

**TOWN OF SOUTH BETHANY
TOWN COUNCIL WORKSHOP MEETING MINUTES
APRIL 26, 2018**

MEETING CALLED TO ORDER

Mayor Voveris called the April 26, 2018, Town Council Workshop Meeting to order at 2:00 p.m.

ATTENDANCE

PRESENT: Councilmembers Don Boteler, Sue Callaway, Tim Shaw, Frank Weisgerber, and Mayor Pat Voveris; Town Manager Maureen Hartman; and Administrative Assistant Pam Smith

EXCUSED ABSENCE: Councilmembers Tim Saxton and Carol Stevenson

ADOPTION OF MINUTES – APRIL 13, 2018, TOWN COUNCIL REGULAR MEETING

Motion: A motion was made by Councilmember Boteler, seconded by Councilmember Weisgerber, to accept the April 13, 2018, Town Council Regular Meeting Minutes.

Discussion: Councilmember Callaway commented that she would like to revisit including dialog in the meeting minutes that is pertinent to the end result of the discussion.

Vote: The motion was unanimously carried.

ORDINANCES

- **Second Reading of Ordinance 191-18, to amend the Code of the Town of South Bethany Chapter 104, Property Maintenance, Article II, Grass and Weeds, § 104-8, Notice; enforcement; appeals; penalties for offenses, to remove the requirement that annual notices sent to property owners are sent only by first class mail. (Sue Callaway)**

Councilmember Callaway reviewed Ordinance 191-18 and asked for questions or discussion. There were no questions or discussion. Mayor Voveris declared this the second reading of Ordinance 191-18.

- **Discussion and possible vote to amend Ordinance 191-18 for the Third Reading**

Council made no changes to Ordinance 191-18 for the Third Reading.

- **Second Reading of Ordinance 192-18, to amend the Code of the Town of South Bethany Chapter 114, Solid Waste, Article III, Solid Waste Management, § 114-7, Annual notification; violation; penalties; notice; enforcement; and appeal, to remove the requirement that annual notices sent to property owners are sent only by first class mail. (Sue Callaway)**

Councilmember Callaway reviewed Ordinance 192-18 and asked for questions or discussion. There were no questions or discussion. Mayor Voveris declared this the second reading of Ordinance 192-18.

- **Discussion and possible vote to amend Ordinance 192-18 for the Third Reading**

Council made no changes to Ordinance 192-18 for the Third Reading.

DISCUSSION AND POSSIBLE VOTE ON PROPOSED CHANGES TO THE ESTABLISHED 2016 COMMITTEE GUIDELINES (TIM SHAW)

During discussion, Council agreed to the following changes (additions are **highlighted** and deletions **marked through**):

South Bethany Committee Guidelines

Purpose:

These Guidelines describe the manner in which Committees shall be formed or dissolved, the manner in which the membership of Committees shall be determined, and the manner in which the business, efforts or work of Committees shall be determined and conducted.

It shall be the duty of the Mayor and Town Council to create and to dissolve Committees. The Mayor and Town Council shall also establish each Committee's role, its specific membership and its leadership. Committees exist for the sole purpose of fulfilling the role and direction authorized by the Mayor and Town Council.

Definitions:

Committee – A Standing Committee or Ad Hoc Committee in the Town of South Bethany is a body of at least three (3) voting members and up to nine (9) members appointed to consider, study, investigate or take action as a group on assigned matters. Committees are established to fulfill a specific purpose or serve in an advisory role to the Town Council as well as promoting greater citizen participation.

Citizen – Any person who owns property in the Town of South Bethany or has been a full-time resident for a minimum of six months. Only citizens may serve as members of any Committee.

Standing Committee – A Committee that carries on continuing Town work expected to be greater than one year. Examples of existing Standing Committees include: Budget and Finance, Community Enhancement, Canal Water Quality, Charter & Code, **and** Communications & Public Relations, ~~and Sea Level Rise and Storm Surge~~. These Committees will either have a Town Council member as the Chairperson or a Town Council member as a member. Ad Hoc Committees, Boards and Commissions are not Standing Committees. Standing Committees report directly to the Town Council.

Ad Hoc Committee – An Ad Hoc Committee is one created by the Mayor and Town Council to address a pressing and separate distinct issue, and will generally have a short term period of performance of less than one year. After a year, if necessary, the Committee can be reappointed. Examples of an Ad Hoc Committee are the Cat Hill Barricade, SB Committee Guidelines, ~~and the Boat Lift~~, **and Traffic**. These Committees may have a Town Council member as the Chairperson or a Town Council member as a member. Town Council representation is not required and participation is up to the discretion of the Mayor and Town Council. However, Ad Hoc Committees report directly to the Town Council.

Committee Formation and Review:

~~Based on sufficient information,~~ **The** Mayor and Town Council may at any Town Council meeting vote to create or disband a Committee or to install or remove a Committee Chairperson. Committee Chairpersons will inform the Town Council of a proposed change in Committee membership.

Committee appointments expire annually. Committee Chairpersons and Committee members shall be appointed or reappointed annually during the Town Council Organizational Meeting held in June. ***Committee members must complete an application for membership annually.***

- A. Standing Committee. At ~~the time of adoption of this Resolution and~~ each annual Organizational Town Meeting ~~thereafter~~, the Mayor and Town Council shall review the operations of every Standing Committee and discuss and approve by majority vote the status of each Standing Committee, including possibilities for the continuation of the Standing Committee, the merging or reconfiguring of one or more Standing Committees and/or Ad Hoc Committees, the disbanding of the Standing Committee, the conversion of an Ad Hoc Committee to the status of a Standing Committee, or the creation of a new Standing Committee.
1. As a part of the annual review of each Standing Committee, the Mayor and Town Council may review, discuss and approve the Standing Committee's goals and objectives.
 2. As a part of the annual review of each Standing Committee, the Mayor and Town Council may review, discuss and approve the membership of the Standing Committee.
 3. The Mayor and any other Town Council member may propose and the Town Council may vote to approve the creation of a new Standing Committee at any Town Council Meeting.
 4. The Chairperson of the Standing Committee is generally a Town Council member unless a citizen is nominated for Chairperson per the South Bethany Charter. If a non-Council member is appointed as Chairperson to a Standing Committee, a Town Council member shall be appointed as a Committee member to that Standing Committee.
- B. Ad Hoc Committee. Ad Hoc Committees shall be formed as needed, following discussion and approval by majority vote of the Mayor and Town Council at a Town Meeting.
1. At ~~the time of adoption of this Resolution and at~~ each annual Organizational Town Meeting ~~thereafter~~, or at any other time deemed appropriate, the Mayor and Town Council shall review the operations of every Ad Hoc Committee and discuss and approve by majority vote the status of each Ad Hoc Committee, including possibilities for the continuation of the Ad Hoc Committee, the merging or reconfiguring of one or more Ad Hoc Committees and/or Standing Committees, the disbanding of the Ad Hoc Committee, and the conversion of an Ad Hoc Committee to the status of a Standing Committee.
 - a. As a part of this review, the Mayor and Town Council shall review, discuss and approve the Ad Hoc Committee's goals and objectives.
 - b. As a part of this review, the Mayor and Town Council shall review, discuss and approve the Chairperson and membership of the Ad Hoc Committee.
 2. The Mayor or any Town Council member may propose the formation of an Ad Hoc Committee at any Town Council Meeting. If the Mayor and Town Council vote in the affirmative to form an Ad Hoc Committee, they shall then also, at the same Town Meeting as part of the Ad Hoc Committee formation process:
 - a. Discuss and approve by majority vote the goals and objectives of this Ad Hoc Committee.
 - b. Discuss and approve by majority vote a Chairperson for this Ad Hoc Committee. A non-Council member may be appointed as Chairperson to an Ad Hoc Committee.

- c. Discuss and approve by majority vote the period of performance for this Ad Hoc Committee. Any such period of performance shall not exceed twelve months.
3. An Ad Hoc Committee shall disband when it has achieved its goals and objectives and its final report to the Town Council has been presented to and **approved** **accepted** by the Mayor and Town Council at a Town Meeting.

Responsibilities of the Chairperson:

- A. Standing Committee Chairperson. The responsibilities of any Standing Committee Chairperson shall include, but are not limited to:
 1. Nomination of a slate of Committee Members to be presented to the Mayor and Town Council.
 - a. For **ongoing** Standing Committees, the Chairperson may recommend the appointment of new Committee members to fill vacant membership positions to the Mayor and Town Council, for discussion and possible approval by the Mayor and Town Council at any Town Meeting.
 - b. For **ongoing** Standing Committees, the Chairperson may recommend the removal of a sitting Committee member to the Mayor and Town Council, for discussion and possible approval by the Mayor and Town Council at a Town Meeting.
- B. Ad Hoc Committee Chairperson. The responsibilities of any Ad Hoc Committee Chairperson shall include, but are not limited to:
 1. Nomination of a slate of Committee Members to be presented to the Mayor and Town Council.
 - a. The Mayor recommends the appointment of new Committee members to fill vacant membership positions to the Town Council, for discussion and possible approval by the Town Council at any Town Meeting. However, the Chairperson of the Ad Hoc Committee may make recommendations for Committee membership.
 - b. The Chairperson may recommend the removal of a sitting Committee member to the Mayor and Town Council, for discussion and possible approval by the Mayor and Town Council at a Town Meeting.
- C. Tracking of progress toward the Committee's goals and objectives.
 1. While initial goals and objectives are set by the Standing Committee and Chairperson, the Chairperson shall work with the Mayor and Town Council Members to refine and update the objectives. All Committee goals and objectives should appropriately consider input from the Mayor, Town Council, Town Manager and employees, Town citizens and the public.
 2. The Town Council shall establish the following for each Ad Hoc Committee: the goals and objectives; the reporting guidelines; and when updates shall be provided to the Mayor and Town Council.
 3. **~~Oral and written reports on Standing Committee progress and pending issues shall be reported to the Mayor and Town Council at regularly scheduled Town Meetings. Written monthly reports of Committee activities shall be provided to the Mayor, Town Council and Town Manager at least two (2) calendar days prior to each~~**

~~monthly Town Council Meeting. Exception to this will be considered when the Committee does not meet at least two (2) calendar days prior to the monthly Town Council meeting.~~

Written Reports on Standing Committee Progress shall be reported to the Mayor and Town Council for regularly scheduled Town Council Meetings. The reports will be posted to the Town website 3 business days in advance of the Monthly Town Council Meeting. Reports may also be given orally at the meeting by the Committee Chair if desired. If the Committee has not met at least 7 days in advance of the Town Council Meeting the Chair may submit a report when available but every opportunity should be made to have Reports posted to the Town website prior to Town Council meetings so that Owners may be informed and ready with questions at the time of the meeting.

4. The Standing Committee Chairperson **shall may** prepare written communication that conveys information about the achievements of the Committee via the Town website, the *Zephyr* Newsletter and Email News Updates. The Committee Chairperson is responsible for oversight of the Committee's website location and making certain that the information is current and up-to-date.

Membership:

- A. The Mayor with Town Council vote and approval shall appoint the Committee Chairperson.
- B. The Committee Chairpersons may recommend potential Committee members and present their nominations to the Mayor.
- C. The Mayor with Town Council vote and approval shall appoint the Committee members.
- D. If a new Committee member is needed during the term, the Chairperson shall notify the Mayor and Town Council of the membership change at a Town Council Meeting.
- E. There shall be at least three (3) voting members but not more than nine (9) members on the Ad Hoc and Standing Committees unless requested, in writing, by a Committee Chairperson and approved by the Town Council.
- F. No more than two members of the Town Council shall be on any Standing Committee.
- G. Committee members must be citizens of South Bethany in order to be a full voting member of any committee. Staff members may serve on Committees as non-voting members.
- H. A citizen shall not serve on more than two Standing Committees unless a waiver is granted by a majority vote of the Town Council.
- I. Budget and Finance Committee members shall not serve on other Standing Committees or Ad Hoc Committees.
- J. All South Bethany citizens (as defined on page 1) who are eligible to vote in Town elections are encouraged to participate on Town Committees.
- K. Citizens interested in serving on Committees should express their interest to the Town Clerk's Office. Citizens are asked to complete the *Committee Participation Request Form* explaining their interest. A list of interested citizens will be provided to the Mayor, Town Council and Committee Chairperson for consideration. Interested citizens should be made aware that on some occasions there are not enough vacancies to accommodate all who are interested in particular Committee assignments.

- L. Continued non-attendance at scheduled meetings will serve as cause for a member to not be reappointed. Unexcused absences at scheduled meetings will serve as a cause for being removed from the Committee and not reappointed.

Agenda

In order to observe the *Delaware Freedom of Information Act* (FOIA) requirements, an agenda must be established for each Standing Committee and Ad Hoc Committee meeting after which it shall be published and posted in a timely manner by the Town Administrative Assistant. Agendas shall be posted seven days in advance of a meeting.

Meetings

- A. At a minimum, Standing Committees must meet at least **four times a year. quarterly or it may be suggested that the purpose of the Committee has expired.**
- B. A record of all Committee meetings shall be made in the form of minutes taken by the Chairperson or assigned Committee member and posted online at southbethany.org by the Town Administrative Assistant. Minutes are a factual record of the actions of a committee. *Per the Delaware Freedom of Information Act Section 10004* (Open meetings), the following are the steps to be followed by the Committee Chairperson and Committee:
 1. The Committee Chairperson shall announce at the beginning of each Committee meeting that DRAFT meeting minutes shall be posted no later than three weeks after the meeting.
 2. Any comments or suggested changes from Committee members or the attending public to the DRAFT meeting minutes shall be made known to the Committee Chairperson prior to the next scheduled committee meeting.
 3. The DRAFT minutes may continue to be revised and corrected up until FINAL minutes are approved at the next scheduled Committee meeting.

Decorum

- A. Respect and adhere to the ideals of government, rules of law, principles of public administration and high ethical conduct is expected in the performance of public duties.
- B. Provide fair and equal treatment for all persons and matters coming before the public body.
- C. Learn and study background and purpose of items of business before voting.
- D. Faithfully perform all duties of office and attend all scheduled sessions/meetings.
- E. Refrain from abusive conduct, personal charges, or verbal attacks upon character, motives, ethics or morals of other elected or appointed town officials.
- F. Listen courteously, attentively and tolerantly to all views expressed at public meetings and avoid interrupting other speakers.
- G. Committee Chairpersons are responsible for giving reports at the monthly Town Council meetings. In the event that the Chairperson is not available, he or she will assign someone from the Town Council or the Committee to give the report.
- H. The Chairperson of the Committee is responsible for the orderly conduct of business at meetings. Members as well as attendees shall be recognized by the Chairperson before speaking.

Ethics

Each member of South Bethany Committees has the following ethical obligations:

- A. Represent and work for the common good of the Town and not for any private interest.
- B. Refuse to accept gifts or favors or promises of future benefits which might compromise or tend to impair independent judgment or action.
- C. Decline any employment incompatible with public duty, disclose or recuse from matters involving conflict of interest.
- D. Maintain the highest standards of public conduct to maintain the public trust.

These guidelines shall be reconfirmed annually at the Organizational Meeting of the Town Council. Upon approval, they will be distributed to all Town Council members and Committees.

Committee Title: Budget and Finance Committee**Mission/Purpose:**

The purpose of the Budget and Finance Committee is to provide assistance and guidance to the Town Manager and staff leading to the development, drafting and review of the Town's annual budget and the overall financial management processes. In addition, the Budget and Finance Committee provides the Town Council assistance, guidance and recommendations on financial issues and policies.

Scope of Work: The Committee shall:

- Provide assistance and guidance to the Town Manager and staff leading to the review of the Town's annual budget and the overall financial management processes.
- Provide assistance, review, guidance, and recommendation to the Council on the proposed Annual Budget
- Review monthly and quarterly, year-to-date financial performance. Results will be presented monthly to the Town Council.
- Work with the Town Manager and Finance Director to identify known and anticipated expenditures and revenues for inclusion in the budget, both short-term and long-term. This will include both the Police Department and Town Hall Departments.
- Annually review the Schedule of Fees and Fines.
- Review proposals as they may affect the Town's budget and finances
- In consultation with the Town Manager or Finance Director make recommendations regarding any necessary budget adjustments.
- Oversee and recommend fund reserve policies and levels relative to the Town's needs.
- Conduct additional budget reviews, if needed.
- Investigate financial alternatives that could affect the town's financial well-being

- Make recommendations to Council relative to long-term financial goals through the budget process.
- Recommend to the Town Council the selection of external auditors and the annual fees to be paid for their services and to recommend to the Town Council any proposed retention or discharge of external auditors.
- Review the ~~external auditors'~~ **Town's** annual financial statements and **the external auditors'** reports **thereon, including compliance of the Town's accounting and financial management systems and reports with generally accepted principles for municipal governments**
- Review the annual financial management letter of the external auditors.

Committee Title: South Bethany Charter and Code Committee (SBCCC)

Mission/Purpose:

The purpose of the Charter and Code Committee (SBCCC) is to provide assistance to the Town Council with the development and changes to the Town Charter and Code and perform an ongoing review and revision of both in order to ensure that language and references are consistent and up to date. Further, the SBCCC may provide assistance to the Town Council by reviewing drafts of proposed ordinances or amendments to the Charter and Code at the request of the Town Council member sponsoring the proposed action.

Scope of Work:

- Establish annual priorities for sections of the Charter or Code to be reviewed with input from the Town Council.
- Submit recommended changes of the Charter and Code to the Town Council for their review and action as appropriate.
- Work with any Council member sponsoring a Charter or Code change.

Process: The following process shall be used:

- The SBCCC shall, with input from the Council, establish annual priorities for sections of the Charter and Code to be reviewed. These priorities may be revised as necessary by the work load of the SBCCC.
- The SBCCC shall establish meeting dates as frequently as needed to accomplish the work of the committee. Meetings shall be announced in advance and open to the public. Summary notes shall be maintained and reported to the Town Council at the monthly Town Council Meetings by the SBCCC chair or the Town Council Committee member.
- The SBCCC shall submit recommended changes of the Charter and Code to the Council for their review and action as appropriate.
- At the request of a Council member who is sponsoring Charter or Code changes, the SBCCC shall review the drafts and make recommendations to the Council member who made the request. This Council member shall have the responsibility to take the recommendations to the full Council.
- Request for assistance from the Town's attorney should be approved by the Mayor.
- SBCCC members may be asked by the Mayor or Town Manager to work with Town staff to assist in getting changes processed according to standard procedure.

- Residence and property owners may provide input and recommendations for Charter and Code changes directly to the Council through existing channels. The SBCCC shall only respond to requests from the Council.

Committee Title: South Bethany Communications and Public Relations Committee (SBC&PRC)

Mission/Purpose:

To strengthen South Bethany's communication and community involvement with outreach to residents, visitors, and prospective property owners and renters.

Scope of Work:

- Provide support to Town Council initiatives.
- Identify events for community involvement.
- Produce graphic design and communication materials for optimal community messaging.
- Improve public relations outreach.

Committee Title: South Bethany Canal Water Quality Committee (SBCWQC)

Mission/Purpose:

To improve water quality within the South Bethany canal network with the goal of making the South Bethany Canals "fishable and swimmable."

Scope of Work:

- Educate the community on canal water quality issues and provide them with strategies that can be used to help clean up the canals.
- Work with the Town, State, and Federal Government to eliminate pollutants entering our canals.
- Review current Town Ordinances and, if necessary, create new ones that would eliminate pollutants entering our canals.
- Partner with other organizations working on clean water initiatives.

Committee Title: ~~South Bethany Sea Level Rise & Storm Surge Committee (SBSLR&SSC)~~

Mission/Purpose:

~~Given increasing information about future concerns that coastal communities may face as demonstrated by Hurricane Sandy in October, 2012 the Committee looks to means of future protection of property owners' and Town assets.~~

Scope of Work:

- ~~• Conduct a SLR & SS Vulnerability Assessment that will identify property elevations, infrastructure and public spaces that may be at risk for SLR & SS.~~
- ~~• Gather relevant data and expertise to understand the possible hazards and costs associated with SLR & SS.~~
- ~~• Identify potential options, evaluate and recommend adaptation options.~~
- ~~• Develop a response based on information and research.~~

Committee Title: South Bethany Community Enhancement Committee (SBCEC)**Mission/Purpose:**

To focus on initiatives that will improve the Town's appearance and enhance our community; promote community pride and volunteerism; and increase individual property and community value.

Scope of Work:

- Lead the effort on Town beautification.
- Oversee community maintenance and landscaping.
- Engage in environmental improvement efforts.
- Create ideas, tasks and initiatives to enhance the community as a whole and individual properties.
- Develop community education information to engage owners in improving their property and surroundings.

Motion and Vote: A motion was made by Councilmember Boteler, seconded by Councilmember Callaway, to accept the guidelines with the changes Council agreed to above. The motion was unanimously carried.

PUBLIC COMMENT PERIOD

There were no comments from the public.

ADJOURNMENT

A motion was made by Councilmember Shaw, seconded by Councilmember Weisgerber, to adjourn the April 26, 2018, Town Council Workshop Meeting at 2:35 p.m. The motion was unanimously carried.