

<p>TOWN OF SOUTH BETHANY TOWN COUNCIL WORKSHOP MEETING MINUTES AUGUST 25, 2016</p>

MEETING CALLED TO ORDER

Mayor Voveris called the August 25, 2016, Town Council Workshop Meeting to order at 2:00 p.m.

ATTENDANCE

PRESENT: Councilmembers Don Boteler, Sue Callaway, Wayne Schrader, Carol Stevenson, Frank Weisgerber, and Mayor Pat Voveris; Town Manager Melvin Cusick; Chief Troy Crowson; and Administrative Assistant Pam Smith

EXCUSED ABSENCE: Councilmember Tim Shaw

SOUTH BETHANY POLICE DEPARTMENT COMPENSATION OF ENTRY LEVEL POSITION

- **Review of neighboring towns' Police Department compensation for entry level position**

Chief Troy Crowson presented the following South Bethany Police Salary Proposal:

At the last Budget and Finance Meeting Council agreed to review the South Bethany Police Department's payscale/chart. The concern at the time was that the amount of slots on the Police Department's chart (20 Steps) did not equal that of the Town Employees Chart (25 Steps).

Since then, I have learned that the Police Department's entry level compensation rates are not competitive with our neighboring towns. Our current level for a Recruit completing the academy does not measure up to the hourly rate South Bethany pays for the Part Time Officers employed here. A budget adjustment was previously made in an attempt to remedy this, however it only brought our officer closer (now approx. 17/hour) to the Part Time hourly rate (approx. 19/hour).

Being competitive at entry level has not been an issue since 2005, when the last hire at entry level was made prior to our hiring of a Recruit in 2015. The majority of officers since 2005 were brought in at competitive salary levels with rank.

Corporal Miller has resigned and there is currently a Full Time position to fill. If we adjust our step chart now, we will be able to attract quality entry level candidates for this vacancy. This will also enable the department to bring our lower level officers to a competitive wage thus improving our ability to retain officers.

The attached packet contains two charts concerning, #1 the current starting salaries for our neighboring police departments and #2 shows the current South Bethany Police salaries and compares them to the proposed adjusted salaries.

OVERVIEW:

The salary for our lowest levels of officer is not competitive.

Prior certified hires were brought in at competitive salary levels and require little adjustment to remain competitive.

It is important we are competitive to attract and retain officers.

Chart #1 represents the current starting salaries for our neighboring police departments.

- Currently South Bethany's starting salary is the lowest in the area at \$35,364.
- The average of all the starting salaries is \$42,229.

Chart #2 shows the current South Bethany Police salaries and compares them to the proposed adjusted salaries.

- Proposed adjusted salaries are based on a starting salary of \$41,324.
- This adjustment primarily affects the lowest level of officers, and brings them to a competitive rate.
- Minor adjustments required to bring upper level of officers into newly proposed payscale.

COMPARISONS:

#1 NEIGHBORING TOWN STARTING PATROLMAN SALARIES

POLICE DEPARTMENT	STARTING PATROLMAN SALARIES
REHOBOTH BEACH	\$49,296
LEWES	\$47,500
BETHANY BEACH	\$46,100
MILTON	\$43,000
SELBYVILLE	\$42,000
OCEAN VIEW	\$41,424
FENWICK ISLAND	\$38,373
DEWEY BEACH	\$37,000
SOUTH BETHANY	\$35,364
AVERAGE STARTING SALARY	\$42,229

#2 CURRENT SB SALARIES and PROPOSED ADJUSTED SALARIES

RANK	CURRENT SB	PROPOSED ADJUSTMENT	DIFFERENCE
PTLM	\$36,248	\$41,324	\$5,076
PFC	\$38,845	\$44,475	\$5,630
CPL/1	\$48,247	\$48,614	\$367
CPL/1	\$50,689	\$51,075	\$386
SR CPL	\$56,792	\$57,225	\$433
SGT	\$67,139	\$67,650	\$511
CHIEF	\$82,548	\$83,176	\$628
TOTALS	\$380,508	\$393,539	\$13,031

Attached is the proposed Adjusted Starting Salary Chart.

- **Discussion and possible vote on South Bethany Police Department compensation of entry level position and possible effect on the Payscale**

Councilmember Boteler stated that he presumes that anytime salaries are adjusted up benefits are also adjusted up because benefits are a function of salaries. Mayor Voveris stated that the Pension would be affected. The Town Manager noted that the Pension is based on salaries and Workmen's Compensation Insurance rates are based on total salary.

Councilmember Schrader said to preserve the relationship in the Payscale, Council would not just be voting on the entry level salary but also adjusting upward the pay levels for grades above entry level.

Mayor Voveris noted that if Council approved the Police Department's Salary Proposal a Budget Amendment of \$13,031 to the FY 17 Budget would be needed because it is over \$10,000. Mayor Voveris said she would put the Budget Amendment on the September Council Meeting Agenda if Council approves the proposal today.

Councilmember Boteler asked about the need for an independent review of the Police Department Payscale and the best structure for South Bethany. Mayor Voveris believes the Police Department Payscale chart should be run out to Step 25 and the numbers in the chart should be looked at to see if they are within competitive ranges of other Police Departments. However, for right now Mayor Voveris said there is no need to take the Police Department Payscale to 25 because with the proposed Payscale the highest person is only at Step 13.

Motion and Vote: A motion was made by Councilmember Boteler, seconded by Councilmember Schrader, that Council accept the South Bethany Police Salary Proposal to be effective in the first full pay period in September subject to a positive vote by the Council at the September Town Council Meeting on a budget amendment which will be retroactively applied. Mayor Voveris asked for further discussion from Council and for public comment. There was none. Mayor Voveris called for a vote. The motion was unanimously carried.

ADOPTION OF MINUTES – AUGUST 12, 2016, TOWN COUNCIL REGULAR MEETING

A motion was made by Councilmember Stevenson, seconded by Councilmember Callaway, to accept the August 12, 2016, Town Council Regular Meeting Minutes. The motion was unanimously carried.

PUBLIC COMMENT PERIOD

Kent Stephan (46 S. Anchorage Ave.) – Inquired about Ordinance 183-16. Mayor Voveris stated that there is no change to the Code. Ordinance 183-16 clarifies so that everybody can calculate what they need for pervious versus impervious based on their setbacks.

SECOND READING AND POSSIBLE VOTE ON ORDINANCE 183-16 TO AMEND THE CODE OF THE TOWN OF SOUTH BETHANY CHAPTER 145, ZONING, TO CLARIFY THE DEFINITION OF "PERVIOUS AREA" IN THE SETBACK OF ANY LOT IN SOUTH BETHANY

Mayor Voveris reviewed Ordinance 183-16. Mayor Voveris stated that the ordinance clarifies the calculation of the Building Setback area.

Mayor Voveris declared this the second reading of Ordinance 183-16.

Mayor Voveris stated that the Public Hearing on Ordinance 183-16 will be on September 9 before the Town Council Regular Meeting. The third reading and possible vote will be at the September 9, 2016, Town Council Regular Meeting.

REVIEW OF THE FOLLOWING 2015 COMMUNITY SURVEY COMMENTS

- **Comments assigned to the Community Enhancement Committee (CEC)**

Review of 2015 Community Survey Comments & CEC Follow-up Assignments

In order to report back to Town Council on assigned topics, the CEC reviewed and discussed the *2015 Community Survey* scores and comments attributed to the following four survey topics:

- **Town Landscaping** – Based on survey results, the group recommended continuing to place a focus on Town landscaping and Town improvements and enhancements. Such a focus includes funding for plants and associated labor for installation and long-term maintenance. Additionally, future CEC committees should be encouraged to view enhancement of the Town overall and consistently review the status of existing projects or initiatives and to consider new and innovative ideas to be brought forward to the Town Council. The emphasis on property maintenance through community education flyers was seen as worthwhile by members and efforts in that regard should be continued. The group agreed that the Town should set an example in its efforts and not be seen as “scolding” those who do not maintain their homes as best as they should. However, property maintenance code violations should be consistently addressed by the Code Constable.
- **Landscaping and Cleanliness Improvements** – The survey indicates appreciation of these efforts as well and they should be continued and seen as a priority by the Town. It was recommended that the *Beautifying South Bethany* flyer and other information should be sent out quarterly. The CEC recommends that the Code Enforcement’s efforts to enforce the applicable codes referenced in the flyer should be addressed on a regular basis.
- **Pet Waste** - The group reviewed the survey comments regarding dogs, cats and pets with a particular emphasis on pet waste. The group discussed the comments focused on unleashed pets and pet waste. The recommendations from the CEC members are the following:
 1. Do NOT support an increase in the Town providing additional bags or pet waste trash cans or stations (incumbent upon the pet owners to supply their own as pet owners are aware of their responsibility);
 2. Greater enforcement (Town Code Violations) of unleashed dogs on the beach during dog permitted season;
 3. Greater enforcement of dogs on the beach during the season;
 4. Greater enforcement of owners and/or visitors NOT picking up after their pets (Town Code Violations);
 5. Encouraging a “see something, say something” response when witnessing pet care violations; and
 6. Distribute the “Pet Waste” flyer every four months via Email News Update.
 7. Some members noted that there seems to be fewer feral cats in the area than previously seen.
- **Improve Street Lighting**

2015 Survey Results: The Survey results in this area indicated an increased interest in improving street lighting and revealed a higher percentage of favor than the 2011 survey. The group reviewed the comments and also the Comprehensive Plan recommendation by the Planning Commission to develop a 10-year Master Plan for lighting. Some survey comments expressed a desire for no more lighting and others followed the survey request and indicated

specific locations for additional lighting. The streets most frequently mentioned were: Anchorage and South Anchorage, Canal Drive, Bayshore Drive, and Elizabeth Way. Some individual comments noted a need for more lighting on other individual side streets on both the west and east sides of Route 1. *To supplement the Town Council Workshop street light discussion, the review below also includes an overview of current street lighting practice with references to historic practices.*

- 1.** The CEC members did not find it necessary to develop a long-range Master plan as the Town's current plan is based on interest by individual property owners and since streets lights tend to be a controversial issue. However, the CEC concludes the following:

CEC Recommendation: 1) In the interest of safety and greater visibility of street signs, the CEC recommends a long-term plan that focuses on installing a free-standing street light at every street intersection. 2) In the interest of safety, greater visibility of street signs and streetscape beautification, it is recommended that the cobra street lights that are positioned at each intersection along the east and west side of Route 1 be replaced with the free-standing street lights. 3) Future lighting replacements or additions where possible, should be the same free-standing light fixture recently installed in the Cat Hill area and elsewhere so that we establish continuity with lighting type.

Current South Bethany Street Light Procedure:

- 1.** The most recent (2013) proactive street light procedure occurred when the CEC responded to requests to improve lighting along Ocean Drive – both Cobra and “Country” style street lights were tried but the trial street lights were not well received. The CEC then embarked on the solar lighting option which has been favorably received. Prior to installing the solar lights, letters were sent to all property owners on Ocean Drive, with only one homeowner objecting, 17 solar lights were installed at each intersection along Ocean Drive at a cost of approximately \$200 per light. For Ocean Drive, the solar lights provide a balanced solution. Their lighting capacity which relies upon sunlight to charge its batteries is of course impacted by weather. Sporadic replacement of solar panels and lights does occur as they are impacted by salt air and nor'easter storms as almost everything is in our town.
- 2.** The second more recent (2015) proactive street light procedure occurred when the CEC partnered with Delmarva Power to replace the 12 outdated existing free-standing lights in the Cat Hill area and three other town locations. While there has been one objection, it appears that the lights are being accepted and do provide better lighting. Delmarva Power contributed an independent lighting consultant who spend time reviewing current lighting in town and within the Cat Hill area and advising the Town on the best options available and applicable to our needs and wants.
- 3.** In the spring of 2015, the CEC presented a Canal Drive lighting plan in response to citizen comments about the darkness of the area and a Sussex County grant opportunity. This plan was developed in consultation with Delmarva Power and featured the installation of free-standing street lights at each intersection along Canal Drive. The Council chose other proposed initiatives competing for the grant funds.
- 4.** The CEC group also discussed the Town's current *unwritten* street light request procedure, established via precedent which is: 1) a homeowner requests a street light to the town manager or Town Council; 2) the homeowner talks with neighbors to assess their interest/support for an additional light and creates a petition from neighbors for support for a light; 3) the homeowner presents information and petition gathered to the Town Manager; 4) the Town Manager presents the information to the Town Council; and 5) if Council approves, a survey letter is sent to affected neighbors along with the signed petition to share the petition results and assess other neighbor opinions – the homeowner

responds in writing to the town, indicating support or lack of support for the proposed street light ; 6) The Town Manager brings the survey results back to the Town Council for action; 7) The Council votes on approval or disapproval of the requested light installation; 8) Current and previous letters include the following statement – “Please note once the street light is installed, it will remain in place.” Currently, the Town is installing the free-standing street light style when possible to locate near an electrical box.

Discussion Points: For the benefit of future Councils and citizens, shall the Town Council establish a written procedure for street light requests? Shall the Town Council task the Planning Commission with creating a 10 Year Master Plan for lighting per the Commission’s request or shall Council follow the CEC recommendations for future lighting?

- The final discussion resulted in a unanimous vote by CEC to have Town Council consider a lighting initiative along Canal Drive and Anchorage Drive. Garnet Timbario volunteered to assess the locations of the current lighting on Anchorage Drive and the green electrical boxes that facilitate the installation of the free-standing street lights. Per CEC request, Garnet researched the locations and has gathered the following information regarding Anchorage Drive Street lighting: Electrical junction boxes are located next to or between: 1. #104 Anchorage; 2. #118-120 Anchorage (between houses); 3. #128 Anchorage (next to house); 4. #142 Anchorage (next to house); and 5. #152 Anchorage (next to house). Currently there is one street light at the corner of Anchorage and Route 1 and Anchorage and Peterson. Along South Anchorage there is a street light in front of #10 and #66 South Anchorage and one electrical box located at #30 S. Anchorage.

Discussion Point: Per the Survey results, shall the Town Council move forward with an agenda item to discuss and possibly vote on a lighting plan for Canal Drive and Anchorage Drive (including South Anchorage)?

Mayor Voveris asked Council members to review Councilmember Callaway's presentation and the survey comments on street lighting and give Councilmember Callaway their input on the issue of street lighting. Then an item can be put on a Council meeting agenda based on Council's input.

- **Comments regarding Mediacom Service**

Councilmember Schrader said the Town has a Cable Franchise Agreement with Mediacom which has about three more years to run. The agreement only extends to television services. Later in the discussion the Town Manager clarified that the Towns of Bethany Beach, South Bethany, Millville, and Ocean View formed a consortium and hired the same law firm for the negotiations on the Cable Franchise Agreement which runs from 2013 to 2020.

Councilmember Schrader said that after reviewing the agreement he thinks there is a way to construe the agreement to extend it to cover internet and telephones regarding the service level that customers receive. Councilmember Schrader stated that in the survey results there were over 125 complaints about services by Mediacom. During discussion it was noted that there are not a lot of options because companies such as Comcast have no interest in coming down to this area due to the expense of putting in the infrastructure.

The following suggestions were made:

- Have a meeting with Mediacom representatives regarding the survey comments and try and get Mediacom to agree to the aspects of the Cable Franchise Agreement in regards to responding to complaints within a certain time frame.
- Have a Mediacom representative attend a Town Council Meeting and talk to the community.

- Put together a list of alternatives available (it was noted that it would be a short list).
- Develop a form that includes the number of days it took for Mediacom to respond to a service call. Funnel complaints through one person and then establish face to face regular contact with Mediacom.
- Meet with Mediacom on what they would be willing to offer regarding seasonal prices.
- Put an article in the Zephyr listing alternatives and encouraging people to complain to Mediacom.

Councilmembers Schrader and Shaw will continue to look for other suggestions.

- **Comments regarding feral cats**

Councilmember Schrader stated that the survey reflected a few comments about feral cats and several members of Council have seen evidence of a serious problem of feral cats on Anchorage/S. Anchorage. The question is what can be done to try and abate the problem – the answer is not simple. Later in the meeting Councilmember Weisgerber cautioned that feral cats are protected by the State of Delaware.

Councilmember Schrader did some research on the internet and found the following ideas to consider:

- Trap, neuter, and release. (It was noted that this does not prevent cats from defecating or urinating on people's properties or from killing birds and leaving the dead birds on people's properties.)
- A no feeding ordinance. (This would be hard to enforce and most of the commentary on the internet says that it does not work).
- A leash law for cats combined with a law that says if you feed the cat you own the cat.
- License laws.
- Pursue efforts to talk to the caretaker of the feral cats. (The Town Manager said the Town has talked to the caretaker before and she said she is part of a rescue operation.)

It was noted that the feral cats have also been a nuisance to renters.

Public Comment: Instead of treating it as a nuisance issue treat it as a health issue.

CONSIDERATION AND POSSIBLE VOTE TO UPDATE THE BUDGET AND FINANCE COMMITTEE MISSION STATEMENT AS RECOMMENDED BY THE BUDGET AND FINANCE COMMITTEE

Councilmember Boteler reviewed the proposed changes to the Budget and Finance Committee Mission Statement.

A motion was made by Councilmember Boteler, seconded by Councilmember Schrader, to accept the proposed changes to the Budget and Finance Committee Mission Statement as recommended by the Budget and Finance Committee. The motion was unanimously carried.

ADJOURNMENT

A motion was made by Councilmember Callaway, seconded by Councilmember Weisgerber, to adjourn the August 25, 2016, Town Council Workshop Meeting at 3:50 p.m. The motion was unanimously carried.

phs:2016 08 25 Workshop Minutes Adopted 9 9 16

Attachment: Adjusted Starting Salary Chart