

TOWN OF BETHANY BEACH
TOWN COUNCIL MEETING
April 21, 2023

The meeting could be viewed on two internet platforms:

The Town's Website at: www.townofbethanybeach.com - click on the Government Tab, then go to the left side of the page and click on Live Video Broadcast

or

Go to our YouTube page at: www.YouTube.com/BethanyBeachGov

Members present for the meeting were: Rosemary Hardiman, Mayor, who presided, Lew Killmer, Jerry Morris, Patrick Sheplee, Scott Edmonston, Mickey Hinman and Ron Calef.

Also present were: Cliff Graviet, Town Manager; Terry Tieman, Assistant Town Manager; Molly Daisey, Town Clerk; and Will Wharton, IT Manager.

Mayor Hardiman called the meeting to order at 2:00 p.m.

Approval of the Agenda

Mr. Killmer made a motion to approve the agenda. Mr. Morris seconded the motion and it was unanimously approved.

Approval of minutes of Workshop/Special Meeting held on March 13, 2023

Mr. Killmer made a motion to approve the minutes. Mr. Sheplee seconded the motion and it was unanimously approved.

Approval of minutes of Public Hearing held on March 13, 2023

Mr. Killmer made a motion to approve the minutes. Seconded by Mr. Morris, the motion was unanimously approved.

Approval of minutes of Regular Meeting held on March 17, 2023

Mr. Killmer made a motion to approve the minutes. Mr. Edmonston seconded the motion and it was unanimously approved.

Approval of the Financial Report

Mr. Morris advised that this report covers the budget through March 31, 2023. The Town is 100% through Fiscal Year 2023.

Operating Budget Revenue

Real estate transfer tax and rental taxes continue to be above budget. To date, we have collected 111.8% of the budget compared to 126.7% last year.

Operating Budget Expenses

The Town has expended 101.3% of our budget compared to 95.9% this time last year. Recognizing that the report is subject to audit, Mr. Morris respectfully moved that the Council accept and approve the unaudited report. Mr. Sheplee seconded the motion and it was unanimously approved.

Announcements/Recognition of Visitors and Public Comment

There were no comments.

Report from the Planning and Zoning Commission

Mr. Michael Boswell, Chairman of the Planning Commission, was not at the meeting. Therefore, Mr. Edmonston gave the report. He advised that the Commission met on March 18, 2023. The members voted to approve an application for a lot partitioning at 224 Maplewood Street. This will allow the owners to keep their historic home and build a new home on the adjacent lot. The Commission also voted to forward the final draft of the Comprehensive Development Plan to the Town Council.

Report from the Stormwater and Flooding Committee

Mr. Calef, Chairman of the Committee, reported that the Committee met on March 20, 2023. He said that Mr. Gravier briefed the members on several ongoing projects including the bladder dam project, beach replenishment and boardwalk crossings, back bay study, boring study, sea grant study, the Delaware Department of Transportation's (DelDot) Route #1 initiative, bulkhead and Loop Canal studies, and White's Creek/Assawoman Canal Dredging project. The members also discussed newly adopted ordinances and plans on how to communicate best practices for these to the public. A pamphlet will be designed and possibly an A-Frame sign will be posted in the downtown area.

Report from the Fourth of July Parade Committee

Mr. Bruce Frye, Chairman of the Committee, was recognized. Mr. Frye advised that the members met on April 17, 2023. They discussed the process of selling T-Shirts and the volunteer schedule. There are five bands scheduled to be in the parade. Bicycle kits are ready to go and they will include the Bicycle and Pedestrian Safety Committee's new pamphlet regarding the W.A.V.E. initiative. The Addy Sea has offered to have a no-cost lemonade and water station on their property for parade goers. And, the Bethany Beach Police Department will be doing Code-Red announcements notifying people of street closures before the parade begins. The next meeting will be held on June 12, 2023.

Report from the Bicycle and Pedestrian Safety Committee

Mr. Hinman, Chairman of the Committee, gave a PowerPoint presentation. He thanked the members of the Committee for their hard and dedicated work. He explained that the members have worked to create a public awareness campaign called W.A.V.E for Safety in Bethany Beach. W.A.V.E. stands for Wait/Watch, Assess, Verify, and Engage/Enter when considering traffic patterns and cross walks. The members will be sharing the message at upcoming Town events. There will be brochures designed, T-shirts and stickers made, and a video created. The campaign will also be added to social media connections.

Town Council members thanked Mr. Hinman for his presentation.

Mr. Morris said that he_hopes they are able to communicate the flashing yellow lights on Rt. 1

does not mean it is immediately safe to cross the street. Mr. Hinman agreed with that, and said this will be included in discussion with visitors.

Mr. Killmer raised the concern of motorized bikes. People need to be on the lookout for them as well, many times they are on the sidewalks.

Mr. Graviet advised that South Bethany has added signs that read: "Warning- Don't Assume you Have Been Seen". Bethany Beach is replicating those signs and will post them as well.

Mr. Edmonston stated that once you press the button to cross the street, yellow lights flash on both sides of the street. Even though pedestrians are not across the street yet, drivers do not stop.

Mr. Hinman agreed with this concern and it is something they do plan to work on. Vehicles are harder to engage with, but they will try and address that.

Mr. Graviet stated that he will ask DELDOT about this issue.

An audience member suggested that yellow lights encourage drivers to speed up, is it possible to use red lights?

Mr. Graviet added that the Town has no control over Delaware Rt. 1. What Delaware offers is the rapid flashing beacons. The Town has asked the State about additional red lights, and it was not approved.

Mr. Hinman thanked everyone for their feedback.

Report from the Town Manager

Based on Mr. Hinman's presentation, Mr. Graviet offered the help of Town Staff to assist other Committees in making PowerPoint presentations for Town Council meetings.

Mr. Graviet reported on the following:

Beach Replenishment

Replenishment began a couple of weeks late in Rehoboth Beach on the 16th of April. They are not pumping at full capacity because of mechanical problems with equipment. The tentative date for replenishment to begin in Bethany Beach is May 19th. He said he anticipates the start being very close to Memorial Day. It will take two weeks to complete the project. This is a very optimistic schedule and as we know mechanical issues and weather impact this schedule. Schedule aside, there is good news in that the United States Army Corps of Engineers (USACE) has added an additional 75,000 cubic yards of sand to our project to bring us up to a total of 325,000 cubic yards for our project.

Parking

We will be replacing all our single head coin operated meters with "Pay Stations" this year. We had 150 of those meters still in use on north and south Pennsylvania Avenue. We will be adding 7 more

Pay Stations in the areas where we previously had meters and that will bring the total number of Pay Stations in Town to 52. It is Hard to realize that it wasn't that long ago that "Pay to Park" had 1000 mechanical meters that had to be individually maintained and emptied multiple times a week.

Water Department

As you all know, we pull our potable water from deep aquifers. This is a positive in that there is little to no infiltration of man-made substances into deep aquifers. The negative is there are more naturally occurring substances that need to be removed, which in our case is an inordinate amount of iron. To separate the iron from our water system we use a clarifier. The clarifier is a 40-year-old 56' wide concrete circular structure that is built on a man-made hill. The clarifier is one of the most critical pieces of equipment we use in our delivery of potable water to the community, yet its construction and function has always been problematic for the water department. For over a decade the water department has explored various options to rectify ongoing issues with the clarifier. Earlier this year we commissioned the engineering firm we use for our water system to do an in-depth study of the clarifier, its design and possible solutions to existing issues and also explore the possibility of creating some redundancy in our ability to remove iron from our drinking water. They have completed a comprehensive review of the clarifier and its functioning within our water system and presented 5 alternatives for the Town's consideration going forward. The option the Water Department believes is the most practical, and the only one that also creates much needed redundancy, is the construction of another modern clarifier at the Town's Water Plant, while at the same time retaining the existing clarifier for redundancy. The estimate for this is work \$2 million dollars. This project will be the topic of a future Council Workshop. We would most likely use the States Revolving Water Fund (the same fund we used for the construction of our new water tower) and would require a public referendum. In addition, there will most certainly be push back from neighbors with the construction of an additional clarifier and further, this construction might push the fence on the east side of the property further east.

Bethany Beach App

We have put together a working group of staff that Julie Malewski, Entertainment Director, chairs and we are developing a Bethany Beach App. As an example of what we are trying to accomplish, I ask when you have a chance you download and visit "The Experience Ocean City" app that is sponsored by their Chamber of Commerce. We hope to have a very comprehensive and readily accessible amount of information contained in the app that covers all of our most frequently asked questions and areas of interest for both visitors and residents.

Bike Lane Signs

We have received complaints about the red bike lane signs that you see in a couple of locations in Town. They are large, on two posts and installed in the middle of the shoulder. These are not Bethany signs, but signs installed by the contractor that is working the State improvements on Jefferson Bridge Road. DELDOT requires they be installed in a certain geographic radius of this project and will be removed when the project is complete.

Possible Federal Funding for Lake Bethany Land Strip

One of Terry Tieman's, Assistant Town Manager, main responsibilities is working with our grant coordinator and looking for sources of funding for our various projects and initiatives and she has been very successful in a short period of time in doing this for us. Terry and Lisa Chase, our grant

coordinator, had submitted the \$843,000 cost for the needed work on the Lake Bethany Land Strip to our Congressional Delegation for possible Federal funding. We are pleased to note that Representative Lisa Blunt Rochester has chosen this project to submit to the House Appropriations Committee for consideration.

Trash Pick Up Schedule

In working on our pilot project in Lake Bethany regarding the use of roll out trash containers, Terry Tieman was struck by our trash pickup calendar and the fact that was 12 pages long. At Terry's direction, Andrea Harpster, staff member, revised the calendar and it is now condensed to two pages. We missed the opportunity to send it out with our calendars and we will explore the idea of making it a refrigerator magnet and mailing them to residents.

Donations to the Bethany Beach Volunteer Fire Company and Friends of the South Coastal Library

Mayor Hardiman presented donations to Brian Martin, President of the Bethany Beach Volunteer Fire Company and to Barbara Calkins, President of the Friends of South Coastal Library. Both Mr. Martin and Ms. Calkins thanked the Town for its generosity and reviewed upcoming events for their organizations.

Discussion, Consideration and Possible Vote on a Supplement to the Fiscal Year 2023 General Fund Operating and Capital Budgets

Mr. Morris explained that this amendment adjusts the previously approved fiscal year 2023 Operating and Capital Budgets to better match end results. During the year the Town experienced cost increases higher than were anticipated when the budget was originally prepared over a year ago.

The Operating budget is being supplemented by \$300,000 due to increased costs for personnel and diesel fuel, also for irrigation improvements in Central Park, survey and mapping of the Loop Canal, and flooding studies.

The Capital budget is being supplemented by \$21,000 to cover higher than budgeted costs to purchase three vehicles.

Mr. Morris made a motion to approve this supplement to the FY 2023 Operating and Capital Budgets. Mr. Killmer seconded the motion and it was unanimously approved.

Discussion, Consideration and Possible Vote Regarding Adjusting the FY 2023 Special Fund Budget to Match Grant Funds Actually Received

Mr. Morris advised that the Town applies for grant funds from Federal, State, and other sources. The fiscal year 2023 budget was prepared over a year ago using estimates of the minimum grant funding we expected. Grant funds awarded to the Town have exceeded these early estimates by \$840,088. Most of these additional funds came through State agencies. The Town appreciates the State's financial assistance with several Town projects. This amendment will adjust the revenue and expense budget of the Town's Special Fund to match the grant funds that were actually awarded to the Town during the past year.

Mr. Morris made a motion to approve this supplement to the FY 2023 Special Fund Budget. Mr. Edmonston seconded the motion and it was unanimously approved.

Discussion, Consideration, and Possible Vote on the Town's Investment Policy

Mr. Morris explained that per it's policy, the Town invests with the highest priority on preservation of principal followed by liquidity then return on investment. The Town diversifies its investments by type, institution, and maturity date. Investments are restricted to two years or less. The Town requires proof of collateral whenever account balances exceed the FDIC insured amounts.

The Town's Investment Policy and a list of investments are reviewed by the Town Council every April, both were provided to the Council in advance of this meeting. CDs purchased close to two years ago are only paying a fraction of a percent, while newly purchased CDs are paying around 5%.

Mr. Morris made a motion to approve the Town's Investment Policy for another year. Mr. Sheplee seconded the motion and it was unanimously approved.

Discussion, Consideration, and Possible Vote to update the Town's Purchasing Policy

Mr. Morris stated that The Town's Purchasing Policy was established in May of 2014 and was last updated in August 2021. The Policy sets the Bidding Requirements for when three quotes/bids are required and when a Formal Bid or RFP process must be followed. The Policy states "The Town references thresholds set by the State of Delaware. When the State modifies a threshold the Town policy is adjusted to match."

In January the State increased the threshold needed for formal bidding and in March they increased the threshold for Open Market Purchases. The proposed changes to the Town of Bethany Beach Purchasing Policy incorporate both these changes. The previous and new amounts are on the information provided prior to this meeting.

Mr. Morris made a motion to approve these revisions to the Town's Purchasing Policy. Mr. Killmer seconded the motion and it was unanimously approved.

Discussion, Consideration and Possible Vote to add Matt Kirks as a member of the Stormwater and Flooding Committee

Mr. Killmer took over as Chair of the meeting.

Mayor Hardiman explained that Mr. Matt Kirks has attended many of the Stormwater and Flooding Committee meetings and has shown a keen interest in their work. Mr. Calef, Chairman of the Committee, asked that he be added as a member. The Council was provided a copy of Mr. Kirk's resume and he is more than qualified to serve on the Committee.

Mayor Hardiman made a motion to add Matt Kirks as a member of the Stormwater and Flooding Committee. Mr. Edmonston seconded the motion and it was unanimously approved.

Discussion, Consideration and Possible Vote on a Contract Submitted by IG Burton for the Purchase of a 2023 Chevrolet Tahoe Police Package Vehicle for the Amount of \$45,995

Mr. Gravier asked for a motion to approve a Contract Submitted by IG Burton for the Purchase of a 2023 Chevrolet Tahoe Police Package Vehicle for the Amount of \$45,995. He noted that this will become part of the police department's fleet due to the increase of two police officers. He advised

that a grant was received from Sussex County for \$30,000 for this purchase and the remaining \$15,995 will be paid by Town funds. Mr. Killmer so moved. Mr. Sheplee seconded the motion and it was unanimously approved.

Mayor Hardiman asked for a motion to adjourn. Mr. Hinman so moved. Mr. Sheplee seconded the motion and it was unanimously approved.

Respectfully submitted:

Lisa A. Kail