

**Charter and Ordinance Review Committee
Meeting Minutes
August 17, 2006**

The Bethany Beach Charter and Ordinance Review Committee held a meeting on Thursday, August 17, 2006, in the Town Meeting Room.

Members present were: Lew Killmer, Chairman, who presided: Don Doyle, Jane Fowler, Jerry Dorfman, John Gaughan, Chuck Peterson and Fulton Loppatto.

Also present were: John Eckrich, Building Inspector; Carol Olmstead, Vice Mayor; Michael Redmon, Chief of Police; JoAnna Nichols, Administrative Secretary; and interested members of the public.

Call to Order

Mr. Killmer called the meeting to order at 2:05 p.m.

Approval of the Agenda

Mr. Dorfman made a motion to approve the agenda as amended. Seconded by Mr. Gaughan and it was unanimously approved.

Approval of Minutes of meeting held on July 20, 2006

Mr. Gaughan made a motion to approve the minutes. Seconded by Mr. Peterson, and it was unanimously approved.

Review of July's Action Items

No review at this time.

Review Chapter 175 Article IX Disorderly Dwelling Units

Chief Redmon gave an update on disorderly dwelling units in Bethany. To date this year, there have been two. Both occurrences were in July and both were at the same residence.

Chief Redmon explained that initially what happens is the officer is dispatched to the scene and a verbal warning is issued to one or more parties. As a continuation of the first visit, the officer returns later that day/evening to re-examine the situation. If another call comes in for that same location, once the officer arrives he may pull the necessary drivers license(s). Each incident is documented and kept on file.

Chief Redmon said he does not ascertain if the person/party is a renter or property owner. However, if the person is renting, the officer does notify the rental agency who in turn notifies the owner.

Overall Chief Redmon is pleased with the low number of complaints for loud noise and/or disorderly houses.

Mr. Killmer and the rest of the committee thanked Chief Redmon for his time and input on this subject.

Review and Approve Model Mission Statement Prepared by Mr. Loppatto and Mr. Peterson

Mr. Loppatto presented the mission statement that he and Mr. Peterson created. Mr. Killmer as well as the other committee members agreed that it should be worded a little different and be more informative. Ms. Mink, a member of the audience, gave Mr. Killmer her old mission statement and made a few suggestions.

Mr. Killmer moved that this be revisited at the October meeting. All agreed.

Review Section 100 "Commercial Activities and Concessionaires"

There was a lot of discussion about this section of the codebook and although this subject will be revisited at the next meeting, a few changes were made. They are as follows:

- 100-1: Ok
- 100-2: Ok
- 100-3: Permits/Subsection (B) (sidewalks). Public thoroughfare versus sidewalk public right of way. Add a definition of sidewalk/commercial setback to 100-1. Mr. Killmer will gather information from other areas and insert the correct verbiage to have ready for the October meeting.

Mr. Gaughan posed a question regarding right of way, etc. that if someone fell down or was injured in the setback of a merchants business, is the responsibility of the claim to the merchant or the town.

Mr. Killmer would further discuss this with the Building Inspector and then have an answer. Ideally, the long-term goal is to not allow anyone to put things along public right of way, making that a designated area.

- 100-4: Exemptions – selling fish/poultry. Most members felt this should be removed totally from the codebook however, a vote was taken. Six were in favor, and one opposed.

- 104-C: Enforce the structure, to be more secured. This section should provide words describing Bethany Beach as a high wind town that sometimes causes damage to property/people.
- 100-5: Under Fines & Penalties, C is the new A and D is the new B.

The committee members agreed to revisit section 100 at the October meeting.

General Discussion

Mr. Loppatto wanted to clarify his feelings about why certain places throughout the codebook refer to something as the *Town Manager*, *Town Council*, or simply *Town*. He thinks it should be more accurate.

Mr. Killmer said simply, the Town Manager is the gatekeeper and he/she distributes to which department something goes to, etc. There should not be a lot of questions, however, it might be a good idea to make a note in the front of the new codebook stating if anyone has any questions, problems or are unsure, see and/or contact the Town Manager.

Next was choosing a color for the new codebook. Since there are going to be two separate volumes, Mr. Gaughan suggested having two different colors. Committee members liked that idea and a vote was taken. It was decided that Volume I would be Blue and Volume II would be green.

Continuing with discussion of the codebook, the conversation moved towards having it renumbered. All agreed that since the book was being recreated, now would be the best time to make any other additional changes. Mr. Eckrich was asked to get in touch with the town's contact of General Code and get an estimate for the additional work.

Mr. Eckrich will give a report at next month's meeting.

All were in favor.

Discuss Problems Associated With The Moving of Structures in the Town of Bethany Beach (Chapter 80 Article VIII §80-21 and §80-21)

No discussion at this time.

Update and Clarify the Section of the Town Charter Regarding Referendums (Chapter 24 in the Town Charter)

No update at this time.

Due to the upcoming election and the fact that Mr. Killmer was unable to attend next month's meeting, it was recommended that no meeting be held next month.

Therefore, Mr. Dorfman made the motion to have no meeting in September. Mr. Doyle seconded it and all were in favor.

Mr. Killmer made a motion to adjourn the meeting at 3:50 pm. Ms. Fowler seconded the motion and it was unanimously approved.

The next meeting is scheduled for Thursday, October 19, 2006.

Respectfully submitted:

JoAnna Nichols
Administrative Secretary