

TOWN OF SOUTH BETHANY
TOWN COUNCIL PUBLIC HEARING AND MEETING MINUTES
AUGUST 12, 2022
9:00 A.M.

9:00 AM Public Hearing To receive public input regarding Ordinance No. 208-22 to amend the Town of South Bethany Chapter 145, Zoning, Article XV, Board of Adjustment, §145-58 Powers and Duties, to update language pertaining to Board of Adjustment hearing letter notification.

Mayor Saxton opened the Public Hearing at 9:00 a.m. Councilman Shaw said the purpose of the amendment is to eliminate certified mail and use regular mail for cost effective savings. There were no public comments and Mayor Saxton closed the Public Hearing at 9:02 a.m.

Meeting Called to Order and Pledge of Allegiance

Mayor Saxton called the August 12, 2022 Town Council meeting to order at 9:03 a.m. followed by the Pledge of Allegiance to the Flag.

Attendance and Absences

In attendance were Mayor Tim Saxton and Councilmembers Derek Abbott, Bob Biciocchi, Edie Dondero, Dick Oliver, Tim Shaw, Administrative Specialist Janet Powell; and Chief Jason Lovins. Councilmember Bartholomew and Town Manager Hartman attended remotely. Public attendees: 16, remote attendees: 15.

Public Comment

Lynn Masiello, 309 W 4th St, commented there is no need for speed humps or lowering the speed; suggesting the police enforce the current speed limit and asked the Council to review the designated Canal Drive trail/walkway, which has brought significant inconvenience to the residents who live nearby.

Diann Nazarian, 20 Peterson Drive, contacted DeIDOT and a DeIDOT representative stated speed humps are the least favored way to slow traffic and a traffic study is required on state roads.

Dennis Roberts, 107 Canal Road, commented he has a speed hump in front of his house and does not find it to be an inconvenience and suggested Council educate the public since there are many vacationers.

Ed Nazarian, 20 Peterson Drive, questioned if the Town will hire a Code Enforcement Assistant in the summer months and does not think two speed humps on Peterson Drive is necessary.

Robert Shields, 39 Seaside Drive, noted the B&PSC did not recommend the police department enforce the current speed because the police are already busy with job duties.

Craig Korsgard, 305 W 2nd Street, suggested placing a walkway on Canal Road, and Council notify commercial vehicles such as Federal Express and Republic Services to slow down.

Laura Macauley, 14 and 16 Peterson Drive, encourages the speed humps, suggesting the police monitor the 3-way stop near her home, and purchase camera pods that takes photos and automatically mails the citation to the offender.

Mayor Saxton commented the town roads are not state roads, were not designed for large cars, bicycle riders, or walkers on the road at the same time, and the objective of a speed hump is to slow down a vehicle and make the driver to pay attention to their surroundings. Mayor Saxton read

a letter from resident James Oliver, 4 Logan Street, requesting the Town Council consider a cost-of-living increase in town taxes in line with the consumer price index due to the current inflation and the Town's commitment to their employees COL increase; creating a preventive measure for a deficit.

Adoption of Minutes

Motion by Councilman Abbott, second by Councilwoman Dondero to adopt the July 8, 2022 Town Council Meeting minutes. Motion carried 7-0.

Motion by Councilman Abbott, second by Councilwoman Dondero to adopt the July 27, 2022 Town Council Workshop minutes. Motion carried 7-0.

Second Reading for Ordinance 208-22 to amend Chapter 145, Zoning, Article XV, Board of Adjustment, §145-58(B)(2) Powers and Duties to update language pertaining to certified letter notification

Mayor Saxton noted Councilman Shaw reviewed the Second Reading during the Public Hearing.

Discussion and possible action to adopt Ordinance 208-22

Motion by Councilman Oliver, second by Councilman Abbott to adopt Ordinance 208-22, Chapter 145, Zoning, Article XV, Board of Adjustment, §145-58(B)(2) Powers and Duties to update language pertaining to certified letter notification. Motion carried 7-0.

First Reading for Ordinance 209-22 to amend Chapters 34, 37, 50, 69, 73, 84, 94, 104, 130, 141 and 145 addressing classifications of certain Violations, Fines and Penalties

Councilman Abbott provided a synopsis of the First Reading for Ordinance 209-22 to amend Chapters 34, 37, 50, 69, 73, 84, 94, 104, 130, 141 and 145 addressing classifications of certain Violations, Fines and Penalties due to the various chapter violations are minimal and should be a civil violation vs a criminal one; and addressed the dollar amounts in Chapter 104-8(d), the civil penalty is \$50; Chapter 104-19(c), the civil penalty is \$100 and Chapter 141-18 the civil penalty is \$100. Mayor Saxton declared the First Reading of Ordinance 209-22.

Discussion and possible action to install speed humps on Canal Drive and Peterson Drive

Councilwoman Dondero stated the Bicycle & Pedestrian Safety Committee's goal is to educate cyclists and pedestrians on road safety and recommend to Council means of enhancing safety on town streets by exploring all available means of traffic calming. The B&PSC committee consulted with the police department regarding the recommendation of speed humps and speed limits as a pro-active measure to ensure safety. Motion by Councilwoman Dondero, seconded by Councilman Shaw, to approve the Bicycle & Pedestrian Safety Committee's recommendation to install two speed humps each on Canal Drive and Peterson Drive in fiscal year FY23 and install speed humps on S Anchorage Dr, Bayshore Dr and York Road in FY24. Motion carried 7-0.

Motion by Councilman Bartholomew, seconded by Councilwomen Dondero to reallocate funds, not to exceed \$9,000, from the existing beach access ramps category to the speed humps category from the FY23 Capital Project. Motion carried 7-0.

Discussion and possible action to reduce the speed limit to 15 mph on Evergreen Road, Russell Road, Canal Drive, Tamarack Drive, Cattail Road, and Black Gum Drive.

Councilwomen Dondero stated the Bicycle & Pedestrian Committee recommended the reduction of the speed limit to 15 mph on Evergreen Road, Russell Road, Canal Drive, Tamarack Drive, Cattail Road, and Black Gum Drive since they are the most heavily traveled connecting a cut through from Kent Avenue to Coastal Highway with no sidewalks, no shoulders with adequate

width, several of the streets are curvy with limited sightline and have a high level of pedestrians, dog walkers, bicyclists, scooters, etc. Councilwoman Dondero has received 45 emails in favor and one phone call in opposition, the public works department would be installing new signs and there will be an operational expense on FY24 budget and a change in Town Code. Motion by Councilman Abbott, seconded by Councilwoman Dondero to approve the change to 15 mph with appropriate procedural and parliamentary steps are necessary to get it done in due course. Motion carried 6-1, Councilman Oliver dissenting.

Discussion and possible action on additional canal cleanup work by Envirotech based on the Canal Water Quality Committee's recommendation

Mayor Saxton tabled the discussion noting financial documents need to be in the Town Council packet to give ample time for review or the discussion and action will be tabled.

Update on Audio/video for meeting room

Councilman Shaw and Town Manager Hartman visited the Town of Fenwick Island town hall to review their Zoom audio/video system including a remote-controlled camera with an estimated cost of under \$10,000, and plan to meet a consultant for more detailed information to provide to Council in the near future.

Leadership Reports

Mayor's Report – report submitted.
Town Manager Report – report submitted. Town Manager Hartman congratulated Administrative Specialist Janet Powell on her upcoming retirement and Mayor Saxton presented a plaque for her five years of service.
Police Chief Report – report submitted.
Treasurer Report – Councilman Bartholomew stated the financial report will be available shortly and the audit draft report will be available in the next few weeks.

Committee and Commission Reports

Budget and Finance Committee – no report submitted.
Canal Water Quality Committee – report submitted.
Charter and Code Committee – no report submitted.
Community Relations Committee – report submitted.
Planning Commission – no report submitted.
Bicycle & Pedestrian Safety Ad Hoc Committee – report submitted.

Motion to go into executive session for the purpose of discussing personnel matters in which the names, competency and abilities of individual employees will be discussed. 29 DEL C. §10004(b)(9).

Motion by Councilman Abbott seconded by Councilman Oliver to go into executive session at 10:20 a.m. Motion carried 7-0.

Motion to reconvene Town Council Meeting and possible action on matters discussed in executive session.

Motion by Councilwoman Dondero, seconded by Councilman Shaw to reconvene the Town Council Meeting at 10:46 a.m. Motion carried 7-0.

Motion by Councilman Abbott, seconded by Council Oliver to approve the matters discussed in executive session. Motion carried 7-0.

Adjournment

Motion by Councilman Abbott, second by Councilwoman Dondero to adjourn the August 12, 2022 Town Council Regular Meeting at 11:08 a.m. Motion carried 7-0.

Respectfully submitted,

Council Secretary

Administrative Specialist

Date of Approval