

**TOWN OF SOUTH BETHANY  
TOWN COUNCIL WORKSHOP MEETING MINUTES  
OCTOBER 27, 2011**

**ATTENDANCE**

PRESENT: Mayor Jay Headman; Councilpersons John Fields, Pat Voveris, Al Rae, Sue Callaway, George Junkin, and Jim Gross; and Town Manager Melvin Cusick; and Code Enforcement Constable Dan West

**MEETING CALLED TO ORDER**

Mayor Headman called the October 27, 2011, Town Council Workshop Meeting to order at 5:00 p.m.

**PUBLIC COMMENT PERIOD**

There were no comments from the public.

**ADOPTION OF MINUTES**

- **Town Council Regular Meeting Minutes, October 14, 2011** – A motion was made by Councilman Junkin, seconded by Councilman Gross, to accept the October 14, 2011, Town Council Regular Meeting Minutes as amended by Councilwoman Voveris as follows:

Page 4, First Paragraph: Change "Regarding expenses, yard waste continues to be a *nightmare*" to read "Regarding expenses, yard waste continues to be a *concern*."

Page 8, First Paragraph: Change "Councilwoman Voveris stated that she believes Mr. Brown has *a lot to bring* to the Board of Adjustment" to read "Councilwoman Voveris stated that she believes Mr. Brown has *much to contribute* to the Board of Adjustment."

The motion was unanimously carried.

**DRAFT MEDIACOM FRANCHISE AGREEMENT**

Mayor Headman called Bob Cestone to the Workshop table and stated that Mr. Cestone has been invaluable to all of the Towns involved with this agreement. Council Members had a final draft copy of the Cable Franchise Agreement (available for review at Town Hall) that the Cohen Law Group (the law firm representing the Southern Delaware Cable Consortium which is made up of the Towns of Bethany Beach, Millville, Ocean View, and South Bethany) will use to begin negotiations with Mediacom. Each Town in the consortium is bringing the agreement to their Councils for their review and approval. After all of the Councils have reviewed the agreement, the consortium will meet one more time to discuss and finalize the draft. Mayor Headman asked for questions from the Council. Council asked questions and expressed concerns that they had. Mayor Headman and Mr. Cestone addressed their questions and concerns. In addition, when asked by Councilwoman Callaway, Mayor Headman and Mr. Cestone confirmed that all Mediacom questions and concerns expressed by South Bethany property owners on the 2011 Town Survey had been conveyed to Mediacom and considered when preparing the contract. No changes to the Cable Franchise Agreement were made other than some editing changes such as numbering. No substantive changes were made to the agreement.

A motion was made by Councilman Junkin, seconded by Councilman Rae, to approve the draft agreement so that South Bethany's consortium representatives can meet with the other towns in the consortium and finalize the draft. The motion was unanimously carried.

**BUDGET AND FINANCE COMMITTEE REPORT (Pat Voveris)**

The Budget and Finance Committee met on October 21. Councilwoman Voveris gave handouts to Council regarding yard waste and trash, temporary mercantile licenses, and use of MSA funds. The following is Councilwoman Voveris' review of the October 21 Budget and Finance Committee Meeting:

- Temporary mercantile license – a 30 day license that vendors could get twice a year after which time they would have to buy a full mercantile license. The committee discussed the issue and took into account Dennis Roberts' remarks. The Budget and Finance Committee is going to recommend to Council that the Town create a temporary mercantile license.
- Councilwoman Voveris summarized the George, Miles, and Buhr (GMB) 1995 Engineering Report Stormwater Management Plan and talked about the Canal Water Quality Committee report because there are money issues involved.
- Discussed studying the retrofits on the east side.
- Year to date financials were reviewed by the Financial Administrator.
- The yard waste overage was discussed. The Town Manager reported that the Town's current trash service provider is now going to be offering yard waste service. (Mayor Headman stated that a proposal by Allied Waste for yard waste will be brought to the Council for consideration at a future meeting.)
- Steve Farrow presented an outline for an investment policy which the committee is continuing to work on. The committee is in agreement that something should be brought to Council, and Council should have a policy in place.
- Long term planning was discussed. The capital assets are on a schedule and everything is accounted for.

Councilwoman Voveris asked for Council's approval to continue her work to improve the readability of the walkway signs. After a discussion, Council agreed.

The next Budget and Finance Committee Meeting is scheduled for November 18.

**DONATION TO HISTORICAL SOCIETY**

Mayor Headman thanked the South Bethany Historical Society for their tremendous effort and the work they are doing. Mary Suazo, South Bethany Historical Society President, explained the Historical Society's need for financial assistance:

- To apply for small grants up to \$3,000 from the Delaware Humanities Forum through the National Endowment for the Humanities. These grants require matching funds. These grants are federal funds and there is no assurance that they will be available in the future.
- For supplies and technical assistance to index and properly preserve old maps and other materials/documents.

Mayor Headman stated that usually this is done during the budget season, but exceptions can be made when needed.

A motion was made by Councilman Fields, seconded by Councilman Gross, that the Council allocate \$1,000 to the South Bethany Historical Society to help defray their expenses. Councilman Rae asked what category the funds would come out of. Councilwoman Voveris stated that the funds would come out of the G & A contingency fund of \$3,000 that is not earmarked for anything. Mayor Headman called for a vote. The motion was unanimously carried.

**TOWN OF SOUTH BETHANY APRIL 2011 COMPREHENSIVE PLAN COMMUNITY SURVEY – PRESENTATIONS OF RECOMMENDED IMPROVEMENT REPORTS**

• **Canal maintenance (Melvin Cusick)**

**The Town Manager's written report:**

The average score of 3.78 placed canal maintenance in the satisfied category. 69% of those who had an opinion were satisfied or very satisfied with the Canal Maintenance. There were 79 written comments. The majority of the comments dealt with scum, trash, and algae accumulating on the surface, mostly at canal ends. There were also a few comments concerning dredging of the canals and overhanging tree branches.

Concerning scum, trash and algae:

- The Town really has no means of cleaning the algae blooms. This requires the State to come in with the “Harvester” to collect the algae. Residents are encouraged to use the Town website which has a link to the DNREC site for reporting algae blooms. The State does perform weekly monitoring of the algae. It should be noted that when the State used the “Harvester” several years ago, the machine could not get all of the algae particularly near the bulkheads and canal ends.
- Trash – the Maintenance staff checks for trash, limbs, and debris weekly and removes what they can from the ends of the canals. The Town does not have a boat or the manpower to clean all areas of the canals (most debris is at the canal ends).
- Dredging – dredging of the canals was completed in 2007 at a cost of approximately \$280,000. This does not include the feasibility costs, survey costs, and permitting that was completed in 2004, 2005, and 2006. Permits issued allowed for a dredge depth of 4 feet below mean low water. It was the Project Engineer’s recommendation to stay a minimum of 8 feet from all bulkheads to prevent damage to the bulkheads and the liability to the Town. The Budget and Finance Committee is planning to include dredging of the canals in the long range plan.

**Comments in addition to the written report:**

Councilman Gross suggested considering the possibility of the Town having a boat to do trash pickup in the canals.

Councilman Rae inquired about overhanging trees in the canals. The Town Manager stated that the Code Enforcement Officer has written letters to people that have overhanging trees. The Town Manager stated that it is up to the property owner to take care of it. The Code Enforcement Constable stated that the problem he runs into concerns the following section of the Town Code because the complaints he receives are about trees projecting out over the canal:

§ 125-2. Activities prohibited.

- (3) Tree branches more than 2 feet, seaward from the bulkhead, over canals are allowed, but must be no lower than 12 feet above the height of the bulkhead.

Councilman Rae stated that is something Council needs to fix. Mayor Headman stated that Council may want to look at modifying the existing ordinance.

- **Storm water management**

**The Town Manager's written report:**

The storm water management average score of 3.87 placed it in the satisfied category. 78% of those who had an opinion were satisfied or very satisfied with the storm water management. There were 68 written comments. Many of the comments were about standing water during or shortly after a storm and during high tide events. Several comments were about drainage issues on private property.

- The Town has had an investigation and repair procedure in place for the past 6 years. When a resident reports a drainage problem, the address is documented and then the area is monitored through several storms and tide cycles to see if there is a problem and also to determine if it is within the Town's responsibility. We find that most areas are on private property and are the responsibility of the property owners. Many of the older homes in Town were built with little or no elevation of the lot. Several actually have driveways that slope to the garage or house rather than sloping to the street. Many property owners fail to realize that there is very little elevation in this area (flat land) and that water will not run off immediately during or after a storm event. If it is found that a drainage problem exists and it is within the Town's responsibility to correct, the property address(s) are listed and if funds are available, a drain system is installed. The current specification that the Town uses includes 6" PVC thick wall perforated plastic pipe installed 12" below grade and covered with stone. It should be noted that most of the severe drainage problems that existed 6 to 7 years ago have been addressed. In 2005, the Town budgeted \$50,000.00 and spent approximately \$47,369.00 on street drainage. This was in response to demands and many complaints aired at Town Council meetings by residents to address drainage problems. As problems have been addressed, this figure has come down to \$10,000.00 in the current budget.
- Several comments concerned flooding problems on Bristol Road and Tamarack Drive. Both of these areas are subject to tidal flooding. There is little the Town can do to correct or stop this. We will inspect the existing drains on Bristol to see if there are any problems.

Councilman Junkin gave a PowerPoint presentation titled Canal Water Quality Committee Response to Survey Results (attached). Council Members also had a copy of the Responses to Survey Results Relative to Canal Water Quality From the Canal Water Quality Committee report (available for review at Town Hall).

**Councilman Junkin's written report:**

**1. Recommended Actions that the Town Should Take**

**– Programs that are working and that should be maintained:**

- Continue to control stormwater along South Bethany streets as recommended in the 1995 GMB report so that flooding is minimized while also allowing some time for the stormwater to be absorbed by the ground.
- Continue to implement recommendations from the 2010 Anchorage Canal Drainage Area Study like the median project currently under construction.
- Continue to conduct the water quality monitoring program.
- Continue and expand the oyster gardening program through the Center for Inland Bays (CIB).
- Continue the education program to inform homeowners of water quality initiatives and to supply them with information as to how they can help to improve the quality of water in the South Bethany canals.

**– Programs that will be initiated to decrease the amount of algae, debris, sludge, trash, etc. that accumulates in the South Bethany canals:**

- Submit to the Budget & Finance Committee a line item of \$21,000 to permit, procure and **install a diffuser system in the east-west portion of the Anchorage Canal as a pilot project for two years** to improve the water quality in that canal and to determine the actual improvement in water quality that results from the diffusers. Also included would be a line item of \$2,300 per year for the operation and maintenance of the pilot system.
- Submit to the Budget & Finance Committee a line item of \$12,000 for the implementation of a study to determine potential retrofits to improve stormwater management (maintain existing flooding control while also minimizing canal pollution) particularly along the east side of Route 1 and any other areas that contribute significant volumes of stormwater into the South Bethany canals with no consideration for water quality issues.
- Communicate more often with DNREC at <http://www.dnrec.state.de.us/macroalgae/contact> and at [Ariane.Nichols@state.de.us](mailto:Ariane.Nichols@state.de.us) to request the microalgae harvester to harvest algae from the South Bethany canals.
- Look into developing an “Adopt a Canal” program that would involve homeowners with boats to adopt a canal that they will keep clean of trash and debris. Encourage recreational users of the canals to remove any trash that they may encounter. The emphasis here is on trash, not algae or scum.
- Recommend to the Budget & Finance Committee a line item for dredging our canals as a capital depreciation item with a book value of \$300,000 with a yearly assessment of about \$15,000 to be held in reserve for dredging the canals as may be required at a future date. Currently the canals are dredged to at least 3 feet at mean low tide.

**– Programs that will be initiated to decrease the amount of “large puddles” or “flooding” or “too much standing water”:**

- Due to lack of adequate control of stormwater runoff along South Bethany’s streets:
  - Observations after hurricane Irene indicate that there were minimal issues relative to adequate control of stormwater. The “flooding” was due to private property grading issues and to the extremely high tide that back flooded storm drains and overflowed bulkheads.
  - Document locations of all stormwater drains in South Bethany and document to make sure that they are not plugged up and that they were installed with perforated pipes per the recommendations in the 1995 GMB report so that flooding is minimized while also allowing some time for the stormwater to be absorbed by the ground.
  - Request inputs from homeowners to identify specific areas where there are problems.
- Due to improper grading of private properties within South Bethany:
  - Encourage homeowners to grade their properties toward the property lines so that stormwater will flow towards the street as required by Town Code Section § 104-11, Grading and Drainage.
  - Encourage homeowners to fill low areas on the properties or convert the low areas into rain gardens.
- Due to tidal flooding:
  - Consider adding check valves to stormwater management drains that would keep high canal tides from back flowing that floods streets such as Layton, New Castle and Carlisle.
  - Provide a contour map and bulkhead heights for South Bethany so that homeowners understand the elevation of South Bethany and of their properties within South Bethany. (See pages 11 & 12 of this report)
  - Accept the fact that the tides cannot be held back. The only solution would be to raise the roads and properties in low areas. This is not a recommendation at this time.

## **2. Recommended Actions That Homeowners Should Take**

- Voluntary disconnection of all piping that dumps water (rain water, sump pump water, washing machine water, outdoor shower water, etc.) into the canals even if they are grandfathered in under the current ordinances.
- Refrain from installing impervious surfaces (patios, driveways, decks, etc.) even if they are allowed under current ordinances.
- Minimize or eliminate use of fertilizer by planting native vegetation. Consider fertilizer with reduced amounts of nitrogen and phosphorous. Native plants need no fertilizers vs. planting turf grass which needs fertilizer.
- Do not let any trash such as trash cans, plastic bags, lumber, yard waste, fertilizer, detergents, solvents, boat fuel, paint, animal waste, weed killer, pesticides, antifreeze, brake fluid, etc. enter the canals.
- Communicate more often with DNREC at <http://www.dnrec.state.de.us/macroalgae/contact> and with [Ariane.Nichols@state.de.us](mailto:Ariane.Nichols@state.de.us) to request the microalgae harvester to harvest algae from the South Bethany canals. The more e-mails they get the more likely the harvester will arrive.
- Consider adopting a canal to keep it free from trash.
- Consider becoming an oyster gardener.

### **Comments in addition to Councilman Junkin's presentation:**

Page 1, second bullet, Continue to implement recommendations from the 2010 Anchorage Canal Drainage Area Study like the median project currently under construction – Councilman Junkin stated that the committee is also looking at the west side and east side drains to do similar type things in the spirit of that study. Councilman Junkin believes decisions can be made based on the GMB 1995 report. He does not believe another study is needed. Mayor Headman stated that he and Councilman Junkin differ on this issue.

Councilman Gross inquired about storing the stormwater underground. Councilman Junkin stated that water quality experts don't like this option as well, but it is an alternative that could be considered.

Councilman Gross suggested that a comprehensive article or paper should be written informing the population as to what happened regarding the Tidal Pump. Mayor Headman agreed.

- **Town code enforcement**

Addressing Dan West, the Code Enforcement Constable, Mayor Headman stated that he finds that Mr. West always returns his calls, documents things well, and does a very nice job. Councilwoman Voveris noted that mercantile revenue is up 112%.

### **The Code Enforcement Constable's written report:**

#### **“Working for a better community.”**

The Code Enforcement Department exists to enhance the quality of life of South Bethany through enforcing regulations that preserve and protect our community. We promote voluntary compliance by establishing partnerships with citizens, community groups and other agencies.

Communities are built and developed by perseverance and a strong vision according to the rules and regulations that guide their growth and development by codes and ordinances. On an average a citizen can tell you why they like or dislike a particular community, but significantly few can relate it back to the codes that determine the form and function of buildings, streets, open space or other regulations adopted by the governing body. Enforcement should be consistent with the regulations as adopted with a common sense approach to each individual case.

**Item 1 – Building & Zoning code issues** (In his report the Code Enforcement Officers listed the comments from the survey regarding Building and Zoning code issues.)

**Answer:** Because of my experience and certifications regarding the building code, I answer general questions and give hand outs regarding the building code. However, the building code review and inspections for construction were turned over to Sussex County approximately 10 years ago and since we do not enforce or do inspections for the building code they are directed to the county for confirmation. The town regulates zoning and apparently residents do not differentiate between building and zoning regulations. I think general information regarding code requirements can be inserted in the newsletter.

**Comments in addition to the written report:**

Regarding information that can be inserted in the newsletter, Councilman Gross suggested information about setbacks would be helpful. Councilman Gross also believes consistency in code enforcement is important.

There was a discussion regarding property owners taking out dead trees. The Code Enforcement Constable stated that he sends letters to property owners about dead trees on their property. He also stated that technically the issue of dead trees is covered in the following section of the Town Code because it is a fire hazard and a public safety issue:

**§ 104-12. Vegetation.**

C. Underbrush, dead wood. Unwooded premises shall be kept free of dense underbrush and/or accumulations of other noxious vegetation. Wooded lots shall be kept free of unreasonable accumulations of underbrush, dead trees, limbs, and branches as would constitute a fire or health hazard.

Councilman Fields and Councilman Gross believe the ordinance may not be clear because it refers to wooded lots. Mayor Headman stated that Council will look at the ordinance to see if it needs clarity.

Councilman Rae requested clarification on the issue of weeds and tall grass in the town right-of-way. The Town Manager said typically if it is in the right-of-way and the property owner is not cutting it the Town should be cutting it.

Councilwoman Voveris asked about sandy lots on Ocean Drive that have high grass on them. The Code Enforcement Constable stated that the grass rule does not apply to anything on the east side. Councilwoman Voveris suggested that an ordinance may be needed because she has read where tall vegetation and standing water will promote mosquito infestation. Mayor Headman said Council can follow up on that.

**Item 2 – Dislikes** (In his report the Code Enforcement Officers listed the comments from the survey regarding dislikes.)

**Answer:** Some of the comments appear to be personal and have no reflection to code regulations. This is generally a lack of understanding of code enforcement rules and regulations. I would suggest that we include in the newsletter a column “Know Your Code Requirements” which will go out in the next Letter. Due to my time with South Bethany my impression to some of the issues were before my employment.

**Item 3 – Informational**

**Comments:** 1. Have no idea

**Answer:** This is another case where more information will be included in the community newsletter.

**Item 4 – Grass issues** (In his report the Code Enforcement Officers listed the comments from the survey regarding grass issues.)

**Answer:** Grass cutting during the growing season is a constant enforcement issue. It is of the opinion that no lawn should be cut without notification to the property owner before cutting. I have found that a phone call has worked well for most and if unable to contact by phone a letter is mailed to the address on file in the property records before the lot is cut. This has seemed to work well.

**Item 5; Property Maintenance**

**Comments:** 1. Unmaintained, junky properties, Hot water heater in neighbor's yard for one year – nothing done.  
2. Complained several times of unkempt neighbors house. Nothing done to enforce.

**Answer:** Violation notices are mailed in accordance with the code and a phone call is made. After notification the property owner has the right to appeal and we go through the process. If a property owner agrees, the violation is corrected within the time frame granted.

**Comments in addition to the written report:**

Councilman Gross noted that there are still some houses on Ocean Drive where paint is peeling and it has been there since last spring. The Code Enforcement Constable stated that he would have to check his records to see if any letters were sent to property owners regarding this.

**Item 6; Generally satisfied, Mercantile Licenses**

**Comment:** 1. No special problem with code enforcement during past year, but plenty of irregularities passed over when house went duplex next to me and across the street from me a few years ago and yet, occupancy permits were granted despite code violations.  
2. Satisfied provided the town takes action to resolve flooding and standing water.  
3. Code enforcement is reasonable, but code fees for homeowners are unreasonably expensive.  
4. Dissatisfied with license policy for service which has led to limited choices, less competition among service providers and more expensive repair and maintenance service.  
5. Establish an Architectural committee to oversee colors for homes, etc. Some of the present atrocities give the impression that our homes are on a Caribbean island or such. It is important that the committee have the authority to notify homeowners that their properties are in a state of disrepair when appropriate.

**Answer:** Color of houses would be a homeowner's association review process.  
Review fee schedule for cost of permits  
Mercantile licenses should be required for community safety.

**Summary of cost items from the above Recommended Improvement Reports:**

- \$21,000 to permit, procure, and install a diffuser system in the east-west portion of the Anchorage Canal as a pilot project for two years.
- \$2,300 per year for the operation and maintenance of the pilot system (diffuser system).
- \$12,000 for the implementation of a study/design to determine potential retrofits to improve stormwater management (maintain existing flooding control while also minimizing canal pollution) particularly along the east side of Route 1 and any other areas that contribute significant volumes of stormwater into the South Bethany canals with no consideration for water quality issues.
- A line item for dredging our canals as a capital depreciation item with a book value of \$300,000 with a yearly assessment of about \$15,000 to be held in reserve for dredging the canals as may be required at a future date.

**DRAFT ORDINANCE TO AMEND TOWN CODE § 42-5, BUILDING PERMIT REQUIRED, TO AGREE WITH § 145-68A(6) (Dan West)**

The Code Enforcement Constable explained that when the \$500 permit requirement in § 145-68A was put in place the change was not made to § 42-5C. The change from \$300 to \$500 will make the Code consistent. Mayor Headman stated that Council will bring this as a first reading at the next Town Council Regular Meeting.

**DRAFT ORDINANCE REGARDING TOWN CODE § 145-14.3 GROUND COVERING ALLOWED IN SETBACK AREAS (Jim Gross)**

Councilman Gross reviewed the origin of the proposed changes to the existing ordinance.

Councilman Fields stated that the Board of Adjustment Chairman's letter to the Council talked about allowing handicap access from the front of the driveway across to the asphalt. The Board of Adjustment (BOA) does not want to have to make that decision. Councilman Fields does not believe Councilman's Gross' changes solve the issue. To satisfy the requirement for handicap access, Councilman Fields suggested allowing impervious material to go from the parking path out to the asphalt to accommodate wheel chairs or other mobility devices. He added that to comply with the Americans with Disabilities Act (ADA) it only needs to be 36 inches wide. Councilman Fields stated that nothing needs to be changed in the Code regarding the right-of-way. Councilman Fields also noted that permeable pavers are expensive.

Councilman Gross stated that for a small amount, permeable pavers are not that expensive to put down. He added that he does not believe it is a cost issue. Councilman Gross stated that he sees no reason not to permit people to extend their driveways with permeable material other than sand, rocks, and seashells. Councilman Gross believes Council should listen to what the people in town want to do as long as it doesn't hurt the environment.

Councilman Rae stated that he believes it should be clear that the property owner is responsible for repairing or replacing the material if it has to be dug up or pulled out by a contractor or utility company. Councilman Rae added that the purpose of the 4 inch pipe that goes from one side of the property to the other is so that utility companies can run a cable without tearing up the pavers. After a discussion, the Code Enforcement Constable suggested that the Code could state that the pipe be a schedule 40 minimum. Councilman Junkin stated that if Council decides to go with Councilman Fields' suggestion, the same wording should be put in regarding putting the pipe in underneath it.

The Code Enforcement Constable noted that if Council approves impervious materials, §§ 145-68, 145-17, 145-17.1 as well as the section regarding paved driveways and paved sidewalks would also have to be modified. He said the Code specifically states that no impervious paving

shall be placed in a right-of-way. Councilman Fields stated that those sections would not have to be changed if the ordinance stipulates that it is for handicap use only.

Councilman Rae, who was on the BOA at the time the letter from Mr. Allenspach was sent, believes the BOA was trying to get away from property owners having to submit a special request due to a handicap situation. He added that one of the issues for the BOA is determining what is handicap.

It was noted that there are now pavers that are permeable by themselves because they have holes in them.

A motion was made by Councilman Gross, seconded by Councilman Junkin, to go forward with the ordinance as presented in the Workshop packet with the change of the word "any" to "the sum of". Mayor Headman asked for discussion. Councilman Fields stated that he will bring up his objections as the ordinance is brought before the Council at the readings.

After discussion, a motion was made by Councilman Fields, seconded by Councilwoman Voveris, that this motion be tabled pending further study and review. Mayor Headman asked for discussion. Mr. Gross stated that he does not see any reason to prolong the ordinance. He said changes in the wording can be handled at the first or second reading. Mayor Headman called for a vote by roll call on Councilman Fields' motion. The voting was as follows:

FOR THE MOTION: Councilpersons Fields and Voveris  
 AGAINST THE MOTION: Mayor Headman and Councilpersons Gross, Junkin, Callaway, and Rae

The voting result was 2 in favor and 5 against. The motion was defeated.

At Mayor Headman's request, Councilman Gross restated his motion. Mayor Headman called for a vote by roll call on Councilman Gross' motion. The voting was as follows:

FOR THE MOTION: Mayor Headman and Councilpersons Gross, Junkin, Callaway, and Rae  
 AGAINST THE MOTION: Councilman Fields  
 ABSTAINED: Councilwoman Voveris

The motion carried with a 5-1 vote.

### **OCEAN DRIVE BEAUTIFICATION PROJECT (Sue Callaway)**

Councilwoman Callaway thanked John Speer for the work he has put into the "Blueprint for Ocean Drive" (attached). Councilwoman Callaway explained that the Beautification Committee began to look at different goals in different areas of the town. In response to negative comments made regarding the appearance of Ocean Drive, the committee began to focus on the east side which resulted in the Beautifying South Bethany Makes Dollars and Sense flyer as well as the formation of a sub committee on the east side. Councilwoman Callaway stated that the primary goal of the committee was to enhance Ocean Drive which they see as the gateway to the beach. Ocean Drive has a unique characteristic of its own that no other street in town has. Councilwoman Callaway noted that the committee came up with the idea of a promenade from a comment from a property owner on the town survey where the property owner referred to Ocean Drive as a promenade.

Councilwoman Callaway focused on the following conclusion remarks which are on page 5 of the "Blueprint for Ocean Drive":

*CONCLUSION – Acting upon these recommendations will accomplish:*

- *Enhancing the street which is the gateway to the beach*
- *Bringing all existing sign posts into Federal and State compliance*
- *Reducing the Town's liability due to possible lawsuits*
- *Eliminating several sign posts thereby reducing clutter*
- *Providing pleasing signs and posts*
- *Creating the Quiet Resort's first "Promenade"*

*Nearly all of the above can be accomplished by utilizing grant dollars.*

*Summary of Costs:*

<i>Trash Bins &amp; Barrels</i>	<i>\$7,072.00</i>
<i>Street Signs Option 1 *</i>	<i>6,028.69</i>
<i>Post wrapping/ caps</i>	<i>5,225.00</i>
<i>Total</i>	<i>\$18,325.69</i>

*\* Option 2 for street signs would reduce the total amount by \$1, 248.90*

After reviewing the "Blueprint for Ocean Drive", Councilwoman Callaway stated that the committee is requesting approval of the concept and is requesting that it goes on the list for use of the MSA funds. The committee believes it will give a new look to Ocean Drive at minimal costs.

Councilman Callaway stated that \$342 needs to be added to also do Sea Side Drive.

During discussion, Councilwoman Callaway stated that money for the material and labor for the trash bins would come out of FY 2012 Public Works funds (labor costs are probably for the second Maintenance Department employee).

Councilman Rae asked who would maintain the planters. Councilwoman Callaway stated that Public Works will maintain the planters. Councilman Rae asked if the Public Works Department has the time and ability to do that. Councilwoman Callaway said yes. The Town Manager stated that the Town is putting a lot on the Maintenance Department not just with this but with Mobi-mats and everything else that has to be put out in the spring. He noted that it is a one man maintenance department with a part-time helper. Referring to the Adopt a Walkway section of the Blueprint for Ocean Drive, Councilwoman Callaway noted that people have expressed an interest in providing funds for the plants and have talked about maintaining them although the Maintenance Supervisor did say that he would want to be the one that was responsible for maintaining them.

After discussion, Mayor Headman asked for a motion to approve this concept so Council can move forward on it and the other motion is to spend \$7,000 of Public Works money. Councilman Rae said to put it onto the list to be considered.

A motion was made by Councilman Gross, seconded by Councilman Fields, that Council approve this in concept. Mayor Headman called for a vote. The motion was unanimously carried.

Mayor Headman asked for a motion to spend up to \$7,100 from Public Works on the building of the trash bins, planters, and barrels for the beach walkways. A motion was made by Councilman Junkin, seconded by Councilwoman Callaway, that Council approve spending up to \$7,200 for the beach walkways' trash barrels. Councilman Gross amended the motion that the breakdown of those costs be submitted for Council's review prior to expenditure. Councilman Rae seconded

Councilman Gross' amendment to the motion and added that he would like to get some input from the Budget and Finance Committee. After a discussion, Councilman Gross withdrew his amendment and Councilman Rae withdrew the second. Councilman Junkin amended his motion to the following: that Council approve spending up to \$7,200 for the beach walkways' trash barrels based on the Budget and Finance Committee agreement that there are funds available in the current year's budget to do it and the committee does not need to come back to Council again to have Council vote on it. The motion was seconded by Councilman Rae. The motion was unanimously carried.

After discussion, Council voted on Councilman Junkin's original motion to approve spending up to \$7,200 for the beach walkways trash barrels. The motion was unanimously carried.

Mayor Headman thanked Mr. Speer and Councilwoman Callaway.

#### **YARD WASTE UPDATE (Melvin Cusick)**

Council reviewed the Yard Waste Cumulative Totals 2011-2012 worksheet (attached). The Town Manager noted that the October totals were: 18 labor hours, 8.47 tons of yard waste, and a total cost of \$2,869.40.

The Town Manager stated that he has been talking to Allied Waste who is now in the yard waste business. They are working on a proposal for South Bethany for yard waste. Hopefully the Allied Waste representative will be at the December Town Council Workshop Meeting to discuss schedules and costs.

#### **PUBLIC COMMENT PERIOD**

There were no comments from the public.

#### **ADJOURNMENT**

A motion was made by Councilman Fields, seconded by Councilman Gross, to adjourn the October 27, 2011, Town Council Workshop Meeting at 7:30 p.m.

phs:Workshop Minutes.10.27.11 Amended 11.17.11

Attachments: Canal Water Quality Committee Response to Survey Results (PowerPoint Presentation)  
Blueprint for Ocean Drive  
Yard Waste Cumulative Totals 2011-2012 worksheet