

<b>TOWN OF SOUTH BETHANY TOWN COUNCIL REGULAR MEETING MINUTES FEBRUARY 10, 2017</b>
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**MEETING CALLED TO ORDER**

Mayor Voveris called the February 10, 2017, Town Council Regular Meeting to order at 7:00 p.m., followed by the Pledge of Allegiance to the Flag.

**ATTENDANCE**

PRESENT: Councilmembers Don Boteler, Sue Callaway, Wayne Schrader, Tim Shaw, Carol Stevenson, Frank Weisgerber, and Mayor Pat Voveris; Chief Troy Crowson; and Administrative Assistant Pam Smith

**ADOPTION OF MINUTES**

- **Town Council Workshop Meeting Minutes, January 6, 2017** – A motion was made by Councilmember Boteler, seconded by Councilmember Weisgerber, to accept the January 6, 2017, Town Council Workshop Meeting Minutes. The motion was unanimously carried.
- **Town Council Special Meeting Minutes, January 9, 2017** – A motion was made by Councilmember Shaw, seconded by Councilmember Callaway, to accept the January 9, 2017, Town Council Special Meeting Minutes. The motion was unanimously carried.
- **Town Council Executive Session Minutes, January 9, 2017** – A motion was made by Councilmember Boteler, seconded by Councilmember Callaway, to accept the January 9, 2017, Town Council Executive Session Minutes. The motion was unanimously carried.

**FERAL CATS REPORT (WAYNE SCHRADER)**

WHY ARE WE HERE DISCUSSING FERAL CATS: CITIZEN COMPLAINTS AND CONCERNS

1. Cat food is being left in the driveways of homes that are largely not occupied during the off season. This is done largely without the consent or active knowledge of the owners of those homes. The food is unsightly and draws rodents as well as feral cats. Given that the homes are not occupied it is also an invitation for the cats to invade these homes. About 40 people have filed a petition complaining about the placing of the cat food on driveways without permission.
2. Several instances of substantial property damage caused by feral cats have been reported by homeowners in SB. In one case, the cats essentially destroyed the house. SB is particularly at risk for feral cat invasions of homes because many homes are not occupied for months at a time.
3. Other citizens have complained of cats fouling their yards and flowerbeds and creating an offensive odor.
4. Still other citizens have complained that free roaming cats have resulted in persons with cat allergies being exposed against their will and efforts to avoid. This problem is largely eliminated if cats are required to stay in their yard and are required to be on leash if they go outside their yard and home.

There are other issues with the feral cats that might not work their way into affirmative complaints but there are things that have been noted to me by members of the community and they have to do with the fact that the feral cats may pose a greater risk of spreading disease exposing citizens to disease. Feral cats also kill birds and there is a potential for the eco system in some fashion

being upset by species of birds being not just from South Bethany obviously but part of a greater situation and there is a real serious issue there too, if we are supporting animals that are engaged in that kind of activity and it is inconsistent with the good of all.

#### WHAT POWER AND AUTHORITY DOES THE TOWN COUNCIL HAVE TO ADDRESS THESE PROBLEMS

Town Charter at Section C-4 (22), (25), and (27) appears to authorize the types of ordinances discussed below.

Existing Ordinances or Code provisions at Section 104-16 [Infestation], 100-2 [Peace and Good Order], 30-2 [Licensing of any pet over which person has control]

State laws reference litter and reference nuisance and trespass.

#### POSSIBLE NEW ORDINANCES

1. A prohibition against importing feral cats into SB  
[There is reason to believe that some feral cats in SB may have been transported into SB from locations outside of town. That is, the cats did not simply show up on their own because there was food offered.]
2. A prohibition against placing food for [feral] cats [any animal] in any outdoor location that is not owned by the person who is placing the food.  
[or]
3. A prohibition against placing food for [feral] cats [any animal] in any outdoor location where vermin or pests or other animals may gain access to such food.
4. A specific authorization to the Town Manager that permits the Town Manager to order the trapping of feral cats and the transportation of those cats to some location outside of SB. This aspect of any ordinance would read very much like the ordinance which Lewes enacted in 2016. Trapping would take place after notice is provided and every effort made to place the trapped cats in a location outside of town. Only if that effort to place the cats fails will the cats be euthanized.

Other possibilities: A leash and license law extending to all cats including feral; classifying feral cats as pests; limit number of cats that any household may feed

Councilmember Schrader suggested that the Charter and Code Committee be tasked with attempting to come up with some draft ordinances that cover these topics and report back to the Town Council to discuss and debate.

Mayor Voveris requested that the Charter and Code Committee meet and come back to Council at the February 23, 2017, Town Council Workshop Meeting with language for proposed ordinances. Mayor Voveris stated that Council would have the ability to task the first readings of proposed ordinances at the March 10, 2017, Town Council Regular Meeting, the second readings at the March 23, 2017, Town Council Budget Workshop Meeting, and the third readings and possible vote to adopt proposed ordinances at the April 7, 2017, Town Council Regular Meeting.

#### **PROPERTY OWNERS' PARTICIPATION**

- Sandi Roberts (107 Canal Dr.) – Stated that she is appalled that Council is discussing passing ordinances that would involve possibly euthanizing an animal. Mayor Voveris stated that she has been looking into things and she did find a sanctuary where feral cats can be placed. Mayor Voveris said no one should rush to judgement. Council is in a talking mode trying to

find a remedy. She added that no one is against animals. There has to be a balance between the animals and the people. Mayor Voveris asked the public to be patient. Council is not looking for a quick remedy. Council has to give the issue thoughtful consideration and consider all options. She asked the public to not rush to judgment.

- Clare Mace (President of Cats Around Town Society C.A.T.S.) – Stated the following:
  - C.A.T.S. has been working in South Bethany for many years.
  - C.A.T.S. works closely with the Office of Animal Welfare and the Department of Health and Social Services on these problems.
  - C.A.T.S. takes kittens away and abandoned animals if they are able to get them before they become afraid of people.
  - A lot of these cats are not feral cats. A feral cat won't go near a human being.
  - These cats are strays that have been abandoned by human beings.
  - If there are colonies, C.A.T.S. tells the people not to feed at nighttime, feed at a certain time, give them a half hour or 45 minutes to eat, and take the food in so that you don't draw other creatures.
  - The cats are not a big risk for rabies. With TNR (Trap-Neuter-Return) the cats are vaccinated so they are at very little risk and they carry very few diseases that are transmittable to human beings.

Ms. Mace stated that she hoped the Town would work with the Office of Animal Welfare and with the Department of Health and Social Services in drafting laws and ordinances so that these animals are not unjustly punished for the situations that exist in these resort areas.

Ms. Mace stated that C.A.T.S. will help all they can in speaking to people about keeping the cats from being a nuisance.

- Bill Murphy (204 Anchorage Dr.) – Shared the impact feral cats had on his family. Mr. Murphy stated that in the winter of 2013-2014 feral cats got into his house which was winterized, and when he returned in the spring the feral cats had lived through the whole house. Mr. Murphy said the feral cats had defecated, urinated, and vomited. Mr. Murphy said he had to throw out all bedding, carpets, sofas, changing tables, cribs – everything that was not wooden. He also had to have the walls sprayed due to the urine smell. Mr. Murphy stated that the cost was over \$25,000. Mr. Murphy said what really impacted his family is that they never felt the same in that house again. Mr. Murphy said they tore the house down and built another one. Mr. Murphy said they still have feral cats in their yard, in their mulch, and he sees them at night run across his deck. Mr. Murphy expressed concern for his grandchildren who range from 3 months old to 10 years old. Do you want to choose cats over the health of the residents in South Bethany? Mr. Murphy said it is a health risk – things can be replaced but our children are at risk.
- Nancy McCarthy (143 Henlopen Dr.) – Stated that the Town might want some cats around because of nature balance – the cats do take care of mice and rats especially since the Town is in a rural farm area. Ms. McCarthy said that except for the high rises and the beach houses we are on farm land. She said the Town is always going to have cats and foxes. Ms. McCarthy spoke in support of TNR. She said if cats are removed, the Town will get a new batch of cats that will not be fixed and will not have rabies shots. Ms. McCarthy said when you TNR you will keep away the wanderers because cats are territorial.

- Bonnie Rae (131 Anchorage Dr.) – Read the following petition (attached) which was signed by almost 40 people:

*To the South Bethany Town Council, Mayor, and Police Department:*

*We ask the Town to please pass and enforce rules that prevent food (including cat food, litter, paper plates, aluminum foil, etc.) and other pet supplies from being left or dumped on our property, including the right of way as litter or otherwise (“Litter”).*

*We ask the Police to please enforce our right to prevent our neighbor(s) from continuing to litter on our property, including littering and dumping in the right of way which is attracting rodents, bugs and other vermin, by issuing tickets to those who litter or dump.*

- Beth and Rick Rosso (106 Elizabeth Way) – Unable to attend this meeting in person, submitted via email the following letter with a request to include it in the meeting minutes:

February 7, 2017

To The Town Council, South Bethany:

The issue of feral cats in the town, especially along Anchorage Dr. and in the Sandpiper Pines area, is a continuing and growing problem. This problem is exacerbated by a neighbor who leaves out food for the cats. This practice encourages the loitering of cats in the area and enables them to breed with an assured food source for the multiplying population. At first the neighbor left the food on other neighbors’ properties, and now she is trying to circumvent being denied access to private property by placing the food on rights of way.

We have found one of the cats lying on a pile of towels in our outdoor shower. We have multiple relatives who have severe cat allergies (affecting their ability to breathe comfortably when exposed to cat fur). We also have found a cat digging in a newly planted and mulched flower/plant bed, and subsequently noticed animal feces in the same area. (We ourselves have no pets.) These are only examples of the problematic issues with the cats themselves. The food being left in the open for cats also encourages the proliferation of other pest animals such as raccoons, foxes, and rodents, which are only too happy to consume cat food.

Living and vacationing at the beach, we are discouraged from feeding the seagulls and any geese, ducks or other water fowl due to the way they contaminate beaches and canals, especially when we provide sustenance for them past the point of nature’s ability to provide sufficient food for the increase in population. There is a normal, natural cycle of population growth and reduction that occurs in the wild without the intervention of human beings. This also holds true for mammal species such as feral cats. Besides annoying the neighbors in our wonderful town by her practice of feeding the cats in areas other than her own property, the woman involved is disrupting the natural cycle of population sustainability.

We appreciate all that the Town Council members and public safety officers do to ensure that South Bethany remains “the Best Little Beach in Delaware,” and are hopeful that the feral cat issue, which has become a real public nuisance in our part of town, can be resolved before it becomes even more out of control.

Thank you.

Warm regards,

Beth and Rick Rosso

## **ADMINISTRATIVE MATTERS**

- **Discussion and possible vote on the approval of the 2017 Board of Election – Reappointment of Carolyn Marcello, Bonnie Rae, and Sally Baker**

A motion was made by Councilmember Callaway, seconded by Councilmember Boteler, that Council approve the reappointment of Carolyn Marcello, Bonnie Rae, and Sally Baker to the 2017 Board of Election. The motion was unanimously carried.

- **Discussion and possible vote on the approval of the 2017 Election Workers**

- Reappointment of Lora Caputo
- Appointment of Lisa Saxton and Diana Cowell
- Appointment of Pat Spangler as an alternate

A motion was made by Councilmember Shaw, seconded by Councilmember Weisgerber, that Council approve the reappointment of Lora Caputo and the appointment of Lisa Saxton and Diana Cowell as the 2017 Election Workers and the appointment of Pat Spangler as an alternate. The motion was unanimously carried.

## **ORDINANCES**

- **First Reading of Ordinance 185-17, to amend the Code of the Town of South Bethany Chapter 134, Vehicles, Operation of, to regulate the time and months that vehicles cannot enter Black Gum Dr. in South Bethany from Kent Ave. (Pat Voveris)**

Mayor Voveris reviewed Ordinance 185-17. Councilmember Callaway suggested that the Town send out several email News Updates prior to May 15. Mayor Voveris agreed and also suggested including a News Update with the tax bill.

Mayor Voveris declared this the first reading of Ordinance 185-17.

- **Discussion and possible vote to amend Ordinance 185-17 for the Second Reading. (Pat Voveris)**

There were no changes to Ordinance 185-17.

- **First Reading of Ordinance 186-17, to amend the Code of the Town of South Bethany Chapter 34, Beaches, to prohibit smoking on the beach and in other areas within the Town of South Bethany. (Frank Weisgerber)**

Councilmember Weisgerber reviewed Ordinance 186-17.

Councilmember Callaway asked what the penalty for offenses would be. Charter and Code Committee Member George Junkin noted that the penalty is stated in § 34-10 Penalties for offenses: Any person violating the provisions of this chapter shall be subject to a penalty of not less than \$25, nor more than \$100, plus court costs. Each day of continued violation shall be considered as a separate offense.

South Bethany property owner Dennis Roberts asked about enforcing the ordinance in Sandpiper Village where the dune and part of the beach is on private property. A discussion ensued regarding changing the words in the definition of Beach to take care of this concern.

Mayor Voveris declared this the first reading of Ordinance 186-17.

- **Discussion and possible vote to amend Ordinance 186-17 for the Second Reading.**

A motion was made by Councilmember Shaw, seconded by Councilmember Schrader, that George Junkin and Councilmember Weisgerber change the language to remove the references to the dune in the definition of the beach for the second reading. The motion was unanimously carried.

**DISCUSSION AND POSSIBLE VOTE TO ADOPT A PROPOSED TRAVEL POLICY FOR SOUTH BETHANY EMPLOYEES AND TOWN COUNCIL (CAROL STEVENSON)**

Councilmember Stevenson read the proposed travel policy.

A motion was made by Councilmember Weisgerber, seconded by Councilmember Shaw, to approve the proposed Town of South Bethany Travel Policy. The motion was unanimously carried.

**DISCUSSION AND POSSIBLE VOTE TO ADOPT A PROPOSED DONATION POLICY FOR THE TOWN OF SOUTH BETHANY (DON BOTELER)**

Councilmember Boteler tabled this agenda item until the March meeting.

Councilmember Callaway expressed concerns that there is nothing in the language that allows a Town Councilmember or a Town Committee to accept a donation on behalf of the Committee or the Town. Councilmember Callaway said the language refers to the Town Manager or a department head. Councilmember Boteler said he believes that is covered within the language in the policy.

**DISCUSSION AND POSSIBLE VOTE ON A PROPERTY OWNER'S REQUEST TO USE THE COUNCIL MEETING ROOM ON MAY 4 FOR THE NATIONAL DAY OF PRAYER (PAT VOVERIS)**

A motion was made by Councilmember Schrader, seconded by Councilmember Stevenson, to approve a property owner's request to use the Council meeting room on May 4 for the National Day of Prayer. The motion was unanimously carried.

## **LEADERSHIP REPORTS**

- **Mayor's Report**—Mayor Voveris reported:

Since my last report there has been much activity in Town Hall.

On December 14 I attended a meeting with our Traffic Committee Chair John Janowski to speak with Middlesex and Tennis Club representatives about our findings on Pine Road to see if we could have agreement to survey the area and learn what each of us owns.

On January 4 I attended the SCAT (Sussex County Association of Towns) evening meeting with Councilwomen Callaway and Stevenson to hear speaker Governor Elect John Carney.

On January 5 I attended a meeting in Bethany Beach that included Mayors Gordon from Bethany Beach and Langan from Fenwick Island to strategize the re-establishment of ACT (Association of Coastal Towns).

On January 6 I called a meeting of Town Council to discuss and vote on moving forward with Kercher Engineering detailed analysis on the pavement management project we will begin this year.

On January 13 I attended the Planning Commission meeting and consensus on not moving forward with a SLR Phase 2 study took place. The Commission appreciates the work that ACT will collaboratively undertake to pursue initiatives such as SLR.

On January 18 I attended the Traffic Committee meeting that included Mike Somers from DeIDOT.

On January 20 I attended the Charter and Code Committee Meeting with Councilman Weisgerber. Discussion included the two ordinances that were presented for first readings today.

On January 21 Finance Director Renee McDorman and I had a lengthy meeting on line by line projections for the FY 2018 Draft Budget.

On February 2 I attended the first meeting of ACT to include Mayors from Bethany Beach, Fenwick Island, Dewey Beach, Henlopen Acres, Lewes, Rehoboth and Town Managers from Bethany Beach and Henlopen Acres. The group discussed at length the best approach for action and interaction and agreed to compile priorities important to coastal towns to bring forward to both surrounding agencies and then legislators. A second meeting has been scheduled for February 24.

On February 3 I attended a meeting with Kercher Engineering that included Councilman Frank Weisgerber, owner George Junkin, and Maintenance Supervisor Don Chrobot. We spoke at length about nuisance flooding in South Bethany and possible remedies for consideration. John Moody from Kercher estimated raising a road in part, perhaps 700 feet, could run \$250,000. He also said raising roads should be done in life threatening situations and not in response to nuisance flooding. Sometimes fixing one problem creates others. I asked John to create a proposal for review of our Town flooding with the idea of putting a plan in place for future remedy.

On February 7 I attended an evening meeting of the Fire Commission Committee that has been created to address the lack of volunteerism in our coastal towns and the possible consideration for paid firefighters. There was a productive exchange of ideas and Representative Ron Gray will be an active member of this group.

Today I attended a luncheon sponsored by the Freeman Group and felt privileged to have our very own Officer Megan Loulou acknowledged for her dedication and excellence in her professional policing efforts. Thank you, Officer Loulou, you make South Bethany PROUD.

Thank you.

**Report to the South Bethany Town Council  
S.C.A.T Steering Committee Meeting  
February 3, 2017  
Georgetown Airport ARENA**

The members of the SCAT Steering Committee met at 9 AM. I attended for Mayor Pat Voveris. In attendance were various town officials from the local area, mayors, town managers, town planners, SCAT officers, and lobbyists.

Dates of note are:

February 25	New Castle County special election for the seat vacated by Bethany Hall-Long.
March 1	Next SCAT dinner meeting
March 3	Next SCAT steering committee meeting
April 7	Legislative Breakfast

Lobbyists discussed some of the pending legislation including bills affecting private water wells, dogs, ADA guidelines concerning parking lots, striping and handicap access. There was a discussion about the difficulties small towns encounter due to the very small footprints available for parking. HB13 concerning dangerous dogs led to a discussion of feral cats and the challenges in managing the situation humanely. Local funding of a catch/spay/neuter/release program was discussed however all agreed the situation is difficult.

The budget shortfall for the state was discussed in length. The state estimates a \$200 million dollar deficit for the next year. The governor and legislature are working hard to come up with an acceptable solution to this shortfall. The rainy day fund reserve will probably be tapped and a number of other resources such as budget cuts and revenue increases are being examined. Elimination of or means testing for the Senior Citizen Property Tax Exemption is currently on the table. The state government is looking to obtain about \$100 million by an increase in corporate taxes. A decrease in the percentage of Realty Transfer Tax that local governments retain is another possible major revenue source for state government. This would have a very direct impact on town government. The Delaware League has asked all local towns to provide what the impact of a transfer tax income reduction of 0.25% would be for their community. Our Treasurer and Finance Director are working on an impact statement for South Bethany that will accompany a letter from our Mayor.

On a personal note, having attended both the SCAT dinners and now a SCAT steering committee meeting, I found this meeting very informative. There was lively discussion and I learned about other towns and their challenges. This smaller group allowed all attendees to speak to lobbyists and ask questions. I would urge the Mayor to invite other council members to attend.

Respectfully submitted,

Carol Stevenson



- **Treasurer's Report**—Councilmember Boteler reported:

2/9/2017

**Town of South Bethany**  
**Monthly Treasurer's Report - As of January 31, 2017**  
 by Don Boteler, Treasurer



**Fiscal 2017 Year-to-Date (1/1/17 – 1/31/17) Revenues and Expenditures**

	<u>Adopted Budget</u>	<u>Amended</u>	<u>Total Budget</u>	<u>Actual</u>	<u>%</u>
Total Operating Revenue	\$2,184,475	\$0	\$2,184,475	\$2,134,203	98%
Total Operating Expenditures	\$2,184,475	\$0	\$2,184,475	\$1,708,982	78%
Revenue less Expenditures	\$0	\$0	\$0	\$428,676	
Revenue from Grants/Donations	\$123,163	\$16,631	\$139,794	\$206,872	148%
Expenditures from Grants/Donations	\$123,163	\$16,631	\$139,794	\$201,041	144%
Revenue less Expenditures	\$0	\$0	\$0	\$5,831	
Capital/Reserve Revenue (from Fund Balance)	\$114,396	\$20,265	\$134,661	\$34,537	26%
Capital/Reserve Expenditures	\$114,396	\$20,265	\$134,661	\$34,537	26%
Revenue less Expenditures	\$0	\$0	\$0	\$0	
Total Revenue - All Funds	\$2,422,034	\$36,896	\$2,458,930	\$2,375,612	97%
Total Expenditures - All Funds	\$2,422,034	\$36,896	\$2,458,930	\$1,944,560	79%
Revenue less Expenditures	\$ -	\$0	\$0	\$431,052	

**Fiscal 2017 (1/1/1 – 1/31/1) Summary of Year-to-Date Departmental Budget to Actual**

<u>Revenues:</u>	<u>Budget</u>	<u>Amended</u>	<u>Total Budget</u>	<u>Actual</u>	<u>%</u>
Property Taxes	\$509,774		\$509,774	\$501,597	98%
Realty Transfer Taxes	\$355,000		\$355,000	\$305,840	86%
Gross Rental Taxes	\$510,000		\$510,000	\$540,188	106%
Grants	\$123,163	\$16,631	\$139,794	\$206,872	148%
All other revenue	\$809,701		\$809,701	\$804,558	99%
Appropriated Fund Balance	\$114,396	\$20,265	\$134,661	\$16,557	12%
<b>Total Revenue</b>	<b>\$2,422,034</b>	<b>\$36,896</b>	<b>\$2,458,930</b>	<b>\$2,375,612</b>	<b>97%</b>
	\$0				
<u>Expenditures:</u>					
General & Administrative Department	\$652,816		\$652,816	\$511,574	78%
Edward Jones Deferred Comp	\$500		\$500	\$268	54%
Public Works Department	\$251,530		\$251,530	\$160,985	64%
Trash	\$308,606		\$308,606	\$235,860	76%
Public Safety Department	\$662,898		\$662,898	\$484,639	73%
Ambulance	\$74,147		\$74,147	\$55,610	75%
Beach Patrol Department	\$237,983		\$237,983	\$234,193	98%
Town Committee	\$57,275		\$57,275	\$25,853	45%
Grants	\$55,683	\$16,631	\$72,314	\$201,041	278%
All Others (e.g. – Capital, etc.)	\$120,596	\$20,265	\$140,861	\$34,537	25%
<b>Total All Expenses</b>	<b>\$2,422,034</b>	<b>\$36,896</b>	<b>\$2,458,930</b>	<b>\$1,944,560</b>	<b>79%</b>

**Highlights on Revenue**

Property Taxes are 98% collected. There are 8 properties with delinquent property taxes.  
 Realty Transfer Tax is 86% collected.

**Highlights on Expenditures**

All Operating expenditures are tracking to budget.  
 Grant expenditures are tracking higher due to certain grant expenditures being allocated in a prior fiscal year but expended in the current fiscal year.

- **Police Department Report/Questions**—Chief Troy Crowson reported:

### **Departmental Training**

#### **ALERRT**

The Advanced Law Enforcement Rapid Response Training (ALERRT) was created in 2002 to address the need for active shooter response training for first responders. The course includes the complete delivery of the Active Shooter Level 1 course of study as well as instructional techniques and methodology for delivering the course, force-on-force scenario development, safety protocols and procedures, graded participant teach-backs, video debrief, course critiques, and evaluations.

- The Delaware Council on Police Training has mandated ALERRT Level 1 training for all state and local officers in the state. Cpl. Wiley attended the “train the trainer” level 1 course from December 5th – 9th. Cpl. Burton attended a two day ALERRT course on December 12th and 13th. As a certified instructor Cpl. Wiley, with the help of Cpl. Burton will be able to provide ALERRT level 1 training to the remainder of the department who have not yet received the training.

#### **Simunition**

Pfc. Hudson attended the Simunition Scenario Instructor and Safety Course from January 10th-12th. This class provides training to certified instructors who will run training in their department. It covers all aspects of reality-based training and provides product information, program development, scenario design and implementation, instructor development and procedures to run training safely. Because of recent court cases, agencies are required to train their personnel as close to reality as possible. Nothing comes as close as training against a real person that has the ability to replicate an actual lethal force encounter, just like we may encounter any day on the street.

#### **Crime Stoppers Award**

Ptln. Megan Loulou received the 2016 Delaware Crime Stoppers, Robert J. Seinsoth Memorial Law Enforcement Officer of the Year Award for solving a burglary that occurred on Black Gum Drive last May. Ptln. Loulou was able to identify to defendant through latent prints recovered at the scene. A search warrant of the defendant’s vehicle and home recovered numerous stolen property linking back to several burglaries in Delaware and Maryland.

### **COMMITTEE & COMMISSION REPORTS**

- **Community Enhancement Committee** – Councilmember Callaway reported:

**CEC Meeting** – The CEC met on Wednesday, December 7, 2016 where the primary focus of the meeting was the preparation of a DRAFT FY 18 CEC Budget. A Holiday party for CEC members and Town staff was held following the meeting.

**Update on Historic Sign Project** – The CEC and the Historical Society Committee both approved the FINAL drafts of all signs. Printed copies of the FINAL signs in the proposed 24” x 36” size were prepared to determine if any size adjustments were needed before sending to Insta-Signs for the outdoor display preparation. This task was completed in January and the signs are now ready for final preparation. The group also agreed that the project would be referred to as the “Trail of South Bethany History.” Public Works has completed building the sign frames.

**Update on Street Lighting along Canal Drive** – In follow-up to the Canal Drive Survey and the TC vote on 12/9/16 to move forward with street lighting along Canal Drive, Public Works has met with Delmarva Power to review the plan and order the 10 foot lights. Delmarva Power will meet again with Public Works next week to mark the specific locations. Installation should occur within the next month.

**2017 Photography Exhibit** – The Photography Exhibit Flyer was approved by CEC and several Email News Updates announcing the Exhibit have been sent out and will continue to be sent until March 8. Property owners have been responding to participate in the Exhibit. Responses will be assessed at the March CEC meeting.

**Landscaping** – Public Works has ordered mulch and plants for the spring season. Activity will begin in March.

**FY 18 CEC Budget** – At the December meeting the CEC reviewed the FY17 Budget in preparation of the FY 18 budget. A final DRAFT FY 18 was sent to the town in January. The DRAFT budget includes previously funded items and proposals for two new items including: 1) a proposal to replace the cobra lighting found at the 10 intersections on the west side of Route 1 – Evergreen, Anchorage, Petherton, Brandywine, Henlopen, New Castle, Layton, Godwin Place, Sussex Place, and Kent Place, with free-standing light poles. The proposed style is the same style used in the Cat Hill area, along Canal Drive and at the intersections of Route 1 and Bayshore and Tern Drives. This plan will add lighting consistency to our town as well as more of a streetscape enhancement along Route 1. Public Works has met with Delmarva Power and is awaiting a final estimate; and 2) The CEC is proposing the creation of “Evergreen Respite” – Connect with Neighbors and Online – a place in the small wooded area adjacent to the Town Hall parking lot that will offer South Bethany residents and guests an opportunity to connect with neighbors and online Wi-Fi service. The proposed area will feature two commercial grade recycled maintenance-free octagon picnic tables with attached benches (one with ADA compliant seating), a trash receptacle, and access to Wi-Fi service that is limited to the Town Hall area. The Town’s computer service, Solutions Plus has advised Renee McDorman how to best create a secure, password-friendly, with blocking capability Wi-Fi environment for the area. The Wi-Fi set-up and equipment will be completed when the Town makes some other digital improvements to the Town’s computer system (cost: \$585). Public Works will make safe walkways to the tables with a “crush and run” compactable material that can be easily blown to keep clear. The CEC envisions this designated non-smoking area to become a place where people can gather and share conversation, a cup of coffee, read, play cards or catch up with emails while on vacation.

**Next CEC Meeting** – The CEC will meet in March. A specific date will be confirmed next week.

- **Budget and Finance Committee** – Councilmember Boteler reported:

The Budget and Finance Committee met on Friday, January 27, 2017. All property owner members of the committee – Steve Farrow, Chris Keefe and Don Boteler – were in attendance along with Finance Director Renee McDorman. Also in attendance for a portion of the meeting was Chief Troy Crowson.

The committee meeting began with a review of the December Treasurer’s Report and the town’s financial results versus budget for the first eight months of fiscal year 2017 (May 1, 2016 through December 31, 2017). Committee members asked questions and sought clarifications and were satisfied with responses and explanations provided by Ms. McDorman.

The committee then conducted its first round review of the draft FY 2018 which had been compiled by Ms. McDorman from budget requests submitted by the town’s departments and relevant committees. As the draft budget contained an operating deficit of approximately \$90,000, the committee identified various potential revenue and expense adjustments to reduce (but not eliminate) the deficit. The committee will meet again on February 13, 2017 to conduct a second review of the draft budget prior to submitting its recommendations to the Town Council in advance of its scheduled February 23, 2017 budget workshop.

- **Charter and Code Committee** – Submitted by John Fields:

A draft ordinance to ban smoking on the beach in South Bethany and a draft ordinance to regulate traffic entering Black Gum Drive from Kent Avenue in South Bethany were submitted to the Town's attorney for his review. The C&C Committee along with Mayor Voveris and Councilman Weisgerber met on January 20, 2017 to consider the attorney's recommendations. After considering the attorney's suggestions, this group drafted Ordinance 185-17 and Ordinance 186-17. These two ordinances will be presented to the Council at their regular meeting on February 10, 2017 for a first reading.

The Committee is currently considering the issue of feral cats in South Bethany.

- **Canal Water Quality Committee (CWQC)** – Councilmember Weisgerber reported:

Due to the weather at the end of January, the movement of the oyster cages and floating wetlands has been delayed. The Center for the Inland Bays expects it to be done sometime in February.

- **Planning Commission** – Councilmember Shaw reported:

The Planning Commission met on January 13 and recognized that the efforts towards Sea Level Rise need to be placed into the Association of Coastal Towns (ACT) category rather than the Town working on this within the Town itself.

- **Assawoman Canal Trail** – Councilmember Stevenson reported:

Councilmember Stevenson read the following information from Bob Ehemann, DNREC, Division of Parks and Recreation:

1. The trail is getting steady use and I have received only positive feedback. I was looking forward to reporting summer trail user estimates but the trail counter did not record users this summer (spider web).
2. Dredging between Town Road and Marina will begin next week (staging now) and will be completed in 4 to 6 weeks. Portions of the trail south of the Town Road parking access will be closed during this time. The dredging operation will be limited to the area at Town Road and any trail impacts will be restored to our satisfaction.
3. Location of the kayak launch at Town Road is still undecided. On the canal side of the trail bridge is a steep bank with erosion, access and engineering concerns while on the lagoon side of the trail bridge is the probability of launching into mud at low tide.
4. The Route 26 underpass Feasibility Study is complete and DelDOT has reviewed and given their concurrence that an underpass is possible. The next step is to design the underpass this year.

- **Communications and Public Relations Committee** – Councilmember Stevenson reported:

Councilmember Stevenson announced the "It's Your Lucky Day" Potluck Dinner on Saturday, March 11, 2017, at 6 p.m. at Town Hall. Please RSVP to Lisa Saxton at [saxtonin1@yahoo.com](mailto:saxtonin1@yahoo.com). The informational flyer was available on the sign-in table.

## **ADJOURNMENT**

A motion was made by Councilmember Boteler, seconded by Councilmember Shaw, to adjourn the February 10, 2017, Town Council Regular Meeting at 8:40 p.m. The motion was unanimously carried.

## Attachment - Petition

To the South Bethany Town Council, Mayor and Police Department:

We ask that the Town please pass and enforce rules that prevent food (including cat food, litter, paper plates, aluminum foil, etc.) and other pet supplies from being left or dumped on our property, including the right of way as litter or otherwise ("Litter").

We ask the Police to please enforce our right to prevent our neighbor(s) from continuing to Litter on our property, including Littering and dumping in the right of way which is attracting rodents, bugs and other vermin, by issuing tickets to those who litter or dump.

Best.

1. Nancy Loube and Jelle Breunis, 117 Elizabeth Way
2. Mary and John Reeves, 135 Anchorage
3. Michael and Kathleen Evans, 130 Anchorage Drive
4. Nina Link and Matthew Falls, 114 Elizabeth Way
5. Joe and Sarah Blackford, 121 Anchorage Drive
6. Joe and Jennifer Riggione, 114 Anchorage Drive
7. Winnie and Bill Brill, 123 Anchorage Drive
8. Jennifer and Robert Shields, 117 Anchorage Drive
9. Pat and John Stnons, 101 Anchorage Drive
10. Bonnie and Al Rae, 131 Anchorage Drive
11. Elaine Davey, 110 Anchorage Dr.
12. Bob and Jenny Shields, 42 Sea Side Drive
13. Jerry and Jacque Kappes, 120 Elizabeth Way
14. Bob and Marilyn Benson, 115 Elizabeth Way