

<b>TOWN OF SOUTH BETHANY TOWN COUNCIL REGULAR MEETING MINUTES NOVEMBER 9, 2018</b>
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**MEETING CALLED TO ORDER**

Mayor Saxton called the November 9, 2018, Town Council Regular Meeting to order at 6:10 p.m., followed by the Pledge of Allegiance to the Flag.

**ATTENDANCE**

PRESENT: Councilmembers Don Boteler, Sue Callaway, Jerry Masiello, Jimmy Oliver, Carol Stevenson, Frank Weisgerber, and Mayor Tim Saxton; Town Manager Maureen Hartman; Chief Troy Crowson; and Administrative Assistant Pam Smith

**LEADERSHIP REPORTS (See Attachment for the reports)****COMMITTEE REPORTS (See Attachment for the reports)****AD HOC COMMITTEE REPORT – BEACH ACCESS IMPROVEMENT AD HOC COMMITTEE PRESENTATION**

Councilmember Oliver gave a PowerPoint Presentation prepared by the Beach Access Improvement Ad Hoc Committee.

Sandpiper A is the access point the ad hoc committee would like to use as a model for the rest of the beach access points. Councilmembers discussed various aspects of the project, including discussions about boardwalks and DNREC input.

**PROPERTY OWNERS' PARTICIPATION**

- Dan Cowell (110 Henlopen Dr.) – Dr. Cowell provided a brief commentary on the police department. He stated that he is trying to make sense of what he has heard among rumors and newspaper articles regarding the Police Department. Dr. Cowell said he does not think the Town can easily replace the Police Department but recognizes that it has been trying to get the Police Department up to speed. He questioned what the Town's plans are moving forward. Mayor Saxton thanked Dr. Cowell for his comments.
- Joan Marini (300 W. 8<sup>th</sup> St.) – Provided comment about the police department's 24-hour coverage and a lime green post card that she received from "concerned citizens". Dr. Marini stated that people should sign their complaints.
- Linda Lewis (105 Tern Dr.) – Stated that as a full-time resident she agrees with previous comments and that it would be good to know what is going on with the Police Department. Ms. Lewis added that she also trusts the Town Council to be doing the right thing for the people.
- Kent Stephan (46 S. Anchorage Dr.) – Commented that the Town has a long running police management problem. Mr. Stephen thinks molehills have turned into mountains and it shouldn't have been done.

Mayor Saxton briefly addressed the public stating that he has been working with the Town Manager to find resolution regarding issues with the police department. He stated that the Chief has been aware of this initiative. He is trying to address the misinformation that has been presented in the newspaper and that Council is very focused on the safety of the Town and its residents. Mayor Saxton stated that there is no initiative in this Town to remove the police department, and there is no initiative by the Town Council to even consider removing the police department from this town.

### **ADOPTION OF MINUTES**

- **Town Council Regular Meeting Minutes, October 12, 2018** – A motion was made by Councilmember Boteler, seconded by Councilmember Oliver, to accept the October 12, 2018, Town Council Regular Meeting Minutes. The motion was unanimously carried.
- **Town Council Workshop Meeting Minutes, October 25, 2018** – A motion was made by Councilmember Boteler, seconded by Councilmember Oliver, to accept the October 25, 2018, Town Council Workshop Meeting Minutes. The motion was unanimously carried.
- **Town Council Executive Session Minutes, October 25, 2018** – A motion was made by Councilmember Oliver, seconded by Councilmember Masiello, to accept the October 25, 2018, Town Council Executive Session Minutes. The motion was unanimously carried.

### **UPDATE ON PARKING PERMIT SYSTEM**

As a follow-up from questions received at the October 25, 2018, Town Council Workshop, the Finance Director provided the following responses: 1) There is an off-season reduced rate, 2) The meter will send alerts by text or email if the kiosk is offline or not working, 3) The kiosk uses thermal paper and the permit is somewhat customizable, and 4) It will take approximately 10 weeks to get the kiosk up and running.

### **DISCUSSION AND POSSIBLE VOTE TO REQUIRE PERMIT PARKING TOWN-WIDE**

Council discussed pros and cons of requiring permit parking town-wide in the summer of either 2019 or 2020. The Chief commented that implementing a parking permit requirement on the west side in the summer of 2020 would give staff time to educate people with the change. Town Manager Hartman added that the Town will also have to install additional signage on the entire west side of the town.

Mayor Saxton commented that all the towns from Fenwick Island up to Rehoboth Beach require parking permits town-wide. He said that South Bethany is the last town where people can park on the west side for free and by requiring permit parking on the west side, he thinks that South Bethany will be getting in step with the rest of the beach communities. Parking permits would be required between the hours of 10:00 a.m. and 5:00 p.m. and 12:00 midnight to 6:00 a.m., from May 15 through September 15, which is the same as the current requirement on the east side of Route 1.

**Motion and Vote:** A motion was made by Councilmember Boteler, seconded by Councilmember Masiello, to purchase the parking permit kiosk for the 2019 season and adopt the necessary changes to the Town Code to make that happen and at the same time ask the Charter and Code Committee to draft a Code change that would allow the Town in 2020 to require parking permits town-wide. The motion was unanimously carried.

### **DISCUSSION AND POSSIBLE VOTE TO HAVE THE CHARTER AND CODE COMMITTEE REVIEW THE TOWN CODE REGARDING ELECTRONIC/ILLUMINATED SIGNS (SUCH AS THE SIGN ON THE CORNER OF EVERGREEN ROAD AND ROUTE 1) TO EITHER CONFIRM THAT THE CURRENT CODE WOULD PREVENT SUCH ELECTRONIC/ILLUMINATED SIGNS IN SOUTH BETHANY OR PREPARE AN ORDINANCE PROHIBITING SUCH ELECTRONIC/ILLUMINATED SIGNS IN SOUTH BETHANY**

Council discussed this issue at the October 25, 2018, Town Council Workshop Meeting.

**Motion and Vote:** A motion was made by Councilmember Callaway, seconded by Councilmember Stevenson, that the Charter and Code Committee review the Town Code § 145-33, Commercial Signs, to either confirm that the current code would prevent such electronic/illuminated signs in

South Bethany or prepare an ordinance prohibiting such electronic/illuminated signs in South Bethany. The motion was unanimously carried.

**DISCUSSION AND POSSIBLE VOTE TO HAVE THE CHARTER AND CODE COMMITTEE WORK ON AN ORDINANCE TO ALLOW BON FIRES FOR TOWN FUNCTIONS**

Council discussed this issue at the October 25, 2018, Town Council Workshop Meeting.

Councilmember Masiello asked if there are any security issues or insurance issues with fires on the beach. Councilmember Stevenson said the Town would need to check the insurance issues. The Town Manager said she will look into it.

**Motion and Vote:** A motion was made by Councilmember Stevenson, seconded by Councilmember Oliver, to ask the Charter and Code Committee to work on an ordinance to allow bon fires for Town functions. The motion was unanimously carried.

**ADJOURNMENT**

A motion was made by Councilmember Boteler, seconded by Councilmember Weisgerber, to adjourn the November 9, 2018, Town Council Regular Meeting at 7:20 p.m. The motion was unanimously carried.

phs:2018 11 9 Regular Meeting Minutes Amended and Approved 12 14 18

<p style="text-align:center"><b>TOWN OF SOUTH BETHANY LEADERSHIP AND COMMITTEE REPORTS FOR NOVEMBER 9, 2018, TOWN COUNCIL REGULAR MEETING</b></p>
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*Please Note: Meeting discussion text is italicized.*

### **LEADERSHIP REPORTS**

- **Mayor's Report**—Submitted by Mayor Saxton:
  1. Along with the Town Manager attended the Association of Coastal Towns (ACT) meeting on November 7th. Key items discussed at the meeting:
    - a. Update on Resilient Communities Partner Grant
    - b. Discussed the Water Resource Development Act recently signed by the President. Our discussion centered around the lack of funding for preparedness versus the response once a catastrophe occurs. We need to look for ways to fund preparedness to reduce the cost monetarily and emotionally when catastrophes occur.
  2. Worked with the Ambulance SOC to finalize a contract with BBVFD. The contract assures no increase in the current fee to Property Owners for the next 5 years. This brings a stable fee to all Property Owners.
  3. Started work on the renewal of the Agreement between the communities that support the Ambulance Service mentioned in item 2. The draft contract among the communities is being reviewed by the Town Attorney.
  4. Continued work with the Town Manager on negotiating renewal of the Town contract with Sharp Energy. Working to have our first draft contract to Sharp by the end of November.
  5. Attended a discussion in Bethany Beach presented by Sen. Tom Carper regarding climate change and beach replenishment. Sen. Carper discussed the impact of the recent bill signed into law (Water Resource Development Act) that he co-sponsored. I briefly spoke with Sen. Carper to thank him for the support of beach replenishment and efforts to improve the inland bays including South Bethany canals.

*Mayor Saxton announced that the Town has hired a new Town Solicitor, Stephani Ballard, effective November 1, 2018.*

- **Town Manager's Report**—Submitted by Maureen Hartman:
  - Pam and I have begun working on changes to the website. We are hoping to move forward with the Delaware Government Information Center (GIC) as our new webmaster. We are in the preliminary stages and look forward to a new appearance for the Town's website.
  - Renee and I continue to work on the kiosk and parking permit project.
  - I attended an excellent class entitled Executive Lessons on Public Sector Leadership, which was hosted by the Institute for Public Administration, University of Delaware.
  - The Resilient Communities meeting was held in Oct. Several topics of discussion included methods of drafting model ordinances; who our target audiences should be; stormwater fees; and MS4 (Municipal separate storm sewer system).

- I've been working with Councilman Weisgerber regarding maintenance of the floating wetlands as well as other canal/water quality issues.
- Pam and I continue to work on the 50th anniversary celebration with Councilwomen Stevenson and Callaway.
- Public works and I have been working on several projects (current & future) such as stormwater, road repair, holiday activities/decorations, and landscaping for 2019.

NOVEMBER REMINDER

Town Council Regular Meeting, 6:00 PM  
Town Council Workshop  
Town Hall Closed  
Town Hall Closed

November 9, 2018  
None in November  
Veterans Day (11/12)  
Thanksgiving (11/22-23)

- **Treasurer's Report**—Submitted by Councilmember Boteler:

*Councilmember Boteler said the treasury is in good shape – overall 84% of the revenues have been collected and 54% of the total operating expenditures are paid out. The Town is on track for the year.*

11/7/2018

**Town of South Bethany**  
**Monthly Treasurer's Report - As of October 31, 2018**  
 by Don Boteler, Treasurer



**Fiscal 2019 Year-to-Date (5/1/18 – 4/30/19) Revenues and Expenditures**

	<u>Adopted Budget</u>	<u>Amended</u>	<u>Total Budget</u>	<u>Actual</u>	<u>%</u>
Total Operating Revenue	\$2,394,690		\$2,394,690	\$2,011,503	84%
Total Operating Expenditures	\$2,394,690		\$2,394,690	\$1,286,317	54%
Revenue less Expenditures	\$0	\$0	\$0	\$725,186	
Revenue from Grants/Donations	\$7,624		\$7,624	\$1,812	24%
Expenditures from Grants/Donations	\$7,624		\$7,624	\$1,812	24%
Revenue less Expenditures	\$0	\$0	\$0	\$0	
Capital/Reserve Revenue (from Fund Balance)	\$197,966		\$197,966	\$86,652	44%
Capital/Reserve Expenditures	\$197,966		\$197,966	\$86,652	44%
Revenue less Expenditures	\$0	\$0	\$0	\$0	
Total Revenue - All Funds	\$2,600,280	\$0	\$2,600,280	\$2,099,967	81%
Total Expenditures - All Funds	\$2,600,280	\$0	\$2,600,280	\$1,374,781	53%
Revenue less Expenditures	\$ -	\$0	\$0	\$725,186	

**Fiscal 2019 (5/1/18 – 4/30/19) 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	\$520,463		\$520,463	\$517,438	99%
Realty Transfer Taxes	\$380,000		\$380,000	\$355,925	94%
Gross Rental Taxes	\$522,000		\$522,000	\$449,759	86%
Grants	\$7,624		\$7,624	\$1,812	24%
All other revenue	\$947,790		\$947,790	\$775,033	82%
Transfer from Reserve (Capital Projects)	\$197,966		\$197,966	\$0	0%
Budgeted Surplus	\$24,437		\$24,437	\$0	0%
Total Revenue	\$2,600,280	\$0	\$2,600,280	\$2,099,967	81%

<u>Expenditures:</u>	<u>Budget</u>	<u>Amended</u>	<u>Total Budget</u>	<u>Actual</u>	<u>%</u>
General & Administrative Department	\$691,838		\$691,838	\$372,177	54%
Public Works Department	\$268,075		\$268,075	\$110,256	41%
Trash	\$327,400		\$327,400	\$163,845	50%
Public Safety Department	\$733,316		\$733,316	\$323,415	44%
Ambulance	\$74,518		\$74,518	\$37,074	50%
Beach Patrol Department	\$274,653		\$274,653	\$263,805	96%
Town Committee	\$24,890		\$24,890	\$15,746	63%
Grants	\$7,624		\$7,624	\$1,812	24%
Other (Capital)	\$197,966		\$197,966	\$86,652	44%
Total All Expenses	\$2,600,280	\$0	\$2,600,280	\$1,374,781	53%

**Highlights on Revenue**

Property Taxes - there are 15 delinquent property tax bills

**Highlights on Expenditures**

Expenditures are tracking to budget

- **Police Department Report**—Submitted by Chief Troy Crowson:

#### **Officer Vacancy**

There has been diligent advertisement and search for officers to fill the vacancies in the South Bethany Police Department over the last 5 months. Applications for these vacancies have not been plentiful after phone inquiries by potential candidates concerning rank structure. We will continue to try to fill these vacancies.

The department continues to have open hours due to the loss of employees.

Our department number is 302-539-3996. If an officer is on duty and available your call will be answered by the officer. Nationwide, citizens are always encouraged to dial 911 for all emergencies. Please use our 302-539-3996 for all non-emergency calls. If no response, citizens are encouraged to contact SUSCOM non-emergency line at 302-855-2980. SUSCOM will then dispatch the appropriate agency with whom we share mutual aid agreements, such as the State Police, Bethany Beach Police, Fenwick Island Police and Ocean View Police. In addition to mutual aid, SUSCOM when necessary will contact the Chief of Police who is available 24/7.

#### **Complaint Reporting/Suspicious Activity**

We have had several reports of suspicious activity at various locations. As always, the Police Department appreciates all calls received and the continued vigilance of its neighborhood watch and homeowners. We do not have anything other than suspicious activity at these locations with no crime apparent at this time. This is not to say that the reported activity does not bear monitoring and extended vigilance regarding these reported complaints. It also does not suggest absence of intent to commit crime if opportunity is presented to these individuals. We also encourage all to call the Police immediately so we can access the situation (we have been getting some calls days later or through delayed emails). Some of the more noteworthy calls pertaining to suspicious activity include a report of subjects at South 4th, Subject(s) in backyard with flashlight on Bay Shore Drive, subject walking perimeter of residence driving a white PT Cruiser on Russell Road and unknown pickup parked in driveway on Anchorage.

#### **Family Holiday Traffic Safety**

During this year's Safe Family Holiday season, OHS will be funding additional officers to patrol the state for enforcement areas in occupant protection (seat belts), pedestrian safety, distracted driving, and impairment. On Wednesday, November 21st, OHS will be operating a statewide Checkpoint Strikeforce with DUI checkpoints in each county. We would like to take this opportunity to remind everyone to buckle up, put the phones down while driving, slow down, and make sure you always have a sober ride home.

### **COMMITTEE REPORTS**

- **Budget and Finance Committee** – Submitted by Councilmember Boteler:

*There is nothing to report. The committee will be meeting this month to begin the budget process.*

- **Canal Water Quality Committee** – Submitted by Councilmember Weisgerber:

*Councilmember Weisgerber said the Town had a conference call today with the Woods Hole Group as a follow up to the analysis of the canals. The data was presented and analyzed, and the Woods Hole Group is going to move to step 2 now. Mayor Saxton noted that he attended the conference call and there is a lot of data analysis still going on trying to figure out exactly what step 2 is going to look like.*

- **Charter and Code Committee** – Councilmember Oliver reported:

*The committee is working on the permitting process for 5G Technology and looking at other towns policies and procedures around 5G Technology.*

- **Communications and Public Relations Committee** – Submitted by Councilmember Stevenson:

A Halloween Pot Luck Dinner Party was held on Saturday, October 27, at Town Hall sponsored by the Committee. Members decorated the Council Room with Halloween Decorations. Soft drinks and punch were provided. Town guests furnished dishes and those who wore costumes participated in a contest. The Best Costume Contest was won by Margaret Oliver and Earl VanCleve. Each won a \$25 gift certificate for The Café on 26. Another Town Pot Luck Dinner is planned for March 16, 2019; a St. Patrick's Day Party. Everyone will be Irish for the evening. *Councilmember Stevenson encouraged new people to come.* More information will be provided later in the year.

Work and planning on the Town 50th Anniversary Party continues. An Anniversary Seal is being developed by a local graphic artist. The town wide party will be held from 1 to 4pm outside in the Town Hall Parking Lots on Sunday, June 30. Tents will provide shade, and plans are being made for music, food, exhibits from local public service organizations as well as our own organizations. There will be door prizes, free gifts, snow cones, face painting and fun for children and adults. The Committee as well as Town Staff will help with planning and execution of the event. Also assisting with planning, funding and staffing of the event are the South Bethany Property Owners Association, the South Bethany Women's Club, and the South Bethany Historical Society. The SBPOA has generously agreed to provide food for the event, and the SBHS is planning a very large surprise. The SBWC has volunteered to provide a staff of volunteers. Town staff is reaching out to local vendors for a variety of donations and giveaways.

The Committee will meet in December to work on the budget for the next fiscal year and to plan remaining activities for this fiscal year.

- **Community Enhancement Committee** – Submitted by Councilmember Callaway:

#### **CEC Meeting**

The following members met on Friday, October 26, 2018: Sue Callaway, Chair; Donna Farrow; Bobbe Stephan; Carol Stevenson; Garnet Timbario; Jon Stiffler, Public Works Supervisor; and Rick Gentile, Public Works. Diann Nazarian and Kent Stephan were absent.

#### **Update from Department of Public Works**

- Holiday decorations were checked on October 29th and Signarama will be installing the holiday lights on November 14th. The lights will be turned on the night before Thanksgiving and will run through January 1. Public Works will remove the fall decorations the week after Thanksgiving.
- The following tasks are being completed as we transition from summer to fall and winter: cleaning and painting lifeguard stands; preparing snow plows; and cutting back bushes and plants.
- The group explored the best ways to landscape and maintain the Route 1 bio retention beds and the adopted canal ends that are no longer maintained by the original adopters. After discussion, it was agreed that Public Works would like to tackle the maintenance of the ends and the bio beds for the coming season as this is Jon's first year overseeing the Department. The CEC agreed however, as the FY 20 Budget season is approaching, changes in strategy would have to occur by December-January.



**2019 50th SB Anniversary Celebration Update – CEC Involvement –**

Carol Stevenson, Celebration Chair summarized the decisions the Committee has made thus far. The group focused on the role of the CEC at the event and what ideas the CEC had to contribute. After discussion, the group agreed to host a booth; prepare a banner for the booth highlighting the CEC's accomplishments; give away geraniums (200) in a decorative bag for display on docks or front doors to raise community spirit and focus on enhancing our community; and perhaps design a celebratory garden flag that would be for sale. Carol agreed to check with the Town Manager regarding the sale of such an item. The Committee also agreed to include the planning of a Tailgate (Cornhole) Contest that Sue Callaway will take the lead on.

**Looking Ahead – 2019/2020 CEC Initiatives and Initial Focus on FY20 CEC Budget**

- Although subject to change, the group agreed to focus on the following ideas for FY 20 Budget: maintaining landscaping throughout town that continues to improve; the 50th Anniversary Celebration; expansion of the Fitness area (based only on receipt of grant funds); and researching the idea of decorative wraps for the green utility boxes located throughout town. The group also made a decision to display the current Ocean Drive Art Boards an additional year. The 2019 season will be the 5th year using these art boards.
- Grant Update: On November 7, 2018 we were notified that South Bethany was approved to receive Delaware State Parks' ORPT Fitness Grant in the amount of \$8000. The agreement will be sent to the town next week. The grant will allow us to add up to five additional pieces of fitness equipment to the existing SB Fitness Area without further cost to the town.

**December CEC Meeting Date**

The CEC will meet on Wednesday, December 12 at 10:00 am. The meeting will be followed by the annual Holiday Party that includes CEC members, spouses and Town staff.