

**TOWN OF BETHANY BEACH
TOWN COUNCIL MEETING
January 22, 2021**

BECAUSE OF THE GOVERNOR'S COVID-19 RESTRICTIONS, THE BETHANY BEACH TOWN COUNCIL HELD A REGULAR MONTHLY MEETING VIA TELECONFERENCE (ZOOM) AT 2:00 PM ON FRIDAY, JANUARY 22, 2021 IN THE TOWN MEETING ROOM, 214 GARFIELD PARKWAY, BETHANY BEACH, DE 19930.

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

Also present were: Cliff Gravier, Town Manager; John Apple, Assistant Town Manager.

Mayor Hardiman called the meeting to order.

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

Approval of the Agenda

Mr. Killmer moved approval of the Agenda. Mr. Morris seconded the motion. The motion was unanimously approved.

Approval of minutes of Regular Meeting held on November 20, 2020

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

Approval of minutes of Public Hearing held on November 13, 2020

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

Approval of minutes of Tax Assessment Meeting held on November 20, 2020

Mr. Frye so moved. Mr. Sheplee seconded the motion and it was unanimously approved.

Approval of the Financial Report

Mr. Morris advised that this report covers the budget thru December 31, 2020. The Town is 75% thru Fiscal Year 2021.

Operating Budget Revenue

The Town has collected 88.8% of the budget revenue compared to 102.7% this time last year.

Operating Budget Expenses

The Town has expended 68.6% of its budget expenses, compare to 76.6% at this time last year.

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

Approval of Tax Adjustment List #1

Mr. Morris made a motion to approve Tax Adjustment List #1 as presented. Mr. Healy seconded the motion and it was unanimously approved.

Announcements

Ms. Hardiman gave a brief update on the State of Delaware's Vaccine approach.

Report from the Town Manager

Mr. Gravier gave the following report:

THE H IS BACK ON PARK SIGN!!!

Brett had a difficult time trying to replace the H. The support structure for the H was badly damaged when someone pried it off the wall.

BEACH REPLENISHMENT

Continues at a slower pace than was expected because of ongoing mechanical issues with individual components of the replenishment. Problems with the dredge, problems with the pump, problems with the vessel have all dead-lined the project on multiple occasions during their time in Bethany. It does not seem at this time that they will be clear of our beach by the end of January and will be working deep into February. Our 30-day project is now on day 46.

Unlike the larger dune and beach rebuilding replenishments that we have had where sand lost during the replenishment was replaced before the project was signed off on, sand lost while this project is being completed is not being replaced. So, we already have less sand than was placed on the beach just a few weeks ago. But we are still much better off than we were.

Bethany Beach YouTube Channel

We are trying to slowly build content on our YouTube channel. Please take the time to check it out. Julie is doing a great job creating videos specific to Bethany Beach. If you have any ideas on topics for our video library, please let us know and we will see what we can do. We are also working to be able to use the YouTube channel as an effective platform to view and store Town meetings. Again, please take the time to watch them and offer suggestions. Ultimately, we should be able to broadcast live meetings with a user-friendly comment feature.

<https://www.youtube.com/BethanyBeachGov>

Entertainment Schedule

Council and staff have recently discussed changing our entertainment schedule in order to create more things of interest to do or see in Town during our increasingly popular spring and summer shoulder seasons. We have designed a schedule that for the first time has events from late April to the end of October. In doing this we also decreased the number of Town events during June, July, and August and scheduled those events for the peak summer months and only on weekdays. I have attached a draft schedule.

Water Plant

On today's agenda you see an expenditure of \$79,500 for a new 250 KW generator for our water plant. In October there was a power surge that kicked power off at the water plant and caused the generator to turn on to supplement power to the plant. This generator has the capability to run the entire plant and all of its processing and pumping functions. It was originally installed when the plant was built in 1992. While running during the outage in October the water pump stopped working and the generator's engine overheated, seized and was damaged beyond repair.

Replacement cost for an in-kind installation is \$79,500 and those monies are contained in this year's capital budget for the water plant

Route 1 Pedestrian Crossings

The Delaware Department of Transportation has confirmed that they will be proceeding with constructing pedestrian crossovers and warning lights on Route 1 at Central Boulevard and Route 1 and Oceanview Parkway in the next 90 days. The cost for this initiative is being split between DELDOT and Bethany Beach. The work at Central Boulevard will cost in excess of \$90,000 dollars and the work at Ocean View Parkway, which will cost \$65,000, will be a Bethany expense. The approval for the work at Ocean View Parkway will be on the February Council Agenda.

Budget 2022

I have asked Janet to develop budget numbers that reflect a pre/post Covid world. Rather than try to guess about what if any revenue losses we may or might not sustain and create a budget where expenditures are greater than revenue, I would rather amend the budget later to show exactly what changes our Covid response (if any) causes in revenue loss or additional expenditures.

I have, however, asked her to only include one significant capital project in the budget and that is the stabilization of the Loop Canal bank because its deterioration is ongoing, and repair will become significantly more expensive if we wait to make repairs and bulkhead and rip rap the land spit.

Collins, Kent, Wellington

It seems like ages ago: The Council will remember that Alan Kercher's original (informal) estimate to construct a pedestrian pathway on Collins was \$125,000. Then we wanted a pathway made of pervious paving to allay concerns over ponding of rainfall (which is minimal at best) and that drove cost to over \$250,000. Now we have a plan for an asphalt (not pervious pavement) pathway/walkway down Collins, continuing along the west side of Kent to the Library. At the Library there will be a dedicated crosswalk to the south side of Wellington Parkway with a pedestrian warning light and a continuing walkway in the 300 block of Wellington to Route 1. DELDOT has given us permission for the walkway and the crosswalk on Kent Avenue as long as we pay for it. I have attached the engineer's estimate for the cost for all this work. I would type the estimated cost, but I'm sure the keyboard keys would burn my fingers. [Cost is estimated to be \$610,987.01.]

(First Reading) Discussion, Consideration of an Ordinance Amending Chapter 525, Personal Wireless Services Facilities

Synopsis

Establishes Standards to Govern the Use, Construction and Siting of Personal Wireless Facilities

Mr. Graviet advised that New Business A, B and C are all related, having to do with installation of small cell wireless antennas in Bethany Beach. Item A, Chapter 525, deals with the construction of small cell antennas outside the public right-of-way. This would allow the Town to regulate the arrays of small cell antennas.

(First Reading) Discussion, Consideration of An Ordinance Amending Chapter 493, Streets and Sidewalks

Synopsis

Establishes a Process for Managing, and Uniform Standards for Acting Upon, Requests for the Placement of Wireless Facilities within the Public Right-of-Way

Mr. Graviet explained that this Ordinance allows the Town to administer the permitting process and listing of conditions for approval.

(First Reading) Discussion, Consideration of a Draft Resolution Establishing Design and Development Standards for Wireless Facilities in the Public Right-of-Way

Mr. Graviet advised that this is a very 'basic' resolution. This will allow the Town to be able to control stealth applications.

Ms. Hardiman announced that copies the Ordinances and Resolution are available for view on the website.

Discussion, Consideration and Possible Vote on the Following Committee Member Appointments:

- a. David Mercanti to the Audit Committee
- b. Mickey Hinman to the Budget and Finance Committee; and
- c. Lew Killmer as Council Liaison to the Planning and Zoning Commission

Ms. Hardiman stated that bios for each appointment have been given to Council Members.

Ms. Hardiman made a motion that David Mercanti be appointed to the Audit Committee. Seconded by Mr. Morris it was unanimously approved.

Ms. Hardiman made a motion that Mickey Hinman be appointed to the Budget and Finance Committee. Seconded by Mr. Morris it was unanimously approved.

Ms. Hardiman made a motion that Lew Killmer serve as Council Liaison to the Planning and Zoning Commission. Seconded by Mr. Morris it was unanimously approved.

Discussion, Consideration and Possible Vote on a Contract Submitted by Fidelity Engineering Corporation to Supply and Install a New 250 KW Generator Transfer Switch in the Amount of \$79,500

Mr. Gravier asked for a motion to approve the contract submitted by Fidelity Engineering Corporation for the amount of \$79,500. Mr. Frye so moved. Mr. Morris seconded the motion and it was unanimously approved.

Mr. Gravier responded to one public comment regarding an aerial walkway across Route 1 at the park. There were no further questions or comments from the public. There being no further business, Mayor Hardiman closed the meeting at 2:39 pm

Respectfully submitted:

*Molly Daisey,
Administrative Assistant*