the Lake Avenue Streetscape Project from the intersection of Lake Avenue and Third Street to Second Street, the grant request has been submitted to the Federal Highway Administration for possible funding.

## **COMMITTEE REPORTS**

Commissioner Mills discussed Communications Committee recommendations promoting (1) audio enhancements in the Commissioners Room, (2) the use of a formatting template to better identify and organize documents, (3) better utilization of "Ongoing Business" on the City website and (4) using City E-News. Current members of the Committee are Chair Stan Mills, Ms. Toni Sharp, Mr. Hoyte Decker, Commissioner Lorraine Zellers, and Ms. Janet Anderson. The Committee tries to look at ways to optimize communications between citizenry and government. Item No. 1 was an older recommendation but has yet to be acted on. Item Nos. 2, 3 & 4 appear to be in place, but are underutilized. With regard to Item No. 1, this was originally designed to address listening to the audios and have it clearer. Recommendations were to elevate the microphones or use gooseneck microphones as needed to pick up public dialog better; check the operation of the HVAC system to make it quieter; and analyze the microphone system for the optimum type microphone compared to where it is located in the room. With regard to Item No. 2, a policy was adopted by the Commissioners in July 2009. This policy reads that the Board of Commissioners desires to optimize communications, and that it develops standardized formatting templates and adopts the use of these templates for presentation of documents. These standardized formatting templates, whenever possible, will include specific information such as the date of the document, revision or draft, the author or sponsor, the version, the use of line numbers, a synopsis and a redline when appropriate. Commissioner Mills provided samples of documents. A formatting template will be forwarded to the Commissioners. The Communications Committee is trying to redo the template so it will be a matter of opening and typing into it. With regard to Item No. 3, there are two areas to access Ongoing Business on the homepage of the City website. Commissioner Mills provided a sample webpage of Ongoing Business. The Ongoing Business

webpage makes it easy for the public and Commissioners to see what the history of particular topics is. Commissioner Mills noted that this item is underutilized, and the Committee would like to market it better. The intent of making awareness to the Board of Commissioners is that utilizing the formatting template for documents and presentations to properly label things would facilitate this process much easier for the City Secretary to place them on the City website. Commissioner Mills has alerted Mayor Cooper that he wants to work him on a policy for this. With regard to Item No. 4, the first E-news bulletins were generated in August 2011 with approximately 200 people signed up to receive them. The City Manager and City Secretary manage the E-news bulletins. Messages have been sent out that include agendas, emergency alerts, holiday schedule notices, press releases, etc. Currently, there are approximately 3,500 people signed up to receive E-news bulletins. Currently, there is no way to know how many people are property owners and where the interest lays. Commissioner Mills provided a sample of a E-news bulletin. This is a free service, anyone can sign up to receive it. Commissioner Mills noted that he is working on a draft for an official Commissioners' handbook or manual. This would be a good place to put a list of policies so the new Commissioners coming onboard have a place to go to learn these things. The Communications Committee has also expressed an interest in doing a communications model to augment the handbook.

Commissioner Hunker suggested that it would be helpful to provide text alerts because this type of alert system is immediate. He will put something together for Commissioner Mills with regard to the text alerts. Commissioner Mills said that the Committee could investigate the usage of Twitter and Facebook, and starting with emergency messaging.

Commissioner Coluzzi discussed the Streets & Transportation Committee's recommendation of alternatives for slowing traffic on Hickman Street in Country Club Estates. She sent a report to the Commissioners prior to the meeting. The City received a letter from Mr. Tom Zellers, President of Country Club Estates Homeowners' Association with a petition signed by 60 property owners for a stop sign on Hickman Street at Stockley Streets. A report was provided from Police Chief Keith Banks at a Committee meeting which noted that there is no speeding problem on that street. An idea was presented to use removable speed cushions that allow traffic to drive over them at 20 mph, and they do not impede fire engines. The Committee was in agreement and voted to move forward with recommending that idea to the Board of Commissioners for it to render a decision. Later a letter was received from Mr. Lane Drexel, 300 Hickman Street who is opposed to the idea of the speed bumps on Hickman and Stockley Streets and the proposed stop sign in front of his home. Commissioner Coluzzi read his letter.

Commissioner Zellers said that the speed cushions are rubberized and low profile and are removable. Neighbors on Munson Street have similar complaints about speeding. The speed cushions could be used as a trial in different areas. They are removable and would not impede the snow removal process. The cushions are not as intrusive with regard to noise as are the concrete bumps.

Commissioner Coluzzi said that the Committee recommends that the alternative be investigated to slow traffic on Hickman Street, and the mechanism to do that would be the decision of the City Commissioners, and then the City Manager would be charged with the responsibility.

Mayor Cooper said that speed cushions are a way to control speed, but some people may divert from the area and it will cause a problem wherever they go to. Speed cushions would be placed approximately 300-400 feet to vehicles slowed down. Mesa, Arizona has one of the best policies. In order to qualify there, the 85<sup>th</sup> percentile speed would have to be greater than 8 mph over the posted speed limit which would be 33 mph. Mesa requires that 70% of the people on the affected street sign a petition or the city solicit them to say that they are in favor of this; and anybody who does not respond is assumed to say no. People within 50 feet on either side of where the cushions would be placed and on both sides of the street have to approve it. Speed cushions can cause noise. Mayor Cooper was not sure there is a place for speed cushions in Rehoboth. There must be a policy and it is not random to get signatures on a petition. This would be an annoyance for everyone who does not speed.

Commissioner Coluzzi said that Committee will look at the policy from Mesa, Arizona and see what the position is from the standpoint of the community. The Committee will then come back to the Board of Commissioners to move forward with this position.

Commissioner Coluzzi discussed the Streets & Transportation Committee's recommendation for parking motorized scooters and mopeds including a permit program and the placement of parking areas. Currently, there are four areas within the City that accommodate scooters which are one on Baltimore Avenue, two on Wilmington Avenue and one on Martin's Lawn. These areas have delineated parking spaces for scooters. Two spaces on Baltimore Avenue were converted to accommodate eight scooters. At the Committee's last two meeting, George from All Wheels was present, and he suggested not having delineated parking spaces, but the idea of corral should be used. Spaces too small for cars, could be used for scooters. Mr. Walter Brittingham had attended the meetings

and provided the perspective from the Fire Department as to fire lanes, etc. If the Board of Commissioners would like to pursue this idea, then there would need to be enough spaces to accommodate scooters and placed throughout the City so they are not concentrated in one area. The Committee's recommendation is to have a permit system with full support from George of All Wheels. A sticker placed on the scooter would allow a person to park in any of the designated scooter areas. The suggested price was \$40.00 to \$50.00 per season and \$15.00 to \$20.00 per week. The Committee is looking to work with the City Manager to identify areas in the City for scooter parking.

Commissioner Zellers said that everyone would pay a scooter parking permit fee which would allow them to park in the downtown corral areas as well as in the outlying areas.

Mayor Cooper liked the general outline, but there is a definitional issue for scooters. Scooters would only be allowed to park in a corral in the downtown area so there would have to be a designated area. Scooters could park in a regular metered parking space available for vehicles. Records would need to be kept with regard to the information collected when a scooter parking permit is issued.

Commissioner Coluzzi said that the Committee needs to talk with the fire chief with regard to some areas in the City such as the ends of fire lanes, etc., and look at possibly converting some of those areas for scooter parking.

Commissioner Hunker suggested getting private parking spaces to rent and then charge a permit fee. Additional parking would be created.

Commissioner Coluzzi said that the Committee wanted to get consensus from Board of Commissioners that it is moving in the right direction and to determine where in the City to have scooter parking.

Commissioner Zellers said that a section would be needed in the Code for mopeds and scooters.

Mr. Walter Brittingham said that one of the significant things the Committee came up with was by improving parking at the ends of the streets and getting bicycles and mopeds/scooters off of the Boardwalk, it would open up the Boardwalk.

Mr. Ferrese said that if scooters will not be allowed to park at the bike racks, then parking areas will need to be provided for them. It would be a good idea to have one member of the Committee and Mike Peterman of the Parking Department to locate parking spaces on a map. Meter heads could be taken down and signs could be put on the post where there would be corrals. The timeline for informing people of scooter parking and fees would be late March or early April for inclusion in the City newsletter, courtesy notices, etc.

Mr. Howard Menaker, 16 Dover Street cautioned that the Commissioners should take the same approach for scooter parking as there was for bike parking with a trial period and decide after the season is over whether or not it worked. Data should be collected to see if it will work. Mr. Ferrese noted that this matter needs to be started now.

## **CITY SOLICITOR'S REPORT**

There was nothing to report.

## **COMMISSIONER ANNOUNCEMENTS/COMMENTS**

Mayor Cooper announced that a Special Meeting was held on December 3, 2012 in reference to the outfalls. He had received an email on December 7, 2012 that the Army Corps of Engineers (ACOE) is issuing a contract for the extension of three outfalls. Mayor Cooper will forward the costs to the Commissioners. It is still requested that the City pay \$200,000.00. To date, there is no proposed start date.

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

An item to include on a future agenda is the City website update and discussion/consideration of the Garden of the Navigators in Cranberry Park.

The next Regular Meeting will be held on December 21, 2012 at 7:00 p.m.

There being no further business, Mayor Cooper adjourned the meeting at 12:30 p.m.

**Respectfully submitted,**

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**(Patricia Coluzzi, Secretary)**