

<b>TOWN OF SOUTH BETHANY TOWN COUNCIL REGULAR MEETING MINUTES DECEMBER 9, 2016</b>
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**MEETING CALLED TO ORDER**

Mayor Voveris called the December 9, 2016, Town Council Regular Meeting to order at 7:00 p.m., followed by the Pledge of Allegiance to the Flag.

**ATTENDANCE**

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

**POLICE DEPARTMENT BUILDING EXPANSION – PRESENTATION BY PAT RYAN (RYAN ARCHITECTURE, LLC)**

Chief Crowson and Pat Ryan of Ryan Architecture, LLC gave a PowerPoint Presentation titled Proposed Building Addition South Bethany Police (attached). Chief Crowson and Mr. Ryan took questions and comments from the Council and the public.

Mayor Voveris reviewed the financial information on the last slide of the PowerPoint Presentation. Mayor Voveris said the total amount of the proposed expansion is \$218,900 which includes a 10% contingency fee and an inflation factor because the construction would not take place until the fall of 2017. Mayor Voveris reviewed the following "Add Alternates" costs which are not included in the total of \$218,900:

Add for 2 foot additional building width	\$12,800
Add for bulletproof entry door, sidelight and exterior wall or, bulletproof window with speaker hole, deal tray and wall between Lobby & Receptionist	\$16,000
Add for porcelain plumbing fixtures in Detainee Room	\$750
Add for stainless steel combo sink and toilet in Detainee Room	\$5,000

Mayor Voveris said Chief Crowson has confidence the fixtures for the Detainee Room can be porcelain because neighboring towns that are state accredited have porcelain plumbing fixtures (\$750 for porcelain vs. \$5,000 for stainless steel). Including porcelain fixtures the total for the building is \$219,650. If Council entertains the 2 foot additional building width (\$12,800) the building total would come to \$232,450. Regarding adding the bulletproof entry door, sidelight and exterior wall or, bulletproof window with speaker hole, deal tray and wall between Lobby & Receptionist, Mayor Voveris said this is something Chief Crowson is comfortable entertaining at a future date if it is entertained at all. Not all police departments do this. Mayor Voveris said the goal is to get the facility fundamentally compliant with current standards applicable to police facilities.

Council discussed whether or not to include the 2 foot additional building width in the architectural drawings. Councilmember Boteler asked Mr. Ryan if he thought the 2 foot additional building width would affect the Budget and Finance Committee's estimated increase to annual operating costs (\$4,473.36) and total ARM increase (\$1,038.67). Mr. Ryan said from an operational standpoint it is inconsequential.

Council agreed to include the following "Add Alternates":

1. Add for 2 foot additional building width (\$12,800)
2. Add for porcelain plumbing fixtures in Detainee Room (\$750)

Council agreed that the 2 foot additional building width would be included in the architectural drawings.

Public comments were received.

**DISCUSSION & POSSIBLE VOTE FOR THE POLICE DEPARTMENT BUILDING EXPANSION TO INCORPORATE LAW ENFORCEMENT CONSULTANT DR. WARREN'S POLICE FACILITY RENOVATIONS AND EXPANSION OPERATIONAL, ADMINISTRATIVE, AND SUPPORT SERVICES NEEDS ANALYSIS AND RECOMMENDATIONS REPORT AND MOVE FORWARD ON THE JOHN D. HINES & ASSOCIATES' GEOTECH PROPOSAL FOR SOIL BORING TEST(\$3,500) AND RYAN ARCHITECTURE LLC'S PROPOSAL ON PREPARATION OF ARCHITECTURAL, STRUCTURAL, MECHANICAL, ELECTRICAL AND PLUMBING ENGINEERING DESIGN DRAWINGS AND SITE ENGINEERING (\$29,000)**

**Motion and Vote:** A motion was made by Councilmember Shaw, seconded by Councilmember Weisgerber that the Council move forward on the John D. Hines & Associates' Geotech Proposal for Soil Boring Test (\$3,500) and Ryan Architecture LLC's Proposal on Preparation of Architectural, Structural, Mechanical, Electrical, and Plumbing Engineering Design Drawings and Site Engineering (\$29,000). The voting was as follows:

FOR THE MOTION: Mayor Voveris and Councilmembers Stevenson, Weisgerber, Callaway, Boteler, Schrader, and Shaw

AGAINST THE MOTION: None

The motion was unanimously carried.

**PRESENTATION BY ALAN KERCHER OF KERCHER ENGINEERING ON THE 2016 SOUTH BETHANY PAVEMENT MANAGEMENT STUDY**

Alan Kercher of Kercher Engineering gave a PowerPoint Presentation titled Town of South Bethany, DE 2016 Pavement Management Study (attached). Mr. Kercher took questions from Council and the public.

Mayor Voveris said the Town Council will be addressing the pavement management study at the February Town Council meetings.

**CANAL DRIVE LIGHTING INITIATIVE (SUE CALLAWAY)**

- **Discussion of the outcome of the Canal Drive Light Survey which includes the following results: 116 survey letters mailed; 81 responses (69.8% response rate); 58 responses "For Lights" (71% of responses received); 23 responses "Against Lights" (28% of responses received) The Survey Response Summary Report is posted on the Town's Website, [www.southbethany.org](http://www.southbethany.org), on the Bulletin Board page**

Councilmember Callaway reviewed the Proposed Street Lighting on Canal Drive – Survey Response Summary (attached).

- **Discussion and possible vote regarding the next steps on the proposed street lighting on Canal Drive**

**Motion:** A motion was made by Councilmember Callaway, seconded by Councilmember Stevenson, to take steps to install the proposed lighting on Canal Drive.

**Public Comment:**

Joan Marini (300 W. 8<sup>th</sup> St.) – Ms. Marini encouraged some consideration of an enlightened modification of the proposed plan to not install as bright of lights or in some way shield the lights or consider some other modification such as bright reflectors in the streets. Ms. Marini said extra light has an impact on people's sleep and driving. Councilmember Callaway said the Town was looking at all of those factors.

Garnet Timbario (104 Anchorage Dr.) – Citing security issues, spoke in favor of the proposed lights, but also respects the opinion of having shields of some sort.

Jack Whitney (105 Boone Rd.) – Spoke in favor of street lighting. Mr. Whitney said LED lights have taken a major step forward and the wattage has been reduced - initially LED lights were too bright. Mr. Whitney stated that if in the future the Town bought lights instead of leasing lights, there is a ten year payback period using LED lights and the Town would have a much better selection of lights.

Walter Wimbush (300 W. 8<sup>th</sup> St.) – Stating that Canal Dr. is next to a reserve, Mr. Wimbush asked if anybody had looked into the effect on the birds. Ms. Marini suggested the Town talk to DNREC regarding this.

**Vote:** The voting was as follows:

FOR THE MOTION: Mayor Voveris and Councilmembers Stevenson, Weisgerber, Callaway, Boteler, Schrader, and Shaw

AGAINST THE MOTION: None

The motion was unanimously carried.

### **SEA LEVEL RISE, FLOODING, AND ADAPTATION PLANNING PRESENTATION (DICK OLIVER, PLANNING COMMISSION CHAIR)**

Planning Commission Chair Dick Oliver gave a PowerPoint Presentation titled Sea Level Rise, Flooding and Adaptation Planning Recommendations by South Bethany Planning Commission (attached). Questions and comments from the Council and the public were heard throughout the presentation.

### **PROPERTY OWNERS' PARTICIPATION**

- Bonnie Rae (131 Anchorage Dr.) – Asked if the Town has considered putting in a new road off of Evergreen Rd. by the tennis court to help alleviate some of the traffic problems in Cat Hill. Mayor Voveris stated the following: 1) The Town does not own all of that area, 2) The Town has done a title search but not a survey, 3) The Traffic Committee will talk about this at their December 14, 2016, Meeting, 4) Putting in a road is an enormous endeavor that takes time, 5) It is being considered but it is in the "baby step" stage.

Ms. Rae asked about the feral cat problem which she had previously emailed Council about. Mayor Voveris said the Council is acutely aware of the feral cat issue. Mayor Voveris noted that feral cats are a protected species and there are limited things that can be done. The Town is working on it but it will take time.

- Carolyn Marcello (8 S. 9<sup>th</sup> St.) – Spoke of a South Bethany property owner who participates in the "trap, neuter, return" program which is recommended by the State of Delaware.

**RESOLUTION - DISCUSSION AND POSSIBLE VOTE ON ADOPTING RESOLUTION 7-16, A RESOLUTION RECOGNIZING ALL LAWS AND REGULATIONS ADOPTED BY THE FEDERAL GOVERNMENT AND STATE OF DELAWARE WITH RESPECT TO UNMANNED AIRCRAFT SYSTEMS (DRONES) AND SUPPORTING THE ENFORCEMENT THEREOF IN THE TOWN OF SOUTH BETHANY**

**Motion and Vote:** A motion was made by Councilmember Boteler, seconded by Councilmember Shaw, to adopt Resolution No. 7-16. The motion carried with a 6-0 vote. Councilmember Weisgerber had left the meeting before the vote was taken.

**ADOPTION OF MINUTES – NOVEMBER 18, 2016, TOWN COUNCIL REGULAR MEETING**

**Motion and Vote:** A motion was made by Councilmember Callaway, seconded by Councilmember Stevenson, to accept the November 18, 2016, Town Council Regular Meeting Minutes. The motion carried with a 6-0 vote. Councilmember Weisgerber had left the meeting before the vote was taken.

**LEADERSHIP REPORTS AND COMMITTEE & COMMISSION REPORTS**

Due to the length of the meeting, oral reports were not presented. The Leadership Reports and the Committee & Commission Reports were posted to the Town's website on the Town Council Meeting Agendas and Minutes page and are an attachment to these minutes.

**ADJOURNMENT**

A motion was made by Councilmember Boteler, seconded by Councilmember Shaw, to adjourn the December 9, 2016, Town Council Regular Meeting at 9:25 p.m. The motion carried with a 6-0 vote. Councilmember Weisgerber had left the meeting before the vote was taken.

phs:2016 12 09 Regular Meeting Minutes Amended and Adopted 2017 01 06

Attachments: PowerPoint Presentation titled Proposed Building Addition South Bethany Police  
PowerPoint Presentation titled Town of South Bethany, DE 2016 Pavement Management Study  
Proposed Street Lighting on Canal Drive – Survey Response Summary  
PowerPoint Presentation titled Sea Level Rise, Flooding and Adaptation Planning Recommendations by South Bethany Planning Commission  
Leadership Reports and Committee & Commission Reports