

TOWN OF SOUTH BETHANY TOWN COUNCIL WORKSHOP MEETING MINUTES AUGUST 24, 2017

MEETING CALLED TO ORDER

Mayor Voveris called the August 24, 2017, Town Council Workshop Meeting to order at 2:00 p.m.

ATTENDANCE

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

ADOPTION OF MINUTES – AUGUST 11, 2017, TOWN COUNCIL REGULAR MEETING

A motion was made by Councilmember Shaw, seconded by Councilmember Saxton, to accept the August 11, 2017, Town Council Regular Meeting Minutes. The motion was unanimously carried.

DISCUSSION AND POSSIBLE VOTE ON THE CANAL WATER QUALITY COMMITTEE SUBMITTING A PROJECT PROPOSAL TO DNREC’S DIVISION OF WATERSHED STEWARDSHIP FOR A COMMUNITY WATER QUALITY IMPROVEMENT GRANT WHICH REQUIRES A 25% TOWN MATCH. THE PROJECT PROPOSAL IS TITLED “TURNING DEAD END CANALS INTO STORMWATER BMPS BY USING FLOATING WETLANDS”. THERE IS ALSO A POSSIBILITY OF EXPANDING THE GRANT TO COVER THE SEDIMENT CORE SAMPLING NEEDED FOR CANAL CLEAN UP. (FRANK WEISGERBER)

Councilmember Weisgerber stated that the possibility of expanding the grant to cover the sediment core sampling needed for canal cleanup is not a match for this grant and is off the table.

Councilmember Weisgerber reviewed the Proposal Opportunity – “Turning Dead End Canals Into Stormwater BMPs By Using Floating Wetlands” (attached). The following is the financial information presented in the proposal:

Minimum Grant Award is	\$25,000
Match required is 25%	<u>\$6,250</u>
Total Cash for project	\$31,250

Councilmember Weisgerber proposed redirecting the \$5,000 in the Canal Water Quality Committee’s (CWQC) Rain Garden Grants account plus the \$1,000 in the CWQC Community Education account to be used for the required match of \$6,250. Councilmember Weisgerber noted that the required match would not be needed until April 2018, but the proposals for the grant are due to DNREC on September 20, 2017.

Motion: A motion was made by Councilmember Weisgerber, seconded by Councilmember Boteler, to allow the Canal Water Quality Committee to redirect \$6,000 from the FY18 CWQC Rain Garden Grants account and the CWQC Community Education account for the use of the grant. After discussion, the motion was amended by changing \$6,000 to \$6,250. Councilmember Weisgerber said the CWQC budget has money in other accounts to pull the \$250 from.

Discussion: Councilmember Callaway asked what the maintenance plan was. Councilmember Callaway stated that she believes maintenance must be addressed. Councilmember Weisgerber stated that Public Works will not handle the maintenance. Councilmember Weisgerber said the Town is in partnership with the Center for the Inland Bays and he expects (but no guarantee) CIB interns will be available in June to work on the floating wetlands and the CWQC hopes to get

volunteers as well. Councilmember Weisgerber said other than replacing plants that die in the winter, the maintenance is almost nothing. George Junkin said the plant the committee has chosen is a grass, and he believes the maintenance will be almost zero. The intent is not to manage it like a garden – it is wild grass. The committee has picked a plant that survives well in salt water. Councilmember Saxton stated that he does not believe long-term this project is totally maintenance free, and he asked what is the long-term maintenance cost of this project. After more discussion, Mayor Voveris called for a vote.

Vote: The motion was unanimously carried.

CHARTER AND CODE COMMITTEE PRESENTATION OF A DRAFT ORDINANCE TO AMEND TOWN CODE CHAPTER 145, ZONING, § 145-3, DEFINITIONS AND WORD USE, FLOOR-TO-AREA RATIO(FAR) AND LIVABLE AREA, REGARDING ENCLOSED GROUND LEVEL SPACE USED SOLELY FOR STORAGE AND PARKING. (JOHN FIELDS)

Charter and Code Committee Chair John Fields gave background information on the FAR and the LAR and he reviewed the draft ordinance.

The Code Enforcement Constable explained that the code change to the FAR definition targets enclosed ground level storage and parking only. It does not exempt the building entry area on the ground floor. The Code Enforcement Constable added that the property owner will be required to sign a nonconversion agreement which must be notarized when the property owner files for the permit to enclose this space.

DISCUSSION AND POSSIBLE VOTE ON SCHEDULING THE FIRST READING OF AN ORDINANCE TO AMEND TOWN CODE CHAPTER 145, ZONING, § 145-3, DEFINITIONS AND WORD USE, FLOOR-TO-AREA RATIO(FAR) AND LIVABLE AREA, REGARDING ENCLOSED GROUND LEVEL SPACE USED SOLELY FOR STORAGE AND PARKING.

A motion was made by Councilmember Saxton, seconded by Councilmember Boteler, to schedule the first reading of this ordinance at the September Town Council Regular Meeting. The motion was unanimously carried.

Mr. Fields noted that he will also have an ordinance ready for a first reading regarding Town Code, Chapter 20, Planning Commission, to change the due date of the Comprehensive Plan annual report to coincide with the State of Delaware's due date.

Administrative Assistant's Note: Later in the meeting Council agreed to have the first readings of these ordinances at the September 28, 2017, Town Council Workshop Meeting.

PRESENTATION OF A DRAFT ORDINANCE TO AMEND TOWN CODE CHAPTER 17, PARTICIPATION IN MEETINGS BY REMOTE ELECTRONIC ACCESS. (TIM SAXTON)

Councilmember Saxton reviewed the draft ordinance.

Council discussed the following proposed amendment in §17-4D:

A member of the Town Council cannot exercise the option under this chapter for more than two consecutive Town Council meetings and/or Town Council workshops, and not more than **four** ~~three~~ times annually.

Councilmember Saxton said his objective in changing three to four was to encourage less non-participation and absences and encourage more participation by remote electronic access versus taking an absence. Councilmember Saxton added that it may also encourage people to run for Town Council. It will provide more flexibility.

Mayor Voveris noted that by increasing participation by remote electronic access to four times annually, it is possible for councilmembers to not make a physical presence at meetings for up to 35% of the scheduled meetings between excused absences (3) and participation by remote access (4).

Per Council discussion, Councilmember Saxton will reword the above paragraph using 20%. He will also include committees and the Planning Commission in the above paragraph. Also, "Town Council meetings and/or Town Council workshops" in the above paragraph may need to be reworded. After rewording the draft ordinance, Councilmember Saxton will send the draft ordinance to Charter and Code Committee Chair John Fields for his review.

Mayor Voveris noted that the Town Council Rules of Procedure will also need to be amended.

Councilmember Callaway stated that when she participated by remote access at the last meeting she noticed an improvement in the public comment portion of the meeting where the public had to speak at the podium and microphone at the front of the room. Councilmember Callaway added that this also helped to eliminate side conversations. She said she still had problems hearing Council comments and Town Staff comments. Council discussed investing in microphones for each Councilmember and Town Staff. It was also suggested to use Skype, WebEx, etc. Councilmember Shaw suggested considering forming a committee to look for technological solutions to improve the remote electronic access. Councilmember Callaway suggested not jumping ahead and just purchase microphones to improve the remote electronic access.

Mayor Voveris brought up the expense of participation by remote electronic access when a councilmember is outside of the United States. Mayor Voveris stated that the Town's land line rate for out of country calls is expensive. Councilmember Stevenson noted that if she were to call the Town to participate remotely, the fee from her cell phone provider would be 20 cents per minute. Councilmember Saxton noted that when he is outside the United States, his cell phone plan allows him to pay a fee of \$10 a day and then his phone acts like he is in the United States. Regarding the Town reimbursing a councilmember to participate by remote electronic access, Councilmember Saxton said councilmembers volunteer an enormous amount of time and use their own personal supplies (such as printer toner), and he does not have a problem with councilmembers being reimbursed for the cost to participate remotely when out of the country.

DISCUSSION AND POSSIBLE VOTE ON SCHEDULING THE FIRST READING OF AN ORDINANCE TO AMEND TOWN CODE CHAPTER 17, PARTICIPATION IN MEETINGS BY REMOTE ELECTRONIC ACCESS.

A motion was made by Councilmember Saxton, seconded by Councilmember Stevenson, to schedule the first reading of this ordinance at the September 28, 2017, Town Council Workshop Meeting. The motion was unanimously carried.

PUBLIC COMMENT PERIOD

Mike Matera (303 W. 9th St.) – Stated that he would give the Police Department the same raise that retired people on Social Security get. Mr. Matera also volunteered to help with the floating wetlands at the canal end at W. 9th St. Mr. Matera also reported that recently renters next to his house were yelling and screaming late at night and woke him and his wife up. When he asked them to stop they threatened to beat him up. Mr. Matera called the owner and left a message on their answering machine. He also contacted ResortQuest and they said they would look into it. Mr. Matera said the next time he will call the Police Department. Mayor Voveris encouraged Mr. Matera to call the Police Department in the future. Regarding Police Department raises, Mayor Voveris said in the last 15 months our Police Department has had three raises and our Town Hall Staff has had two raises. In May of 2016 and May 2017 all Town employees (full-time) received a 2.5 percent step increase. In September 2016 Council changed the Police Department step chart because the Chief of Police came in and said our wages were not competitive enough. At that

time Council increased the lowest rank on the Police Department step chart by 14 percent. This meant that everybody on the Police Department step chart got some increase. In that 15-month period, the lowest rank on the Police Department step chart received a 19 percent increase.

Pat Van Cleve (152 Anchorage Dr.) – Stated that two signs regarding outsourcing were put on her sister's property on Sea Side Drive without permission. Ms. Van Cleve said the signs are stirring up anger, discontent, and misunderstanding. Ms. Van Cleve said people should only be allowed to place signs on properties where they have permission from the property owner.

Mayor Voveris stated that outsourcing was not in the Police Department demand letter and it was not part of the Town's response to the demand letter. Outsourcing has never been an agenda item or discussion item for Council. Mayor Voveris said it is unfortunate that this has been generated and it is causing angst within the community. Mayor Voveris said it is misinformation. Mayor Voveris noted that she did send out a News Update on the subject.

ADJOURNMENT

A motion was made by Councilmember Weisgerber, seconded by Councilmember Shaw, to adjourn the August 24, 2017, Town Council Workshop Meeting at 3:20 p.m. The motion was unanimously carried.

phs:2017 08 24 Workshop Minutes Approved 9 8 17

Attachment: Proposal Opportunity – "Turning Dead End Canals Into Stormwater BMPs By Using Floating Wetlands"