

**TOWN OF SOUTH BETHANY
TOWN COUNCIL WORKSHOP MEETING MINUTES
FEBRUARY 27, 2020**

MEETING CALLED TO ORDER

Mayor Saxton called the February 27, 2020, Town Council Workshop Meeting to order at 12:00 p.m.

ATTENDANCE

Councilmembers Derek Abbott, Don Boteler, Sue Callaway, Dick Oliver, Carol Stevenson, Frank Weisgerber, and Mayor Tim Saxton; Town Manager Maureen Hartman; Chief Jason Lovins; Code Enforcement Constable Joe Hinks; Town Solicitor Stephani Ballard; and Administrative Assistant Pam Smith.

Motion by Councilmember Oliver, seconded by Councilmember Boteler, to move Item 9, Adoption of Minutes, to Item 3. Motion unanimously carried.

ADOPTION OF MINUTES – FEBRUARY 10, 2020, TOWN COUNCIL REGULAR MEETING

Motion by Councilmember Boteler, seconded by Councilmember Oliver, to accept the February 10, 2020, Town Council Regular Meeting Minutes. After discussion, motion by Councilmember Boteler, seconded by Councilmember Oliver, to accept the February 10, 2020, Town Council Regular Meeting Minutes as amended. Motion unanimously carried.

MOTION TO GO INTO EXECUTIVE SESSION

At 12:05 p.m., motion by Councilmember Oliver, seconded by Councilmember Boteler, to go into Executive Session. Motion unanimously carried.

MOTION TO RECONVENE THE TOWN COUNCIL WORKSHOP MEETING

At 1:25 p.m., motion by Councilmember Abbott, seconded by Councilmember Callaway, to reconvene the Town Council Workshop Meeting. Motion unanimously carried

DISCUSSION AND POSSIBLE VOTE ON MATTERS DISCUSSED IN EXECUTIVE SESSION

Motion by Councilmember Boteler, seconded by Councilmember Oliver, to adopt the employment agreements as discussed and agreed to in the Executive Session. Motion unanimously carried.

ORDINANCES

1. Discussion and possible vote to schedule the first reading of an ordinance regarding concessionaires.

Section 8F: Change “men” to “person”.

The Town Solicitor recommended moving the following from Temporary Permits for Town Events into a general area so that it affects all vendors: Any and all advertisements for products or services, which may be offered for sale, must first be approved for use at the Town-sponsored event or activity by the Town Manager;

Motion by Councilmember Boteler, seconded by Councilmember Oliver, to send the ordinance regarding concessionaires to the Charter and Code Committee for review. Motion unanimously carried.

The Town Solicitor will send the Town Manager a revised copy of the ordinance.

2. First Reading of Ordinance 199-20 to amend the Code of the Town of South Bethany, Chapter 138, "Voting, Absentee", to comply with state law.

The Town Manager reviewed Ordinance 199-20.

Mayor Saxton declared this the first reading of Ordinance 199-20.

DISCUSSION ON MUTUAL ASSISTANCE AGREEMENT WITH FENWICK ISLAND AND OCEAN VIEW POLICE DEPARTMENTS

Mayor Saxton stated that Fenwick Island has declined to participate in the mutual assistance agreement.

Mayor Saxton said he is not in favor of a dual mutual assistance agreement. Mayor Saxton believes the agreement should be between at least three towns to spread the work load. Chief Lovins presented a list of reasons why he believes a mutual assistance agreement with the Ocean View Police Department would be beneficial to South Bethany.

Mayor Saxton clarified that this agreement is not an outgrowth of what happened in the past as reported in the paper. Chief Lovins agreed and assured Council that going into this summer South Bethany's Police Department is in great shape. Chief Lovins stated that he is very proud of the manpower and the training in his department.

Councilmembers Callaway and Boteler suggested developing criteria and metrics to evaluate the agreement periodically.

The Town Manager will follow up with Ocean View to confirm they are interested in going forward with a revised agreement.

Council will discuss this again at the March Town Council Regular Meeting.

DISCUSSION OF RESCINDED FEMA MAPS AND BUILDING CODE

The Code Enforcement Constable said South Bethany's 2017 Flood Insurance Rate Maps (FIRM) have been officially rescinded by FEMA and the Town's current Flood Insurance Rate Maps are the 2015 maps. The Code Enforcement Constable recommended that the Council consider as an option for all new construction and substantial renovations or improvements the ability to use best practice for construction. The 2017 maps for the majority of the Town used higher Base Flood Elevations. The Code Enforcement Constable stated that building to a higher standard helps to make the community flood ready.

The Town Solicitor suggested that the Code Enforcement Constable work on a resolution for Council to consider at a future meeting.

Ed Bintz, 302 N. Ocean Dr. – Stated that repercussions to a higher building standard on the west side of Ocean Dr. means less light, blocked views, and loss of privacy. Suggested dividing it into two sectors – Ocean Drive and the west side of Route 1.

DISCUSSION OF BEACH WALKWAY SURVEY

The Town recently had the rights-of-ways professionally surveyed on N. 6th, S. 6th, and Indian St., as a due diligence prior to the construction of the beach walkways. The surveys have re-established the original location of the rights-of-way and will allow the walkways to be accurately placed. The Town Manager will contact the adjacent property owners.

BIKE RACK LOCATIONS

Mayor Saxton stated that the bike rack locations were approved in December. The Town Manager reviewed a new educational brochure that lists the bike rack locations in town and includes a map of the bike rack locations. The brochure also includes guidelines. There was a discussion on educating the community regarding bike parking etiquette.

DISCUSSION AND VOTE ON FY2020 BUDGET AMENDMENTS

Motion by Councilmember Stevenson, seconded by Councilmember Oliver, to approve the Budget Amendment request to add \$30,000 for Dune Walkway Replacements and add \$14,000 for Bristol Road Street Improvements. Motion unanimously carried.

PUBLIC COMMENT

Ed Bintz, 302 N. Ocean Dr. – Does not think it would be a best practice to base a building height restriction for oceanfront houses on base flood elevation that a court has found to be arbitrary, capricious, and in violation of the law.

Tom Roche, 141 Henlopen Dr. – Expressed concerns about a letter he received in the mail that contained political content. Everyone agreed that the letter was junk mail.

ADJOURNMENT

Motion by Councilmember Boteler, seconded by Councilmember Stevenson, to adjourn the February 27, 2020, Town Council Workshop Meeting at 2:50 p.m. Motion unanimously carried.