

TOWN OF SOUTH BETHANY TOWN COUNCIL REGULAR MEETING MINUTES JUNE 14, 2019

MEETING CALLED TO ORDER

Mayor Saxton called the June 14, 2019, Town Council Regular Meeting to order at 6:00 p.m., followed by the Pledge of Allegiance to the Flag.

ATTENDANCE

Councilmembers Derek Abbott, Don Boteler, Sue Callaway, Dick Oliver, Carol Stevenson, Frank Weisgerber, and Mayor Tim Saxton; Town Manager Maureen Hartman; and Administrative Assistant Pam Smith.

SWEARING IN JASON LOVINS

After giving background information on Jason Lovins, Mayor Saxton swore in Jason as Chief of Police.

Retired Police Chief Mike Carroll was presented with a plaque recognizing and thanking him for his work as Public Safety Consultant during the transition period.

ADOPTION OF MINUTES

Mayor Saxton stated that Councilmembers Oliver and Abbott were not on Council at the time of the May 10, May 20, and May 23, 2019, meetings and therefore should not vote on the approval of those minutes.

Motion by Councilmember Boteler, seconded by Councilmember Weisgerber, to approve the following:

- May 10, 2019, Town Council Regular Meeting Minutes
- May 20, 2019, Town Council Special Meeting Minutes
- May 23, 2019, Town Council Workshop Meeting Minutes, as amended

Councilmember Callaway made the following amendment to the May 23, 2019, Town Council Workshop Meeting Minutes regarding the Discussion of Roads: "Due to a significant increase in the cost to pave the proposed roads, Council agreed to not spend the money approved for Kercher Engineering to prepare project documents, and Council agreed to continue with the Town's current budgeted capital plan to pave Bristol Road this fall."

The motion to approve the May 10, May 20, and May 23 minutes as amended carried with a 5-0 vote. Those members voting for the motion were: Councilmembers Stevenson, Weisgerber, Callaway, Boteler, and Mayor Saxton.

Town Council Executive Session Minutes, May 20, 2019 – Motion by Councilmember Stevenson, seconded by Councilmember Boteler, to accept the May 20, 2019, Town Council Executive Session Minutes. The motion carried with a 5-0 vote. Those members voting for the motion were: Councilmembers Stevenson, Weisgerber, Callaway, Boteler, and Mayor Saxton.

Town Council Organizational Meeting Minutes, June 1, 2019 – Motion by Councilmember Callaway, seconded by Councilmember Weisgerber, to accept the June 1, 2019, Town Council Organizational Meeting Minutes. The motion carried with a 7-0 vote. Those members voting for the motion were: Councilmembers Stevenson, Weisgerber, Callaway, Boteler, Oliver, Abbott, and Mayor Saxton.

RESOLUTIONS

Discussion and possible vote to adopt Resolution No. 3-19, a Resolution in Recognition of Jimmy Oliver – Motion by Councilmember Oliver, seconded by Councilmember Boteler, to adopt Resolution No. 3-19. Motion unanimously carried.

Discussion and possible vote to adopt Resolution No. 4-19, a Resolution in Recognition of Jerry Masiello – Motion by Councilmember Callaway, seconded by Councilmember Boteler, to adopt Resolution No. 4-19. Motion unanimously carried.

Mayor Saxton stated that the resolutions will be presented to Jimmy Oliver and Jerry Masiello at the July 12, 2019, Town Council Regular Meeting.

DISCUSS THE BIKE PARKING ISSUE AND POSSIBLE SOLUTIONS

Mayor Saxton said there are issues with bike parking in the town that have led to safety issues. Bikes are being parked in a way that the bike cart is hanging into the street, and there is a concern of getting safety and emergency vehicles up and down the streets. Mayor Saxton added that the town's infrastructure was not built for parking large numbers of bikes. Mayor Saxton said the second concern he has is that everyone respects each other's private property. After Council and public comments/suggestions, Mayor Saxton requested that the Town take a survey of the unimproved lots on the perpendicular streets on the east side of Route 1 and see if there is a property owner willing to lease their lot to the Town this year for the purpose of bicycle parking. Mayor Saxton said DeDOT recommended this in January when he and the Town Manager met with DeDOT. Mayor Saxton is also going to reach out to the owners of the Anchorage Drive lot.

UPDATE ON PATH FORWARD FOR SMALL WIRELESS FACILITIES AND BONFIRE ORDINANCES

Small Wireless Facilities Ordinance – The Town is looking at an ordinance in the City of Newark, Delaware, to use as a model. The Town hopes to have a reading in July or August.

Bonfire Ordinance – Will have its first reading at the July 12, 2019, Town Council Regular Meeting

DISCUSSION ON INTERNET RENTALS AND POSSIBLE PATH FORWARD

The Town Manager stated that Delaware is not on the list of states that Airbnb collects rental taxes for. The states on the list have passed legislation requiring Airbnb to collect the taxes and provide the taxes to the towns. The Delaware General Assembly is in preliminary discussions regarding this issue, but legislation probably will not be passed during the current legislative session. Councilmember Oliver believes it is worth looking into how the Town can more effectively collect the rental tax revenue from property owners who use internet portals such as Airbnb and Vrbo. Councilmembers Oliver and Callaway will work together to try to help come up with recommendations for a solution.

LEADERSHIP REPORTS

1. Mayor Saxton – The Mayor submitted his report for review. Mayor Saxton shared the following information from the ACT meeting today: 1) There are some water quality grants for the Canal Water Quality Committee to look into, 2) There is discussion in the Delaware Legislature for a 3% accommodation tax on non-incorporated hotels in Sussex County, and the money generated would go back into items such as water quality, beach renourishment, etc., and 3) There is discussion in the Delaware Legislature that real estate companies would not have to apply for a permit in a town even though they are renting property and doing business in the town. This would have a negative impact on the beach towns and the towns have contacted their representatives to vote against it.

2. Town Manager – The Town Manager submitted her report for review. She added that the Town Managers of South Bethany, Fenwick Island, and Selbyville have scheduled a meeting on July 2 to prepare for the Emergency Workshop for older adults and disabled. The workshop will probably be in September.
3. Treasurer's Report – Councilmember Boteler submitted his report for review with no additions.

COMMITTEE AND COMMISSION REPORTS

1. Budget and Finance – Councilmember Boteler stated that the committee has not met since the last report. The next meeting will be July 16, 2019.
2. Canal Water Quality – Councilmember Frank Weisgerber stated that the results from the Woods Hole study show that the sediment in the canals is percolating the nitrates and the phosphorous and is slowing down the recovery. The remediation is to dredge at least 300 to 500 foot off the dead ends. There are some deep holes in the canals to fill as required by the Army Corps of Engineers. The committee is working on a plan to bring to the Budget and Finance Committee and Town Council. Councilmember Weisgerber added that the Town will need to contract with a company to manage the permits, bids for dredging, time schedules, follow up, etc.
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 with no additions.
5. Community Enhancement – Councilmember Sue Callaway submitted her report for review with no additions

PUBLIC COMMENT

Bob Shields, 43 Sea Side Dr. – Expressed his concern about the Floor-to-Area Ratio (FAR) and said he thinks it is too restrictive. Mayor Saxton suggested that Mr. Shields meet with the Code Enforcement Constable in order to get a better understanding of the FAR. After discussion on the background of the FAR, it was agreed that Councilmember Abbott will bring information to a future Town Council Workshop regarding the possibility of making changes to the FAR regulation.

Dick Oliver, 410 Victoria Dr. – As a board member of the Friends of the South Coastal Library, Mr. Oliver announced that there will be two South Bethany houses on the Friends of the South Coastal Library 2019 Beach and Bay Cottage Tour July 24 and 25. Volunteers are needed to serve as hosts at the tour homes and to aid in parking at the tour homes. Mr. Oliver encouraged everyone to volunteer. Contact Mr. Oliver if you are interested in volunteering.

Sandy Raymond, 5 N. 3rd St. – Inquired if the Town has stopped using other local police departments. Mayor Saxton said no but he is hopeful that South Bethany's Police Department will have all positions filled with South Bethany officers sometime in September or early October. He added that the Town has also been interviewing for two Summer Parking Enforcement Officer positions.

ADJOURNMENT

Motion by Councilmember Boteler, seconded by Councilmember Weisgerber, to adjourn the June 14, 2019, Town Council Regular Meeting at 7:45 p.m. Motion unanimously carried.