

TOWN OF SOUTH BETHANY TOWN COUNCIL REGULAR MEETING MINUTES MARCH 10, 2017
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MEETING CALLED TO ORDER

Mayor Voveris called the March 10, 2017, 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, Carol Stevenson, Frank Weisgerber, and Mayor Pat Voveris; Chief Troy Crowson; and Administrative Assistant Pam Smith

EXCUSED ABSENCE: Councilmember Tim Shaw

ADOPTION OF MINUTES

- **Town Council Budget Workshop Meeting Minutes, February 23, 2017** – A motion was made by Councilmember Boteler, seconded by Councilmember Stevenson, to accept the February 23, 2017, Town Council Budget Workshop Meeting Minutes. The motion was unanimously carried.
- **Town Council Executive Session Minutes, February 23, 2017** – A motion was made by Councilmember Callaway, seconded by Councilmember Weisgerber, to accept the February 23, 2017, Town Council Executive Session Minutes. The motion was unanimously carried.

DISCUSSION AND POSSIBLE VOTE TO APPROVE KERCHER ENGINEERING, INC.'S PROPOSAL TO PROVIDE BIDDING ADMINISTRATION FUNCTIONS FOR THE FY 2017 STREET PAVING PROJECT (TASK C) EITHER ON TIME AND MATERIALS OR AT THE FIXED PRICE FEE OF \$3,000.00

A motion was made by Councilmember Boteler, seconded by Councilmember Stevenson, to approve Kercher Engineering's proposal to provide Bidding Administration Functions for the FY 2017 Street Paving Project (Task C) at the fixed price fee of \$3,000.00. The motion was unanimously carried.

ORDINANCES

- **Second Reading of Ordinance 185-17, to amend the Code of the Town of South Bethany Chapter 134, Vehicles, Operation of, to regulate the time and months that vehicles cannot enter Black Gum Dr. in South Bethany from Kent Ave. (Pat Voveris)**

Mayor Voveris reviewed Ordinance 185-17.

During public comment Pete Silverman (419 Black Gum Dr.) suggested that residents of Black Gum Drive should have a sticker on their car in order to enter Black Gum Dr. from Kent Ave. during the restriction. Chief Crowson said that would be an enforcement issue.

Mayor Voveris declared this the second reading of Ordinance 185-17.

- **Discussion and possible vote to amend Ordinance 185-17 for the Third Reading.**

There was no vote to amend Ordinance 185-17 for the third reading.

- **Second Reading of Ordinance 186-17, to amend the Code of the Town of South Bethany Chapter 34, Beaches, to prohibit smoking on the beach and in other areas within the Town of South Bethany. (Frank Weisgerber)**

Councilmember Weisgerber reviewed Ordinance 186-17.

In response to a question about enforcement, Mayor Voveris stated that if someone reports smoking on the beach to a lifeguard, the lifeguard will call the police to come out and enforce the ordinance.

Mayor Voveris declared this the second reading of Ordinance 186-17

- **Discussion and possible vote to amend Ordinance 186-17 for the Third Reading.**

There was no vote to amend Ordinance 186-17 for the third reading.

- **First Reading of Ordinance 187-17, to amend the Code of the Town of South Bethany Chapter 30, Animals, to redefine and expand the meaning of "pets", prohibit the feeding of wild mammals in South Bethany, allow the impoundment of animals that are deemed to be a public nuisance, promote the operation of a TNR program in South Bethany, and ban the importation of feral or stray cats into South Bethany. (Wayne Schrader)**

Councilman Schrader reviewed Ordinance 187-17 and took comments from the Town Council and the public. During the discussion Councilmember Schrader acknowledged that Ordinance 187-17 needed some revisions.

Mayor Voveris declared this the first reading of Ordinance 187-17.

- **Discussion and possible vote to amend Ordinance 187-17 for the Second Reading**

A motion was made by Councilmember Stevenson, seconded by Councilmember Boteler, to amend Ordinance 187-17 per Councilmember Schrader's suggestions. The motion was unanimously carried.

Councilmember Schrader will work on changes to Ordinance 187-17.

The second reading of Ordinance 187-17 is scheduled for the April 7, 2017, Town Council Regular Meeting.

PROPERTY OWNERS' PARTICIPATION

- Carolyn Marcello (8 S. 9th St.) – Announced that former South Bethany Mayor and current South Bethany Historical Society President Bob McCarthy and his wife Nancy will be the Grand Marshalls of the Ocean City St. Patrick's Day Parade. Ms. Marcello also announced that Good Friday from 10 a.m.-12 p.m. will be the Stand for Life along Route 1 and S. 9th St.
- Bonnie Rae (131 Anchorage Dr.) – Applauded the Council's efforts to discuss the feral cat issue. Ms. Rae also stated that she would be in favor of residents of Black Gum Drive having a sticker on their car in order to enter Black Gum Dr. from Kent Ave. during the restriction.
- Wayne Schrader (413 Tamarack Dr.) – Suggested installing a volleyball net and picnic tables on the beach on the north end. Mayor Voveris said Council can discuss this idea at a Town Council Workshop Meeting.

LEADERSHIP REPORTS

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

It has been another busy month for me at Town Hall.

February 16 and 17 Conducted interviews for our Town Manager vacancy with Council members Shaw and Callaway and Chief Crowson.

February 23 Attended the DLLG dinner meeting in Dover with Councilman Shaw and Chief Crowson to hear Governor Carney's initiatives for the coming budget. He spoke about our property taxes not being competitive and the state over spending on school transport.

February 24 Attended the A.C.T. meeting in Dewey where the group planned a presentation to S.C.A.T. to garner their support. Our focus was narrowed to Beach Replenishment, Channel Silting & Canal Dredging, and Sea Level Rise for mitigation of flooding and raising of roads.

March 1 Began the day in a beautiful way. Noticed a yellow lab sitting near Route 1 who appeared to be waiting for a bus. In realizing she was loose and unleashed I drove over to her and made acquaintance with my box of treats. With the help of Corporal Burton and Public Works Supervisor Chrobot Lucy was returned safely to her Petherton home. Seems her mom had taken her litter mate for a walk and left Lucy behind but she was not to be denied a walk!

In further animal rescue matters I made contact with another cat sanctuary in Berlin, MD called Community Cats Coalition. My first was with The Good Shepherd Cat Sanctuary in Delmar, MD.

March 2 Conducted a staff meeting with Town Hall employees and Chief Crowson. Everyone is busy with their duties and anticipating the coming season.

March 3 Attended the S.C.A.T. breakfast meeting where I explained the initiatives of A.C.T. Our lobbyist thinks our MSA and Transfer Tax money should remain in place but cautions this is not a done deal until June 30.

Met with Architect Pat Ryan, Code Constable Hinks, Chief Crowson, and the Mechanical & Electrical Engineers from Diamond State Engineering regarding the Police Department building expansion project. Things are proceeding on track. Joe Hinks has been a great resource for floodplain rules and the Army Corps of Engineers requirements regarding wetlands.

Advertised for our upcoming Pavement Project and micro-surfacing, sent the bid document to Attorney Edwards for review and planned a schedule with Kercher Engineering.

March 8 Conducted phone interviews with employers for Town Manager candidates.

March 10 Held an Executive Session for Council to speak with Town Manager candidates.

March marks the 5th Anniversary for our Corporal Mark Burton. Congratulations, Mark. We are appreciative of your efforts in maintaining peace and good order!

- **Treasurer's Report**—Councilmember Boteler reported: The following report was available on the sign-in table:

3/7/2017

Town of South Bethany
Monthly Treasurer's Report - As of February 28, 2017
 by Don Boteler, Treasurer



Fiscal 2017 Year-to-Date (2/1/17 – 2/28/17) Revenues and Expenditures

	<u>Adopted Budget</u>	<u>Amended</u>	<u>Total Budget</u>	<u>Actual</u>	<u>%</u>
Total Operating Revenue	\$2,184,475	\$0	\$2,184,475	\$2,207,329	101%
Total Operating Expenditures	<u>\$2,184,475</u>	<u>\$0</u>	<u>\$2,184,475</u>	<u>\$1,875,586</u>	<u>86%</u>
Revenue less Expenditures	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$335,198</u>	
Revenue from Grants/Donations	\$123,163	\$16,631	\$139,794	\$207,874	149%
Expenditures from Grants/Donations	<u>\$123,163</u>	<u>\$16,631</u>	<u>\$139,794</u>	<u>\$207,542</u>	<u>148%</u>
Revenue less Expenditures	\$0	\$0	\$0	\$332	
Capital/Reserve Revenue (from Fund Balance)	\$114,396	\$20,265	\$134,661	\$34,537	26%
Capital/Reserve Expenditures	<u>\$114,396</u>	<u>20,265</u>	<u>134,661</u>	<u>34,537</u>	<u>26%</u>
Revenue less Expenditures	\$0	\$0	\$0	\$0	
Total Revenue - All Funds	\$2,422,034	\$36,896	\$2,458,930	\$2,449,740	100%
Total Expenditures - All Funds	<u>\$2,422,034</u>	<u>\$36,896</u>	<u>\$2,458,930</u>	<u>\$2,117,665</u>	<u>86%</u>
Revenue less Expenditures	\$ -	\$0	\$0	\$332,074	

Fiscal 2017 (2/1/17 – 2/28/17) Summary of Year-to-Date Departmental Budget to Actual

<u>Revenues:</u>	<u>Budget</u>	<u>Amended</u>	<u>Total Budget</u>	<u>Actual</u>	<u>%</u>
Property Taxes	\$509,774		\$509,774	\$502,873	99%
Realty Transfer Taxes	\$355,000		\$355,000	\$314,240	89%
Gross Rental Taxes	\$510,000		\$510,000	\$543,789	107%
Grants	\$123,163	\$16,631	\$139,794	\$207,874	149%
All other revenue	\$809,701		\$809,701	\$864,406	107%
Appropriated Fund Balance	<u>\$114,396</u>	<u>\$20,265</u>	<u>\$134,661</u>	<u>\$16,557</u>	<u>12%</u>
Total Revenue	\$2,422,034	\$36,896	\$2,458,930	\$2,449,740	100%
	\$0				
<u>Expenditures:</u>					
General & Administrative Department	\$652,816		\$652,816	\$569,207	87%
Edward Jones Deferred Comp	\$500		\$500	\$268	54%
Public Works Department	\$251,530		\$251,530	\$181,988	72%
Trash	\$308,606		\$308,606	\$261,563	85%
Public Safety Department	\$662,898		\$662,898	\$546,699	82%
Ambulance	\$74,147		\$74,147	\$55,610	75%
Beach Patrol Department	\$237,983		\$237,983	\$234,193	98%
Town Committee	\$57,275		\$57,275	\$26,058	45%
Grants	\$55,683	\$16,631	\$72,314	\$207,542	287%
All Others (e.g. – Capital, etc.)	<u>\$120,596</u>	<u>\$20,265</u>	<u>\$140,861</u>	<u>\$34,537</u>	<u>25%</u>
Total All Expenses	\$2,422,034	\$36,896	\$2,458,930	\$2,117,665	86%

Highlights on Revenue

Property Taxes are 99% collected. There are 8 properties with delinquent property taxes.
 Realty Transfer Tax is 86% collected.

Highlights on Expenditures

All Operating expenditures are tracking to budget.
 Grant expenditures are tracking higher due to certain grant expenditures being allocated in a prior fiscal year but expended in the current fiscal year.
 March reports will reflect Capital expenditures for Police vehicles and Town Hall/Police Porch Decking.

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

Departmental Training

Patrolman First Class Hudson attended the NRA Law Enforcement Handgun/Shotgun Instructor Development School. This week-long training was hosted by the Allegheny County Police Training Academy. The Firearm Instructor Development School develops and enhances instructor skills and firearm handling skills and is designed to prepare students to develop and conduct safe, effective, reality-based, and agency-related firearm training. Classroom instruction and practical exercises on the range provide a model for students to use in building their own agency programs. Students are exposed to a wide variety of shooting techniques, training methods, and tactical philosophies, which allows them to choose what best serves their department.

Seasonal Positions

The South Bethany Police Department currently has two seasonal positions open. We are seeking a seasonal parking officer to work 40 hours a week, including weekends. This position will assist full time officers in town patrols and citing parking and town code offenses, as well as our summer bicycle and pedestrian safety events. We are also seeking a part-time seasonal dispatcher to work 16 hour weeks on Saturday and Sunday throughout the season. Both positions will be from May through September. Applications will be accepted until March 13th, 2017. They can be found on www.southbethany.org on the employment page.

New Patrol Vehicles

Our two new patrol vehicles are completed and now on the road. These vehicles replace our previous 2010 Crown Victorias, which will be posted for the town's auction in April.

COMMITTEE & COMMISSION REPORTS

- **Traffic (Ad Hoc) Committee** – Chair John Janowski reported:

The Traffic Committee did not meet. There is nothing new to report.

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

CEC Meeting – The CEC will meet on Tuesday, March 21, 2017 at 1:00 PM at the Town Hall.

Update on Historic Sign Project – The graphic designer has sent all necessary files to InstaSigns for development of the proofs for all five signs. Once the proofs are prepared and approved, InstaSigns will create the final product. At our next meeting, the CEC will discuss potential installation dates for the “Trail of South Bethany History” signs and present the recommended dates to the Historic Committee for a joint dedication of the signs.

Update on Street Lighting along Canal Drive – All Canal Drive street lights were installed during the past two weeks. Delmarva Power is completing the final tasks before hooking the lights up to power.

2017 Photography Exhibit – The Photography Exhibit Flyer has been emailed out regularly to property owners with a closing date of March 15. The response has been very positive and the submissions will be assessed and Exhibit details discussed at the March 21st CEC meeting.

Adopt-A-Canal Program – Sue Callaway met with the confirmed adopters of the Brandywine Road End on Saturday, February 11. The adopter is working on the design and letters to adjacent homeowners are prepared. Once the town removes the existing junipers, the adopters will be able to transform this canal end. In addition, another canal end adoption is in the planning stages.

FY 18 CEC Budget – Proposed new items:

1) After Public Works met with Delmarva Power in late February regarding the replacement of the cobra lights along Route 1 with the Granville free-standing lights, it was determined that the proposed new lights could be situated near the existing light poles. Installing the lights in this manner eliminated any additional underground wiring expenses and thus the CEC will remove the \$3000 line item from the FY18 CEC budget. As mentioned previously, the proposed style is the same one used in the Cat Hill area, along Canal Drive and at the intersections of Route 1 and Bayshore and Tern Drives. This plan will add lighting consistency to our town as well as more of a streetscape enhancement along Route 1.

2) The CEC is proposing the creation of “Evergreen Respite” – Connect with Neighbors and Online – a place in the small wooded area adjacent to the Town Hall parking lot that will offer South Bethany residents and guests an opportunity to connect with neighbors and online Wi-Fi service. The proposed area will feature two commercial grade recycled maintenance-free octagon picnic tables with attached benches (one with ADA compliant seating), a trash receptacle, and access to Wi-Fi service that is limited to the Town Hall area. The Town’s computer service, Solutions Plus has advised Renee McDorman how to best create a secure, password-friendly, with blocking capability Wi-Fi environment for the area. The Wi-Fi set-up and equipment will be completed when the Town makes some other digital improvements to the Town’s computer system. Public Works will make safe walkways to the tables with a “crush and run” compactable material that can be easily blown to keep clear. The CEC envisions this designated non-smoking area to become a place where people can gather and share conversation, a cup of coffee, read, play cards or catch up with emails while on vacation. (Total cost: \$4,014.85)

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

The Budget and Finance Committee's recent meetings have been dedicated to reviewing the FY2018 Budget submissions and making recommendations to the Town Council. The Budget and Finance Committee will meet on Monday, March 13, to continue that work and to discuss a few other items.

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

The Committee is currently working on an ordinance to regulate feral cats and other mammals in South Bethany.

At the February 10 Council meeting C&C was given the task of drafting this ordinance. C&C met on February 20 with Mayor Voveris and Chief Troy Crowson. We drafted Ordinance 187-17 which added Article II to Chapter 30 in the Town Code.

Draft Ordinance 187-17 was presented to the Council at a workshop on February 23. Several changes were suggested. Currently the ordinance is being reviewed by the Town’s attorney. The ordinance will have a first reading at the Council meeting on March 10. Later in March C&C will meet to incorporate changes made by the Council at their March 10 meeting and the review by the Town’s attorney.

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

The Center for the Inland Bays is in the process of deploying the oyster cages along S. Anchorage that were in the York Canal and they are replenishing the oyster cages with fresh oysters. Unlike the York Canal where they were floating the CIB is deploying them to the bottom of the canal along the bulkheads. There is some piping in place to hold the cages and to warn boats to stay clear of the cages. Councilmember Weisgerber has talked to Councilmember Callaway about how to improve the look and they will work on that. Information signs will be put up explaining why the cages are there. The floating wetlands will be deployed in a week or so. Councilmember Weisgerber stated that the floating wetlands add oxygen and the oysters filter the water.

The project regarding a wet pond in Sea Colony is moving along. The funding is available, it is currently being surveyed, and they will be coming out with final plans. Hopefully construction will be in the fall of 2018. Stormwater from the southern part of Bethany Beach as well as Sea Colony comes down and dumps into South Bethany's Anchorage Canal. The goal of this project is to trap the stormwater and get rid of most of the pollutants before it dumps into the Anchorage Canal.

- **Planning Commission** – Submitted by Councilmember Shaw:

There has been no Planning Commission meeting since the last Town Council meeting so there is nothing to report. The next Planning Commission meeting will be on the 24th of March.

- **Assawoman Canal Trail** – Councilmember Stevenson reported:

No new information has been received concerning progress on the Canal Trail, however work on the trail continues as evident from the construction visible from Route 26.

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

The committee met on March 8 to finalize plans for a Town Pot Luck Supper on Saturday March 11 at 6 pm in the Town Hall. Those interested in attending should contact Lisa Saxton at saxtonln1@yahoo.com to make a reservation. The event will be held at 6 pm.

The committee continues to study the use of Facebook for the Town and will work with the new town manager to update the website. Lisa Saxton has completed updating backgrounds of the town bulletin boards.

Realtor outreach will be organized for May. Packets of information along with pens and flash drives will be delivered to all local realtors who may use the packets to provide information on town rules and events to our summer guests.

Summer activity plans are underway. Yoga and Boot Camp on the Beach will again be provided. The annual Boat Parade will be held on July 2nd, a Band Concert on July 3rd, and Movies on the Beach will be held on July 13th and August 3rd. The Town will again enter a float in the Bethany Beach July 4th Parade. An additional Pot Luck Dinner is planned as a Beach Party on September 9th.

Volunteers make all these summer activities possible, so consider accepting the call to help our town be "The Best Little Beach in Delaware." Watch for sign up information in the Email updates and on Town Bulletin Boards.

ADJOURNMENT

A motion was made by Councilmember Boteler, seconded by Councilmember Callaway, to adjourn the March 10, 2017, Town Council Regular Meeting at 8:10 p.m. The motion was unanimously carried.

phs:2017 03 10 Regular Meeting Minutes Approved 3 23 17