

**TOWN OF SOUTH BETHANY
TOWN COUNCIL WORKSHOP MEETING MINUTES
AUGUST 27, 2015**

MEETING CALLED TO ORDER

Mayor Voveris called the August 27, 2015, Town Council Workshop Meeting to order at 2:00 p.m.

ATTENDANCE

PRESENT: Council Members Sue Callaway, George Junkin, Tim Saxton, Wayne Schrader, Carol Stevenson, Frank Weisgerber, and Mayor Pat Voveris; Town Manager Melvin Cusick; Chief Troy Crowson; Finance Director Renee McDorman; and Administrative Assistant Pam Smith

ADOPTION OF MINUTES – JULY 23, 2015, TOWN COUNCIL WORKSHOP MEETING

Motion: A motion was made by Councilman Junkin, seconded by Councilwoman Callaway, to accept the July 23, 2015, Town Council Workshop Meeting Minutes.

Referring to the first paragraph of Page 7 of the July 23, 2015, Town Council Workshop Meeting Minutes, Councilman Saxton clarified that the money has to be in the budget – it is not for additional money that is not in the budget. Councilman Saxton asked the Town Manager if his statement was correct. The Town Manager said money that is not in the budget can't be spent without Council approval.

Vote: The motion was unanimously carried.

PUBLIC COMMENT PERIOD

Pat Fox (400 Rebecca Rd.) – Spoke in support of Chief Crowson and the South Bethany Police Department.

Kent Stephan (46 S. Anchorage Ave.) – Spoke in support of Chief Crowson and the South Bethany Police Department.

Dick Oliver (410 Victoria Rd.) – Spoke in support of Chief Crowson and the South Bethany Police Department.

Gerry Masiello (309 W. 4th St.) – Spoke in support of Chief Crowson and the South Bethany Police Department.

Frank Minni (413 Kimberly Rd.) – Spoke in support of Chief Crowson and the South Bethany Police Department.

ACKNOWLEDGEMENT OF THE RENEWAL OF CHIEF CROWSON'S EMPLOYMENT CONTRACT AND REVIEW OF ACCOMPLISHMENTS OF THE GOALS AND OBJECTIVES TASKED AT HIS HIRE

Mayor Voveris stated that Chief Crowson was hired in October of 2014 after a very rigorous procedure where the Town hired independent people to evaluate all the resumes and applications the Town received from all across the country. In the end Chief Crowson stood neck-and-neck with the best. The Town offered Chief Crowson a one-year contract, and if it did not work out he would be able to return to the position of Lieutenant on the force. Mayor Voveris said Chief Crowson has done more than very well – he has done an exemplary job. Mayor Voveris

reviewed the seven goals that Chief Crowson was tasked with at his hire (a handout was available on the sign-in table titled Chief Crowson Goals for South Bethany):

- **Objectively assess our Police Department's operation, resources, equipment, and personnel.** Mayor Voveris said this goal was met and Chief Crowson also generated \$53,870 of new grant money – money the Police Department never applied for or hadn't applied for in some time. This was new dollars generated for the Police Department to use so they could operate effectively and efficiently.
- **Research and compare the evaluation system of other towns to assess the merit and fairness of South Bethany's.** Mayor Voveris said this goal was met and our evaluation system proved to be not only effective but more effective and above the neighboring towns.
- **Standardize reporting to ensure communication is thorough and effective, and investigate more in car automation for efficient use of officer's time.**
- **Identify relevant and required training opportunities both in and out of state, for the department and individual officers and available with or without grant funding.** Mayor Voveris said Chief Crowson did a tremendous job in meeting this goal.
- **Actively participate in the Delaware Police Chief's Council.**
- **Complete training and course studies towards professional betterment.** Mayor Voveris stated that Chief Crowson has spent 141 hours in the last ten months completing training and course studies.
- **Increase strategies to prevent off season break-ins and June bug activity.** Mayor Voveris said this year South Bethany saw the lowest amount of incidents in June Bug activity since the inception of the program. Chief Crowson has gone over and above to tackle this problem and to make sure that the town is safe and that the Town offers people peace and good order as best it can.
- **Increase the police presence with owners, on our website, and news updates.** Mayor Voveris said this goal was met. Mayor Voveris noted that the Police Department is going to attend a SMILE conference that will ascertain benefits of starting a social media based connection to the community.

Councilman Junkin said he has been very impressed with Chief Crowson's performance. Councilman Junkin said Chief Crowson has done an excellent job, and Chief Crowson justified that Council made a good choice last year in hiring him as Chief of Police.

Mayor Voveris clarified that it is the Mayor and Council that hires the Chief of Police.

Councilwoman Callaway stated that it struck her this week and in previous weeks with all the emphasis on law enforcement and the animosity directed toward them, police officers' lives are at risk even though it seems like we have a very quiet town. Councilwoman Callaway thinks South Bethany is fortunate to have Chief Crowson. Councilwoman Callaway believes he should be compensated for his commitment to the South Bethany community and honoring all of his objectives. Councilwoman Callaway said it is a small way to demonstrate that South Bethany supports its Police Department.

Mayor Voveris stated that Chief Crowson's contract automatically renewed in August because without 60 days prior written notice to the time of his renewal in October his contract would automatically renew. Prior to the 60 days Mayor Voveris went out to Council and asked if anyone had an objection or wanted to bring anything forward. No one did. Mayor Voveris said Chief Crowson definitely has the support of this Council unanimously.

DISCUSSION AND POSSIBLE VOTE ON REVIEW OF COMPENSATION TO CONSIDER A SIGNING BONUS FOR THE CHIEF AS HE EMBARKS ON HIS 3 YEAR CONTRACT THIS OCTOBER

Mayor Voveris cited the following:

- At the time of Chief Crowson's hire, the hiring committee made a recommendation to bring Chief Crowson in at a step above where he actually was brought in. Mayor Voveris said he has proved himself in the last ten months that he is of value in his position.
- Chief Crowson brought in \$53,870 of new grant money which is considerable in ten months' time.
- Chief Crowson has documented 206 non-compensated hours during his ten months as Chief. If those hours were to be compensated it would have amounted to about \$8,000.

Mayor Voveris proposed to the Council to consider giving Chief Crowson a one-time signing bonus of \$5,000 (less appropriate taxes) as he embarks on his three-year contract.

Councilman Junkin said he thinks Chief Crowson is doing an excellent job, but he is not sure he is in favor of a signing bonus. Councilman Junkin said he does not think Council has ever done something like that before. Councilman Junkin added that Chief Crowson's salary is more than some of the Police Chiefs nearby, and some of them have ten years' experience as Police Chief. Councilman Junkin said he is not sure that the precedence of a \$5,000 bonus is the right thing to do. Councilman Junkin said when looking at what Chief Crowson is making compared to Bethany Beach, Fenwick Island, and other places nearby, Councilman Junkin thinks Chief Crowson is being adequately compensated.

Motion: A motion was made by Councilwoman Callaway, seconded by Councilman Weisgerber, that Council move forward on the compensation of a signing bonus of \$5,000 to Troy Crowson for his commitment to embark on a three-year contract and his demonstrated performance during his first year of service as Chief.

Councilman Saxton said he fully supports that Chief Crowson has done a good job. Councilman Saxton said Chief Crowson has had less than one year on the job as Police Chief and that he is being compensated at levels equal to people with 20 plus years' experience as Police Chief. Councilman Saxton feels Chief Crowson is being well compensated for the level of experience he has as Chief. Councilman Saxton noted that the Town has a written policy adopted by prior Councils regarding awarding people who have done exemplary work (the limit on the policy is \$100). This proposed bonus would be going outside of that policy. Councilman Saxton stated that he has problems calling the bonus a signing bonus because the Town signed Chief Crowson on last year and Council has already rolled over his contract which is a three-year contract. Councilman Saxton said the Council continues to give Chief Crowson salary increases. Councilman Saxton said that since Chief Crowson has come on board, Council has given him over 18% in salary increases.

Mayor Voveris said Chief Crowson has been with South Bethany for 28 years and is no novice. Mayor Voveris said Council could call the bonus what it wants but she was trying to do a bonus that was one time, that is not part of his compensation package, it is not going to have a 401K contribution every year, and it is not going to be increased by step every year. Mayor Voveris said Chief Crowson's starting salary ended up being 10% more than what his W-2 earnings for the prior year were given his salary and his overtime in the prior year. Mayor Voveris noted that the Chief does not get overtime or comp hours. Councilman Saxton said that is a fair comment but his concern is that the job does have overtime expected (it is a salary position) and the breakdown of the number of hours of overtime that the Chief actually worked a week is about three hours. Councilman Saxton does not feel the overtime hours is an argument for creating a bonus.

Councilman Saxton stated that he feels the Chief is being adequately compensated and that Council has done due diligence of looking at the other towns and making sure the Chief is adequately compensated. Councilman Saxton questioned why Council is doing this for the Chief when there have been other extraordinary circumstances and no one else got a bonus. Councilman Saxton thinks that if Council wants to create a bonus program that is a separate issue, but to do a "one off" he is concerned about the morale of the rest of the staff. Councilwoman Callaway said maybe this will set a precedent for Council to take a look at that.

Councilwoman Callaway said this is not about an adequate salary but this is a way of saying that the employee will go the extra mile, and Chief Crowson has demonstrated that. Councilwoman Callaway said it is a reward for what has been done and it is an incentive to continue doing it.

There was discussion as to whether to call the bonus a signing bonus or a performance bonus. Councilman Saxton said signing bonuses are to attract people to join your company in order to outbid the competition.

Public Comment:

Kent Stephan (46 S. Anchorage Ave.) – Spoke in favor of the motion.

Frank Minni (413 Kimberly Rd.) – Spoke in favor of the motion.

John Fields (5 Kewanee St.) – Stated that the Town has a bonus it gives town employees for years of service. Mr. Fields said to his knowledge there is no precedent for a signing bonus in the Town. Mr. Fields said raising his salary is a different issue, but he thinks establishing a precedent of a signing bonus would be a mistake.

Gerry Masiello (309 W. 4th St.) – Spoke in favor of the motion.

Vote: The voting was as follows:

FOR THE MOTION: Mayor Voveris and Councilpersons Stevenson, Weisgerber, Callaway, and Schrader

AGAINST THE MOTION: Councilpersons Saxton and Junkin

The motion carried with a 5-2 vote.

DISCUSSION OF ROLES/RESPONSIBILITIES FOR TOWN MANAGER, POLICE CHIEF, TOWN COUNCIL, AND BUDGET AND FINANCE COMMITTEE

Mayor Voveris said there seems to be a little bit of tension between the role of the Budget and Finance Committee and the role of Council and putting the Town Manager and the Chief in spots where Council should trust their discretion and judgment and maybe they felt questioned. Mayor Voveris said she has given this a lot of thought and she thinks the communication is going to be important. Mayor Voveris said she thinks Council would ask the Budget and Finance Committee to do things, and unless directed by the Council, the Budget and Finance Committee wouldn't do things. Mayor Voveris said maybe that would solve the tension.

Councilman Saxton referred to the following remit (goals and objectives) on the Budget and Finance Committee page of the Town website:

The Town of South Bethany's Budget & Finance Committee was formed to receive community input and work with the Town Manager, Finance Director and Town Council on budget and financial matters. The Town Council Treasurer chairs the committee. The committee is involved with:

1. *Reviewing monthly and year-to-date financial performance,*
2. *Presenting financial results monthly to the Town Council,*

3. *Reviewing proposals as they may affect the Town's budget and finances,*
4. *Reviewing and participating in the annual budget preparation process,*
5. *Participating in the annual audit by the Town's Independent Auditor,*
6. *Investigating financial alternatives that could affect the town's financial well-being,*
7. *Reviewing fee and fine schedules, and*
8. *Checking compliance with Town's Charter as it relates to budgeting and finances.*

The committee is to be made up of at least one Council Member, the Treasurer, the Town Manager and the Finance Director (ad hoc members), and up to seven South Bethany property owners.

Councilman Saxton stated that the Budget and Finance Committee followed the remit stated on the website. Councilman Saxton said that what the Budget and Finance Committee suggested and reported out at the last Town Council Meeting follows Item 3 of the remit. Councilman Saxton stated that the Budget and Finance Committee asked for a presentation around the LESO Program (Law Enforcement Support Office Program) and some parameters around the program because there is not any money in the budget at this time regarding the program. Councilman Saxton said the Budget and Finance Committee was trying to make it easy for the Police Chief to operate in the program and to make sure it was funded (Councilman Saxton later stated that there was not money in the budget for the program and the Budget and Finance Committee wanted to fund the program). The Budget and Finance Committee thought it was important for the community to know what types of items would be looked for within the LESO Program. Councilman Saxton said he has concerns about trying to limit what the Budget and Finance Committee can do within its remit.

Mayor Voveris said the LESO Program is a program available to the Police Department that involves liquidated items that the department can go after and obtain for free. The program is primarily for police use, but the Town can benefit from the use as well. (Administrative Assistant's Note: See the July 23, 2015, Town Council Workshop Meeting Minutes for a review of the LESO Program presented by Chief Crowson). Mayor Voveris stated that recently the department had the opportunity to get a boat through the program. The Chief called Mayor Voveris. Mayor Voveris called the Town Manager, and Mayor Voveris tried to call the Treasurer. Mayor Voveris said it was a lot of calling for something that was free. Mayor Voveris said other neighboring Police Departments successfully participate in the LESO Program (Selbyville, Fenwick Island, Bethany Beach, and Ocean View). Mayor Voveris said she has talked to either the Chiefs or the Mayors of these towns and the program is at their Chief's discretion, they do not have parameters set, and they did not ask their Chiefs for a list of possible items. Mayor Voveris said something may come up through the program that you hadn't thought of and it could be of value. Mayor Voveris said she talked to her CPA and was told that the item would be brought in under the Town's umbrella. Mayor Voveris said if something doesn't work, the department has the opportunity to sell the item at the end of a year and those funds go to the Police Department. Mayor Voveris stated that she thinks Council has to give the Police Chief some discretion and leeway regarding the LESO Program.

Mayor Voveris stated that in a conversation with the Treasurer, the Treasurer supported the concept of the program, but he wanted to have the Chief present the program to the Budget and Finance Committee. Mayor Voveris said she took that to be informational not permissive. Mayor Voveris said she thought the Chief was just presenting, but then the Budget and Finance Committee came up with parameters to a program that the Chief already presented to Council. Mayor Voveris stated that when Chief Crowson presented the LESO Program to Council, the Council encouraged him – nobody said Council needed to look at costs and nobody said to take it to Budget and Finance. Mayor Voveris stated that nobody said anything but "good luck" and to let Council know what transpires.

Mayor Voveris said it manifested into a lot of tension. Mayor Voveris said she wants everyone to work together and she wants clear communication. Mayor Voveris said she thinks it should be much better if the Council directs the Budget and Finance Committee.

Councilman Saxton said that is a fair point but then all committees should get directed from the Town Council because this was all within the remit that the Budget and Finance Committee is allowed to operate within.

Councilman Saxton stated that there was not one individual on the Budget and Finance Committee that questioned anyone's judgment. Councilman Saxton said the committee members found the program appealing and they wanted to make sure it was funded so that the Chief could get the program up and going, and then eventually by selling equipment it will become a self-fulfilling process that funds itself.

Councilman Saxton said it was brought up at the meeting (July 23, 2015, Town Council Workshop Meeting) that there are acquisition costs and maintenance costs (taking care of a Humvee is different than taking care of a police car or a pickup truck). Councilman Saxton said the Budget and Finance Committee is saying that Council should look at how much that is going to cost – there are long-term costs.

Councilman Saxton's concern is limiting the Budget and Finance Committee to what they can do within their remit.

Councilman Junkin said he is not sure of what Mayor Voveris is saying as far as what she wants the Budget and Finance Committee to do different. Mayor Voveris said she is not saying she wants them to do anything different she is just saying Council should have communication before the committee embarks.

After more discussion, Councilman Saxton said the Budget and Finance Committee was trying to make it so that the Chief didn't have to ask and that there was money in the budget. Councilman Saxton said the Budget and Finance Committee was saying that they trust Chief Crowson's judgment. Councilman Saxton said in his conversations with Chief Crowson regarding this issue, Chief Crowson wants money in the budget and Chief Crowson has figured out a way to work with the committee and have a list of what he thinks the town needs. Councilman Saxton said the Budget and Finance Committee was creating something to make the Chief's job easy – something approved by Council and the monies available to do it. Councilman Saxton said the Budget and Finance Committee was trying to create a way so that there were a few parameters around the program and that Council was informed. Mayor Voveris said in her conversation with the Chief he indicated an all-inclusive list for possible acquisitions would be nearly impossible to compile.

Councilman Weisgerber asked Councilman Saxton that if Chief Crowson should run across an item that you would never expect to see on the list that he feels is a good fit for South Bethany, would Chief Crowson have the okay to go for that item. Councilman Saxton said yes and Council would set a dollar value and if it is below the dollar value he can go for it and if it is above the dollar value Council might want to talk about it.

In the end, Mayor Voveris suggested addressing this at a future Workshop.

DISCUSSION AND POSSIBLE VOTE ON DRAFT TOWN SURVEY QUESTIONS

Council had copies of the following in the meeting packet:

- The latest version of the 2015 Community Survey (refined since the July 23, 2015, Town Council Workshop Meeting)
- An email from South Bethany property owner Jim Gross dated August 1, 2015, suggesting including approximate costs for the options in Question 3 regarding street lighting
- A document submitted by South Bethany property owner Kent Stephan titled *Comments on the Draft Survey*.

Mayor Voveris discussed whether or not to include a question regarding the expansion of the Town Hall and Police Department on the survey. Mayor Voveris said she did not think it should be included because the concept was just introduced. Mayor Voveris said the reason the drawings were done was because the Town had grant money that would give the Town a free drawing. Then the Council sent the concept to the Budget and Finance Committee before Council had any protracted discussion. Mayor Voveris said the Budget and Finance Committee may come back and say the Town can't afford the expansion. Mayor Voveris believes including a question regarding the expansion of the Town Hall and Police Department would be premature and that it would be inciteful. Mayor Voveris asked Council what their thoughts were. No Council Members spoke in favor of or against including a question regarding the expansion of the Town Hall and Police Department on the survey.

A motion was made by Councilman Junkin, seconded by Councilwoman Stevenson, that Council accept the Town of South Bethany 2015 Community Survey as presented in the August 27, 2015, Town Council Workshop Meeting Packet.

After Council discussion and public comment, Councilman Junkin amended the motion to include the costs of solar lights, pole lamps, Mobi mats, and Hand rails. Councilman Weisgerber seconded it. The motion was unanimously carried.

Council voted on the original motion to accept the Town of South Bethany 2015 Community Survey as presented in the August 27, 2015, Town Council Workshop Meeting Packet plus the amendment to include the costs of solar lights, pole lamps, Mobi mats, and hand rails. The motion was unanimously carried.

Mayor Voveris said she will make these final changes. Mayor Voveris hopes to bring the costs to do the survey work to the September Town Council Regular Meeting. Mayor Voveris hopes to get the survey into production in September.

Councilwoman Callaway asked if Mayor Voveris was going to get pricing on compiling the written comments. Mayor Voveris said yes she was going to get a price on everything. South Bethany property owner Jay Headman commented that he supported this given the number of hours Councilwoman Callaway and Councilman Junkin spent compiling the written comments and the report for the 2011 Comprehensive Plan Community Survey.

REVIEW, DISCUSSION, AND POSSIBLE VOTE ON THE CAPITAL ASSET REPLACEMENT AND MAINTENANCE (ARM) FUND AND DEPRECIATION POLICY

Council had a copy of the policy with recommended changes from the Budget and Finance Committee. (Administrative Assistant's Note: *The Fixed Asset Capitalization and Depreciation Policy* was approved by Council on May 22, 2014. One of the recommended changes to the policy is to change the title to *Capital Asset Replacement Maintenance (ARM) Fund and Depreciation Policy*.) Council also had a copy of the depreciation schedule [Administrative Assistant's Note: The Budget and Finance Committee is recommending referring to the depreciation schedule in the policy as the Asset, Replacement, and Maintenance List (ARM)].

Councilman Saxton reviewed the history around the policy.

Councilman Saxton said the objective of the policy is to assure that the Town has money set aside to do replacements.

Councilman Saxton noted that there are no inflation rates factored into the depreciation schedule.

Councilman Saxton distributed to Council an analysis of the depreciation schedule as of today, August 24, 2015. Councilman Saxton said the numbers were based on the draft audit received yesterday. Councilman Saxton reviewed the Restricted Reserves (\$942,000), the Unassigned

Reserves (\$904,000), and the MSA Fund Reserves (MSA funds are fully restricted and can only be used for streets and street signs). Taking out the MSA Fund, the Town has 1.8 million dollars in available reserves.

Councilman Saxton said to keep in mind that the Town has the right to move the monies that are sitting in Restricted Reserves to the General Fund and then they become unrestricted.

Councilman Saxton stated that the request of the Budget and Finance Committee is to commit the ARM requirement of \$982,462 to the Reserves and make them "committed funds". The remaining available Reserves of \$400,000 would be "unassigned" and under the direction of the Town Manager and the Mayor to be able to move.

Councilwoman Callaway asked what would be the estimated Capital Asset Depreciation Fund requirement for FY 2017. The Finance Director said it is going to be very close to \$125,000 (the estimated annual ARM funding). Councilman Saxton noted that the requirement is hard to estimate because some items will come off the ARM List and new items will come on the ARM List – it is not an exact science.

There was a discussion regarding "assigned funds" and "committed funds". Mayor Voveris stated that in speaking with the Town's auditor after their meeting yesterday, "assigned funds" have more flexibility. Councilman Saxton stated that it takes a Council vote to move "committed funds". Councilman Saxton stated that in the meeting with the auditor yesterday, the auditor said the reason you might want to leave the funds in an "assigned fund" is that the Mayor and the Town Manager have the ability to move those funds. The Town Manager and Finance Director read the following GASB classifications:

- Assigned fund balance--amounts the government intends to use for a specific purpose; intent can be expressed by the governing body or by an official or body to which the governing body delegates the authority.
- Committed fund balance--amounts constrained to specific purposes by a government itself, using its highest level of decision making authority; to be reported as committed, amounts cannot be used for any other purpose unless the government takes the same highest-level action to remove or change the constraint.

Regarding the Budget and Finance Committee's recommendation to make the Capital Asset Depreciation Fund "committed funds", Councilman Saxton said the committee's objective was to make sure it was a Town Council vote to move those monies from a restricted account and for the Town to truly reserve those monies for replacement funds.

During discussion, Councilman Junkin said the significant thing is that the cost per year to fund the Capital Asset Depreciation Fund is approximately \$125,000 which is 5% of the Town's budget. Councilwoman Callaway said that is a lot – it is a line item Council will start the budget season off with.

Mayor Voveris said whether the Capital Asset Depreciation Fund money is set aside in an "assigned fund" or a "committed fund", Council has the ability to move the money. Mayor Voveris said she thinks what is going to be critical is in how Council looks at funding the ARM Fund and if Council mandates funding it. Mayor Voveris said what she does not want to see is that the Town has a manufactured tax increase because Council has put something in place that is too stringent. Mayor Voveris said the following language in Section 8.2 troubles her: *The Town shall contribute annually to the Capital Asset Depreciation Fund at an amount equal to the total annual book current depreciation derived from the ARM list. The funding of this amount will be part of the annual Town Budget Process.* Mayor Voveris stated that she thinks Council needs to make the funding optional. Mayor Voveris stated that if the Town has a surplus, the Town will be

able to fund it, but if the Town does not have a surplus, the Town will not be able to fund it and that would trigger a tax increase.

Mayor Voveris stated that she does not think the ARM Fund should be a budget line item.

Councilman Saxton stated that the Budget and Finance Committee is not suggesting a tax increase if the Town can't fund the Capital Asset Depreciation Fund. Councilman Saxton stated that the committee is suggesting funding the Capital Asset Depreciation Fund first and in the budget process decide whether there is room to cut some of the operating expenses or not.

The Town Manager suggested changing the wording in Section 8.2 to say, "The amount needed for the depreciation will be included in the draft budget each year for Council discussion." This way Council would be voting on the Capital Asset Depreciation Fund every year.

In Section 8.2, Councilwoman Callaway suggested changing "The Town **shall** contribute annually" to "The Town **may** contribute annually".

Councilman Junkin asked why Section 9 – Annual Physical Inventory was taken out of the policy. After discussion it was agreed that Section 9 was not needed.

Motion: A motion was made by Councilman Junkin, seconded by Councilman Saxton, that Council accept the Capital Asset Replacement and Maintenance (ARM) Fund and Depreciation Policy as presented with the following changes to Section 8.2: *The Town shall may contribute annually to the Capital Asset Depreciation Fund at an amount equal to the total annual book current depreciation derived from the ARM list. The funding of this amount will be part of included in the annual draft Town Budget Process.*

Discussion: Mayor Voveris noted that the wording does not say "line item". Mayor Voveris said a line item is something different. The Finance Director said an option would be to present it as a supplement to the draft budget. Councilman Saxton said he was okay with that.

Vote: The motion was unanimously carried.

REVIEW AND DISCUSSION OF FY 2016 FIRST QUARTER FINANCIAL RESULTS, INCLUDING EDMUNDS REPORT, BALANCE SHEET, AND TREASURER'S REPORT

Council had copies of the reports. Mayor Voveris had sent Councilman Saxton questions which he responded to. Councilman Saxton and Mayor Voveris agreed there were a few items to take care of.

Councilman Saxton asked for questions.

Councilman Junkin noted that the Sea Level Rise Adaptation Grant of \$10,000 with Anchor QEA was not in the reports. Councilman Junkin stated that the Finance Director was aware of the issue. The Finance Director said she will add it.

There were no other questions or comments.

DISCUSSION AND POSSIBLE VOTE ON COMMITTEE INITIATIVES FOR THE COMING YEAR

- **Budget and Finance Committee (Saxton)**

The Budget and Finance Committee proposes the following initiatives for the committee to work on in FY 2016. These are in addition to the activities the committee is charged with in their Mission and Goals.

1. Capital Asset Reserve Policy (ARM) to be completed and implemented. Note: Policy was approved today, therefore this is off the list.
2. Review of and possible revision of the Mission Statement.
3. Review of Town Fees and possible recommendation for change to Town Council.
4. Review of possible ways to fund expansion of Town Hall and Police Building. Bringing forth a proposal to Town Council when completed.
5. Review of Possible Outsourcing of Payroll and Tax collection services. Providing a recommendation to Town Council when completed.
6. Review of Compensation/ Benefit/ Overtime, Comp time Policy. Proposal to be made to Town Council when completed.

Mayor Voveris requested that the Budget and Finance Committee examine the following areas:

- Decline in Rental License Revenue. The decline could be due to people renting by owner.
- Decline in Mercantile License Revenue
- CD Rates. Look at what the Town might be able to redeem and renew at a higher rate.

Councilman Saxton said those items are fine to add because the committee agreed at its last meeting that those items needed to be looked at.

- **Canal Water Quality Committee (Junkin)**

Councilman Junkin said his list addresses two things: 1) Reduce nutrient inputs into our canals and 2) Do something to help water that is already impaired in our canals.

- Update Comprehensive Plan to reflect Water Quality Goal.
- Educate Community
- Minimize nutrient inputs to the canal by completing the east side rain gardens (completed).
- Minimize nutrient inputs to the canal by installing stand pipes in SB's catch basins (completed).
- Decrease nutrient pollution in canals by installing large oyster cages and floating wetland gardens – Participated in the York Canal project (completed).
- Obtain a grant to install rain gardens around the 14 Sandpiper Pines storm catch basins. The Town has received the grant and the job should be finished in the spring.
- Adopt new codes to further reduce stormwater runoff from properties. Councilman Junkin said he tried to make that happen but he lost by a vote of 6 – 1. Councilman Junkin said that does not mean the committee is going to give up on this initiative. It is still an objective of the committee.
- Diffuser Project – This was ineffective and was discontinued. Need to continue working on getting the diffusers out of the canal.
- Continue to collaborate/team with DNREC, CIB, other state agencies and local vendors to pursue grants and assistance with projects.
- Install a pump between two canals as a pilot project to increase circulation. This has been expanded to just improve circulation and is what Council approved a \$10,000 amendment to the budget for at the August 14, 2015, Town Council Workshop Meeting.
- Develop ability to take more water samples. This was completed. The committee obtained two continuous monitors from DNREC and the committee procured a hand-held monitor.
- Reduce nutrient inputs and to improve existing degraded water.

- **Charter and Code Committee (John Fields - Chair)**

The Charter and Code Committee have the following items pending:

- A potential ordinance recommended to the committee by the Chairperson of the Board of Adjustment (BOA).
- A potential ordinance for the committee to review at the request of the Town Manager.
- Review and provide recommendations to Council regarding the University of Delaware's South Bethany Code Review Phase 1 – Analysis.
- Work on potential ordinances that come to the committee from the Council or other avenues.

- **Communications and Public Relations Committee (Stevenson)**

The C&PR Committee has recently undergone a change, with a new Chairman and new core members. The first meeting for this group will be held on September 22, 2015. The initiatives proposed here are a product of the former chairman and committee. New or expanded initiatives may be proposed once the new committee meets. Some of the things on the list fall under DNREC or the Police Department and the committee can assist.

1. Polar Bear Plunge (January)-- Sponsor a South Bethany Team at the Bethany Beach Polar Bear Plunge and a pre-plunge pep rally at town hall serving coffee and pastries to participants and community residents cheering on the team.
2. Realtor Relations (March and April)--Send out committee members to local Rental Agencies with lunch and pertinent information about South Bethany and information about "June Bug" week. Upgrade a survey to renters after the September 2015 renter survey is analyzed. Send periodic news updates about South Bethany to realtors.
3. Yoga on the Beach (July and August)--Continue this program and fund advertising.
4. Town Float for 4th of July Parade-- (July) Continue participation in the Bethany Beach 4th of July Parade. Budget for a sound system and quiet generator that might be used for other town activities.
5. Boat Parade (July) -- Continue to sponsor boat parade and awards ceremony.
6. Movie Night (July) -- Sponsor three movie nights throughout the summer.
7. Bicycle Safety Promo (July) -- Hold two bicycle safety promotions with the help of police and Sussex Cyclists Association.
8. Pedestrian Safety (July)—Hold one pedestrian safety day, through the State of Delaware funded program.
9. Coastal Cleanup (September)—A volunteer activity chaired by Mary McNeice.
10. *Kayak and Paddle board and or water safety activity— hold a race or class by the Coastguard Auxiliary on watercraft safety.
11. *Adult Activity—Sponsor a bonfire and music on the beach with a vendor for food. (Currently bonfires may not be held on South Bethany beaches and no permits are allowed on Delaware State Park beaches.)
12. *Message boxes—Adding message boxes to hold advertising for upcoming events at appropriate sites.
13. *Contingency Fund— since funding new or immediate opportunities is difficult, \$500 for public relations opportunities.

*New Activities

- **Community Enhancement Committee (Callaway)**

1. In conjunction with Delmarva Power, research the specific costs and tasks associated with creating underground wiring within South Bethany. (Administrative Assistant's Note: Mayor Voveris stated that the Planning Commission has discussed taking on this task. Councilwoman Callaway then said she would remove the item from the list.)
2. In conjunction with local realtors, discuss the size and condition of rental and sale signs.
3. Explore the idea of creating a sculpture program that includes placing pieces of sculpture in various locations throughout the town.
4. Install new Welcome signs at the SB entrances and explore enhancing the surrounding landscaped beds.
5. Place American Flags in adopted canal ends during the Memorial Day and July 4th holidays.
6. Explore potential alternative locations for placing decorative flags along Route 1 or Ocean Drive. (Delmarva Power will not allow flags to be hung on steel hurricane poles as we had thought)
7. Continue Earth Day Adoption initiatives.
8. Explore costs and tasks associated with lighting of handicapped walkway on S. 3rd Street.
9. Research potential suitable/allowable options that address the damaged grass in several locations within the Median strip as a result of police cars idling on the grass for extended periods of time. This issue has been looked into previously but not with full attention.

- **Sea Level Rise and Storm Surge Committee (Junkin)**

Update Comprehensive Plan to include Sea Level Rise issues.

Educate Community – The committee will hold a public meeting the end of September or beginning of October as part of the Sea Level Rise Adaptation Grant.

Work on improving the Town's CRS rating.

Continue to collaborate with DNREC and other state agencies looking for grant opportunities.

Continue putting check valves in some of the lower catch basins so that high tides don't come and flood the roads in the low areas of town.

DISCUSSION AND POSSIBLE VOTE ON LIGHTING INITIATIVE FROM CEC

Council had received a memo from Councilwoman Callaway which included the following information:

Upon review, you will see that there is a reference to moving 5 of the 12 existing free-standing street lights. These five were selected to improve the light location and because of their close proximity to the transformer box. The cost to move these 5 specific lights is as follows:

- $\$4.74 \text{ per foot direct buried} \times 10 \text{ feet per light} \times 5 \text{ lights} = \237.50 TOTAL
- *Upon review of the letter, the CEC decided that it was not necessary to include cost information in the homeowner notification letter.*

After discussion, the CEC also decided that it was not necessary to send to all Cat Hill residents, but to those living closest to the 12 existing lights, including those outside of the Cat Hill area. A review of the town map shall be conducted by the Town to determine which homeowners shall receive the letter.

In addition, please note that per Delmarva Power, the Town will incur a monthly increase of \$8.17 per new pole totaling approximately \$98 per month and totaling \$1,176 per year in additional charges for the twelve new poles.

Council also received a copy of the draft notification letter that the Community Enhancement Committee (CEC) reviewed in August. Delmarva Power has taken a look at the draft notification letter as well.

Councilwoman Callaway said the CEC has been working on this initiative for quite some time, and she thinks a good plan is in place. Councilwoman Callaway thinks the Town has an opportunity for a capital improvement at a fairly minimal cost.

A motion was made by Councilwoman Callaway, seconded by Councilman Schrader, that Council move forward with approving the draft notification letters to homeowners and that Council move forward with the street light replacement project as described in the memorandum to Council on August 25 and the associated materials.

Discussion: During discussion the following changes were made to the draft notification letter to homeowners:

First Paragraph – Delete "and learned that the existing lights could be replaced at no cost to the Town. In addition".

Third Paragraph – After "Delmarva Power has reaffirmed its agreement to replace the existing 12 free-standing street lights, covering product costs and installation fees" add "at a minimal cost".

Third Paragraph – Change "To cause less disruption to residents and visitors, the work will be scheduled after **Labor Day**" to "To cause less disruption to residents and visitors, the work will be scheduled **for fall or early winter.**"

After discussion, Council agreed to leave the review of the Town map to determine which homeowners shall receive the notification letter up to the discretion of the Town Manager.

Vote: The motion was unanimously carried.

DISCUSSION AND POSSIBLE VOTE TO HAVE THE 2004 POSITION DESCRIPTIONS FOR TOWN CLERK AND ADMINISTRATIVE ASSISTANT BROUGHT UP TO DATE TO REFLECT ACCURATE DUTY DESCRIPTION

Mayor Voveris stated that in her daily workings she sees things that the Town no longer does that are on the job descriptions and she sees new things that people are doing that are not on the job description. Mayor Voveris stated that she thought it would be a good idea to update these 2004 Position Descriptions to reflect current duties. Mayor Voveris stated she would take this upon herself to write up everything that is current.

During discussion Councilman Saxton suggested expanding it to include all of the position descriptions including the Police Department. It was noted that the Police Department was not on the agenda and that updating of their Position Descriptions would not fall under the responsibility of the Town Manager. The Police Department is separate.

Councilman Saxton said his approach would be to outsource the job – let somebody come in and do the interviews and then give it back to the Town Manager for review. Councilman Junkin said he did not think the Mayor should be updating the Position Descriptions and the Town Manager has the responsibility to get this done. The Mayor should update the Town Manager Position Description if that needs to be updated. He further said if the Town Manager wanted to outsource the work he can.

Motion: A motion was made by Councilman Saxton, seconded by Councilman Weisgerber, to review all Town Hall job descriptions and that the Town Manager is in charge of how to review all job descriptions and come back with the result to Town Council by the first of December. Councilman Saxton stated that the Town Manager has the discretion to come back to Council and say that he would like to have it outsourced.

Vote: The motion was unanimously carried.

PUBLIC COMMENT PERIOD

Ed Bintz (302 N. Ocean Dr.) – Referring to the June 25, 2015, Town Council Workshop Meeting, Mr. Bintz said to correct the record he thinks that something that was said at that meeting wasn't really accurate. Mr. Bintz said at the June 25, 2015, Town Council Workshop Meeting he asked to be on the Sea Level Rise Committee and was told no. Mr. Bintz said he pointed out that he had quite a bit of knowledge he had built working on the FEMA flood map issue and he had done a lot of study on it. Mr. Bintz said he saw that there was no one on the committee assigned to that particular task, there was no procedure in place, and no limit on the number of members. Mr. Bintz said he was told at the meeting that Mr. Junkin wasn't comfortable with him being on the committee and said that Mr. Bintz had threatened to sue him and that was the reason for it. Mr. Bintz stated that he said he hadn't done that and it wouldn't have made sense for him to do that. Mr. Bintz said he was looking to get things turned around – not for controversy. Mr. Bintz said he has had no other contact with Mr. Junkin other than at the Council meetings last November and December. Mr. Bintz said he went back through the minutes (Mr. Bintz said he was very measured in his comments given the circumstances of the damage that he thinks has been done to oceanfront homeowners and others in the town). Reading from the December 12, 2014, Town Council Regular Meeting Minutes, Mr. Bintz said the only mention of litigation was, "Mr. Bintz said his goal is to get this fixed, and if the letter to FEMA doesn't work than he thinks it is incumbent of the Town to look at next steps such as bringing political pressure by having state representatives and federal representatives in our district write a letter to FEMA. Mr. Bintz added that sometimes filing a lawsuit can bring pressure. Mr. Bintz said if it turns out that what was filed was not a valid appeal it could come back to haunt FEMA because they don't like *(Mr. Bintz said this is not a perfect quote of what he was saying)* material submitted that doesn't meet their technical requirements on an appeal - then they have a precedent that they have to consider."

Mr. Bintz said he never threatened to sue Mr. Junkin and he never had any separate conversations. Mr. Bintz said he was very measured of all of his comments. Mr. Bintz said he is not looking to be added to the committee at this point, but he will be sending an email to all of the board members on a process issue that he thinks is important going forward. Mr. Bintz said there is a lot of distrust among the homeowners about what has happened and whether things will be properly handled going forward.

ADJOURNMENT

A motion was made by Councilman Saxton, seconded by Councilman Weisgerber, to adjourn the August 27, 2015, Town Council Workshop Meeting at 4:50 p.m. The motion was unanimously carried.