

**TOWN OF SOUTH BETHANY
TOWN COUNCIL WORKSHOP MEETING MINUTES
AUGUST 28, 2014**

MEETING CALLED TO ORDER

Mayor Voveris called the August 28, 2014, Town Council Workshop Meeting to order at 5:00 p.m.

ATTENDANCE

PRESENT: Council Members Sue Callaway, Tony Caputo, Jim Gross, George Junkin, Al Rae, and Mayor Pat Voveris; Town Manager Melvin Cusick; and Administrative Assistant Pam Smith

PRESENT BY REMOTE ACCESS: Councilman Tim Saxton

APPROVAL AND VOTE OF THE AGENDA

A motion was made by Councilman Junkin, seconded by Councilman Gross, to approve the agenda. The voting was as follows:

FOR THE MOTION: Councilpersons Callaway, Caputo, Gross, Junkin, Rae, Saxton, and Mayor Voveris

AGAINST THE MOTION: None

The motion was unanimously carried.

PUBLIC COMMENT PERIOD

There were no comments from the public.

ADOPTION OF MINUTES

- **July 11, 2014, Public Hearing Minutes** – A motion was made by Councilman Junkin, seconded by Councilwoman Callaway, to accept the July 11, 2014, Public Hearing Minutes. The voting was as follows:

FOR THE MOTION: Councilpersons Callaway, Caputo, Gross, Junkin, Rae, Saxton, and Mayor Voveris

AGAINST THE MOTION: None

The motion was unanimously carried.

- **July 11, 2014, Town Council Regular Meeting Minutes** – A motion was made by Councilman Gross, seconded by Councilwoman Callaway, to accept the July 11, 2014, Town Council Regular Meeting Minutes as amended as follows (additions are **highlighted** and deletions **marked through**):

Page 8: "**The Copies of the original** art boards created by the three local artists were all hung on June 30."

The voting was as follows:

FOR THE MOTION: Councilpersons Callaway, Caputo, Gross, Junkin, Rae, Saxton, and Mayor Voveris

AGAINST THE MOTION: None

The motion was unanimously carried.

- **July 24, 2014, Town Council Workshop Meeting Minutes** – A motion was made by Councilman Junkin, seconded by Councilman Gross, to accept the July 24, 2014, Town Council Workshop Meeting Minutes as amended as follows:

Page 9, First Paragraph: Delete the third sentence.

The voting was as follows:

FOR THE MOTION: Councilpersons Callaway, Caputo, Gross, Junkin, Rae, Saxton, and Mayor Voveris

AGAINST THE MOTION: None

The motion was unanimously carried.

Councilman Gross commended the Administrative Assistant for her work on the meeting minutes in general and added that the July 24, 2014, Town Council Workshop Meeting Minutes must have been particularly difficult. Councilman Junkin agreed.

UPDATE ON POLICE DEPARTMENT

Lt. Crowson updated Council on the following items which the department plans to obtain on a Sussex County Grant of \$25,000:

Ranger XP 900 (Approx. \$15,000 - Subject to bid) + Light Bar (Approx. \$334)

- Allow more efficient enforcement on beach:
 - Fireworks complaints
 - Dogs
 - Other minor beach violations
 - Would be effective for smoking enforcement (if proposed)
 - Missing persons
 - Underage consumption
 - Fires on the beach
- Able to include beach in officers daily patrol routine.
- We would no longer have to rent them on the Fourth of July like previous years (range from \$250-\$500 per rental).
- Yearly maintenance estimated at \$250-\$500 (estimate obtained from maintenance department).

Lt. Crowson stated that the department wants to increase its presence on the beach. Lt. Crowson noted that prior to the dune, the police officers could see everything on the beach from Ocean Dr. and respond as needed. Lt. Crowson stated that with the dune in place the department is missing a lot of activity. Lt. Crowson believes an increased presence on the beach would serve as a deterrent. Lt. Crowson stated that after a couple of arrests it will be known that the department is enforcing on the beach.

Councilwoman Callaway stated that the Ranger would also be helpful regarding June Bugs. Mayor Voveris said one of the last conversations she had with Chief Deloach was that the Town needed increased presence on the dune side. Mayor Voveris said Lt. Crowson's proposal is very proactive and in line with past thinking.

JAMAR Technology, Speed Recording Device (\$4,231)

- Allows the police department to collect and record data to determine if speed problem exists.
- Can help determine best times and locations for speed enforcement.
- Can evaluate effectiveness after enforcement has been conducted in problem area.
- Easy installation and relocating, no loops or tubes are used.
- Covert black box recording (unbiased data since drivers are unaware and won't change driving habits).

Lt. Crowson said that he initially wanted to order two of these devices but has decided to order one for now and see how well it works. The department has gotten good reviews on the device from the Bethany Beach Police Department. The only problem Lt. Crowson foresees with the device is in areas where there are no telephone poles to mount the device, but the Maintenance Department has assured Lt. Crowson that they can install something to mount the device inconspicuously.

Bullet Proof Vests (\$800-\$1,000 per vest)

- Replace expired vests and provide officers not currently equipped.

Lt. Crowson said he believes there are three or four officers in the department that have expired vests.

Neighborhood Watch Apparel (50 Sweatshirts at \$18.05 each = \$902.50)

- Provide volunteers with clothing enabling them to be identified as Neighborhood Watch members.
- Cost may vary depending on organization contributions.

Councilman Rae suggested that the color of the sweatshirts should be something that can be seen at night.

Mayor Voveris thanked Lt. Crowson for the update.

DISCUSSION AND POSSIBLE VOTE ON ACKNOWLEDGING THE FOUR INDIVIDUALS ON THE CHIEF OF POLICE SEARCH SCREENING COMMITTEE WITH A TOKEN OF APPRECIATION

Council discussed acknowledging the four individuals on the Chief of Police Search Screening Committee with a token of appreciation.

A motion was made by Councilman Junkin, seconded by Councilwoman Callaway, that the Town purchase four \$100 gift cards with service fees to acknowledge each of the four individuals on the Chief of Police Search Screening Committee.

Discussion: Councilman Caputo stated that he believes the Town has to amend the budget as well. The Town Manager said either that or let that line item go over budget. Mayor Voveris suggested taking the money out of the Contingency Fund. Councilman Gross, Councilman Caputo, and Councilman Saxton agreed with taking the money out of the Contingency Fund.

The voting was as follows:

FOR THE MOTION: Councilpersons Callaway, Caputo, Gross, Junkin, Rae, Saxton, and Mayor Voveris

AGAINST THE MOTION: None

The motion was unanimously carried.

DISCUSSION ON A PROPOSED DRAFT ORDINANCE TO AMEND CHAPTER 114, SOLID WASTE

Councilman Gross stated that this proposed ordinance would add a three member Hearing Board to hear appeals and remove the Council as a whole to hear appeals. After discussion, Council agreed to have the first reading of this ordinance at the September 12, 2014, Town Council Regular Meeting. Council made no changes to the draft ordinance.

DISCUSSION ON A PROPOSED DRAFT ORDINANCE TO AMEND CHAPTER 42, BUILDING CONSTRUCTION

Councilman Gross stated that in the past people have misconstrued the meaning of "repairs" and "emergency repairs". This proposed ordinance will clarify those meanings. Councilman Gross stated that this ordinance also deletes the building permit extensions required by the Board of Adjustment which was previously deleted from Chapter 145, Zoning.

Council agreed to the following changes to the draft ordinance:

- In § 42-2B(5) Council agreed to delete "or Repairs, emergency" and add § 42-2B(6) "Repairs, emergency."
- In § 42-5B Council agreed to add "and Repairs, emergency" after "repairs".

Council agreed to have the first reading of this ordinance at the September 12, 2014, Town Council Regular Meeting.

DISCUSSION AND POSSIBLE VOTE TO CONSIDER A POLICY, UNDERSTANDING, AND/OR ADDITION TO THE RULES OF PROCEDURE TO REQUIRE MATERIALS BEING BROUGHT FORWARD IN SUPPORT OR AGAINST A MEETING AGENDA ITEM BE MADE AVAILABLE TO ALL COUNCIL MEMBERS AT LEAST 24 HOURS PRIOR TO THE MEETING

Mayor Voveris asked for discussion.

Councilman Junkin, Councilman Rae, and Councilman Caputo felt this was a good idea in order to have time to digest and understand the material.

Councilman Gross stated that he does not think it is a good idea for it to be mandatory. He believes it constrains the right to express yourself at a meeting. Councilman Junkin agreed but said there are people who wait until the day of the meeting because they don't want people to have a chance to create any counter arguments.

Councilman Gross said that he has served on national, international, and local organizations and he has never seen this kind of an issue addressed where it was mandatory to submit something ahead of time if you were going to present something.

Mayor Voveris said it would be good for Council to give each other the courtesy to have time to digest material before it is presented.

Councilwoman Callaway said she has mixed feelings about this issue because she thinks sometimes circumstances prevent a person from having the material brought forward 24 hours prior to the meeting.

Councilman Gross stated that sometimes the material will not stand alone and needs a narrative or needs to be discussed or is used as background information in the discussion.

Councilwoman Callaway suggested the following wording: All reasonable efforts should be made to prepare materials 24 hours ahead of the meeting.

Mayor Voveris said she thinks there is an exception to any rule, but she thinks as a general rule this is a good practice, and it would make the Council more efficient and more productive.

Councilman Saxton said it depends on the issue. If it is a small issue that can be discussed without some type of visual aid or report then it would not be necessary to submit material 24 hours prior to the meeting. Councilman Saxton thinks that if a visual aid is needed it would be

advisable that Council get the material 24 hours in advance. Councilman Saxton noted that 24 hours may not be enough time to digest and research the material. Councilman Saxton added that Participation by Remote Access makes it more important to receive the material 24 hours in advance as opposed to the information being handed out at the meeting. Councilman Saxton said at least an electronic copy needs to be sent 24 hours in advance to a member who is participating in the meeting by remote access.

A motion was made by Councilman Junkin, seconded by Councilman Caputo, that Council require materials being brought forward at a meeting be made available to all Council Members at least 24 hours prior to the meeting.

Mayor Voveris pointed out that the Council's Rules of Procedures are not written in stone and can be changed at any time.

Councilman Caputo suggested defining what "available" means. After discussion on what "available" means, Councilman Junkin restated the motion: Require materials being brought forward at a meeting be made available in both electronic and hard copy format to all Council Members at least 24 hours prior to the meeting.

The voting was as follows:

FOR THE MOTION: Councilpersons Caputo, Junkin, Rae, Saxton, and Mayor Voveris

AGAINST THE MOTION: Councilpersons Callaway and Gross

The motion carried with a 5-2 vote.

PUBLIC COMMENT PERIOD

There were no comments from the public.

ADJOURNMENT

A motion was made by Councilman Junkin, seconded by Councilman Rae, to adjourn the August 28, 2014, Town Council Workshop Meeting at 5:45 p.m. The voting was as follows:

FOR THE MOTION: Councilpersons Callaway, Caputo, Gross, Junkin, Rae, Saxton, and Mayor Voveris

AGAINST THE MOTION: None

The motion was unanimously carried.

phs:Workshop Minutes 8 28 14 Adopted 9 12 14