

**TOWN OF BETHANY BEACH  
TOWN COUNCIL SPECIAL MEETING/WORKSHOP  
FEBRUARY 14, 2022**

Members present for the meeting were: Rosemary Hardiman, Mayor; who presided; Lew Killmer, Jerry Morris, Bruce Frye, Faith Denault, Patrick Sheplee and Scott Edmonston

Also present were: Cliff Gravier, Town Manager; Terry Tieman, Assistant Town Manager; Will Wharton, IT Director and Molly Daisey, Administrative Assistant.

Mr. Gravier advised members of the public how to access the meeting online and how to submit a comment.

Presentation by the Bethany Beach Volunteer Fire Company

Mayor Hardiman introduced Bethany Beach Fire Company (BBFC) President Justin Norman, Fire Chief Shane Truitt, and Assistant Chief Phil Brackin. The Mayor gave a brief introductions of each member of the BBFC. Collectively they gave an overview and answered questions about: The History of the Fire Company, Fire Stations, Fire Districts, Apparatus, Staff, Auxiliary, Training, Call Volume, Special Events, Manpower, Funding, and the future of the Fire Company.

Discussion Regarding the Planning and Zoning Commission Recommendations Regarding Ground Covering on Residential Lots

Ms. Susan Frederick, Building Inspector was recognized. On January 15, 2022, the Planning and Zoning Commission met and approved two following definitions to be added to the Town Code in Section §425-2 Definitions and word usage.

*Previous Materials- Materials that permit water to enter the ground by virtue of their porous nature or by their design using spaces in the installation of the material to allow water infiltration. Examples of permitted pervious materials include sand, gravel, shells, and when installed per current industry standards or guidelines, permeable pavers, pervious concrete and porous asphalt.*

*Natural Area- That portion of the lot that is dedicated to either trees, grass, flowers, bushes, other plantings and/or mulched areas. Mulched areas shall be limited to vegetative ground cover only and not clam shells, decorative stone or other similar hard materials.*

The Commissioners also considered and approved the following language concerning Ground Covering permitted on Residential Lots to be added under Section §425-27 Exterior design requirements for residential buildings.

*C. Ground Covering Permitted on Residential Lots. In all Residential Zoning Districts, except for natural areas, all open-air ground covering including, but not limited to new and substantially improved driveways, parking areas, walkways, at grade decks, and patios shall be of a pervious material as defined. Substantially improved shall mean an existing ground covering is to be more than fifty percent (50%) replaced/repared or resurfaced. Ground covering shall be limited to forty five percent (45%) of lot area of which a maximum of five percent (5%) of the total lot area can be non-pervious.*

#### Review of Draft Comprehensive Plan

Mayor Hardiman thanked Mr. Boswell and all members of the Planning and Zoning Commission who have worked on the draft plan for over a year. This is not a finished product, there is still editing to be done. Some sections like the Goals and Recommended Actions, the Town Council must consider. The Mayor suggested that the Council schedule workshops to consider these edits and additions in March and April. The Town's 2022-2032 Comprehensive Plan is due to the State of Delaware by August 17, 2022. In May a final draft can be reviewed, hold a Public Hearing in June with final approval to be completed in July. The Mayor encourages members of the public to review and provide comments regarding the Comprehensive Plan. A number of graphs and tables still need to be updated. Since this is a draft document, the Planning and Zoning Commission's work will continue until it is ready to be sent to and reviewed by the Town Council.

#### Review of the Loop Canal Study

Mr. Gravier stated that at the Stormwater and Tidal Flooding Meeting last week. McCormick and Taylor reviewed the Bethany Beach Loop Canal Flood Mitigation Concept Impact Study. A copy of the study and the video presentation are available on the Town's website. Mr. Gravier gave a brief history on how this study came about. What this study informs the Town is the impact of constructing a bladder dam in the Loop Canal at its confluence with the Assawoman Canal. The tidal flooding that Bethany Beach experiences comes from the Assawoman Canal, that flows into the Loop Canal then fills the swales, making it impossible, in a rain or tidal event, for the water to drain, unless the tide goes down. A bladder dam could be constructed and activated whenever there was a rain or tidal event. The bladder dam would raise about three (3) feet in height and be effective in preventing most nuisance flooding. The next step would be to create a thirty percent (30%) plan. This would include some of the survey work, soil analysis and other work that DNREC and the Army Corps would require. The estimate cost for this plan would be about \$240,000, and the Town is actively looking to secure grant money for this. There should be a decision in August regarding awarding the grant money.

#### Discussion Regarding an Increase in Residential Parking Fee

Mr. Gravier stated that there was a brief discussion at the last Workshop (held via Zoom) regarding a possible increase in the cost of the second residential parking permit. The first residential parking permit is free.

Currently residents who display a residential parking permit can park in oceanfront beach lots, and not have to pay to park. This has been very well received by the residents. The Parking Department has suggested raising the current fee of \$35 for the second pass to \$50 to help offset the lost generated by this. The Town Council was provided a detailed work up showing this proposed change.

#### Review of the 2023 Budget

Ms. Connery stated that the draft budget for FY 2023 includes \$11,455,000 in revenue, \$9,864,000 in operating costs and \$882,000 in capital projects and debt services. This results in a \$709,000 increase in Town reserves for future needs. At the next Budget and Finance Committee Meeting they will meet to discuss the proposed budget further and vote on their recommendations.

The total revenue budget of \$11,455,000 is an increase of \$894,000, which is eight and a half percent (8.5%). Most of the changes are from revising our estimates for future revenues without any adjustment to the rates we charge. This includes increasing the budget for Transfer Tax by \$200,000, for Rental Tax by \$200,000, for Building Permits by \$150,000, and \$81,000 in smaller adjustments.

A twenty-five percent (25%) increase to trash fees is proposed. The Town plans for trash rate adjustments every three to five years, and it has been five years since the last change. The Town's costs to provide trash services have increased significantly over the past few years, especially the cost of personnel and replacement trash trucks. The proposed twenty-five percent (25%) fee increase would change our residential rate from \$330 to \$410 per year, an increase of \$80. All other residential and commercial rates would increase by the same percent. This is expected to generate an additional \$243,000 per year. The fee will be reviewed again after three to five years.

There is also an increase of \$20,000 in the budget for a \$10 increase to the annual residential parking fee that the Council is considering.

The total operating expense budget of \$9,864,000 is an increase of \$526,000, which is 5.6%. This includes \$357,000 for a 6.3% increase in total personnel costs, most of this is from three new positions; one in Public Works, one police officer and the Assistant Town Manager position that was added mid-year. Other increases include one-time funds to replace beach signs, replace town dumpsters, repaint public works trucks and replace snow removal equipment.

There are two new, large grants this year; \$672,153 from the American Rescue Plan Act (ARPA) and \$297,512 Sussex County Realty Transfer Tax Sharing. These funds along with the annual Municipal Street Aid Grant and Town funds budgeted but unused in FY 2022 provides \$1.65 million for capital projects such as Collins Street, routine paving, drainage and other projects.

The proposed budget includes over \$14 million in Reserves. \$9.4 million in Capital Replacement Reserves, \$1.5 million in Operating Reserves, \$2.8 million in the Storm Emergency Relief Fund and \$350,000 for replacement of filter media in the water plant.

#### Discussion Regarding Mobi Mats and Beach Access

Mr. Gravier stated that the Town does receive praise from citizens that the Town has Mobi Mats. Ramps at Wellington and Ocean View Parkway are handicap accessible, they were designed and built by the Army Corps of Engineers. The Town is not allowed to alter them in any fashion. There are also requests to extend these mats further east to make it easier to navigate walking on the beach, which would create its own set of problems. Mr. Brett Warner, Public Works Director was recognized. Bethany Beach was one of the first to have Mobi Mats, besides Cape Henlopen Beach. They are placed on all streets. Citizens often think that all beach entrances are ADA compliant, they are not. Just the access points at Wellington and Ocean View Parkway are ADA compliant. Each of those have their own set of problems. Vehicular access ramps at Ocean View and Cedarwood Street are also thought to be ADA compliant, they are not. Placing Mobi Mats to run perpendicular to the Ocean is not ideal at all. Maintenance is a huge concern, and beach cleaning, storms and other miscellaneous issues would not make this ideal. Mobi Mats require a lot of maintenance on their own and are manpower intensive. The Town does provide Beach Wheelchairs on a first come, first serve basis.

The workshop was adjourned at 11:46 AM