

**TOWN OF SOUTH BETHANY**  
**TOWN COUNCIL PUBLIC HEARING AND REGULAR MEETING MINUTES**  
**November 12, 2021**  
**10:00 A.M.**

**Public Hearing at 10 a.m. to hear comments regarding the renewal of the Franchise Agreement for Mediacom**

Mayor Saxton opened the Public Hearing at 10:00 a.m. to hear comments regarding the renewal of the Franchise Agreement for Mediacom, pursuant to Section 626 of the Federal Cable Act and sets forth the process for franchise renewal. The current one-year extension of the original agreement expires December 31, 2021, so that the Town and Mediacom could come to terms on numerous service issues. Mayor Saxton noted that only cable television related comments or issues will be addressed during the Hearing. There were no public comments, and the Public Hearing was closed at 10:03 a.m.

**Meeting Called to Order and Pledge of Allegiance**

Mayor Saxton called the November 12, 2021 Town Council Regular Meeting to order at 10:04 a.m. followed by the Pledge of Allegiance to the Flag.

**Attendance and Absences**

In attendance were Mayor Tim Saxton and Councilmembers Randall Bartholomew, Sue Callaway, Edie Dondero, and Dick Oliver; Town Manager, Maureen Hartman; Administrative Specialist Janet Powell; and Chief Jason Lovins; and Mediacom representatives Todd Galen and Kenneth Malone. Mediacom representative Mitchell Brown attended remotely. Councilmembers Abbott and Shaw were absent. Public attendees: 9; remote attendees: 3.

**Public Comment**

Bethany Beach Volunteer Fire Company Chief Shane Truitt thanked the Council for assisting the BBVFC in acquiring a grant from DelDOT's Community Transportation Fund (CTF) program for the purchase of a new UTV which will be used for medical emergency responses on the beach and walking trails. Fire Chief Truitt also requested that any vegetation around fire hydrants in Town should be trimmed so hydrants are visible within a 100 ft radius.

Ed Nazarian, 20 Peterson Drive, questioned why the Town wants to lower the speed limit to 30 mph on Coastal Highway. Mayor Saxton explained the Town of Bethany Beach initiated the petition to DelDOT to lower the speed limit on Coastal Highway and has asked neighboring towns to join the petition. Mayor Saxton stated it will be discussed at today's meeting.

Nancy Maher, 30 S Anchorage Drive, asked for an update on the request for additional streetlights on S Anchorage Drive. Mayor Saxton stated it was discussed at the October 28<sup>th</sup> TC Workshop meeting, and Town Manager Hartman is in the process of getting estimates and options from Delmarva Power to be presented at the December 16, 2021, Town Council workshop meeting.

**Adoption of Minutes**

Motion by Councilman Oliver, seconded by Councilwoman Dondero to adopt the October 8, 2021 Town Council Regular meeting minutes. Councilwoman Callaway noted minor edits in the meeting minutes. Motion by Councilwoman Dondero, seconded by Councilman Bartholomew to adopt the amended October 8, 2021 Town Council regular meeting minutes. Motion carried 5-0.

Motion by Councilman Oliver, seconded by Councilman Bartholomew to adopt the October 28, 2021 Council workshop meeting minutes. Motion carried 5-0.

**First Reading on Draft Ordinance 204-21 Amending Chapter 84, Article I, remove mercantile license “valid date” parameters set in section 84-2, (Scope) from the Code of South Bethany to allow the Town the flexibility of setting mercantile licenses dates; Article I, §84-4 removing reference to time periods in the license application; Article II, §84-13, remove the specific month of mail distribution of rental application forms to residents so said forms may be distributed earlier**

Town Manager Hartman introduced the amendment to remove language from the Code that sets parameters and issuance dates and allows flexibility in the issuance of Mercantile and Non-Rental/Rental Declaration forms. Town Manager Hartman read the amendments as follows: Section 84-2 (Scope), to remove “The Town of South Bethany may issue licenses for the following time periods: A. An annual license covering the time period from May 1 through April 30; B. A six-month license covering the time period November 1 through April 30; or C. A thirty-day license that may be purchased once per fiscal year (May 1 through April 30)”. In §84-4 Application, removing “The applicant shall choose the appropriate application form depending on the time period to be covered by the application”. In §84-4(A) remove “home” and replace with “name”, and (F) remove “For thirty-day licenses, the start date and expiration date of the thirty-day term to be covered by the license.” In §84-13 Annual License and Fee (B) remove “Each February” and replace with “Annually”. Mayor Saxton stated definitions regarding the license time period needs to be in the Code to provide clarity. Town Manager Hartman will amend the definitions for the Second Reading. Mayor Saxton declared the First Reading of Ordinance 204-21 to amend Chapter 84, Article I and Article II, Section 84-2,(Scope), §84-4 and §84-13.

**Discussion and possible action on assisting Bethany Beach Volunteer Fire Company with obtaining a grant from the Community Transportation Fund (CTF) for emergency equipment**

Mayor Saxton explained that the BBVFC received a grant in the amount of \$22,392 from DeIDOT’s CTF program for the purchase of emergency equipment, but since state funds cannot be given directly to the fire company, the Town acts as a pass-through for the grant. Motion by Councilwoman Dondero, seconded by Councilwoman Callaway to assist the BBVFC with the CTF grant in the amount of \$22,392 to purchase emergency equipment. Motion carried 5-0.

**Discussion about placing an Electric Vehicle (EV) Charging Station at Town Hall**

Town Manager Hartman proposed that Council consider installing an Electric Vehicle (EV) charging station at Town Hall. EVI will provide the installation of the charging station, the technical and labor support, and five (5) years of maintenance and repair of the stations at no cost to the Town. The Town will be responsible for providing electric to the unit. Upon discussion, Councilmembers Callaway and Oliver stated they did not feel there was a need, will not be utilized, and were concerned about using two parking spaces. Councilmembers Dondero and Bartholomew supported an EV station stating it is a nice service to our residents and visitors and supports clean energy. Mayor Saxton had concerns about the use of parking spaces and suggested Town Manager Hartman reach out to Richard Mais to place an EV station at his York Beach Mall Plaza property.

**Discussion and possible action to request that DeIDOT lower the speed limit to 30 mph year-round on Coastal Highway**

Mayor Saxton opened the discussion to request that DeIDOT lower the speed limit to 30 mph on Coastal Highway either year-round or only during the summer season. Motion by Councilwoman Dondero, seconded by Councilwoman Callaway to request that DeIDOT lower the speed limit to 30 mph on Coastal Highway year-round. Motion failed 3-2, Councilmembers Oliver and Bartholomew dissenting.

Motion by Councilman Oliver, seconded by Councilman Bartholomew to request that DelDOT lower the speed limit to 30 mph on Coastal Highway during the summer season. Motion failed 3-2, Councilmembers Callaway and Dondero dissenting.

**Discussion and possible action to appoint Christopher Vanuga as a Canal Water Quality Committee member**

Mayor Saxton requested a motion to appoint Christopher Vanuga as a Canal Water Quality Committee member. Motion by Councilman Oliver, seconded by Councilman Bartholomew to appoint Christopher Vanuga as a CWQC member. Motion carried 5-0.

**Leadership Reports – Reports Posted Online**

Mayor's Report – submitted. Mayor Saxton added that the GMB contract was submitted to ARPA legal services Barnes Thornburg for review and the contract met ARPA requirements; therefore, the GMB contract was signed. Mayor Saxton, Town Manager Hartman, Jack Whitney, Chris Vanuga, and Derek Abbott met with Danielle Swallow and Karen Verdema from Delaware Sea Grant regarding grants for nuisance flooding and sea level rise. Mayor Saxton appointed the Canal Water Quality Committee to work on the research of grants on sea level rise. Mayor Saxton thanked Town Manager Hartman and Administrative Specialist Powell for the assistance in the FEMA open house held November 4, 2021.

Town Manager Report – submitted.

The Treasurer Report – submitted.

**Committee and Commission Reports – Reports Posted Online**

The Budget and Finance Committee – no report.

Canal Water Quality Committee – no report.

Charter and Code Committee – submitted.

Communications and Public Relations Committee – submitted. Councilwoman Dondero announced "Coffee with the Chief" scheduled on Monday, November 22, 2021 from 10am – 11am.

Community Enhancement Committee – submitted.

Planning Commission – no report.

Bicycle & Pedestrian Ad Hoc Committee – no report.

**Adjournment**

Motion by Councilman Oliver, seconded by Councilwoman Dondero to adjourn the November 12, 2021, Town Council Regular Meeting at 11:11 a.m. Motion carried 5-0.