

**TOWN OF SOUTH BETHANY
TOWN COUNCIL REGULAR MEETING MINUTES
AUGUST 10, 2018**

MEETING CALLED TO ORDER

Mayor Saxton called the August 10, 2018, Town Council Regular Meeting to order at 6:00 p.m., followed by the Pledge of Allegiance to the Flag.

ATTENDANCE

PRESENT: Councilmembers Don Boteler, Carol Stevenson, Frank Weisgerber, and Mayor Tim Saxton; Chief Troy Crowson; and Town Manager Maureen Hartman

PRESENT BY REMOTE ACCESS: Councilmember Wayne Schrader

EXCUSED ABSENCE: Councilmembers Jimmy Oliver and Sue Callaway

LEADERSHIP REPORTS (Also see Attachment 1)

- Mayor's Report - Mayor Saxton submitted his report for review. He added Tony Pratt accepted the contract from the Association of Coastal Towns. Mr. Pratt will be assisting ACT with grants.
- Manager's Report - Town Manager Hartman submitted her report for review. Ms. Hartman added that Sussex County will be working on the pumping station located at S. 5th St. and Rt. 1 from October 1 through November 16 and that S. 5th St. will be closed throughout that period. Their intent is to close the pumping station and tie into the line on the west side of Rt. 1. The road will be returned to its original condition when completed.
- Treasurer's Report – Councilman Boteler submitted his report for review.
- Police Report - Chief Crowson submitted his report for review. A resident, Mr. Wise, asked the Chief what the fugitives were arrested for that were noted on his report. The Chief commented that they were warrants, typically for missed child support or other infractions. Another resident, Mr. Walsh, indicated that he was concerned about vehicles stopping for pedestrians crossing Rt. 1. The Chief stated that it's a big concern in Delaware.
- Beach Patrol Report - Captain Ryan Dacey submitted his report for review. Captain Dacey stated that Jack Stang was recently certified by the Red Cross to train the rest of the lifeguards.

COMMITTEE REPORTS (See Attachment 1)

PROPERTY OWNERS' PARTICIPATION

Chris Keefe (6 N. 3rd St.) – 1) requested a mobi mat on the west side of the dune at North Second Street; 2) is happy to hear that Property Owners' Participation has been moved up to the middle of the meeting. She commented that there are numerous executive sessions and the process doesn't appear to be transparent; 3) upset that 72 people are delinquent with their taxes and would like to know what the Town plans to do. Mayor Saxton stated that it usually takes two years before the Town files against a property owner, and that it's still early in the year; 4) discussed maintenance on the canals; 5) expressed 'kudos' to the maintenance crew and how they've stepped up to the plate with only two full time employees; and 6) complained about not seeing the parking ticket enforcement officer and that the revenue is below 50%.

Mayor Saxton clarified Ms. Keefe's comment about executive sessions stating that Council has followed all FOIA requirements for executive sessions.

Joe Mormando (311 W. 3rd St.) – commented to be careful where the executive sessions are placed so the Council 'doesn't lose the meeting'.

Ed Nazarian (20 Peterson Dr.) – microphones are nice but suggested that the Chief and Town Manager also have a microphone at their table to improve hearing of reports and comments made by those non council members.

Joan Marini (300 W. 8th St.) – 1) stated that the number of individuals who owe back taxes is very high; 2) wanted to see a copy of the International Property Maintenance Code. Ms. Hartman advised her that it was online; 3) asked why there were late algal blooms and Councilman Weisgerber commented that it was widgeon grass; 4) concerned about petroleum products in the canal water and asked Councilman Weisgerber if this will be analyzed during the core sampling. Councilman Weisgerber provided a brief explanation of the proposed core sampling and that it'll qualify the trapped organic detritus and sediments.

ADOPTION OF MINUTES

- **Town Council Workshop Meeting Minutes, July 26, 2018** – A motion was made by Councilmember Boteler, seconded by Councilmember Weisgerber, to accept the July 26, 2018, Town Council Workshop Meeting Minutes. The voting was as follows:

FOR THE MOTION: Councilmembers Stevenson, Weisgerber, Boteler, Schrader, and Mayor Saxton

AGAINST THE MOTION: None

The motion was unanimously carried.

- **Town Council Executive Session Minutes, July 26, 2018** – A motion was made by Councilmember Weisgerber, seconded by Councilmember Boteler, to accept the July 26, 2018, Town Council Executive Session Minutes. The voting was as follows:

FOR THE MOTION: Councilmembers Stevenson, Weisgerber, Boteler, Schrader, and Mayor Saxton

AGAINST THE MOTION: None

The motion was unanimously carried.

Update on beach replenishment – Ms. Hartman provided the following update: 1) there will be a temporary extension of the staging area for approximately a week; 2) the handicap ramp will not be open for movie night on 8/11; 3) fencing will be completed after the crossovers are completed; 4) total cubic yards of beachfill in South Bethany per final post-placement survey is 483,781 CY; 5) the CRAB will be back on the beach for post-placement survey; 6) sand samples are collected every 500' of constructed beach and sent to a certified lab for testing; 7) total project cost for Bethany, South Bethany, and Fenwick is \$19,284,320.

Discussion and possible vote on Discretionary Funds Guidelines – Councilwoman Stevenson opened a discussion regarding the discretionary fund policy. Councilwoman Stevenson explained that the purpose of the fund is to provide specific guidelines for use in identifying the circumstances for selected discretionary expenditures. Councilmembers offered the following comments: 1) add "Food items" to B1; 2) this fund should be reviewed and discussed during the budget process; 3) Section 3.1.B needs to be better clarified and an itemized receipt should be provided and 4) there is a typo in the last sentence of the last paragraph of 2.1. The Council agreed that Councilwoman Stevenson should make the corrections and bring back for review and approval.

Joe Mormando stated that this fund should be capped since the current amount is too large. Mr. Mormando indicated that this needs to be discussed in Budget and Finance.

Joan Marini stated that the federal government wouldn't allow gifts and flower purchases.

Vote: There was no vote.

Discussion and possible vote to appoint Tom Barletta to the Beach Access Improvement Ad Hoc Committee

A motion was made by Councilmember Boteler, seconded by Councilmember Weisgerber, to appoint Tom Barletta to the Beach Access Improvement Committee. The voting was as follows:

FOR THE MOTION: Councilmembers Stevenson, Weisgerber, Boteler, Schrader, and Mayor Saxton

AGAINST THE MOTION: None

The motion was unanimously carried.

ADJOURNMENT

A motion was made by Councilmember Weisgerber, seconded by Councilmember Boteler, to adjourn the August 10, 2018, Town Council Regular Meeting at 7:20 p.m. The was as follows:

FOR THE MOTION: Councilmembers Stevenson, Weisgerber, Boteler, Schrader, and Mayor Saxton

AGAINST THE MOTION: None

The motion was unanimously carried.

ATTACHMENT 1**LEADERSHIP REPORTS**

- **Mayor's Report**—Submitted by Mayor Saxton:
 1. Attended ACT meeting with the Town Manager, Maureen Hartman. At the meeting the contract for utilizing Tony Pratt as a consultant to assist the participating Town's with specific water and natural resource issues was approved. The cost for each town would be \$3,500.00 for one year. Mr. Pratt began supporting ACT August 1. Also, ACT approved a Charter for the group.
 2. Attended the weekly meetings on Beach Replenishment with the Town Manager.
 3. Attended the Center of Inland Bays Contribution celebration representing South Bethany.
 4. Attended the quarterly Ambulance SOC Meeting. Initial discussions regarding contract renewal were held. These discussions will continue as the committee reviews the BBVFC proposed Agreement.
 5. Met with the Town Manager regarding the hiring of a new supervisor for the Public Works Department. Along with the Town Manager interviewed the initial candidates for the position.
 6. Along with the Town Manager met with a group of concerned citizens regarding the lack of enforcement of the Barricade restrictions at Black Gum and Kent Avenue. After further discussion with the Town Manager, I requested a plan be established to remedy the situation.

- **Town Manager's Report**—Submitted by Maureen Hartman:
 - The General Assembly passed House Bill 475 which includes the sum of \$6,000,000 for the Department of Transportation's Municipal Street Aid Fund. Our payment for fiscal year 2019, which is based on 9.82 miles of municipality-maintained roads and a population figure of 1,848, will be \$58,197.54.
 - If anyone requires additional projects for the maintenance department, please contact the Town Manger's office since I currently oversee their scheduling.
 - The police building is almost completed. Code Enforcement Inspector Joe Hinks has been diligently overseeing the project and will continue to do so through completion.
 - Met with Eric Mays from Sharp Energy on July 25th regarding the agreement with the Town.
 - Attended several meetings throughout the month for ACT, Beach Replenishment, BBVFC, offshore drilling, and DFIT.
 - We are receiving numerous complaints lately about Republic Services. We are under contract with this company until 2021. I have contacted the Municipal Services Manager, Dominic Fulginiti, requesting an explanation regarding their poor service. Taxpayers pay over \$300K/year for their services, which have been less than stellar.

AUGUST REMINDER

Town Council Regular, 6:00 PM
 Town Council Workshop, 3:00 PM

August 10, 2018
 August 23, 2018

Town Hall Closed for Labor Day

September 3, 2018

- **Treasurer's Report**—Submitted by Councilmember Boteler:

8/6/2018

Town of South Bethany
Monthly Treasurer's Report - As of July 31, 2018
 by Doe Boteler, Treasurer



				%	
Total Operating Revenue	\$2,394,690		\$2,394,690	\$1,262,740	53%
Total Operating Expenditures	<u>\$2,394,690</u>		<u>\$2,394,690</u>	<u>\$700,920</u>	<u>29%</u>
Revenue less Expenditures	\$0	\$0	\$0	\$561,820	
Revenue from Grants/Donations	\$7,624		\$7,624	\$900	12%
Expenditures from Grants/Donations	<u>\$7,624</u>		<u>\$7,624</u>	<u>\$900</u>	<u>12%</u>
Revenue less Expenditures	\$0	\$0	\$0	\$0	
Capital/Reserve Revenue (from Fund Balance)	\$197,966		\$197,966	\$45,728	23%
Capital/Reserve Expenditures	<u>\$197,966</u>		<u>\$197,966</u>	<u>\$45,728</u>	<u>23%</u>
Revenue less Expenditures	\$0	\$0	\$0	\$0	
Total Revenue - All Funds	\$2,600,280	\$0	\$2,600,280	\$1,309,368	50%
Total Expenditures - All Funds	<u>\$2,600,280</u>	<u>\$0</u>	<u>\$2,600,280</u>	<u>\$747,548</u>	<u>29%</u>
Revenue less Expenditures	\$	-	\$0	\$561,820	

Fiscal 2019 (5/1/18 – 4/30/19) Summary of Year-to-Date Departmental Budget to Actual

	<u>Budget</u>	<u>Amended</u>	<u>Total Budget</u>	<u>Actual</u>	<u>%</u>
Revenues:					
Property Taxes	\$520,463		\$520,463	\$499,158	96%
Realty Transfer Taxes	\$380,000		\$380,000	\$206,460	54%
Gross Rental Taxes	\$522,000		\$522,000	\$3,930	1%
Grants	\$7,624		\$7,624	\$0	0%
All other revenue	\$947,790		\$947,790	\$599,820	63%
Transfer from Reserve (Capital Projects)	\$197,966		\$197,966	\$0	0%
Budgeted Surplus	<u>\$24,437</u>		<u>\$24,437</u>	<u>\$0</u>	<u>0%</u>
Total Revenue	\$2,600,280	\$0	\$2,600,280	\$1,309,368	50%
Expenditures:					
General & Administrative Department	\$691,838		\$691,838	\$201,000	29%
Public Works Department	\$268,075		\$268,075	\$60,181	22%
Trash	\$327,400		\$327,400	\$82,018	25%
Public Safety Department	\$733,316		\$733,316	\$179,138	24%
Ambulance	\$74,518		\$74,518	\$18,537	25%
Beach Patrol Department	\$274,653		\$274,653	\$149,240	54%
Town Committee	\$24,890		\$24,890	\$10,807	43%
Grants	\$7,624		\$7,624	\$900	12%
Other (Capital)	<u>\$197,966</u>		<u>\$197,966</u>	<u>\$45,728</u>	<u>23%</u>
Total All Expenses	\$2,600,280	\$0	\$2,600,280	\$747,548	29%

Highlights on Revenue

Revenues are tracking to budget.
 Property Taxes - there are 72 delinquent property tax bills

Highlights on Expenditures

Expenditures are tracking to budget.

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

Building Repurposing Project

Renovations have concluded awaiting final inspection. We are working out a few IT issues which should be completed shortly.

July 4th Activity

The report for July 4th firework investigations were 1 on June 29th, 3 on July 4th and 1 on July 5th. Some of the more notable investigations for July consist of a drug arrest on the beach and Seaside Drive, an active investigation regarding sex offender registration requirements for a town resident, indecent exposure on South 9th Street, criminal mischief on Brandywine Drive, 3 local fugitives and 2 bicycle thefts on Cleveland and Seaside Drive.

Bicycle Safety Event

The South Bethany Police Department hosted our annual bicycle safety checkpoint event on July 12th, 2018 from 8:00 am to 11:00 am on Henlopen Drive and Coastal Highway. DeIDOT also joined us bringing information on bicycle safety and additional handouts. The event was a huge success. We had equipped over 100 bicycles with free lights and numerous helmets were distributed.

Office of Highway Safety

The Office of Highway Safety had an executive member of the National Highway Traffic Safety Administration ride along with our agency on Tuesday, July 17th to observe the efforts made by the police and town towards the improvement of pedestrian safety. Judy Dancy, the Regional Program Manager for the National Highway Traffic Safety Administration stated in an email that “it was obvious that the South Bethany Police have spent lots of time engaging with and educating the residents and visitors on the importance of pedestrian safety. Rewarding those that use the crosswalks is a nice touch and as she observed reinforces the importance of pedestrian safety to those in the community. The grant funds that are earmarked for our efforts are well spent!”

Office of Highway Safety Impaired Driving

Office of Highway Safety, the South Bethany Police Department has participated in the “Impaired Driving Enforcement” from June 21st through July 2nd. The Delaware Office of Highway Safety core outcome and behavioral measures target for alcohol impaired driving fatalities is to decrease impaired driving fatalities so that the alcohol impaired fatalities has a five year (2014-2018) average of 43.

- 31% of impaired fatalities occur between 9pm – 2am
- 76% of drivers in impaired driving crashes were male
- 63% of impaired driving crashes occur on the weekend (Friday, Saturday, Sunday)
- 43% of fatal crashes in 2017 were impaired related.

Office of Highway Safety Distracted Driving

Office of Highway Safety, the South Bethany Police Department has participated in the “July Distracted Driving” enforcement from July 12th through July 31. The Delaware Office of Highway Safety core outcome and behavioral measures target for distracted driving traffic crashes is to decrease crashes to a 5 year average (2014-2018) by 184 by December 31, 2018.

- Cell phone crashes begin to increase in rate starting late morning (11 am); this increase in rate continues with the sharpest rise during the evening rush hour.

- Thursday and Friday trends much higher than other days for cell phone related crashes.
- Cell phone related crashes trend young in Delaware. 55% of these crashes are caused by a person under the age of 30.
- Males account for 57% of crashes and females 43%.
- 62% of distracted driving crashes occurred in New Castle County, 17% in Kent County and 21% in Sussex County.

Office of Highway Safety DUI Checkpoint Strike Force

Office of Highway Safety, the South Bethany Police Department has participated in the "Safety DUI Checkpoint Strike force" enforcement from July 14th. The Delaware Office of Highway Safety core outcome and behavioral measures target for alcohol impaired driving fatalities is to decrease impaired driving fatalities so that the alcohol impaired fatalities has a five year (2014-2018) average of 43.

- 56% were 3,997 DUI arrests statewide in 2017 (Friday, Saturday and Sunday)
- 31% of impaired fatalities occur between 9pm – 2am
- 76% of drivers in impaired driving crashes were male
- 60% of impaired driving crashes occur on the weekend
- 42% of fatal crashes in 2017 were impaired related.

Office of Highway Safety July Pedestrian Outreach/Enforcement

Office of Highway Safety, the South Bethany Police Department participated in the "Pedestrian Outreach Enforcement" from July 5th through July 19th. Delaware has had the highest pedestrian fatality rate in the country 4 out of the last 5 years, totaling 150. Pedestrian fatal crashes tend to occur at night, on high speed multi-lane roadways. Pedestrians are often under the influence and determined to be at fault of the crash. The most common ages hit are 10-24 years old.

- **Beach Patrol Report**—Submitted by Capt. Ryan Dacey:

Rescues- 25 rescues due to rip currents

Lost Children- 10

Medical-

Broken wrist; 18 yr old Male; impact from heavy surf

Broken wrist; 60 yr old Female; fell

Broken nose; 30 yr old male; hit a friends elbow

Dislocated knee; 45 yr old Female; hit by waves

Dislocated knee; 50 yr old Female; hit by waves

Neck & Back injury; 15 yr old male; hit bottom of ocean riding waves

Competitions-

Sea Colony Lifeguard Challenge- 2nd place

Rehoboth Lifeguard Olympics- 5th place

Fenwick Island Frisbee Competition- 3rd place

USLA National Lifeguard Championships- 8/9-8/11

COMMITTEE REPORTS

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

The Charter and Code Committee is currently considering the possible inclusion of all, or parts of, the "International Property Maintenance Code" into the South Bethany Code. The Committee expects to bring a recommendation to the Council in September.

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

Yoga and Boot Camp Classes continue at their usual beach locations, or at alternate locations as necessary. Boot Camp Instructors Kim and Mel Royster began a new Interval Circuit Fitness Class on Monday, August 6th from 8:30 to 9:15 in the Adult Fitness Area. The first class had about 12 attendees and the sessions are open to all each Monday until the weather becomes too cold.

Summer Movie "Sing" was shown on July 11th. The set up was close to our original location on South 3rd. Children received glow necklaces and tiny stuffed animals. Popcorn was provided for all. Toilet facilities were available at the S 3rd Street ramp entrance. The event was well attended, and although there was a bit of competition with the Beach Replenishment Vehicle, all turned out well and it was a very successful movie night.

Coco is the last movie of the season and will be held on August 11th on the beach at South 3rd. We will have rope lighting available on the walkway thanks to our maintenance department and Dr. Munoz will again provide electricity. A portable toilet will be installed at the street entrance. The C and PR Committee along with other volunteers will provide a light supper of hot dogs and chips for attendees, and children will get glow necklaces and special Fiesta Prizes.

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

CEC UPDATES

Update on the South Bethany Fitness Area

1) The first Adult Fitness Class scheduled for July 30th was cancelled due to rain but a successful one was held on Monday, August 6th. Mel and Kim Royster are conducting the fitness classes every Monday from 8:30 am to 9:15 am until October. The first session was attended by 13 participants. Email News Updates are scheduled to be sent out regularly to notify SB property owners about the Monday class.

2) Based on our submitted Letter of Intent, South Bethany has been approved to seek grant funding from the DE Department of Parks. The grant is due September 14th. Maureen Hartman and Sue Callaway will prepare and submit a grant in response to the RFP requesting additional fitness equipment and any other fitness area enhancements considered appropriate.

South Bethany 2018 Photography Exhibit

The Exhibit closed on Friday, July 13th. The event was a successful one and enjoyed by the photographers and many visitors as indicated by the Sign-In sheet.

Update on Adopt-A-Canal Program

- The 2018 Adopt-A-Canal/Road End Contest was held from June 29th to July 20th.
- The Contest's online voting format was given a new look and format this year and was quite successful. Email News Updates and voting forms were distributed regularly during the contest period.

- The Adopt Contest ended on Friday, July 20th and all signs were removed on July 23rd. Votes were tabulated on July 27th and an email announcing the winners was sent to all Adopters on July 31st. **The winners will receive their awards from our Contest Sponsors, Inland Bays Garden Center on Friday, August 17th at 11:00 am.** The awards will be presented at the winning canal end on Kent Place. The CEC appreciates the support and generous contribution of Cheryl Rehrig and Denise Hoeksema, owners of the Garden Center. The CEC also thanks CEC member Bobbe Stephan and town staff members Pam Smith and Janet Powell for their assistance with the Adopt Contest.

Next CEC Meeting

The CEC will convene meetings in September.