

**TOWN OF SOUTH BETHANY
TOWN COUNCIL REGULAR MEETING MINUTES
JULY 12, 2019**

MEETING CALLED TO ORDER

Mayor Saxton called the July 12, 2019, Town Council Regular Meeting to order at 6:00 p.m., followed by the Pledge of Allegiance to the Flag.

Motion by Councilmember Abbott, seconded by Councilmember Boteler, to reorder the agenda to place the Leadership Reports after the Adoption of Minutes agenda item. Motion unanimously carried.

ATTENDANCE

Councilmembers Derek Abbott, Don Boteler, Sue Callaway, Dick Oliver, Frank Weisgerber, and Mayor Tim Saxton; Town Manager Maureen Hartman; Chief Jason Lovins (left the meeting after completion of the Leadership Reports); Town Solicitor Stephani Ballard; and Administrative Assistant Pam Smith.

Excused Absence: Councilmember Carol Stevenson

PRESENTATION OF RECOGNITION RESOLUTIONS

• **Resolution No. 3-19, A Resolution to Recognize Jimmy Oliver**

Mayor Saxton read Resolution 3-19 and presented the resolution to Jimmy Oliver. Everyone acknowledged Mr. Oliver's service with applause.

• **Resolution No. 4-19, a Resolution to Recognize Gerald Masiello**

Mayor Saxton read Resolution 4-19 and presented the resolution to Jerry Masiello. Everyone acknowledged Mr. Masiello's service with applause.

ADOPTION OF MINUTES – JUNE 27, 2019, TOWN COUNCIL WORKSHOP MEETING

Motion by Councilmember Oliver, seconded by Councilmember Abbott, to accept the June 27, 2019, Town Council Workshop Meeting Minutes.

After discussion, motion by Councilmember Oliver, seconded by Councilmember Callaway, to accept the June 27, 2019, Town Council Workshop Meeting Minutes as amended. Motion unanimously carried.

LEADERSHIP REPORTS

1. Mayor Saxton – The Mayor submitted his report for review. The Mayor added that he spent a significant amount of time with the Town Manager and the Chief of Police on multiple issues.
2. Town Manager – The Town Manager submitted her report for review with no additions. Mayor Saxton thanked the Chief of Police for his tireless work in rebuilding the Police Department.
3. Treasurer's Report – Councilmember Boteler stated that the Treasurer's Report will be delayed until the Workshop or the next Regular Meeting.

DISCUSSION AND POSSIBLE VOTE TO APPROVE THE \$4,000.00 DUES FOR PARTICIPATION IN THE ASSOCIATION OF COASTAL TOWNS (ACT)

Mayor Saxton noted that the Association of Coastal Towns (ACT) dues have increased this year from \$3,600 to \$4,000. Mayor Saxton stated that a majority of the funding goes toward a contract with Tony Pratt, ACT's lobbyist, insurance, and transcription services. During discussion the Mayor and Town Manager said there are benefits to belonging to ACT, but they would like to see more time spent on issues important to the municipalities south of the Indian River Inlet, and they would like to see the association give Tony Pratt tasks to accomplish for each of the towns in addition to lobbying. Councilmember Callaway suggested providing copies of the ACT meeting minutes to Council.

Motion by Councilmember Boteler, seconded by Councilmember Weisgerber, to approve to pay the \$4,000 dues. Motion unanimously carried.

ORDINANCES – FIRST READING OF ORDINANCE NO. 195-19, TO AMEND THE CODE OF THE TOWN OF SOUTH BETHANY CHAPTER 34, BEACHES, § 34-9 TO AUTHORIZE THE TOWN MANAGER TO PERMIT A TOWN SPONSORED BONFIRE ON THE BEACH IN SOUTH BETHANY

Councilmember Abbott reviewed Ordinance No. 195-19. During discussion Council agreed to the following changes:

- Hyphenate Town-sponsored.
- Delete “subject to the prior review and approval of the Chief of Police for safety purposes”.
- Add “in accordance with guidelines established by the Town Manager” after “Notwithstanding § 34-10A above, the Town Manager is authorized to permit a Town sponsored bonfire on the beach”.

Mayor Saxton declared this the first reading of Ordinance 195-19.

DISCUSSION AND POSSIBLE VOTE TO APPOINT PLANNING COMMISSION MEMBERS

Linda Lewis, the Chairperson of the Planning Commission, recommended appointing Jerry Masiello to the Planning Commission. Motion by Councilmember Callaway, seconded by Councilmember Boteler, to appoint Jerry Masiello to the Planning Commission. Motion unanimously carried.

DISCUSSION AND POSSIBLE VOTE TO APPROVE REVISED RULES OF PROCEDURE FOR THE TOWN COUNCIL

Mayor Saxton stated that this document was discussed at the June 27, 2019, Town Council Workshop Meeting. Mayor Saxton noted that the big change is that ordinances will now require two readings instead of three readings. Motion by Councilmember Oliver, seconded by Councilmember Boteler, to approve the new rules of procedure. Motion unanimously carried.

DISCUSSION AND POSSIBLE VOTE TO SEND THE BIKE PARKING ISSUE TO THE PLANNING COMMISSION FOR RECOMMENDATIONS

Mayor Saxton stated that for a short-term solution, the Town has added bike racks on N. 6th St. and S. 6th St. The Town has investigated leasing empty lots on the east and west side of Route 1 without success and has already spoken with DNREC and DelDOT regarding bike rack placement in their rights-of-way. Recently, the Town received two letters from lot owners in Sandpiper Village requesting the removal of all bike racks in Sandpiper Village. Mayor Saxton said the Town's policy for many years has been to remove a bike rack if requested by the owner of the lot. Mayor Saxton said for a short-term solution, placing bike racks in parking spots is one of the few options left. The Town Solicitor has suggested that the property owners put up

signage saying, "Private lots – no bike parking". If a bike is on private property, the police are not going to remove the bike and the property owner deals with the offender if they know who it is, or the property owner has the bike removed, since it is a civil issue.

Paige Stine, 131 Petherton Dr. – Stated that the space between the bike racks the Town added on N. 6th St. isn't wide enough to use both sides of the bike rack. Ms. Stine said the space needs to be adjusted. Ms. Stine also suggested eliminating car parking spots and place bike racks in those spots.

John Sorensen, 103 Elizabeth Ct. – Suggested the Town find different options of parking bikes in the Sandpiper Village cu-de-sac or in the beach streets. Mayor Saxton said he would not put bike racks in the street because of safety issues. Mr. Sorensen suggested the Town do an analysis of how many days of the season bike parking is a problem before sending the issue to the Planning Commission.

Motion by Councilmember Boteler, seconded by Councilmember Abbott, to send the bike parking issue to the Planning Commission for their recommendations. Motion unanimously carried.

Planning Commission Chair Linda Lewis asked that Councilmember Oliver come to the Planning Commission with all the options the Town has looked at.

DISCUSSION AND POSSIBLE VOTE TO POST AUDIO RECORDINGS OF TOWN COUNCIL MEETINGS ON THE TOWN WEBSITE

Mayor Saxton said he thinks the Town will need a month or two to make sure Council and the audience understand protocol regarding the audio recordings.

The Town Solicitor stated that legally the official record of the meeting are the minutes that are going to continue to be kept. The posting of the audio on the website is a courtesy.

Motion by Councilmember Abbott, seconded by Councilmember Callaway, to move forward and work out the logistics as reasonably possible. Motion unanimously carried.

COMMITTEE AND COMMISSION REPORTS

1. Budget and Finance – Councilmember Boteler stated that the committee has not met. The committee will meet on Tuesday, July 16, 2019.
2. Canal Water Quality – Councilmember Weisgerber reported on the following:
 - Met with Woods Hole Group to go over the final report, and remediation is being discussed.
 - Had a conference call with DNREC and Envirotech regarding widgeon grass.
3. Charter and Code – Charter and Code Committee Chair John Fields submitted his report for review.
4. Communications and Public Relations – Councilmember Carol Stevenson submitted her report for review.
5. Community Enhancement – Councilmember Sue Callaway submitted her report for review.

PUBLIC COMMENT

Beth Rosso, 106 Elizabeth Way – Suggested putting bike racks in the 8 or 10 parking spots in Sandpiper Village if the Town has to remove the bike racks that are on the empty lots. Ms. Rosso also suggested requiring bike tags on the east side.

John Sorensen, 103 Elizabeth Court – Inquired why there were no police on the 4th of July to stop traffic as people crossed Route 1 during the fireworks. Ms. Hartman stated that there were police working the evening of the 4th.

Jim Oliver, 4 Logan St. – Gave the Mayor and Town Council recognition and credit for extinguishing the previous Mayor's discretionary fund. Mayor Saxton clarified that the discretionary fund has been abolished by this administration.

Tom Roche, 141 Henlopen Dr. – Regarding Ordinance 195-19, commented that he thinks the age of 18 is too low. Councilmember Callaway stated that the age of 18 refers to beach parties. Councilmember Abbott clarified that bonfires are only for Town-sponsored bonfires. Mr. Roche inquired if the Town had offered a two to three-month lease to lot owners regarding bike parking. Mayor Saxton said yes but the owners declined.

Jimmy Oliver, 4 Logan St. – Suggested taking additional lifeguard parking spots and put in bike racks.

Jerry Masiello, 309 W. 4th St. – Suggested sending out a postcard as opposed to an email because he believes more people will read a postcard and a postcard will reach more people.

ADJOURNMENT

Motion by Councilmember Abbott, seconded by Councilmember Weisgerber, to adjourn the July 12, 2019, Town Council Regular Meeting at 7:50 p.m. Motion unanimously carried.