

**TOWN OF SOUTH BETHANY
TOWN COUNCIL REGULAR MEETING MINUTES
FEBRUARY 12, 2021**

**This meeting was conducted electronically pursuant to Governor Carney's State of
Emergency declaration, effective March 13, 2020, as amended.**

Meeting Called to Order

Mayor Saxton called the February 12, 2021 Town Council Regular Meeting to order at 9:30 a.m.

Attendance

In attendance were Mayor Tim Saxton and Councilmembers Sue Callaway, Derek Abbott, Randy Bartholomew, Dick Oliver, Carol Stevenson and Frank Weisgerber; Town Manager Maureen Hartman; Chief Jason Lovins; and Town Clerk Janet Powell. Total virtual attendees - 81.

Presentation of Mayor's Commendation

Mayor Saxton presented a commendation to Officer Anthony Quiroz in recognition of his devotion to duty and display of professionalism while effecting an arrest of a violent suspect that was under the influence of illegal narcotics on July 22, 2020.

Executive Session

Motion by Councilwoman Callaway to go into Executive Session at 9:34 a.m. to discuss a matter regarding the qualifications of an individual citizen to hold a job or pursue training unless the citizen requests that such a meeting be open, seconded by Councilman Oliver. Motion carried 7-0.

Reconvene Town Meeting

Motion by Councilman Oliver, seconded by Councilman Abbott to reconvene the Town Council meeting at 10:10 am. Motion carried 7-0.

Motion by Councilman Abbott, seconded by Councilman Oliver to approve the hiring of a Town Clerk and Administrative Specialist, as presented. Motion carried 7-0.

Adoption of Minutes

Motion by Councilman Abbott, seconded by Councilwoman Callaway, to adopt the December 11, 2020 Council meeting minutes. Motion carried 7-0.

Motion by Councilman Abbott, seconded by Councilman Oliver, to adopt the December 17, 2020 Council workshop meeting minutes, as amended by Councilwoman Callaway. Motion carried 7-0.

Adoption of 2021 Sussex County Tax Assessments for the Town of South Bethany

Motion by Councilman Bartholomew, seconded by Councilman Abbott that the Town of South Bethany notify the public that the Town elects to use the Sussex County Board of Assessment for the purpose of evaluating property tax assessments for properties located within the Town. Motion carried 7-0. Councilman Bartholomew indicated that Tax assessments will be based on assessments as of March 1, 2021.

First Reading of Ordinance 201-21 to Amend the Code of South Bethany, Chapter 30, Animals, to Add Requirements Applicable to Owners of Outdoor Cats

Councilwoman Stevenson provided a detailed reading and articulated the changes that were being made with regards to adding requirements for the wearing of identification tags by any pet cat permitted to run at large; adding limitations for the maximum number of cats to four from any household, which are permitted to run at large within the corporate limits of the Town of South Bethany; and clarify definitions for different types of cats. Minor grammatical changes were suggested before the second reading.

Mayor Saxton declared this the first reading.

First Reading of Ordinance 202-21 to Amend the Code of South Bethany Chapter 94, Parking, to Add Provisions Regarding Bicycle Parking

Mayor Saxton introduced the first reading of this ordinance to address requirements for permitted on-street bicycle parking within the Town. There were several comments from Council regarding the removal of bicycles parked on private property without permission. Chief Lovins stated that Bike Removal Request forms will be provided to property owners who want the police to remove bicycles from their property.

Mayor Saxton declared this the first reading.

The Mayor indicated that both draft Ordinances are located on the Town's website. Both Ordinances will have a second reading at the March 12th Town Council meeting.

Discussion and Possible Vote on Approval of the 2021 Election Board

Mayor Saxton presented the nominees for the 2021 Election Board Judges. Motion by Councilman Abbott, seconded by Councilman Oliver to approve Jane Bonbright, Brad Gough and Pat Weisgerber as primary Judges and John Stephani as an alternate Judge. Motion carried 7-0.

Discussion and Possible Vote on Repairs to Town Bulkheads

Three bulkhead repairs are proposed for the Sussex Place, New Castle Road and the West 11th Street canal ends. Town Manager Hartman stated the original proposal from J&J Bulkheading presented in December has increased by 10%. If the Public Works Department removes the existing vegetation, J&J Bulkheading will deduct the \$1320 from the proposal for the West 11th Street canal end; for a total cost of \$24,662.50.

Councilwoman Callaway suggested notifying neighboring homeowners who have landscaped the canal ends, especially through the annual Adopt-A-Canal program. Mayor Saxton agreed, but did state that the canal ends are still owned by the Town. There was some confusion on the location of the West 11th Street canal end; but Code Enforcer Joe Hinks provided the exact location. Motion by Councilman Oliver, seconded by Councilwoman Callaway to approve the proposal presented by J&J Bulkheading. Motion carried 7-0.

Discussion and Possible Vote to Renew Mutual Assistance MOU with the Ocean View PD

Chief Lovins requested that the Mutual Assistance Agreement (MOU) be extended with the Town of Ocean View for a five (5) year agreement, and a one (1) year annual review from the Chief to the Mayor and Town Council. Motion by Councilman Oliver, seconded by Councilman Abbott to approve the renewal of the MOU. Motion carried 7-0.

Discussion and Possible Vote to Change Planning Commission By-Laws & Procedures

Councilman Oliver requested to move the Planning Commission organizational meeting from November to May annually. Motion by Council Abbott, seconded by Councilman Stevenson to move the Planning Commission meeting from November to May. Motion carried 7-0.

Discussion and Possible Vote to Change Dates of Barricade Placement at Cat Hill

Councilwoman Stevenson proposed changing the time of the barricade placement in Cat Hill to start before Memorial Day weekend and end after Labor Day weekend instead of the current dates of May 15th to September 15th. Motion by Councilwoman Stevenson, seconded by Councilman Weisgerber.

Councilman Bartholomew proposed to amend the motion for clarification on the start and end days. Councilman Bartholomew suggested, "to start the Friday before Memorial Day weekend and end on the Tuesday after Labor Day weekend." Motion by Councilman Bartholomew, seconded by Councilwoman Stevenson to amend original motion to add the Friday before Memorial Day weekend to the Tuesday after Labor Day. Motion carried 7-0.

Leadership Reports – Reports Posted Online

The Mayor and Town Manager had no additions to their reports.

The Treasurer had no addition to his report.

Committee and Commission Reports – Reports Posted Online

The Budget and Finance, Charter and Code, Communications and Public Relations and Community Enhancement Committees had no additions.

Canal Water Quality – no report submitted. Councilman Weisgerber stated that he and Town Manager Hartman had a meeting with Solitude Lake Management regarding service and maintenance of the canals. The company will be submitting a proposal in the near future.

Charter and Code Committee – no report submitted. Councilman Abbott had an inquiry asking if the Town would consider tightening up the code requirements for Livable Area Ratio (LAR) and Floor to Area Ratio (FAR). Mayor Saxton recommended presenting it to Charter and Code for review.

Planning Commission – no report submitted. Councilman Oliver indicated the Planning Commission committee is working on the Comprehensive Plan five-year update as well as a survey.

FEMA Ad Hoc Committee – no report submitted. Councilman Bartholomew stated there will be an upcoming meeting.

Public Comment

EJ Braid, 111 Brandywine Drive – commented cats with a collar can be very dangerous for a cat and suggested rewording the First Reading of Ordinance 201-21 to Amend the Code of South Bethany, Chapter 30, Animals, to Add Requirements Applicable to Owners of Outdoor Cats. Councilwoman Stevenson responded that upon research, a breakaway collar properly fitted and identified can be a beneficial to the cat and homeowner.

Bobbi Stephen, 46 S Anchorage – read Kent Stephen's statement regarding his opinion of the Cat Hill barricade.

Adjournment

Motion by Councilman Oliver, seconded by Councilman Abbott, to adjourn the February 12, 2021, Town Council Regular Meeting at 11:55 a.m. Motion carried 7-0.