

**Town of Fenwick Island
Minutes of the Charter & Ordinance Committee Meeting
September 6, 2016**

Call to Order at 9:30 a.m.

Present: Committee Members Bill Weistling, Winnie Lewis, Diane Tingle, Mike Quinn, Roy Williams, Buzz Henifin, Ben Waide, Doug Lopez, Chief Boyden and Pat Schuchman

Public in Attendance: Julie Lee, Bernie Merritt, Kevin Carouge, Richard Benn

Minutes:

- Diane Tingle made a motion to approve the minutes of August 2, 2016 seconded by Buzz Henifin. Motion passed.

Issues for Discussion & Possible Action:

- Bill Weistling continued discussion on Voting from the last C&O meeting. Any further discussion will be forwarded to Town Attorney for her opinion. Mr. Weistling commented that any change to the Charter must not only pass a First and Second Reading, it must then be sent to the State legislature before the January State Assembly meeting before it can be formally adopted.
- The discussion continued of whether to allow spouses of trustees to vote whether or not they are full time residents. South Bethany continues to allow “spouses of freeholders” to vote which is what the Town of Fenwick Island previously allowed prior to the Charter change in 2008.
- Ben Waide questioned whether the Town should limit the number of persons who can vote and was told that the Town Attorney cautioned to not consider limiting the number of persons who can vote.
- Julie Lee commented she would like to the allowance of spouses to vote to be simplified but cautioned against something that would allow one person to vote more than one time.
- Richard Benn added that the term “freeholder” may need to be re-defined.
- Roy Williams clarified that an artificial entity will continue to allow only one vote per entity.
- Mr. Weistling stated he will submit to the Town Attorney the intent of Town Council is to allow spouses of trustees to vote whether they are residents or not.
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- The Town Attorney also cautioned that the designee of an artificial entity must be a proven member of the entity. This would qualify this person as a candidate to vote. She recommended that the Town require a new POA each year.
- She will also be asked to come up with a term that defines a “bona fide resident”.
- Roy Williams asked if a Charter change to allow a member of an artificial entity to be a candidate for Town Council could become effective before the 2017 Town elections. Mr. Weistling answered it is possible if the State General Assembly approves the Charter change at the January session.
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- The Town Council passed a second reading of Chapter 120 to require professionally engineered plans be submitted for any new construction or disturbance of the original footprint of the property.
- In response to a request by Vicki Carmean, it will be amended to include that any changes to the previously approved plan must be submitted to the Building Official for approval. The amendment will be prepared for a First Reading at the September Town Council meeting.
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- Richard Benn also brought up at previous meetings that the FAR requirements for no more than four bathrooms is unnecessarily restrictive since the FAR limits the square footage of a house.

- A lengthy discussion continued with all members but Doug Lopez agreeing on increasing the number of allowed bathrooms to five full baths and one half-bath.

Comprehensive Plan:

- Winnie Lewis stated that the next Planning Commission meeting will be held on Tuesday, October 11, 2016 at 1:00 p.m.

Next Meeting:

- October 4, 2016 – 9:30 a.m.
 - Charter – Voting
 - Chapter 160 - FAR

Old:

- Roy Williams asked if a hotel zone has yet been discussed at the Planning Commission meetings. Pat Schuchman answered that the Planning Commission still has not yet submitted their final draft to Town Council.

New:

- None.

Adjourn:

- Diane Tingle made a motion to adjourn the meeting, seconded by Doug Lopez. The meeting was adjourned at 11:10 a.m.