

TOWN OF SOUTH BETHANY TOWN COUNCIL REGULAR MEETING MINUTES JUNE 10, 2016

MEETING CALLED TO ORDER

Mayor Voveris called the June 10, 2016, Town Council Regular Meeting to order at 7:00 p.m., followed by the Pledge of Allegiance to the Flag.

ATTENDANCE

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

EXCUSED: Council Member Don Boteler.

ADOPTION OF MINUTES – JUNE 4, 2016, TOWN COUNCIL ORGANIZATIONAL MEETING

Motion and Vote: A motion was made by Councilwoman Callaway and seconded by Councilman Schrader, to approve these minutes. The motion was unanimously carried.

PROPERTY OWNERS' PARTICIPATION

- Richard Ronan (7 Logan Street) – Said it was a bad idea not to close Town Hall for lunch. Many small businesses and doctor's offices close for lunch. Staying open would mean losing productive hours.
- Marge Gassinger (1204 South Ocean Drive) – Asked Mayor Voveris why would we want to close Town Hall at lunch. The Mayor said as a public service and courtesy to our owners. Marge then asked if she was aware of results in the 2010 Survey where 69 to 70% of residents did not think having Town Hall open for lunch was needed. The Mayor said she was aware. Marge then asked if the Mayor just disregarded the results. The Mayor said no and there were requests and comments to keeping Town Hall open during lunch. Marge then asked if results of the Survey were just going to be ignored. The Mayor said no, everything is taken under consideration but times change, attitudes change, owners change. Marge then stated most people eat lunch from 12 to 1:00 so how many people would need to come to Town Hall. The Mayor responded it was not a question of volume but service and courtesy to our owners. Marge then asked if the employees would get a courtesy. The Mayor replied that they can stagger lunches so they will have the same amount of time for lunch and work the same day. Marge then asked how lunches would be staggered and the Mayor said the idea would be discussed between Melvin and the employees and they can decide how this will happen.
- Betsi Baker (309 West 7th Street) – Stated she never understood why Town Hall was closed for lunch and if there was no budgetary reason to do so she would like to see it open.
- Bonnie Lambertson (324 York Road) – Said she was curious would the whole staff of Building Inspector, Town Manager, Financial Officer, Secretary and everybody all stagger their lunches. The Mayor replied that people can come in and make appointments, get information or a trash schedule and that can mean just two people stagger their lunches. Bonnie then asked if the employees favored the idea and the Mayor said she did not know if they were happy since we did not take a survey about it. We are trying to provide a service. Bonnie said if the employees are not happy this is not a good idea.

- Jerry Masiello (309 West 4th Street) – Stated the very name Town Hall implies service to the Town and if it is not open all day you cut into service. He said having worked in government for 40 years lunch can be eaten at any time and he did not see inconvenience to employees to stagger lunches. Residents, visitors, architects, someone wanting a permit should be able to come to Town Hall and closing for lunch hour defeats the purpose of having the building.
- George Junkin (8 South 4th Street) – Said we only have one person to do each job. If you come in and want a permit and the Building Inspector is not there you can't get it. The Mayor said that can be at any time. George then said the Inspector may feel obligated to get up if someone came in for a permit. The Mayor said that was possible but more the norm would be for information to be taken and not to do business.
- Terry York (4 North 5th Street) – Announced it was time for a commercial and she was there on behalf of the South Bethany Historical Society. She said there were lovely souvenirs on the back table and applications to join the Society. The audience welcomed the commercial and applauded Terry.
- Quentin Walsh (154 Bayshore Drive) – Mentioned in the last Survey there were very negative comments on Mediacom, many from him and his neighbors. He just returned from Florida and both his TV and internet were not working. He called Dish TV and made the change for TV service. Long term the Town needs to look at another provider. The Mayor asked Town Manager Cusick to comment and Melvin said we currently have a 7 year contract. There are no other options. Mediacom has an old infrastructure and it is taxed with the addition of internet.
- George Junkin (8 South 4th Street) – Said there is competition for Mediacom with Satellite Dish, Internet over the phone, like Verizon. The Mayor said as an FYI she has Verizon and was without service for one week and after they fixed it the service went out the next day. So everyone is unhappy.
- Betsi Baker (309 West 7th Street) – Said no matter where you live everyone hates cable. She personally has no problems with Mediacom.
- Richard Ronan (7 Logan Street) – Said he had many issues with his Mediacom bundle and ended up keeping the cable and using Verizon for internet.

SECOND READING OF ORDINANCE 181-16 TO AMEND THE CODE OF THE TOWN OF SOUTH BETHANY, CHAPTER 145, ZONING, ARTICLE III, "DEFINITIONS", ARTICLE V, "NONCONFORMING USES", AND ARTICLE X, "DIMENSIONAL REQUIREMENTS", TO ELIMINATE THE RESTRICTIONS ON BATHROOMS IN HOUSES IN THE TOWN OF SOUTH BETHANY (PAT VOVERIS)

The Mayor reviewed the ordinance page by page and indicated copy was stricken to remove the current restriction on number of bathrooms. Council had no questions or discussion so the Mayor then asked for public comment.

Bob Cestone (140 New Castle Drive) – Said he was on Council when the restriction was put in and the intent was to make large houses less attractive to large groups of renters. He understands the current change was precipitated due to a house for sale on Ocean Drive advertising 3 extra bathrooms. Instead of enforcing the law you are now eliminating the law to appease one person and he had not heard the rationale for eliminating the restriction. The Mayor replied that he had not been at the meetings before now where she said she had witnessed many illegal bathrooms during her 2 years as Mayor. People rough them in and put them in after the CO (Certificate of Occupancy) is issued and then we find out about them when the house goes up for sale. In her second term as Mayor she had planned to bring the issue forward. One week after the Ocean Drive home advertised too many bathrooms a house on Bayside was advertised

with too many bathrooms. She spoke with Melvin and the Town attorney about wanting to bring the issue forward and that both Sussex County and Bethany Beach had no restriction on bathrooms. People are spending a lot of money to buy here and live here. The attorney advised her to bring the issue forward now. This is not a function of trying to give one house an exception but the entire Town exception and no restriction on number of bathrooms.

Frank Minni (411 Kimberly Road) – Asked is that what you want, no restriction, and encouraging people to have large houses with 7, 8, or 9 bathrooms. What will this do to parking. The Mayor replied that there are rules in zoning where houses can only be so big. Bedrooms require an outside wall and bathrooms require floor area and only so many bathrooms can be installed without compromising the floor structure. Frank further commented about more rentals and the Mayor replied she did not know houses would be rented just because they have more bathrooms.

Bob Cestone (140 New Castle Drive) – Referred to the large houses on South 1st Street that rent and have 15 cars. He further commented that the message in doing this ordinance quickly sends to everyone in the world you do something illegal in South Bethany and the Council will change the law.

Frank Minni (411 Kimberly Road) – Asked if our allegiance was to new people who will build multi-million dollar homes and put in as many baths as they want and then rent. The Mayor replied that anyone who buys here should be able to build what they like and are not necessarily someone who will rent. Many houses do not rent. Frank further said that people will think we are not serious and our laws don't mean anything. The Mayor said she did not see the correlation but appreciated his comments.

Bonnie Lambertson (324 York Road) – Said we are known as “The Best Little Beach in Delaware” and for single family homes. By allowing mini hotels it seems like we are getting into the commercial area. When she was on Council roofs, bathrooms, hot tubs had to be removed. If we have a Code that is open ended we will not be “The Best Little Beach in Delaware” anymore. She read from a letter sent in by Barbara and Gary Jayne from South 6th Street who were against the ordinance citing more bathrooms will mean more bedrooms. She also mentioned many owners speaking and writing to her against the ordinance. She further stated she was adamantly opposed to changing this law and then asked if the first reading was at a Workshop and if this is the second reading then when is the last reading. The Mayor said the third reading will be at a Workshop and all readings are publicly advertised. Bonnie said she didn't think a public hearing and third reading should be done at a Workshop.

George Junkin (8 South 4th Street) – Said the way we limit the size of a house is with LAR and FAR which limits living areas, so if people put in more bathrooms they will limit other living areas. Four bathrooms does not limit how many people will be in a house.

Richard Ronan (7 Logan Street) – Said the ordinance was put out with very careful thought and before we change the ordinance the owners in violation should be made to undo what they did. We don't want a lot of people in houses. We want to keep this a nice little town. A quiet town. The way you do that is to keep the number of bathrooms down.

Betsi Baker (309 West 7th Street) – Said she did not understand concern about the ordinance since the house size doesn't change. Her house has 5 bathrooms and she never intends to rent and it is just she and her husband and their 5 bathrooms. Why the assumption more bathrooms mean more people.

Norm Montigny (309 West 9th Street) – Asked if the Town considered the amount of parking spaces with the amount of people in a house. The Mayor said parking is what it is. How you build your driveway, the number of permits for parking, the use of neighbors' driveways.

Richard Ronan (7 Logan Street) – Asked what if someone wants to build bigger than the footprint. The Mayor said he was taking this out of context. This ordinance change is not predicated by one house breaking the law. The Council wants to change a restrictive Code.

Frank Minni (411 Kimberly Road) – Stated these meetings are pointless. The Mayor replied there will be a public hearing and public input and a vote on the ordinance.

Bob Cestone (140 New Castle Drive) – Said the owner should have to pay double fees for permits he should have gotten and be fined for breaking the building Code and possibly the plumber who put the bathrooms in and the realtor who listed the house as 7 bathrooms and now changed it to 4 may be fined and have their mercantile licenses revoked.

Councilman Schrader posed the question why didn't previous Council look at limiting the number of occupants and Bob Cestone (140 New Castle Drive) said people had large families coming in so the Council was going to just impose restriction on rentals but the attorney said that would be discrimination.

After this discussion the Mayor then declared this the second reading of Ordinance 181-16.

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION NO. 3-16, A RESOLUTION IN OPPOSITION TO SEISMIC TESTING AND OFFSHORE DRILLING ACTIVITIES ALONG THE ATLANTIC COAST (PAT VOVERIS)

The Mayor announced that new Council member Tim Shaw would read the resolution and then Council would take action.

Motion and Vote: A motion was made by Councilwoman Callaway and seconded by Councilman Schrader, to accept Resolution No. 3-16. Owner Quentin Walsh (154 Bayshore Drive) asked if there was some distance parameter specified like 1 mile, 5 miles, 100 miles offshore. The Mayor said we are the last coastal town to offer a resolution and this is in response to general support of the State's position and not with specified parameters. After public comment the motion was unanimously carried.

BASE FLOOD ELEVATION (BFE) AD HOC COMMITTEE PRESENTATION (DAVE WILSON) PRESENTATION OF RECOGNITION CERTIFICATE FOR PTLM. MEGAN LOULOU (CHIEF CROWSON)

The Mayor introduced Chair Dave Wilson to present the committee recommendations for Town Council. Dave acknowledged the following committee membership: Dave Wilson, Sue Callaway, Frank Weisgerber, George Junkin, Bob Cestone, Joe Hinks, and Frank Brady.

Recommendation for South Bethany
Maximum House Elevations

BFE Committee

June 10, 2016

Background

- Max elevation historically 32 feet above road
- In 2014, with optional 2 ft of freeboard, max elevation increased to 34 ft above road or 38 ft above sea level
- In May, 2016, for VE zone max elevation increased to 33 ft above BFE or 35 ft above BFE with 2 ft of freeboard
- New flood map in fall 2016 will raise Base Flood Elevations
- Committee formed to recommend if and what town-wide elevation changes should be made

FEMA Freeboard Definition

Recommended Practice:



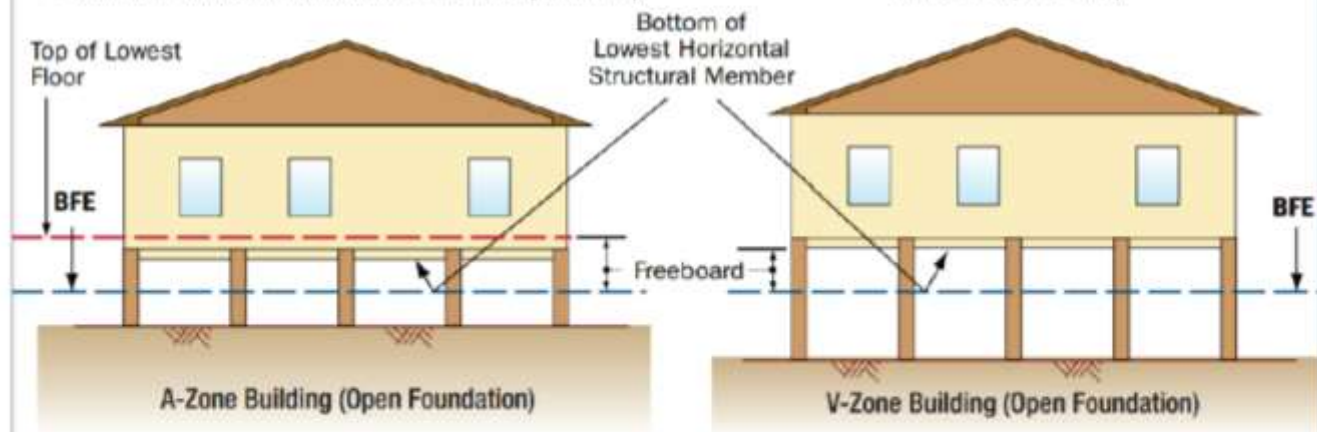
A Zones in Coastal Areas:

Subject to Breaking Waves and Erosion During the Base Flood
Lowest Horizontal Structural Member Above BFE (Freeboard)



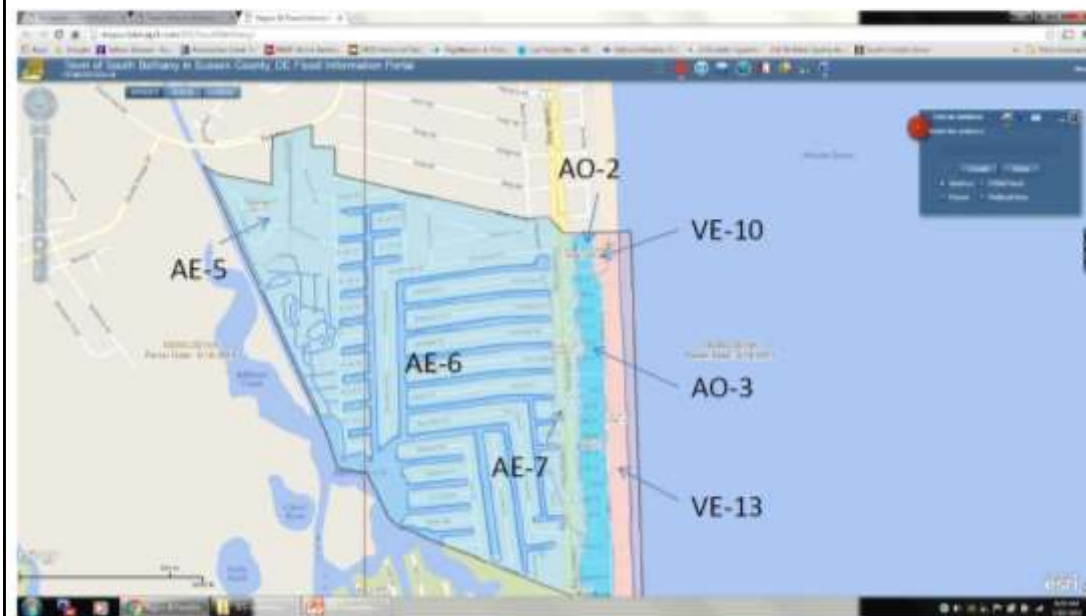
V Zones:

Bottom of Lowest Horizontal Structural Member
Above BFE (Freeboard)



* NFIP minimum elevation requirements: A Zones – elevate top of lowest floor to or above BFE; V Zones – elevate bottom of lowest horizontal structural member to or above BFE. In both V Zones and A Zones, many people have decided to elevate a full story to provide below-building parking, far exceeding the elevation requirement. See Fact Sheet No. 1.2 for more information about NFIP minimum requirements in A Zones and V Zones.

S Bethany Will Have 7 Flood Zones By Fall 2016



Recommendation for All Flood Zones to Allow Everyone to Have 33 feet to build the Structure

- Max elevation 33 ft above higher of BFE or street*
- Max elevation 35 ft above higher of BFE or street* with 2 ft of freeboard
- Consistent with May 2016 VE zone elevation changes
 - Increases max height for all houses by 1 ft
 - Uses BFE as the reference (street if higher)
 - Allows additional 2 ft with 2 ft of freeboard

* In Cat Hill house height is currently measured from mean lot elevation instead of street center line

Houses on Low Streets Have Largest Ht. Increase Above Street Level

	St. Elev	BFE		Ht. Above Street	Change in Ht.		Ht. With 2' F/B	Change in Ht.
<u>Bayside (Proposed)</u>								
Bristol	1.36	6		37.64	5.64		39.64	7.64
W. 8th	5.79	6		33.21	1.21		35.21	3.21
<u>Oceanside (Approved)</u>								
Ocn/Kewn	8.85	13		37.15	5.15		39.15	7.15
Ocn/S 2nd	12.05	13		33.97	1.97		35.97	3.97

Change in Ht. Above Street for Houses on Streets with 3 Flood Zones

	St. Elev.	BFE		Ht. Above Street	Change in Ht.		Ht. with 2' F/B	Change in Ht.
<u>Seaside (Proposed)</u>								
2 Lots W	8	2+8		35	3		37	5
3 Lots W	8	7		33	1		35	3
E Side	9.23	10		33.77	1.77		35.77	3.77
<u>S 4th St. (Proposed)</u>								
W End	5.36	7		34.64	2.64		36.64	4.64
Mid	9.39	3+9.39		36.0	4.0		38.0	6.0
@ O. Dr.	10.5	13		35.5	3.5		37.5	5.5

Max Ht. in Flood Plain in Surrounding Communities				
	Max Ht w/o F/B~ft	Reference	Freeboard Allowance~ft	Max Ht. w/ Freeboard (Ref)~ft
Sussex County	42	BFE	2	44 (BFE)
Bethany Beach	31	BFE	1.5 (min)	31 (BFE + F/B)
Fenwick Island	30	Rd	1.5-2	31.5-32 (Rd)
S. Bethany (proposed)	33	BFE	2	35 (BFE)

Summary

- Allow 33 ft of structure for everyone from BFE or centerline of street or mean lot level
 - Shown in previous ordinance as reasonable for 3 living levels
- Ground level must be as least as high as centerline of road
- Proposed ordinance wording submitted to Town Council for review
- Recommend disbanding BFE committee

During the presentation some questions were posed from the audience. Discussion took place about freeboard and the committee philosophy to give 33 feet for people to build their house. The Mayor thanked the committee for good recommendations and a solid presentation and said we do appreciate all of their hard work. The topic and recommendations will be further discussed at an upcoming Workshop. She again thanked the committee for their work and said the committee was now disbanded. The audience applauded the committee and their presentation.

PRESENTATION OF RECOGNITION CERTIFICATE FOR PATROLMAN MEGAN LOULOU (SERGEANT DAVIS AND CHIEF CROWSON)

The Mayor announced we have an important reason we are here tonight which is to honor Patrolman Megan Loulou. A News Update was sent today featuring Patrolman Loulou. We are very proud of her and happy to have her as a valuable asset in our Police Department.

Sergeant Davis and Chief Crowson acknowledged the recent solving of a burglary case on Black Gum Road by Patrolman Loulou. Sergeant Davis read his letter to Chief Crowson recommending a commendation for Patrolman Loulou and the Chief presented Patrolman Loulou with a framed

certificate honoring her efforts. Both the Council and audience applauded Patrolman Loulou and many kind remarks of praise were made by the audience on her behalf. Sergeant Davis then added that today Patrolman Loulou spent her day helping at Special Olympics during her time away from us. Owner Tom Roche (141 Henlopen Drive) also spoke of Patrolman Loulou's help and advice when he was recently approached with a "grandfather" scam. Again the audience applauded Patrolman Loulou.

PRESENTATION ON BUILDING EXPANSION FOR POLICE DEPARTMENT (CHIEF CROWSON)

The Mayor introduced Chief Crowson to present supporting information on the need for building expansion of the Police Department facility. The audience posed comments and questions during the presentation. Owner Chris Keefe (6 North 3rd Street) asked how the square footage would be changing with the expansion and the Chief said he did not have that figure with him but would determine the answer and be back with the information. The audience acknowledged the Chief's presentation with applause.

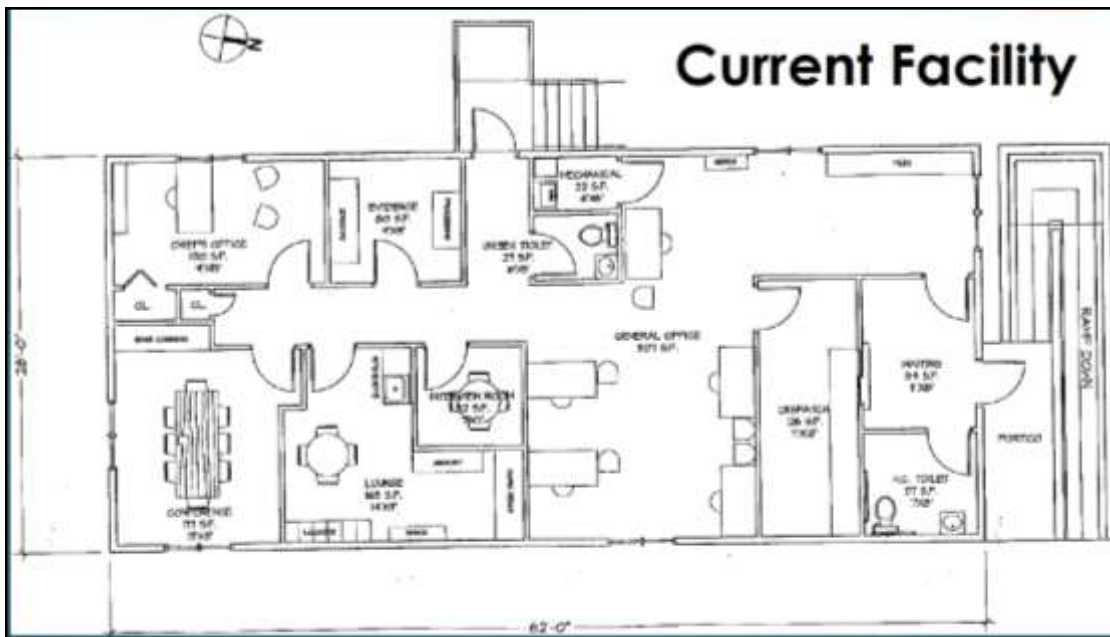


South Bethany Police Department GOALS

- ▶ In October of 2014 a list of goals was presented to the new Chief of Police by the Mayor and Council.
- ▶ The first goal was to objectively assess the police department's operation, resources, equipment and personnel.
- ▶ In August of 2015 our progress on this goal was as follows:
 - Thoroughly evaluated prior operations and duty assignments. Improved on staffing complement for the first time since 1993. Addition of seventh full time officer enables true 24-hour coverage. Duties were fairly and appropriately redistributed to each officer.
 - Contracted expert for policy update/revisions to move towards state accreditation and improve the Department's effectiveness.
 - **Contracted architect for designs/plans for Police Department expansion to eliminate multipurpose/function rooms and provide space necessary for more efficient operations. (Contractors appropriated through donated funds)**

We are proposing this new facility to:

- ▶ Improve safety of all departmental personnel
- ▶ Improve visitor/guest safety
- ▶ Eliminate multipurpose rooms
- ▶ Provide space necessary for all law enforcement operations
- ▶ Reduce liability



Multipurpose Room (Evidence Storage, Prisoner Processing, Videophone)



Evidence lockers pictured top right. Videophone: top center.

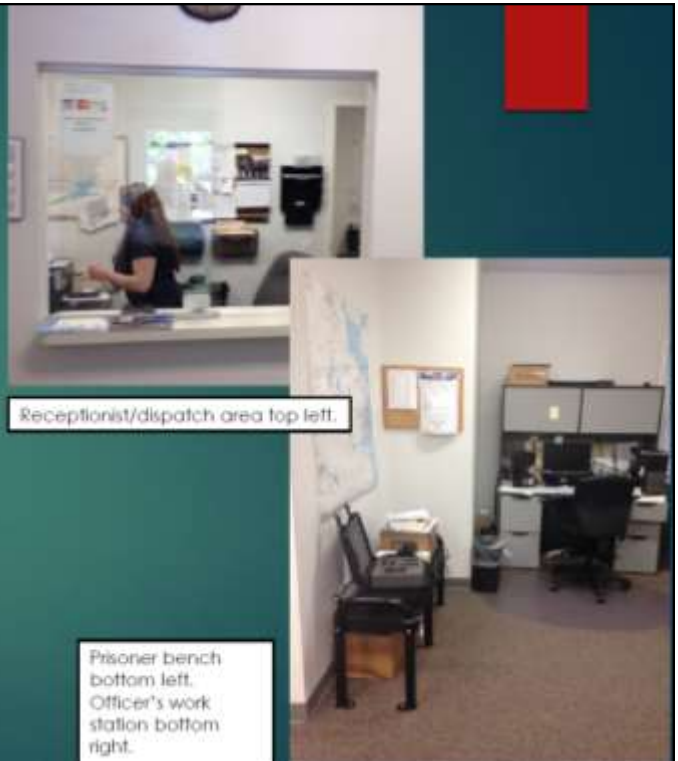
Fingerprint machine pictured on bottom right. Various evidence collected at bottom left.



- Current space utilized in this room is insufficient to support multiple law enforcement functions.
- Creates legal issues regarding chain of custody when prisoners are being processed where evidence are stored (can compromise integrity of a case).
- Very little room to process (photograph, fingerprint, etc.) a prisoner.
- Videophone is utilized to contact a Judge for swearing of warrants and other daily police functions. It is challenging to have several individuals in the multipurpose room to complete this function and keep an acceptable level of officer safety.

Maintaining Safety

- The safety of all departmental personnel must be ensured.
- Additional surveillance equipment/doors should be provided to add layered protection to the facility and to also inhibit a suspect/detainee's desire to or ability to escape from custody.
- Prisoner detainment bench
 - Adequate for a cooperative detainee, however is not suitable for an uncooperative detainee or multiple detainees.
 - Located directly next to an officer's work station, as well as behind the receptionist/dispatch area. This places the departmental personnel in a vulnerable position.
 - Visitor's are exposed to disorderly and vulgar behavior due to the prisoner detainment bench's proximity to the building entrance/lobby.
 - Restraint chair for disorderly detainees is unable to be acquired due to space constraints.



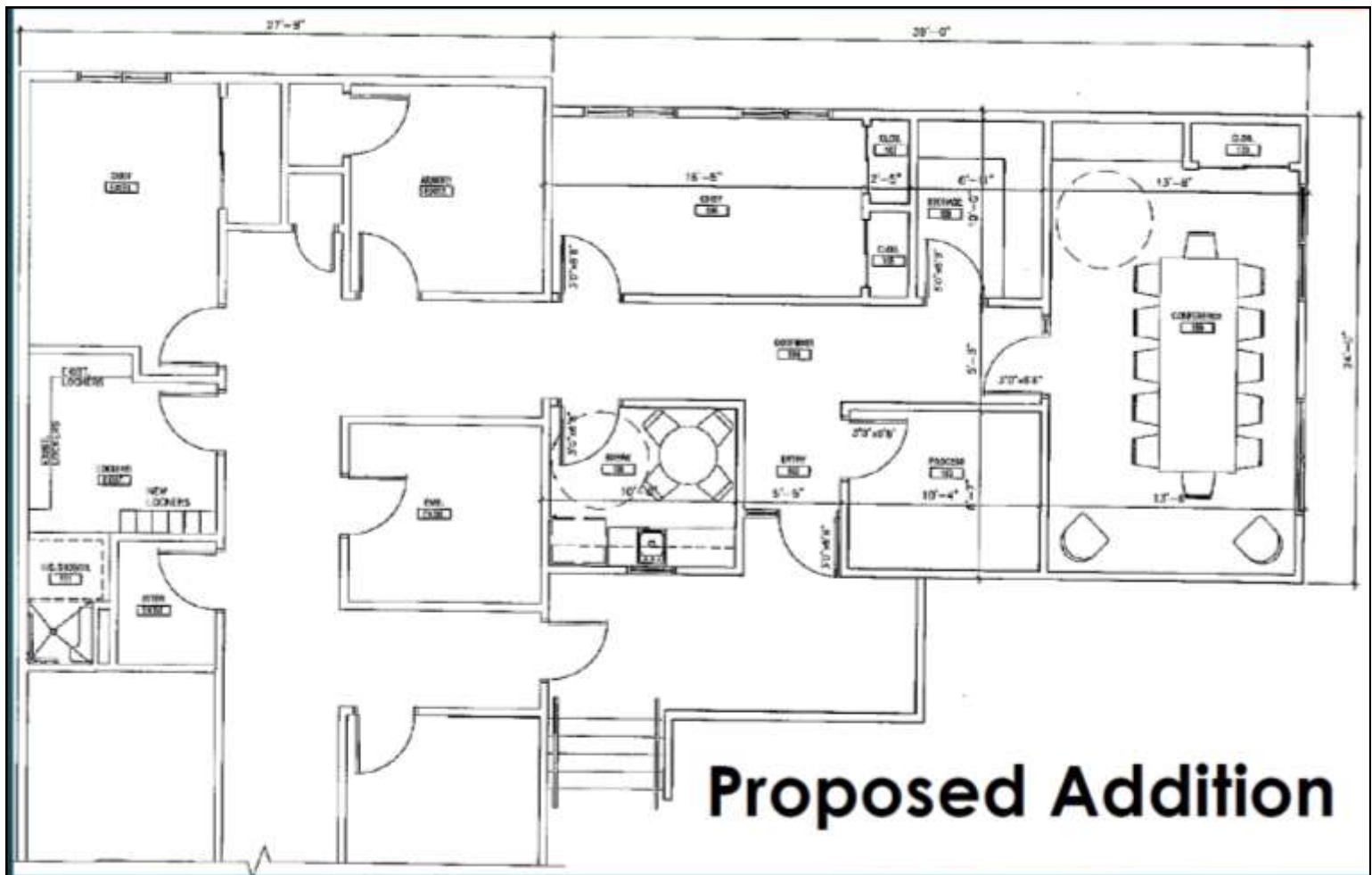
Kitchen / Locker Room / Armory



Refrigerator and other kitchen appliances in top left photo. Firearms locker pictured in bottom right. Officer lockers lining right wall.



- Unsanitary to have combination of food and firearms equipment.
- Officers do not currently utilize locker room to change due to the presence of food and the space restrictions.
- Officers do not currently utilize kitchen to eat (currently using conference room) due to the lack of space and presence of firearms equipment.
- Locker room has no shower for officers to prepare for the work day or to clean up after a complaint (water rescue, inclement weather, blood or other fluids from medical complaints, etc.)
- Limited armory space for cleaning of weapons and storage of ammunitions.



Addition to the South Bethany Police Department

- ▶ This proposal is not to increase the space for individual officers, but to provide the department with the necessary rooms for required law enforcement functions in a safe and efficient manner.
- ▶ Addition will accommodate the separation of the evidence storage, video phone and processing room, as well as the kitchen, armory, and locker room.
- ▶ Current structure will also facilitate a separation of the multipurpose rooms (locker room, armory, and evidence storage will remain in current building).
- ▶ Conference room will be enlarged to enable for officer training and meetings. Current conference room fits eight people, which doesn't allow for instructors as well as staff.

Strategic Management Research Center:

Dr. Greg Warren

- Dr. Warren was contracted to provide South Bethany Police Department with a physical and operational assessment of our current police facility and to identify a comprehensive list of future facility physical and operational requirements.
- The assessment references current state accreditation requirements and national best practices for police station/facility operations.
- Project completed 03-16-16 and an analysis and recommendations report from Dr. Warren was received.
- Dr. Warren and his company will be available to speak at a meeting regarding his report.

Preliminary Architectural Floor Plan:

Prepared by Ryan Architecture, LLC

- ▶ Basic Services will include:
 1. Conduct a site visit to measure and layout the existing building in the area of proposed construction and meet with the owner.
 2. Review existing site conditions.
 3. Prepare preliminary architecture floor plan.
 4. Prepare a preliminary construction cost estimate.
 5. Attend one additional owner meeting to present the plan and cost estimate.

<h2 style="text-align: center;">Preliminary Construction Cost Estimate</h2> <p style="text-align: center;">May 2015</p>	
General Conditions	\$3,500
Renovations	\$5,000
Sitework	14,700
Foundtions	11,500
Framing	16,000
Deck & Stair	3,200
Siding/Soffit/Fascia	6,200
Shingles/DS/Gutters	6,300
Windows	6,300
Doors	2,200
Hardware	1,200
Drywall & Insulation	9,000
Painting	4,100
Carpet & Vinyl Tile	3,200
Electrical	4,800
Plumbing	3,700
HVAC System	9,400
HVAC Unit Replacement	<u>7,000</u>
	\$117,300
Architectural, Structural and Mech, Elec and Plumb Engineering	17,600
Site Engineering	<u>6,000</u>
	\$23,600
20% Contingency	\$28,200
Construction/Design/Contigency	\$169,100
Allowance for Owner Direct Purchased Systems:	\$30,000
Fire/Smoke/Burglar Alarm Systems	
Security & Camera Systems	
Telecommunications/Computer Furniture	
TOTAL:	\$199,100

Building Addition Funds

- ▶ Police Department's contribution:
 - \$50,000 from Anna Panco Donation
 - Two potential \$25,000 installments of Sussex County grant funding (total of \$50,000)
 - **Total of \$100,000**

The Mayor thanked the Chief for his presentation and said this would be the first of a series of presentations for the public. We have a recommendation from the B&F Committee for funding of the project and if the Town recognizes the need to proceed we need to move forward since construction costs will only continue to increase. The grant money available to offset the cost makes the project more palatable. Given it is already June the project would not be happening this year and we would look to the next budget. The next presentation regarding the project will probably take place at the July Council meeting.

DISCUSSION AND POSSIBLE VOTE ON KEEPING TOWN HALL OPEN DAILY FROM 8:00 A.M. TO 4:30 P.M. AND NOT CLOSING FROM NOON TO 1:00 P.M.

Motion and Vote: Councilwoman Callaway made the motion to keep Town Hall open daily and Councilwoman Stevenson seconded the motion. The Mayor called for discussion. Councilman Shaw asked if this opening was to be year round since switching back and forth seasonally could be confusing. Many comments tonight about the pros and cons of this idea have been heard. He understands the staff has set up lunch with breaks and lunch combination to have one hour. This works best as an employee preference. He also sees lunch as a time for employees to socialize but we need to look not just at their enjoyment but as a service to the Town. We need to change the policy on breaks and lunch. The Mayor said Melvin will work with the employees to establish being open and make it function well. Currently our Police Department is open at lunch and Maintenance is open at lunch so we are not singling out any employees. We are providing more service to our Town's people and as public servants that is what we should do.

After discussion the motion was unanimously carried.

LEADERSHIP REPORTS

- **Mayor's Report**—Mayor Voveris reported:

National Day of Prayer was held on May 5 under the expert direction of owner Carolyn Marcello and the event had a strong attendance.

A luncheon meeting was held at Sea Colony on May 13 that included representation from Fenwick and Bethany Beach, legislators Gerald Hocker and Ron Gray, County Councilmen Rob Arlett and George Cole. One topic of discussion was the BBVFD and its need for paid firefighters.

Communications about the need for our beach walkway repairs were sent to DNREC and our legislators. WBOC did a feature on our wooden walkway and we since have had that walkway and all others made viable through efforts of DNREC.

DNREC also provided service of their algae harvester to clean up our canal waters.

DeIDOT provided another traffic count in May for our study route from Kent Avenue to Route 1. We now have numbers for both April and May. April heaviest volume was 10 am to noon. May heaviest volume was 10 am to 6 pm. Another traffic count is scheduled for late this month and early July.

- **Town Manager's Report**—Melvin Cusick reported:

The Town Maintenance Department has taken delivery of the new ATV and it is in service.

We have met with DNREC concerning the beach walkways and the handicap ramp. DNREC was able to push enough sand to the handicap ramp to allow us to put three Mobi-Mats on the ramp. They have also pushed enough sand to allow for Mobi-Mats to be placed on the ocean side of all the ramps except the two southernmost ramps which are virtually flat walkways. We have utilized all of the Mobi-Mats. Normally the Town is not allowed to do any work to the beach walkways across the dunes – it is DNREC's responsibility which is spelled out in a State statute. But since DNREC cannot get to it, the Town did get permission from DNREC to put sand fence at the handicap ramp so no one walks out there at night where there is a steep drop off.

The Algae Harvester is continuing work on the canals. As of Tuesday, DNREC estimated that between 80,000 and 100,000 pounds of algae had been removed from the canal system.

May 17 – Meeting with Sandpiper Village HOA and DNREC
 June 2 - Meeting with Ambulance Sponsors Group
 June 2 - Meeting with DNREC concerning beach walkways
 June 9 - Delaware Founders Insurance Trust Board of Trustees Meeting

- **Treasurer's Report**—Councilman Boteler reported:

In Treasurer Boteler's absence the Mayor said the report (attached) was on the table and just into one month of the new budget both revenues and expenses are tracking to budget.

- **Police Department Report/Questions**—Chief Troy Crowson reported:

Burglary on Black Gum Drive

On May 11th, 2016 at approximately 0340 hours, Patrolman Loulou was dispatched by SUSCOM to a burglary at 429 Black Gum Road. Ptlm Loulou arrived on scene and observed the front door of the residence had been kicked in. The residence was unoccupied but had been ransacked. Ptlm Loulou observed the unknown suspect had attempted to remove a flat screen television off the wall and successfully removed another television from another bedroom in the residence. Ptlm Loulou processed the scene for latent prints, lifting a total of 12 possible prints. Ptlm Loulou also took digital photographs of the crime scene including a shoe impression that was left on the front door of the residence. Ptlm Loulou also located and recovered a black handled flathead screwdriver, which was seized for evidence.

Through the latent prints, Ptlm Loulou was able to identify the defendant and obtain arrest warrants. The defendant was charged with Burglary Second Degree, Possession of Burglary tools, Theft, and Criminal Mischief. Ptlm Loulou obtained a search warrant for defendant's vehicle and recovered several skateboards and a flat screen television. The recovered items were linked to a burglary in Maryland. Ptlm Loulou didn't stop there as her efforts have linked defendant to at least one additional burglary in Maryland and several others in Delaware.

Ptlm Loulou, who has been employed with the South Bethany Police Department as a full-time officer for over a year, has already proven herself to be a valuable asset. Ptlm Loulou worked diligently on this investigation for weeks following up on all leads, going above and beyond the call of duty and as a result, solving not one, but possibly several other burglaries. Ptlm Loulou should be commended for her extraordinary efforts, self-motivation, and exemplary attention to detail.

Bicycle Safety

The South Bethany Police Department's bicycle safety event will be held on Wednesday, July 6th from 8 am to 11 am.

Walk Smart Program

The South Bethany Police Department and the State of Delaware Office of Highway Safety Walk Smart program, a pedestrian safety event, will be held on July 16 from 9 a.m. to 12 p.m.

Autism Delaware

Employment specialist, Teneika McKoy from Autism Delaware has been working with SBPD's dispatcher along with Rachel Tretina. Ms. McKoy works as a mentor with those who are a part of Autism Delaware, helping to connect these individuals with the community, volunteering to

gain experience for future employment. This non-profit organization called Productive Opportunities for Work and Recreation (POW&R for short) is an Autism Delaware program that provides adults in the autism community with vocational services and social and recreational opportunities. Ms. McKoy and Ms. Tretina will be volunteering in the office on Tuesdays from 9 am – 1pm. As Ms. Tretina's mentor, Ms. McKoy will be in the office to help guide her and will eventually "phase out" when Ms. Tretina is comfortable volunteering on her own.

Parking Permits

As a reminder, parking permits have been in effect since May 15th. Please remember to have your parking permits visible when parking in an area that requires them. The police department is open on weekends throughout the summer from 8 am to 4pm, to sell parking permits when the Town Hall is closed.

Special Olympics

Chief Crowson and Patrolman Loulou attended the opening ceremony for Special Olympics we also have had one of our officers run in the torch run and we also did the bicycle prologue. It is an amazing event and we enjoyed that.

- **Beach Patrol Report**—Capt. Ryan Dacey reported:

The Beach Patrol has had a good start to the summer. The Beach Patrol is fully staffed with a total of 30 lifeguards of which about ten are new employees (there will not be 30 lifeguards on duty every day). The Beach Patrol has been using the slower, colder times to get everyone trained. Last year the Beach Patrol had 25 lifeguards. Mayor Voveris commented that the increase in lifeguards will maybe put the Beach Patrol in better shape for near the end of the season. Captain Dacey agreed.

COMMITTEE & COMMISSION REPORTS

- **Traffic (Ad Hoc) Committee** – Submitted by John Janowski:

Following Town Council's approval to form a Traffic Committee (ad hoc) at their regular meeting on April 8, 2016, two committee meetings occurred. Both had quorums.

The initial meeting on April 22, 2016, included a general discussion of the purpose which is to evaluate road safety between Kent Ave. and Delaware Route 1. Each member explained their involvement and interest in serving. Major agenda items included the development of a scope of work (study design). The scope will follow the format of defining a purpose, coordination, problem identification, data collection/research, development of alternative measures to solve issues, documentation, and a timeline/chart to guide committee recommendations to Council. Since much work has been accomplished prior to this committee's formation a status report was provided regarding previously identified measures. Because of time limitations not all the measures were reported on but sufficient time will be allocated to this agenda item at future meetings. Among the items established was agreement on the study area which is defined as the roadway network and adjoining areas following the route of Black Gum Drive at Kent Avenue continuing on Cattail Road, Tamarack Road, Canal Road, Russell Road, Evergreen Road ending at Delaware Route 1.

One **Action Item** was voted on and unanimously approved for Town Council's consideration: Month of May traffic counts to be taken on Black Gum Road and Russell Road.

Public comments were given and are documented in the minutes. Mayor Pat announced the results of the Black Gum Road Drive property owners survey and that it supports the new speed hump location.

A Traffic Committee meeting was held on May 12, 2016, and again focused on developing a scope of work. Using a general outline circulated at the April 22nd meeting, each of the elements were discussed in detail. New goals were added such as to maintain the aesthetic quality of the viewshed along the study route, evaluation of the effectiveness of the current traffic control devices, determine traffic use of parallel roads that may be avoiding intersection capacity limitations, and complete evaluation of traffic volumes. Data collection and research accomplishments were enhanced by setting up a Shared Drive for committee members to readily access. This data now includes but is not limited to DeIDOT Traffic Counts on Black Gum and Tamarack Roads, Cat Hill Traffic Group's Power Point Presentation, DeIDOT's review of existing speed humps, Traffic Impact Study (TIS) completed for a proposed development on Muddy Run Road west of Kent Ave. and the Canal, Turning movement counts taken at Kent Ave. and West Way to measure cut-through traffic, Highway functional classification maps and volumes on adjacent DeIDOT roadways, Sussex County Comprehensive Development Plan. A timeline of various DeIDOT counts/surveys and Town Council Workshop and Meetings was established to help coordinate action items.

Current timeline for programs include the following:

1. Week of May 20th: DeIDOT will record traffic volumes for 7 days. (completed)
2. May 28th: DeIDOT will conduct an origin/destination study to determine cut through (traffic that does not have an origin or destination within the South Bethany community west of Route 1). (completed)
3. June 21st-July 5th: DeIDOT will record traffic volume for 7 days.
4. July 8th and 9th: DeIDOT will count turning movements at the intersection of Canal Road and Tamarack Road.

DeIDOT prepared an inventory map of existing traffic control devices located along the Study Route and a conceptual design of a calming measure/project at the intersection of Canal Drive and Tamarack Road within existing ROW.

Current status pertaining to measures previously identified by the Cat Hill Group include:

1. Electronic Speed Signs - The town has installed 4 electronic speed signs, 3 on the study route. They are located at approximately 417- 419 Black Gum Drive (facing Kent Avenue), on 421 Tamarack Road (facing Canal Street), and on Evergreen Road near Cleveland (facing SR 1). Volume and speed data was recorded by these signs on May 31, 2016.
2. Increasing Height of Existing Speed Humps - DeIDOT measured the existing speed humps and some were found to be below standards. Motion to bring speed humps to standards passed.
3. Installing an Additional Speed Hump on Black Gum Drive - The town sent out a survey to property owners on Black Gum Drive and they overwhelmingly supported installing one adjacent to the vacant lot at 422 Black Gum Drive. Motion to add an additional speed hump passed.
4. Restrictions at Black Gum Drive and Kent Avenue - The town is exploring changing the summer traffic restrictions at this intersection to best mirror when the volume is at its peak (going to and coming from the beach). DeIDOT has completed two counts, most recently at Black Gum Road and Russell Road the last week of May. Another count is scheduled for late June. These counts, the Radar counts, and the O/D Study should provide enough data to accurately determine what times to restrict turning movements at the above intersection.
5. 3-Way Stop Intersection at Canal Drive and Tamarack Road - DeIDOT will conduct a turning movement count in July to determine a warrant. Meanwhile DeIDOT prepared a design concept for a 3-way stop sign controlled intersection with curvilinear approaches on Canal Street and a bump out from the canal side of the "T" within the existing ROW.

6. Painted Street Lines – To be discussed at the July 6 Traffic Committee meeting. A review of the Study Route indicates that some intersections are striped some are not. Two intersections along Tamarack Road are not. Bollards have been installed on the SW corner of this intersection with Canal Road.

Two **Action Items** were voted on and unanimously approved for Town Council's consideration: Installing a new speed hump on Black Gum Road. Augmenting existing speed humps between Kent Avenue and Delaware Route 1 to a height of 4" and length of 12'.

The next Traffic Committee meeting is scheduled for July 6, 2016.

- **Community Enhancement Committee** – Councilwoman Callaway reported:

The last meeting of the CEC was held on May 25, 2015, and the following members were in attendance: Sue Callaway, Chair; Diann Nazarian; Bobbe Stephan; Kent Stephan; Carol Stevenson; Garnet Timbario; and Pat Weisgerber. Due to beach/town Memorial Day preparations, Don Chrobot was unable to attend.

CEC Member Comments - The following items were brought forward:

- Garnet Timbario has taken the lead on purchasing flags to be placed around the adopted canal ends and benches along Route 1, York Beach Mall, Richard Hall Park and the Cat Hill entrance. The group will insert the flags the week prior to the July 4th weekend.
- In conjunction with Sussex Sewer, the landscaping around the Sussex Water Treatment equipment at the corner of Anchorage and Route 1 will undergo some sprucing up in June. We are appreciative of their prompt response to our requests.

SB Welcome Signs – The FINAL version of the Welcome Sign has been confirmed and begun sign preparations. The signs should be completed by mid-June. The new signs will be 4' X 8' and attached to 4' X 4' posts with vinyl covering. To comply with the new DeIDOT regulations, the new sign will be digitally printed over a white reflective background so that when headlights shine on it, the entire sign will be seen.



Adopt-A-Canal/Road End Program

- The 2016 Adopt Contest plans have been finalized. Letters were sent to all adopters about the contest dates and the Thank You Party date. Photos will be taken in late June and online voting will again be made available.
 - The Adopt Contest will be held from FRIDAY, JULY 8 to THURSDAY, JULY 21.
 - Contest signs will be located on Thursday, July 7th (Bobbe, Pat and Carol).
 - Votes will be counted on Friday, July 22.

- The winners will be announced at the Adopt Thank You Party to be held on SATURDAY, JULY 23 at 6:00 pm.
- Lord's Landscaping has graciously committed to funding the Adopt contest again this year at the same level as 2015.
- The party will include all artists participating in the Ocean Drive/Seaside Drive Art Program.
- Two new adoptions are in the works – Boone Road and Layton Drive Road Ends.

Review of Survey Comments Assigned to CEC – In order to report back to Town Council on assigned topics at the July Town Council Workshop, the group reviewed the scores and any comments from Survey responders attributed to the following four survey topics: Town Landscaping; Landscaping and Cleanliness Improvements; Improve Street Lighting and Pet Waste. CEC's recommendations regarding action items within these four areas will be presented to Town Council at the July Workshop meeting.

Update on Town Landscaping – Public Works has been very busy preparing our Town for its Memorial Day grand opening of the summer season! Among many other things: all plants have been planted in the rain gardens and elsewhere; all Ocean Drive planters have been painted and filled with new plants; and all art work has been installed and hung in different locations this year.

Town Christmas Decorations – The group has begun initial research of possible Christmas decorations for the north and south Welcome Areas.

Next Meeting Date – The group agreed to not meet in June or July as the CEC is busy working/volunteering on the Adopt Contest and Thank You Party, the Cottage Tour, and also with numerous July 4th Activities. If necessary, an August meeting will be scheduled.

- **Budget and Finance Committee** – Councilman Boteler reported:

The Mayor said no report was submitted since the committee had not met since the last report was given in May.

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

On May 13, 2016, the Council charged the Charter and Code Committee with writing an ordinance that would remove all restrictions on the number of bathrooms that are allowed in houses in South Bethany. The Committee drafted Ordinance 181-16 that would remove all restrictions on the number of bathrooms allowed in houses in South Bethany.

This Ordinance went through a first reading at the Council workshop on May 26, 2016, without any changes. This Ordinance will go through a second reading at the regular Council meeting on June 10, 2016.

Submitted by John Fields, Chair
The Charter and Code Committee

Presented by Wayne Schrader
Councilman

- **Canal Water Quality Committee (CWQC)** – Councilman Weisgerber reported:

- Algae Harvester – There were many requests for it. It took a while for DNREC to get it up and running. After it was running it was used in Keenwick West for a few days and then it finally arrived in South Bethany in the afternoon of May 23. It harvested in the canals the

23rd through the 26th with some interruptions due to mechanical issues. They do not work on Fridays and Monday, May 30, was a holiday, Thus they only harvested for three day that week. They expect to complete the harvesting by June 9. As of Tuesday, June 7th, DNREC estimated that between 80,000 and 100,000 pounds of algae had been removed from the canal system.

- Citizen Monitoring – Dave Wilson has lost some of his volunteer monitors and is looking for volunteers who are available on Tuesday mornings from about 7 to 9 AM to periodically perform the monitoring functions. All you need to be able to do is put the sensor in the water and then read and record the values.
- Oyster Gardening – Bob Collins, the CIB leader for the oyster gardening program, had his annual oyster gardening meeting on June 2. This meeting was attended by Tony Caputo, SB leader for the oyster gardening program, Dave Wilson, Glenn Dallas, Kent Stephan, and Kathy Jankowski. Right now the plan is to end the oyster project on York Canal in South Bethany this fall. The oysters in the York canal project were wild caught from the upper Delaware Bay, and consequently are not immune to the Dermo and MSX microscopic parasites that live in the water. The CIB wanted large oysters for the two year program for their pumping capacity. Tissue samples from the oysters are analyzed periodically, and the incidence of Dermo and/or MSX is growing. The oysters will be destroyed. These oysters were not part of the Rutgers U strain of oysters that are immune to DERMO and MSX.
- Sandpiper Pines Retrofit Project – The project was on schedule for completion by Memorial Day. However rain delayed the construction contractor. The contractor did not complete their part until just before Memorial Day. South Bethany then needed to plant the flowers. Rick from SB maintenance staff completed the plantings on June 1. All that is left to do now is final inspections, final report and final billings.
- Sea Colony Wet Pond Status – Status is unchanged. Construction could possibly start late 2017
- Large Oyster Project in the York Canal – Status is unchanged. Project should be completed by the end of 2016 with a final report in 2017.
- Organization of the CWQC for this year – 2016 committee members were submitted to Council and approved.
- Clean Water Forum – Tony Caputo and George Junkin attended the forum held in Rehoboth on May 20. The forum covered water quality impacts from agriculture (crop, animal and oyster). Among the topics covered were nutrient management, chicken litter management and shellfish aquaculture.
- **Planning Commission** – Councilman Shaw reported:
There was nothing to report since there has not been a Planning Commission meeting since Councilman Shaw came on board.
- **Assawoman Canal Trail** – Councilwoman Stevenson reported:
There was nothing new to report.

- **Communications and Public Relations Committee** – Councilwoman Stevenson reported:

The Communications and Public Relations Committee meeting was held on June 1, 2016. In attendance were Ann Boteler, Linda Whitney, Lisa Saxton, Margaret Oliver, and Chairman Carol Stevenson.

The Realtor Initiative was discussed and Carol Stevenson will prepare the final report to the Town Council which will be presented at the next workshop. Many suggestions from realtors for improved relations with realtors and property owners were discussed at the realtor appointments. Realtors suggested a reduction in building restrictions, particularly in the limit of the number of bathrooms. A renter's handbook was suggested which would provide a quick source of information such as town rules, trash and recycling pick up, wheelchair access, rental equipment availability, boat ramp access, and important phone numbers. Emergency phone numbers gathered will be turned over to Chief Crowson.

Ann Boteler and Patrick Wiley attended the May 17, 2016, meeting of the Rental Affairs Committee of SCAOR, the Sussex County Association of Realtors, and spoke on behalf of the town. Rental Emergency Cards were provided by the Association which were handed out to property owners at the SBPOA Bull Roast on June 6, 2016, by Linda Whitney.

Carol Stevenson reported that Yoga on the Beach began on June 1, 2016, and will continue through August 30, 2016. The class is being held by Tikiri Shapiro of Lighthouse Dance and Yoga Studio from 8 to 8:45 am. The event is free to all, with donations accepted, and is held on the Beach at South 4th Street.

The Boat Parade Committee met on May 28, 2016. The event will be held in the canals on July 3, 2016, starting at 5 pm. Twenty-five boats are scheduled to participate. An awards ceremony and hot dog supper for boating participants will be held at 7 PM on July 3, 2016, after the parade.

Signs and publicity for events were discussed. It was suggested that Yoga signs were too small to be readily seen along the beach access and should be enlarged in the future. Yard signs advertising movies and posters will be placed at beach access and on bulletin boards. Boat parade signs will also be placed in town to guide spectators to canal ends for viewing the parade.

Movie night plans were finalized with an additional 30 minute cartoon feature prior to the main feature. Hotel Transylvania 2 will be shown on Thursday July 7, 2016, and Star Wars the Force Awakens will be featured on August 4, 2016. Ann Boteler presented a selection of glow sticks and lighted devices as giveaways for the children. Carol Stevenson will order popcorn bags and Todd Stevenson will package popcorn for the movies. Don Chrobot will provide extra trash cans and tables for handouts and popcorn and the entire committee will be on hand to welcome guests.

Posters will be placed on all bulletin boards and periodic Email updates will be sent out to remind town residents of the upcoming events. Yard signs will advertise the Boat Parade, Movie Nights, and Yoga on the Beach.

Lisa Saxton presented four South Bethany Welcome Flag designs and the committee chose a design. Lisa and Carol will work on production of the flag for use at Town Hosted Events. It was decided that the design could be used by the South Bethany Women's Club as a fund raiser and public service should they wish to sell flags to town residents.

The Independence Day Float Committee met on June 7, 2016, to finalize theme and plans for the Bethany Beach Parade Float. Don Chrobot and Frank Weisgerber will build out the float. Peter Bogetti has arranged the sound system and will provide the musical selections.

Walkers alongside the parade float will hand out candy as throwing candy from the floats is no longer allowed. The mayor will ride in the parade in a separate car and the Town Emergency Humvee will be driven in the parade also.

A fall pot luck party was discussed with the date to be determined. Margaret Oliver will explore the possibilities. It was noted that Bayshore Drive had a block party with over 100 in attendance on May 28, 2016.

The next meeting will be held on July 12, 2016, at 3 PM.

PUBLIC COMMENT

Ed Nazarian (20 Petersen Drive) – Asked when Artesian was going to clean the mildew on the water tank at Town Hall. The Mayor said we will inquire and report back on that.

Debra Fanshel (413 Cattail Road) – Inquired about parking on Ocean Drive and on the west side of Route 1. The Mayor said that parking will be studied this season by our Police Department to determine if permit parking should be added to the west side of Route 1. Town Manager Cusick explained how parking permits are issued and we have daily passes for anyone at \$15.00. Owner Bob Cestone (140 New Castle Drive) explained there is no parking overnight on Ocean Drive because years ago many people were found sleeping in their cars overnight. Debra then inquired about the algae collecting in a trench dug near their home and voiced concern about mosquitos. Town Manager Cusick explained that trench was done for drainage and he has seen the drainage work but also sees standing water at times and the Town has an agreement with the State for mosquito spraying and they have already been to Town several times.

ADJOURNMENT

A motion was made by Councilman Weisgerber, seconded by Councilman Schrader, to adjourn the June 10, 2016, Town Council Regular Meeting at 9:15 p.m. The motion was unanimously carried.

PV/phs:2016 06 10 Regular Meeting Minutes Amended & Adopted 6 23 16

Attachment: FY17 May Treasurer Report