

**TOWN OF SOUTH BETHANY
TOWN COUNCIL REGULAR MEETING MINUTES
APRIL 8, 2016**

MEETING CALLED TO ORDER

Mayor Voveris called the April 8, 2016, Town Council Regular Meeting to order at 7:00 p.m., followed by the Pledge of Allegiance to the Flag.

ATTENDANCE

PRESENT: Council Members Sue Callaway, Tim Saxton, Wayne Schrader, Carol Stevenson, Frank Weisgerber, and Mayor Pat Voveris; Town Manager Melvin Cusick; Chief Troy Crowson; Code Enforcement Constable Joe Hinks; and Administrative Assistant Pam Smith

EXCUSED ABSENCE: Councilman George Junkin

ANNOUNCEMENT OF THE FEMA APPEAL DECISIONS

Mayor Voveris announced that both the Town's appeal of the 2015 Preliminary FEMA FIRM and property owner Ed Bintz' appeal of the 2015 Preliminary FEMA FIRM were denied.

Mayor Voveris said she sent the appeal decision to the Town's consultant, Leslie Fields with the Woods Hole Group. Mayor Voveris read the following reply from Ms. Fields:

I just read the appeal resolution letter from FEMA and it seems they rejected our appeal on three points:

1. *Topography we used does not reflect what is on the ground, especially after the two storms this winter season.*
2. *Primary frontal dune, which we mapped seaward of the first row of houses, should be back at the edge of the road.*
3. *FEMA's standard dune erosion methodology which we argued was the right way to go, does not apply to this site.*

Mayor Voveris pointed out that the Town filed the appeal on January 20 and January 23 is when Winter Storm Jonas hit.

Mayor Voveris asked for questions. There were no questions.

SECOND READING OF ORDINANCE 180-16 TO AMEND THE CODE OF THE TOWN OF SOUTH BETHANY, CHAPTER 145, ZONING, ARTICLE III, "DEFINITIONS", ARTICLE X, "DIMENSIONAL REQUIREMENTS", ARTICLE XI, "SETBACK REQUIREMENTS", AND ARTICLE XV, "BOARD OF ADJUSTMENT" (JOHN FIELDS)

John Fields, Charter and Code Committee Chair, pointed out that the Charter and Code Committee reduced the size of the ordinance from 14 pages at the first reading to 8 pages at the second reading. Mr. Fields said nothing changed in the ordinance except that a lot of redundant language was deleted by having one paragraph cover a whole section of town rather than repeating that language for every street.

Mr. Fields reviewed Ordinance 180-16.

§ 145-35J(3) In the VE Zone only, the principal building height may be 33 feet above the base flood elevation (BFE). Where the principal building has a freeboard equal to or greater than two (2) feet above the base flood elevation (BFE), the principal building maximum height may be 35 feet above base flood elevation (BFE). The principal building height shall not have a total height greater than 48 feet based on NAVD 88. Minimum roof pitch: 4/12.

Referring to the above proposed addition, Mr. Fields explained the oceanfront houses are built on an old dune that goes up and down and Ocean Dr. goes up and down. On Ocean Dr. the height of the houses is measured from the center line of road and with Ocean Dr. going up and down (later in the meeting the Code Enforcement Constable said from end to end the street level/variation of Ocean Drive will differ slightly over three feet) this causes a problem in measuring the height of houses. Due to this, there is a house being built on Ocean Dr. with 7'6" ceilings. There are currently 17 houses being constructed in South Bethany and none of them have a problem with the height of the rooms except one house on Ocean Drive. Mr. Fields said that problem is created because the height is measured from the center of the road. The above section of the ordinance corrects that by having the height of the house in that section of town only measured from the Base Flood Elevation (BFE) which runs the same as a straight line from one end of Ocean Dr. to the other. Mr. Fields stated that if the height of the house is measured from BFE everybody gets the same height. Mr. Fields said the second part has to do with FEMA changing the BFE for the oceanfront houses from 12 feet to 13 feet which results in a loss of a foot. To compensate for that loss, Ordinance 180-16 changes in the VE Zone only the principal building height from 32 feet measured from the center line of road to 33 feet above the base flood elevation (BFE). Mr. Fields stated that no other place in town has there been a problem measuring the way the Town has measured. Mr. Fields said the committee does not think it is wise to go to BFE throughout the whole town at this point because there is no problem.

James Gross (1 S. 3rd St.) - Stated that by measuring from BFE and by going to 33 feet not only does that gain the one foot of increase due to FEMA's requirement but another foot is gained by going from 32 feet to 33 feet. Mr. Gross said he thinks it is a wrong number. Mr. Gross said he thinks we are moving too fast and we are building too high unnecessarily. Mr. Gross thinks this is bad regarding the character of this town. Mr. Gross stated that Fenwick Island passed an ordinance this month and they increased their height to 31 1/2 feet either based on BFE or on the road (your choice) and Bethany is also in that same range. Mr. Gross said we are going to talk about getting houses that are bigger and taller than our adjacent towns.

Councilman Saxton asked if 32 feet is the building box we want for the people and can they have eight foot ceilings in those two floors - is 32 feet good enough of a building box to accomplish that. Mayor Voveris said she thinks that is why the other foot came in because Miken Builders pointed out how you can't get 8 foot ceilings. The Code Enforcement Constable said that is how this all started - there is a house at one section of Ocean Dr. which has been duplicated a couple of blocks south, but in order to duplicate the house the people had to drop the ceilings down to 7'6" even with taking freeboard. The 33 foot building box was proposed because it seemed to be unfair.

Mr. Gross said 32 feet is what has prevailed in South Bethany up to this date. Mr. Gross said he does not think it is up to us to decide about duplicate houses nor does he think there is anything in the Town's policy or regulation that requires everybody to have three stories of livable space. Mr. Gross said he can't get that on his lot and there are a lot of lots in Town you can't get that on.

Councilman Saxton said if the ordinance is written in a manner that allows for a 33 foot building box, will the owners be able to have 8 foot ceilings and is it equitable for everyone that wants to build on that street - could they build the same house if they wanted to. The Code Enforcement Constable replied, "Yes."

Jack Whitney (105 Boone Rd.) - Stated that he believes that anything other than basing our house heights on BFE is wrong. Mr. Whitney stated that there are other places in Town, especially on the west side, that cannot get a house height under the current code requirement of 33 feet or even 31 feet if you reduce it by 2 because of the difference in height here. The Code Enforcement Constable asked Mr. Whitney to site a new house in which that is the case. Mr. Whitney said it is an elevation issue and Mr. Whitney told the Code Enforcement Constable that he will sit down with him in his office someday because he did an analysis and gave it to the Council two years ago. Mr. Whitney said it is categorically inequitable if you don't make it BFE throughout town. Mr. Whitney said it is not right to make it for Ocean Drive and not make it for the rest of the Town. The Code Enforcement Constable said when the gavel slams down on the BFE going to 13 owners can no longer take advantage of freeboard on the oceanfront unless they design one story houses because they have lost a foot.

Councilwoman Callaway asked if oceanfront homes were not allowed to build any storage under the BFE. The Code Enforcement Constable said for the oceanfront homes everything under BFE has to have a breakaway wall. He added that an owner could put a storage place under the BFE but not the same as storage is built on the west side of town.

Dick Oliver (410 Victoria Rd.) - Asked if Ocean Drive is the only street in town that has differences in altitude. Mayor Voveris said not to this degree. Mr. Gross said on the other side there are more variances. Mr. Oliver said the fair way to do it is to go to BFE rather than some variable measure from the center of the road. Mr. Oliver said it doesn't seem to be equitable for people on other streets. Mayor Voveris said there have been no issues anywhere else in town using center line of the road which is a historical measurement in this Town - rather than trying to fix something that is not broken we are trying to address and be responsive to a current problem which is a real issue and fix that. The Code Enforcement Constable said the west side utilizes two forms of measurement - not just one - 34 feet above the center line of road or 38 feet NAVD. The owner can use whichever is greater. The Code Enforcement Constable said the reason 38 feet NAVD was placed into the code is because South Bethany ranges about 1.7 feet from the south end to almost 6 feet on Evergreen Road. The Code Enforcement Constable said he can't find a road in South Bethany with a three feet difference on a single road except Ocean Drive. Mayor Voveris said on the west side owners have the ability to build a house 37 feet high so it is different on different sides of town.

Linda Whitney (105 Boone Rd.) - Commented that she thinks Town Council should not only be here to fix problems but to look ahead and say what is fair and equitable for everyone.

Jim Gross (1 S. 3rd St.) - Stated that on one side of Ocean Drive this ordinance will provide admission for a house four feet taller than the house directly across the street - that is inequitable. Mr. Gross asked if the affect of VE 10 in Sandpiper Village has been considered.

Mr. Fields reviewed the rest of Ordinance 180-16.

Mayor Voveris declared this the second reading of Ordinance 180-16. Mayor Voveris said Council will discuss Ordinance 180-16 at the next Town Council Workshop Meeting.

ADOPTION OF MINUTES – MARCH 11, 2016, TOWN COUNCIL REGULAR MEETING

A motion was made by Councilwoman Callaway, seconded by Councilman Saxton, to accept the March 11, 2016, Town Council Regular Meeting Minutes. The motion was unanimously carried.

DISCUSSION AND POSSIBLE VOTE ON A CHANGE ORDER TO CONTRACT NUMBER 15-03 (DESIGN/BUILD ANCHORAGE CANAL DRAINAGE AREA STORMWATER RETROFIT PROJECT) IN THE AMOUNT OF \$11,522.04. (\$5,900.00 WILL BE FUNDED VIA GRANT MONEY AND \$5,622.04 WILL BE FUNDED VIA TOWN FUNDS.)

The Town Manager explained that the bid opening for Contract Number 15-03 was over a year ago. Because the Town is using a Department of Natural Resources grant that includes some federal monies, the contractor that bid had to use prevailing wage rates. There are three categories of prevailing wage rates: building construction, highway construction, and heavy construction. Everyone assumed, including DNREC, that this project would fall under highway construction. After the bids were opened and the design was completed the Town got a notice from the Department of Labor that they deemed it heavy construction. After arguing the point, the Department of Labor stands by their decision and there is no appeal. The contractor has to submit a contract change order for this contract in the amount of \$11,522.04. Senator Hocker contacted Secretary Small of DNREC and they agreed to let the Town use the \$5,900 in the grant that is surplus over what the bid was toward this contract change order. The Town Manager said the actual funding from the Town is \$5,622.04 but Council is approving a contract change order in the amount of \$11,522.04.

Motion and Vote: A motion was made by Councilman Saxton, seconded by Councilwoman Stevenson, to approve a change order to Contract Number 15-03 (Design/Build Anchorage Canal Drainage Area Stormwater Retrofit Project) in the amount of \$11,522.04 (\$5,900.00 will be funded via grant money and \$5,622.04 will be funded via town funds). Councilman Saxton said he would like to get the change order signed and paid in FY 2016. The Town Manager noted that it will be \$11,522.04 that the Town will have to pay and the Town will get reimbursed \$5,900.00 through the grant monies. The Town Manager said he can have the company invoice the Town for the change order in FY 2016. Councilman Saxton said he would like to get that done. The motion was unanimously carried.

PROPERTY OWNERS' PARTICIPATION

- Mayor Voveris reported on the following:

On the back table is a flyer on the Rotary Club's Flags for Heroes program. Mayor Voveris said it is a good cause and last year the Rotary donated a beach wheelchair to the Town of South Bethany. Mayor Voveris said this year she is sponsoring two of her family members, South Bethany Police Department Officer Patrick Wiley who served in the Air Force, and Pam Smith's son and daughter who are serving in the Army.

This morning the Town Manager and Mayor Voveris attended the SCAT Breakfast Meeting with Secretary Small from DNREC who talked about beach replenishment. The cost is coming in very expensive. They don't think South Bethany will get beach replenishment this year. They do think South Bethany will be on for next year, but funding is a constant. At the SCAT Dinner Meeting this past week Mayor Voveris spoke to Senator Carper's assistant and she said the whole project for all of the towns including South Bethany, Fenwick Island and Bethany Beach would be 70 million dollars - it is enormous because they almost have to rebuild the dune. DNREC is pushing sand up and the machines will be on the beach between April and May and then hopefully we will get sand fence. DNREC is working as much as they can.

At the SCAT Breakfast Meeting Secretary Small said the design money has been approved for the Assawoman Canal Trail.

Mayor Voveris said the numbers are in from the DelDOT study on Black Gum Drive this past week. Mayor Voveris said she took a cursory look and the April study points to a barricade from 10 a.m. to 12 p.m.

Mayor Voveris said the Bethany Beach Volunteer Fire Company (BBVFC) is in a dilemma with not having enough volunteers. The BBVFC is approaching Sea Colony, Bethany Beach, Fenwick Island, and South Bethany (the same four that are in the Ambulance Service group) about emergency funding for the season. The amount of funding will be treated the same way the funding is treated in the Ambulance Service. South Bethany's share is roughly \$8,300 for paid firefighters from May through September 15. Mayor Voveris said it is going to be an ongoing issue - this is not a fix. Mayor Voveris said she wanted the community to know because this is money that she thinks will come out of the reserves because the Town's tax bills will already be out. Mayor Voveris said this will be an agenda item for the April Town Council Workshop Meeting.

- Dennis Roberts (107 Canal Dr.) - Asked if there was anything the Town could do to request DNREC's cooperation regarding pushing sand from Sandpiper Village where after storms this past year the sand dune that already existed was pushed within five feet of his client's house. Mr. Roberts said DNREC's machines are already there. Mr. Roberts did speak with Jennifer Luoma of DNREC who said it is the property owner's expense to handle this. The Town Manager said he has discussed this with Ms. Luoma and she said it is private property - it is not part of DNREC's easement. Ms. Luoma said DNREC would not take the liability of working on that private property. After discussion, Mayor Voveris said she will follow up with Tony Pratt at DNREC.
- Carolyn Marcello (8 S. 9th St.) - Announced that May 5 is National Day of Prayer and there will be a day of prayer in the Council room from noon to 1 p.m.
- Mike Matera (311 W. 9th St.) - Asked what the Town is going to do with the boat they own. Chief Crowson said it will probably be the safety boat in the boat parade. Chief Crowson said it is not being used for enforcement purposes. It was initially intended to use the boat to do some bulkhead inspections but there are a few issues with the motor. Mr. Matera asked if it would be cheaper to rent a boat considering insurance. Mr. Matera suggested renting a boat for a day and get rid of that boat. Mayor Voveris said to give it a year at least. Chief Crowson said when the department does sell the boat the funds will go to the police department. Chief Crowson said the boat was a free boat.

VOTE ON RESOLUTION 1-16, A RESOLUTION TO SET THE FY 2017 PROPERTY TAX RATE AND RENTAL TAX RATE (TIM SAXTON)

Councilman Saxton said each year Council is required to set the tax rate and the rental tax rate. Councilman Saxton said the property tax rate and the rental tax rate are not changing.

Councilman Saxton read Resolution 1-16:

WHEREAS, the Town of South Bethany strives to maintain a responsible and prudent financial position for the Town and to maintain the same level of services to the residents; and

WHEREAS, property taxes, rental taxes, and transfer taxes are among the primary revenue sources for the Town; and

WHEREAS, it is essential to maintain the financial integrity of the Town;

NOW, THEREFORE, LET IT BE RESOLVED, by the Mayor and Council of the Town of South Bethany that the FY 2017 Town of South Bethany property tax rate shall remain at \$1.30 per hundred dollars of assessed valuation and the FY 2017 Town of South Bethany rental tax rate shall remain at 8% of total gross receipts of each residential and commercial property.

Motion and Vote: A motion was made by Councilman Saxton, seconded by Councilwoman Callaway, to pass Resolution 1-16, a Resolution to Set the FY 2017 Property Tax Rate and Rental Tax Rate. The motion was unanimously carried.

VOTE ON APPROVAL OF FY 2017 BUDGET (TIM SAXTON)

Councilman Saxton thanked the Town Manager, Chief Crowson, and the Finance Director for all of their hard work in putting together the budget for the Budget and Finance Committee's review and then further review by Town Council and the Mayor. It was a job well done.

Overall highlights:

It is a lower overall budget from FY 2016. It is lower mainly to good work by the Town Manager in negotiating and writing a good RFP that made it competitive for trash removal. There is a \$66,000 or 17.5% reduction in trash removal cost for FY 2017.

From a departmental perspective, General Administrative costs were slightly reduced and each of the other departments had very modest increases from FY 2016.

The budget includes a 2.5% salary increase for the staff plus any promotional increases that had been put forward for approval by the Council.

The budget includes an increase in health care costs of approximately 7% that the Town has taken on as their responsibility.

The budget includes the funding of all reserves per Town policies.

The Town did not need to use operational funds to purchase two police vehicles or to replace the flooring on the decks between the two buildings at Town Hall and the Police Department - this shows the value of Capital Reserves.

The budget allows for the replacement of the carpeting in Town Hall and the purchase of an ATV for Public Works. Both of these items will be funded out of unassigned funds because they were not depreciated and not included in the Capital Reserve – going forward they will be included in the Capital Reserve.

Councilman Saxton said overall he believes it is an excellent budget that fills the operational needs of the Town for FY 2017 and funds all of the reserves as required by the Town's policies. Further the budget does not require an increase in taxes. Councilman Saxton stated that he recommends the approval of the FY 2017 budget along with the full funding of reserves as indicated on the Reserve Account Budget Recommendation.

Motion and Vote: A motion was made by Councilman Schrader, seconded by Councilman Saxton, to approve the FY 2017 Budget. The motion was unanimously carried.

ROADWAY SAFETY ISSUES BETWEEN KENT AVENUE AND ROUTE 1 - DISCUSSION AND POSSIBLE VOTE TO SEND A SURVEY TO ALL BLACK GUM DRIVE OWNERS TO SEEK MAJORITY SUPPORT TO ADD A SPEED BUMP IN THE VICINITY OF 420/421 BLACK GUM DRIVE.

Mayor Voveris noted that it is a "hump" not a "bump".

Mayor Voveris stated that the redrafted survey letter was in Council's packets and on the sign-in table.

Motion: A motion was made by Councilman Saxton, seconded by Councilwoman Callaway, to send the survey letter to all Black Gum Drive owners to seek majority support to add a speed hump in the vicinity of 420/421 Black Gum Drive.

Vote: After the following public comments, the motion was unanimously carried.

Sandi Roberts (107 Canal Dr.) – Asked if the hump would be one of the temporary types or would it be a permanent one. Mayor Voveris stated that she thinks Council would have to have a vote on what kind to put in.

Norm Montigny (W. 9th St.) – Asked why the letter is only going to the Black Gum Dr. property owners when everybody in Town who uses Cat Hill as a way to get out of Town uses the street and is affected by it. Mr. Montigny said all of the property owners are affected by the cost in their taxes and there are other ways of slowing traffic down. Mayor Voveris said this came about because of a blind curve on Black Gum Dr. where this particular hump is being requested from property owners in Cat Hill. Mayor Voveris said DeIDOT has a rule where if speed is not an issue you should get a majority of owners on the street to give you support to put in the hump. Mayor Voveris added that the hump has to have the support of the Council. Mayor Voveris thinks this is something Council can decide on considering it is an extremely blind curve and it is in the interest of public safety.

Mike Trentadue (423 Black Gum Dr.) - Complimented the Council regarding the letter which he thinks is effective and for taking a first step in what hopefully is a journey and not an event.

Mike Matera (311 W. 9th St.) - Asked what happened to the idea about putting a gate up. Mayor Voveris said a gate privatizes the road, a gate is an expensive investment, and a gate is typically broken more than it is working. Mayor Voveris added that with a gate you have to have so much deceleration time and therefore in that situation the gate could not be at the beginning of the road and would be a problem with people coming in and having to turn around.

Tom Roche (Henlopen Dr.) - Stated that adding one more speed hump is not going to do anything for traffic control. Mayor Voveris said the barricade is the volume control by limiting traffic at certain points of the day.

Ed Nazarian (20 Peterson Dr.) - Stated that one more speed bump will not stop him or anyone else from using that route because it is the shortest way to get to the grocery store and a lot of other places. Mr. Nazarian said people will just go a little slower. Mayor Voveris said that is a help. Regarding foot traffic and safety on the road, Mr. Nazarian said he noticed there are quite a few markers where it has been surveyed and there is two to four feet on either side of that road that could be accessed and made into a walking path. Mr. Nazarian suggested putting in a walking path and widening the road to take care of the problem.

George Rosenberg (409 Black Gum Dr.) - Stated that when he first heard about this traffic committee he was very hesitant, but from what he has learned since he is very encouraged. Mr. Rosenberg said he applauds these efforts and he thinks the people Mayor Voveris has selected are excellent.

Bob Amoruso (144 Petherton Dr.) - Stated that he thinks it would be worthwhile to approach Middlesex about creating a roadway between the tennis courts and Middlesex and providing a passageway out of South Bethany without going into Cat Hill. Mayor Voveris said she will follow up but she is doubtful that would happen.

Lloyd Hughes (152 Layton Dr.) - Stated that once Route 1 is closed the only access out of this area is to go west.

Jay Headman (436 Black Gum Dr.) - Regarding the road between the tennis courts and Middlesex, Mr. Headman stated that it was his understanding that road was to remain open, not open to traffic, but to remain open in emergencies if indeed there was a need to get out of town. Mr. Headman said the Town needs to find out if it is Middlesex's land because Middlesex is starting to fill it in gradually. Chief Crowson said supposedly it was under litigation years ago and it is his understanding that Middlesex has taken over that property. He added that he has heard about a key to unlock the gate but he has never seen a key and has never had the procedure on how to open that gate. Mayor Voveris said she will follow up.

DISCUSSION AND POSSIBLE VOTE TO FORM A TRAFFIC COMMITTEE REGARDING CAT HILL TRAFFIC ISSUES

Mayor Voveris had prepared a handout of the proposed traffic committee membership. Council had a copy of the handout and the handout was available on the sign-in table. The proposed members include Jay Headman, Mike Trentadue, John Janowski, Steve Farrow, Frank Weisgerber, Carol Stevenson, Melvin Cusick, and Troy Crowson. The proposed Chair is John Janowski. Staff members Melvin Cusick and Troy Crowson will be non-voting members. Mike Somers from DeIDOT would be available for any meeting the traffic committee would like him to attend.

Motion and Vote: A motion was made by Councilwoman Callaway, seconded by Councilman Schrader, that Council approve the proposed traffic committee membership. The motion was unanimously carried.

LEADERSHIP REPORTS (Paper copies of reports were available on the sign-in table. Oral reports were not presented.)

- **Mayor's Report**—Submitted by Mayor Voveris:

March proved to be a very busy month outside of preparation and conducting our regularly scheduled Council and Workshop Meetings, both of which were epic.

Much time was spent on phone calls, emails, or in meetings to pursue beach repair and replenishment, review the BBVFD initiative to create paid fire fighters, and look for remedy of the Cat Hill Traffic Calming and Pedestrian Safety issues.

Here is a recap of my activities:

3/02 Attended evening meeting for SCAT (Sussex County Association of Towns)

3/16 Attended morning meeting with Ambulance Group (BB, Sea Colony, Fenwick) to review budget and new training considerations. Thereafter a discussion took place regarding BBVFC diminishing volunteer dilemma.

3/16 Attended afternoon meeting with Town Manager Cusick, Tony Pratt from DNREC and Rob Arlett from Sussex County Council to get an update on the beach replenishment, repair, and funding pursuits by legislators.

3/18 Attended SCAT morning meeting with legislators to learn about current budget considerations and efforts towards beach repair and replenishment.

3/23 Attended CIB (Center for Inland Bays) meeting with Councilmen Weisgerber and Junkin to get an update on the water quality project at Sea Colony near Rte 1.

3/24 Attended an evening meeting (after the Council Workshop) in Dover for DLLG (Delaware League of Local Governments) with Council members Callaway, Stevenson, and Junkin for the opportunity to speak with Senator Carper who is leading the charge for beach repair and replenishment for South Bethany.

3/30 Met with DeIDOT representative and Senior Transportation Planner Mike Somers for dialogue about the Cat Hill initiative for Traffic Calming and Pedestrian Safety. Through Mike's guidance and recommendations, the Chief, Town Manager, and I now have a firm plan to present Council for formation of a Traffic Committee to move forward with solid efforts to remedy the issues at hand.

- **Town Manager's Report**—Submitted by Melvin Cusick:

The first Beach Patrol tryouts were held March 12. Two more are currently scheduled for April 16 and May 14.

DNREC held the beach grass planting on March 19. Most if not all of the dune system has been planted. It is hoped that DNREC will begin working on walkways and sand fencing in the near future.

Attended the following meetings:

- Ambulance Sponsors meeting, March 16.
- Meeting with DNREC Shoreline Administrator and County Councilman, March 16.
- Delaware Founders Insurance Trust, March 17.
- Sussex County Association of Towns Legislative meeting, March 18.
- National Hurricane Conference, March 21-24.
- Sussex County Association of Towns Steering Committee meeting, April 8.
- Ambulance Sponsors meeting, April 8.

The following are scheduled bid openings:

- Bid 15-06, ATV, April 25, 2016.

- **Treasurer's Report**—Submitted by Councilman Saxton:

- Treasurer's Report for the first eleven months of FY 2016 has been provided to the Mayor and Council for review.
- Revenues continue to do well and we have collected approximately 102% of the fiscal year total. Highlights for Revenues are:
 - o Property tax 97% collected. Following up with 8 property owners who are late in making tax payments. Improvement of 4 tax collections since March report.
 - o Transfer Taxes are at 108% collected versus revised budget. The budget estimate for RTT was revised from \$305,000 to \$420,000 for FY 2016.
 - o Building Permits are at 106% of the revised budget. Additional permits in the pipeline. The estimate for Building Permits was revised from \$120,000 to \$195,000.
 - o Magistrate Fines are at 126% of budget.
 - o All other revenues are tracking to budget.
- Departmental and Committee expenses are tracking to budget.

- **Police Department Report/Questions**—Submitted by Chief Troy Crowson:

International Association of Chiefs of Police (IACP) 2016 Special Conference:

Ben Gorben, IACP Project Coordinator, thanked all attendees that presented on their High Visibility Education and Enforcement campaign. Director Baker noted that "work has helped change the narrative on traffic safety in not only your communities, but in other states, that have taken notice of what is being done and at the federal level." Delaware representation included: South Bethany Police Department, Rehoboth Beach Police Department, Wilmington Police Department, Dover Police Department, Delaware State Police, and Delaware Office of Highway Safety.

FBI- LEEDA:

Chief Crowson and Sgt. Davis were in attendance April 4-8 to the FBI-LEEDA Supervisor Leadership Institute program, hosted at the Dover Police Department.

This program, built especially for first-line supervisors and middle managers, engaged attendees in personality diagnostics, leadership case studies, mentoring, developing, performance management, risk management and credibility.

Police Department Training:

The department has logged more than 700 hours of training for 2015. Our department continues to strive for officer growth and advancement through continued training.

COMMITTEE & COMMISSION REPORTS (Paper copies of reports were available on the sign-in table. Oral reports were not presented.)

- **Community Enhancement Committee** – Submitted by Councilwoman Callaway:

CEC Meeting

A CEC meeting was held on March 23, 2016 and attended by the following Committee Members: Sue Callaway, Chair; Diann Nazarian; Barbara Sears; Carol Stevenson; Pat Weisgerber; and Rick Gentile, Public Works.

Update on FY 17 CEC DRAFT BUDGET Items

The Committee reviewed highlights of the updated FY 17 Budget following the Town Council budget meetings:

- added the Christmas lights to the CEC budget versus Public Works;
- included the proposed street light funds which could be used in follow-up to Town Survey;
- included the historical photo initiative and the joint funding arrangement with the Historical Society;
- proposed art show remains in budget;
- Welcome signs remain in budget and awaiting estimate from vendors per insurance company request for replacement of North Welcome sign. Preliminary designs for the sign are in the early stages of development.

Update on Condition of grass within Route 1 Median and March 18th Meeting with Chief of Police, Mayor and Public Works

- The Mayor, Chief Crowson, Don Chrobot and Sue Callaway met on March 18th to further discuss the condition of the median grass.
- It was agreed to research the idea of planting a strong Bermuda grass (sod) in the one area north of Layton as a test to see if this type of grass will withstand vehicle idling and acceleration. Public Works will pursue gathering information and costs for this task.

Adopt-A-Canal Program

- Earth Day Adoption (TUESDAY, APRIL 19TH – 9:00 AM)
 - Location – Route 1 Canal End between Henlopen and Brandywine.
 - Coastal Point and Wave to be invited.
 - Rick Gentile created landscape design for the Earth Day adoption.

- Plans for Remaining Adoptable Canal/Road Ends – Outreach will be conducted to seek adopters for the remaining Priority A (highest need of adoption) canal/road ends such as Layton Road End and Brandywine Road End.
- Set Date for Adopt Contest and Thank-You Party –
 - The **ADOPT CONTEST** will be held from **FRIDAY, JULY 8 to THURSDAY, JULY 21**. Contest signs will be located on Thursday, July 7th and votes will be counted on Friday, July 22.
 - The winners will be announced at the **Adopt Thank You Party** to be held on **SATURDAY, JULY 23 at 6:00 pm**.
 - Lord's Landscaping will be contacted to seek their annual support for a contribution and the Coastal Point and Wave for coverage of event.

Historic Photo Project – Sue Callaway and Pat Weisgerber have met twice to review and evaluate available photos and make some suggestions. They will present their suggested ideas at the May CEC meeting with final selections forwarded to the Historical Society

CEC Survey Follow-up Assignments – The CEC is reviewing the Town Council assignment list in follow-up to the Town's 2015 Survey. The CEC has been tasked with reviewing Town Landscaping; the responses to the "improve street lighting" question; landscaping and cleanliness improvements; and pet waste. The CEC will discuss these items at the next meeting.

Beautification Flyers – The CEC has updated the Beautification Flyer which was sent via an Email News Update to South Bethany property owners on April 6.

Replacement of Remaining 6 Existing Street Lights – Awaiting confirmation of installation date from Delmarva Power Spring Landscaping Plans.

Spring Landscaping – Public Works is very busy with working on the beach walkways and preparing the town for the spring and summer seasons. Mulching has been completed and they will be ordering plants soon.

Next meeting date in MAY – The April meeting will be the Earth Day celebration planting on April 19th and the next CEC meeting will be held on **WEDNESDAY, MAY 25 AT 10:00 AM at Town Hall.**

- **Budget and Finance Committee** – Submitted by Councilman Saxton:

The Budget and Finance Committee will meet at 3:00 pm on April 8, 2016. The committee is scheduled to review the budget versus actual results YTD, discuss the Town Council comments on the committee's recommended changes to the Town Schedule of Fees and a strawman proposal on funding to expand the Town Hall and Police Department Building. The draft minutes of the meeting will be posted.

- **Charter and Code Committee** – Submitted by John Fields, Chair:

The Charter and Code Committee compiled Ordinance 180-16 and presented it to the Council at a workshop on February 26, 2016. The Committee revised the ordinance taking into consideration the Council's recommendations. The revised ordinance was presented to the Council for a first reading at a regular Council meeting on March 11, 2016.

At the first reading the Committee noted the Council's recommendations and revised the ordinance accordingly. The Committee suggested that it could eliminate some redundant material and reduce the ordinance from 14 pages to 8 pages. The revised ordinance will be presented to the Council for a second reading on April 8, 2016.

- **Canal Water Quality Committee (CWQC)** – Submitted by Councilman Junkin:

Grant Status

- Sandpiper Pines Stormwater Retrofits (Rain Gardens and Infiltration Trenches)
 - The project is fully approved through Sussex Conservation District and we can proceed with construction.
 - Participating homeowners have made their selections for the rain garden plantings.
 - A planning/scheduling meeting was held with A-Del at 10:00 March 11.
 - Construction is scheduled to start about mid-April and be completed by mid-May.
 - Plantings are then scheduled to be completed by Memorial Day.
- York Canal Oysters and Floating Wetlands
 - No new information

Wet Pond at Sea Colony Status

- The CIB and Sea Colony have been awarded a grant from DeIDOT to design a wet pond at sea colony.
- The wet pond would be located in the triangular space, south of the old bank that is being turned into a Duncan Donuts, between northbound Rt. 1 and the Pennsylvania Ave. slip lane.
- Mayor Voveris, Frank Weisgerber and George Junkin attended a wet pond status meeting at the CIB on March 23rd. Present at the meeting were representatives from South Bethany, the CIB, RK&K Consultants, Bethany Beach, Sea Colony and Middlesex. Larry Trout from RK&K gave a background and status presentation. The wet pond was one of the recommendations that came out of the Anchorage Canal Watershed study conducted under a grant from the USACE to improve the water quality in the Anchorage Canal.
- The CIB and RK&K are waiting for DeIDOT to authorize funds to proceed.
- Assuming funds are released soon, some plans should be available in the late summer.

The CWQC will have a committee meeting on April 28th at 10:00.

- **Sea Level Rise (SLR) and Storm Surge (SS) Committee** – Submitted by Councilman Junkin:

Sea Level Rise Adaptation Grant Status

- All activities were completed on schedule and were submitted to DNREC before March 15th.
- Anchor submitted their final report and it is located on the SLR & SS web page at http://www.southbethany.org/pdf_slrssl.php in the Important Information folder, file name "Sea Level Rise Vulnerability Assessment 160316-Final.pdf"

The SLR & SS Committee will have a committee meeting on April 29th at 1:30.

- **Planning Commission** – Submitted by Councilwoman Stevenson:

The Planning Commission continues to work on the Comprehensive Plan. The next meeting will be April 15, 2016.

- **Assawoman Canal Trail** – Submitted by Councilwoman Stevenson:

There was nothing new to report.

- **Communications and Public Relations Committee** – Submitted by Councilwoman Stevenson:

The last meeting was held on March 22, 2016. There was a discussion of upcoming activities.

Yoga on the Beach will begin June 1, 2016 and continue through August 31, 2016. The exact location on the beach cannot be determined due to storm damage, however the location will be at South 3rd Street if possible. Lighthouse Dance and Yoga instructor Tikira Shapiro will again provide this free class on Wednesdays from 8 to 8:45.

Realtor Visits were planned for late April. The committee will visit realtor offices and provide materials promoting South Bethany as a destination including pens, note pads, flash drives, Town Trash Schedules, Town Rules, Safe Walking and Biking Information, June Bug Information and the like. A gift card to McCabe's will also be provided for the Realtor offices. Chief Crowson has requested that the realtors are asked to provide 24 hour Realtor phone numbers to the Police Department for Emergencies.

Summer movie nights were discussed including vendors for snacks and giveaways. The movie for July 7th will be the new Jungle Book, and for August 4th will be Star Wars VII-The Force Awakens.

Proposed Guidelines for the use of Town Email Updates by outside organizations were also discussed. Members will continue to consider.

The next meeting will be at 3 pm on April 14th. The first meeting of the Fourth of July Float Committee will be held on April 20th at 9 am.

PUBLIC COMMENT

Jack Whitney (105 Boone Rd.) – Announced that there is a South Bethany Property Owners Association (SBPOA) meeting next Saturday at 10 a.m.

ADJOURNMENT

A motion was made by Councilman Weisgerber, seconded by Councilman Saxton, to adjourn the April 8, 2016, Town Council Regular Meeting at 8:35 p.m.

Respectfully submitted,

Administrative Assistant

Council Secretary

Date of Approval