

**TOWN OF SOUTH BETHANY  
TOWN COUNCIL REGULAR MEETING MINUTES  
MARCH 8, 2019**

**MEETING CALLED TO ORDER**

Mayor Saxton called the March 8, 2019, Town Council Regular Meeting to order at 6:00 p.m., followed by the Pledge of Allegiance to the Flag.

**ATTENDANCE**

Councilmembers Don Boteler, Sue Callaway, Jerry Masiello, Frank Weisgerber, and Mayor Tim Saxton; Town Manager Maureen Hartman; Chief Troy Crowson; Finance Director Renee McDorman; and Administrative Assistant Pam Smith.

Excused Absences: Councilmembers Jimmy Oliver and Carol Stevenson

**ADOPTION OF MINUTES**

**Town Council Regular Meeting Minutes, February 8, 2019** – Motion by Councilmember Boteler, seconded by Councilmember Weisgerber, to accept the February 8, 2019, Town Council Regular Meeting Minutes. Motion unanimously carried.

**Town Council Executive Session Minutes, February 8, 2019** – Motion by Councilmember Masiello, seconded by Councilmember Boteler, to accept the February 8, 2019, Town Council Executive Session Minutes. Motion unanimously carried.

**SCHEDULE OF FEES - DISCUSSION AND POSSIBLE VOTE TO ADOPT RESOLUTION 1-19, A RESOLUTION TO REVISE SOUTH BETHANY'S SCHEDULE OF FEES.**

This agenda item was tabled.

**ORDINANCES – THIRD READING AND POSSIBLE VOTE ON ORDINANCE 194-19, TO AMEND THE CODE OF THE TOWN OF SOUTH BETHANY CHAPTER 94, PARKING, §§ 94-6 AND 94-7 TO END THE TOWN'S DUAL SYSTEM PERMITS, ELIMINATE NONTRANSFERABLE PERMITS AND TRANSFERABLE PERMITS AND SET UP ONE TYPE OF RESIDENTIAL PERMIT, AND INCLUDE OBTAINING PARKING PERMITS ONLINE THROUGH THE SOUTH BETHANY WEBSITE.**

Mayor Saxton reviewed Ordinance 194-19. Mayor Saxton asked for discussion. There was no discussion.

Mayor Saxton declared this the third reading of Ordinance 194-19.

Motion by Councilmember Masiello, seconded by Councilmember Callaway, to approve Ordinance 194-19. Motion unanimously carried.

**DISCUSSION AND POSSIBLE VOTE ON SHARP ENERGY, INC. CONTRACT**

This agenda item was tabled.

**DISCUSSION AND POSSIBLE VOTE ON CHANGE TO BEACH VENDOR FOR SUMMER OF 2019**

The Town Manager reviewed the following:

Go Melvo – Proposed to pay the Town \$10,000 to use their truck to stop at each of the beach walkways on Ocean Drive. Two runs a day between 12:00 p.m. and 4:30 p.m. (This would require an amendment to the Town Code.)

Jay Vending – Fulfill second year of their contract for the sale of food and drink at \$16,000 instead of \$22,000. No beach chair and umbrella rentals.

Council expressed their concerns regarding changing the Code to allow a vending truck on Ocean Drive. Their concerns included safety and complaints from Ocean Drive residents.

Motion by Councilmember Callaway, seconded by Councilmember Masiello, to continue with Jay Vending for the summer of 2019 and amend Contract 18-01, Beach Concessions Sale of Food and Drink with Jay Vending to \$16,000. Motion unanimously carried.

**LEADERSHIP REPORTS**

1. Mayor Saxton – The Mayor submitted his report for review. The Mayor added: 1) Over the past week two officers notified the Town that they will be leaving the Police Department. Sgt. Davis, after 28 years of service to South Bethany, announced his retirement effective March 16. We thank him for all the years of service and truly hope he enjoys his retirement. We wish him well in his future endeavors. In addition, Officer Hudson is leaving to take a position offered by Fenwick Island. We thank him for his service to our town and we wish him well in his new position. Mayor Saxton thanked Chief Crowson for the write up he did in his police reports around the two officers leaving. 2) The Town has two new recruits that have been accepted to the academy which begins March 17. The certified officer coming in from another state has accepted the position with the Town and starts on April 1. Following some class work, he will be ready to assume full duty status. Chief Crowson is to urgently work to schedule any required training as quickly as possible for the certified officer so that he can be up and running as fast as possible. 3) Over the past week the Town Manager and I have been focused on all possible avenues to assure the Town has coverage due to these departures. We are in the process of contacting local municipalities and the State Police to discuss ways of providing possible assistance during the time frame when we are bringing a full complement of staff back to the department. Security services may also be engaged to provide nonpolice safety functions. Our focus will be to build a multi-functional approach in providing our citizens safety at all times until our in-house police department is back to full staff. Local agencies and the State Police have assured us they will respond to calls in South Bethany as per the existing mutual assistance. 4) We continue to advertise for certified officers. This week we received an applicant. We believe that the new payscale and rank will attract officers and we will work diligently towards all of the issues that I raised in the statement.
2. Town Manager – The Town Manager submitted her report for review with no additions.
3. Treasurer's Report – Councilmember Boteler reported that the Town is two months away from the conclusion of the current fiscal year (FY 2019). Virtually all the revenue has been collected and about 75% of the operating expenses have been paid out.
4. Police Department Report – Chief Crowson submitted his report for review. Chief Crowson recognized Officer Davis for his 28 years of stellar service that he has provided this community and the Police Department. Everyone acknowledged Officer Davis' service with applause.

**COMMITTEE AND COMMISSION REPORTS**

1. Budget and Finance – Councilmember Boteler submitted his report for review with no additions.
2. Canal Water Quality – Councilmember Frank Weisgerber reported that he participated in a meeting with the Woods Hole Group and DNREC regarding the remediation effort and how to move forward. The Woods Hole Group is gathering that information which should be available to the Town in a rough draft possibly in the middle of April. It will be presented to Council when the final draft is complete. 2) Envirotech gave a presentation at the February 28 Town Council Budget Workshop Meeting regarding the maintenance of the canals. Council will make a decision on that contract at the March 28 Town Council Budget Workshop Meeting.
3. Charter and Code – Committee Chair John Fields submitted his report with no additions.
4. Communications and Public Relations – Councilmember Carol Stevenson submitted her report for review. Councilmember Callaway announced the St. Patrick's Day Potluck Dinner on Saturday, March 16.
5. Community Enhancement – Councilmember Sue Callaway submitted her report for review with no additions

**PUBLIC COMMENT**

Dan Cowell, 110 Henlopen Dr. – Expressed his concerns about departures from the Police Department. 2) Referred to a March 7, 2019, Coastal Point article about a FOIA petition to the Delaware Attorney General. Dr. Cowell said it is never a good thing for a small town to have a state official looking at how they are conducting business. Expressed a desire to restore a sense of calmity, transparency, and integrity to the Council's leadership.

Ann Baker, 101 Canal Rd. – Asked Chief Crowson how long it will take for the recruits to become police officers. Chief Crowson said the two academy recruits will be certified around December 2019 (six months of training and three months of field training). The out of state certified officer will require classes and field training. His training will be expedited as quickly as possible. Asked if exit interviews had been done for the officers who have left. Mayor Saxton said he will be asking the Town Manager to do exit interviews Chief Crowson stated that he has conducted his exit interviews with the officers. Inquired if there is a concern with the Council about this summer. Mayor Saxton said absolutely and that is why the Town is working with other municipalities and other types of support. Mayor Saxton added that the Town needs to make sure that the message is out there that the Town has a new rank scale and a new pay scale that is extremely competitive.

Dennis Roberts, 107 Canal Dr. – Thanked Council for their volunteer hours. Expressed sadness to see that Officer Davis is leaving, and stated his belief that Officer Davis is one of the best officers this town has had. Thanked Officer Davis for his 28 years of service. Also inquired if the intention is to keep the barricade at Black Gum Drive in force this coming year. Mayor Saxton said yes, and it is in the budget.

Jack Whitney, 105 Boone Road – Recommended going back to sending Town Council meeting agendas in email news updates.

Brenda Hossick, S. 3<sup>rd</sup> St. – Referred to an incident last week when she said she had to wait 20 minutes for a police officer. Ms. Hossick stated that the Town better get cops in town. Ms. Hossick complained that the Town won't let the Chief of Police hire people.

**MOTION TO GO INTO EXECUTIVE SESSION**

Motion by Councilmember Boteler, seconded by Councilmember Weisgerber, to go into executive session for purpose of: Discussion of the content of documents, excluded from the definition of

"public record" in § 10002 of this title where such discussion may disclose the contents of such documents. 29 Del. C. §10004(b) (6). Motion unanimously carried.

### **EXECUTIVE SESSION**

At 6:45 p.m. Council went into executive session for purpose of: Discussion of the content of documents, excluded from the definition of "public record" in § 10002 of this title where such discussion may disclose the contents of such documents. 29 Del. C. §10004(b) (6).

### **RECONVENE AND POSSIBLE VOTE ON ACTION ITEMS FROM EXECUTIVE SESSION, IF ANY**

At 8:15 p.m. motion by Councilmember Boteler, seconded by Councilmember Masiello, to reconvene the regular meeting. Motion unanimously carried.

Motion by Councilmember Masiello, seconded by Councilmember Boteler, to proceed with the actions discussed in the executive session. Motion unanimously carried.

### **ADJOURNMENT**

Motion by Councilmember Weisgerber, seconded by Councilmember Callaway, to adjourn the March 8, 2019, Town Council Regular Meeting at 8:20 p.m. Motion unanimously carried.