

**TOWN OF BETHANY BEACH
TOWN COUNCIL REGULAR MEETING
AUGUST 19, 2016 – MINUTES**

The Bethany Beach Town Council held a regular meeting at 2:00 p.m. on August 19, 2016 in the Town Meeting Room, 214 Garfield Parkway, Bethany Beach, DE 19930. Members present for the meeting were: Jack Gordon, Mayor; who presided; Lew Killmer; Chuck Peterson; Bruce Frye; Rosemary Hardiman; Joseph Healy, and Jerry Morris.

Also present were: Cliff Gravier, Town Manager; and Lisa Kail, Administrative Assistant/Town Clerk.

Mayor Gordon called the meeting to order.

Approval of the Agenda

Mr. Killmer moved approval of the agenda. Seconded by Mr. Peterson, the motion was unanimously approved.

Approval of minutes of regular meeting held on July 15, 2016

Mr. Killmer made a motion to approve the minutes. The motion was seconded by Ms. Hardiman and unanimously approved.

Approval of Financial Report

Mr. Peterson advised that this report covers our year-to-date fiscal performance through the month of June. The fiscal year begins on April 1st of each year so we are 33.3% through the year.

Operating Budget Revenues

To date, the Town has collected 58.2% of our budgeted revenue compared to 55.5% at this time last year.

Operating Budget Expenses

To date, the Town has expended 39.1% of our budgeted expenses compared to 38.1% expended at this time last year.

Recognizing that this report is subject to audit, Mr. Peterson moved that Council accept and approve this unaudited financial report. Mr. Killmer seconded the motion and it was unanimously approved.

Announcements/Recognition of Visitors and Public Comment

Mayor Gordon advised that he recently attended a function sponsored by the Bethany-Fenwick Chamber of Commerce where local lifeguards are recognized for their services. Lifeguard of the year for Bethany Beach was Nick Heald. He was thanked for a job well done.

Report from Budget and Finance Committee

Mr. Peterson advised that the Budget & Finance Committee met on July 19, 2016, to discuss the fiscal year that ended in March as well as the first quarter of the current year.

The final review of fiscal year 2016 showed revenues 8% over budget and operating costs 2% under budget. When compared to the prior year, revenue decreased 2% while operating expenses increased 5%. Revenues were lower than the prior fiscal year because of one-time revenues from the Ocean Suites hotel project. All three funds of the Town collected sufficient revenue to cover costs. However the Sanitation Fund is very close to the break-even point so the committee may consider recommending an increase to fees next year.

Results of the first quarter of fiscal year 2017 are as expected. Total revenues are 11% higher due to tax and fee increases. Total expenses for the first quarter are 9% higher than last year due to: attorney fees; funding the Town's portion of the fire department's summer staff; and work on beach access.

The committee also discussed the differences between private and public accounting. Public accounting for governments focuses on accountability and services while private accounting focuses on profits. For governments the budget is an important document that must be followed while it is just a planning tool for private businesses.

The committee will schedule their next meeting in October or November to review results of the second quarter.

Report from Charter and Ordinance Review Committee

Ms. Hardiman advised that the Committee met on August 2, 2016. The members are looking into concerns regarding light trespass from one residential property to another. A night demonstration was given by Blaine Smith, Code Enforcement Official from the Town of Ocean City, MD, on how they handle residential lighting issues. The Committee hopes to finalize the ordinance soon and forward it to Town Council for review.

Report from Cultural and Historic Affairs Committee

Ms. Julie Malewski, Town Entertainment Director and Media Coordinator, read the following prepared report for Ms. Carol Olmstead, Chair of the Committee, who was not able to attend the meeting.

At the May 24th meeting the committee discussed:

1. Possible future Cultural Evenings. The first of which is planned for October with a presentation on the "History of the Indian People of Delaware, 1630-2008"
2. Additional plans for "Periers Day" to be held on July 27th.

3. Updated information regarding the Dinker Cottage. Madeline Dunn of the Delaware State Preservation office has informed us that the National Park Service has advised that the house is eligible for the National Registry in that it has been at its present location since 1923. Mrs. Dunn has suggested that the Ehrett House, built at the same time and having the same original architecture, also be considered for the Registry. She has recommended working with the Ehrett family to facilitate the process for both houses.
4. Future plans for museum docents and a guided tour of Bethany's Heritage Trail of historic homes.

At the July 13th meeting the committee discussed:

1. Final plans for "Perrier's Day". This year we are honoring the US Military that liberated France, including Periers and much of western Europe. An introduction by Mayor Gordon will be followed by a talk by John Roman a WWII veteran who lives in South Bethany and was with the US forces on Normandy on D-Day in 1944. A local band, the WWIlunes will then present music that was performed by the USO during WWII.
2. The Institute of Lifelong Learning has expressed interest in a walking tour of Bethany's Heritage Trail as an offering for their fall program. The requested date is for September 24th from 10:45 until 12:15. CHAC members were asked to volunteer to serve as guides. An introduction regarding how the homes were identified and how the plaques were created will be presented before the tour.
3. A small committee will soon be meeting with Madeline Dunn including some members of the Ehrett family to begin the process of having both the Dinker and Ehrett houses included on the National Registry. Mrs. Dunn has advised that this is a very time consuming process that cannot be rushed. It usually takes anywhere from 6 months to a year to gather information before being presented to the State Preservation Board.

Report from Town Manager

Mr. Gravier gave the following report:

Police Department

Our Police Department has been re-accredited by CALEA, the Commission on Accreditation for Law Enforcement Agencies.

Our Department was the first small department in Delaware and one of a very few nationally to become accredited in 2005. We were scheduled for reaccreditation 2+ years ago (every 4 years an agency must have an extensive onsite review to maintain Accreditation). However, we had some problems with presentation.

Because of this, the Police Department was not able to complete the Accreditation process and began the entire process over. They have just completed the very extensive Accreditation process and were re-accredited at CALEA's National Conference in Baltimore last week. Congratulations to Chief Redmon and his Department and especially to Sgt. Chuck Scharp, the Department's new Accreditation Officer, for his hard work.

Dinker Cottage

We should be days away from receiving our permit from the County for the installation of a sewer line to accommodate the move of the Dinker Cottage. This process has taken longer than we had anticipated, but as soon as we have a permit in hand the contractor is lined up to install the new sewer line. The job should be a brief one and we can then schedule the move of the house.

Blackwater Complex

We have done a locate of our new butler building at the Blackwater Complex and that project is moving along. Our engineer is drawing a more formal site plan and we will be meeting with the contractor's architect to finalize the building design in the next few weeks.

Speed Bumps

Our experiment with speed bumps on Gibson has seen a significant reduction (53%) in traffic on the street over comparable summer weekends. 3,457 cars pre bump (2015) vs 1,596 after bump on a recent weekend.

Atlantic Avenue

Kercher Engineering, Inc. is working to develop visuals for a presentation on Atlantic Avenue. As soon as we have something to present we will have a public meeting regarding the Atlantic Avenue Project.

New Website

We expect to go live with our new website in the next five to ten business days.

Survey Regarding Park

Attached is draft of the park survey that we will be noticing residents about in the next week.

Discussion, Consideration, and Possible Vote for Beach Concession Services for the Summers of 2017, 2018 and 2019

Mr. Graviat advised that a couple of years ago, he recommended that the Town consider operating its own beach concession services. The Town Council rejected the idea. At that time, Mr. Steen, Steen's Beach Services, was awarded a two-year concession, instead of a five-year agreement.

Mr. Steen's contract will expire at the end of the summer. Instead of advertising for possible vendors, Mr. Gravier recommend that Mr. Steen be awarded a three-year contract under the following terms:

First year (2017) - \$73,008.00 per year
Second Year (2018) - \$75,928.32 per year
Third year (2019) - \$78,965.45 per year

Mr. Gravier noted that he has discussed this proposal with Mr. Steen and he is in agreement with it. He added that Mr. Steen is willing to pay the Town the \$13,602 he has saved in the last two years as additional fees upon the execution of the Agreement.

Mr. Gravier asked for a motion to approve a contract for beach concessions to Steen's Beach Service as outlined. Mr. Killmer so moved. Mr. Healy seconded the motion and it was unanimously approved.

Town Council members expressed their thoughts on how this was a very fair agreement and how well Mr. Steen runs his operation.

Discussion, Consideration, and Possible Vote on Adopting a Purpose and Mission Statement for the Board of Assessment

At this time, Mr. Killmer took over as Chair of the meeting.

Mayor Gordon advised that in reviewing possible candidates for a vacancy of the Board of Assessment, it was learned that this is the only committee that does not have a Purpose and Mission Statement. He made a motion to approve the previously distributed Mission Statement which summarizes the activities of the Board. Ms. Hardiman seconded the motion and it was unanimously approved.

Ms. Hardiman explained that some Towns have eliminated the use of Assessment Boards. She asked that this be reviewed in a future workshop. There was no objection.

Discussion, Consideration, and Possible Vote on Resolution to Approve the Final Annual Assessment List As Presented on August 19, 2016

Mayor Gordon advised that the final annual assessment list was prepared in May, 2016. There was one appeal filed and it was later withdrawn. That is the reason for delay in approving it. He made a motion to approve a Resolution accepting the final annual assessment list as presented. Mr. Healy seconded the motion and it was unanimously approved.

Discussion, Consideration, and Possible Vote on Appointment to the Board of Assessment

Mayor Gordon made a motion to appoint Ms. Joan Thomas to the Board of Assessment. Mr. Morris seconded the motion and it was unanimously approved.

Mayor Gordon resumed chair of the meeting.

Discussion, Consideration, and Possible Vote on a Contract Submitted by IG Burton Fleet Sales for the Purchase of a 2016 Chevrolet Tahoe with Police Package

Mr. Gravier asked for a motion to approve a contract submitted by IG Burton Fleet Sales for the purchase of a 2016 Chevrolet Tahoe with police package for the amount of \$33,760.00. He explained that this vehicle will replace a 2010 Dodge Charger in the fleet that has over 100,000 miles.

Mr. Killmer so moved. Mr. Morris seconded the motion and it was unanimously approved.

Mayor Gordon asked for a motion to adjourn. Mr. Killmer so moved. Ms. Hardiman seconded the motion and it was unanimously approved.

Mayor Gordon recessed the meeting at 2:35 p.m.

Respectfully submitted:

Lisa A. Kail, MMC
Administrative Assistant/
Town Clerk