

MINUTES

The Mayor and Council met in regular session on Wednesday, January 14, 2015 at 6:00 p .m. in the meeting room in City Hall.

PRESENT

Kimberly B. Lawson, Mayor
Charlotte Scott, Council Vice President
Mike Atkins, Councilman
Erik Emely, Councilman
Mark Konapelsky, Councilman
Joyce L. Morgan, Clerk-Treasurer
Michael Sullivan, City Solicitor

Absent – Councilwoman LaVerne Johnson

Also in attendance; Valerie Swift, Secretary; Kerry Palakanis; Rhonda Daum; Katy Smart; Bernice Evans;

Pat Tabor; Dave Hoover; Paul Hoover; Jason Loar; Debbie Gates; Rick Taylor; Lonnie Luedtke; James

Parkinson; Lawrence Daisey; Chris Hill; Ralph Oakes; Whitney Elliott; Hiram Henderson; Mark Hoover;

Betsy & Adam Thompson; Andrew Haynie, PKS, Lee & Lynne Brumley; Ronnie Howard; Mike Tabor.

Mayor Lawson called the meeting to order with the Lord’s Prayer and the Pledge of Allegiance.

Mayor Lawson noted that there was a large power point as well as a closed meeting following the regular meeting. He asked that Public Input be limited.

PRESENTATION OF CERTIFICATE OF APPRECIATION

Councilman Konapelsky presented Adam and Betsy Thompson with a Certificate of Appreciation to thank them for their beautification of Crisfield and the first annual Crab Pot Christmas Tree.

POLICE DEPARTMENT ANNUAL REPORT BY CHIEF TABOR AND PRESENTATION TO OFFICERS

Chief Tabor presented and reviewed the Department’s annual report followed by a presentation of Commendations to each police officer and staff member.

Councilman Konapelsky commented concerning the lack of respect for police officers today, and stated that he stands behind each one proudly, thanking them for the job they do.

MOTION TO ACCEPT AGENDA

At this time, Councilman Atkins made a motion to accept the agenda for this evening's meeting. Motion seconded by Council Vice President Scott, and carried unanimously.

APPOINTMENTS – TERRY PEHAN & PHIL RIGGIN – HISTORICAL SIGN PROOF PRESENTATION

Mr. Pehan presented proofs of the historical signs that were being prepared. He advised that they have a 20 year construction warranty. Mr. Riffin thanked everyone for their support and advised that they would be installed in March.

Mayor Lawson noted that installation would be at the depot pavilion, Jersey Island, and the foot of 10th Street. He noted that signs would be placed in the proposed Green Space at a later date.

Mayor Lawson also made reference to having the Planning Commission review placing concrete at the end of the depot for benches for a pocket park.

Mayor Lawson also made reference to the need for a "load and unload" designation at Goodsell Alley.

At this time, Councilman Emely made a motion to have the Planning Commission review the proposed Pocket Park at the end of the depot. Motion seconded by Councilman Konapelsky and carried unanimously.

APPROVAL OF MINUTES

Councilman Emely made a motion to approve the minutes from the Closed Meeting of September 29, 2014. Motion seconded by Council Vice President Scott and carried unanimously.

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Councilman Atkins made a motion to approve the special meeting of December 3, 2014 and the regular meeting of Wednesday, December 10, 2014, as written. Motion seconded by Councilman Emely and carried unanimously.

ANNUAL AUDIT REPORT PRESENTED BY ANDIE HAYNIE OF P.K.S.

Mr. Andy Haynie of P.K.S. reviewed the annual audit report for the City of Crisfield. He advised that the City had received an Unmodified Opinion, which is the highest level. Mr. Haynie noted that that the City had a positive cash balance at the end of the year. He also noted that there had been a huge dip in tax revenue since 2011.

Mrs. Morgan advised that this was due to the decrease in assessments every year.

DEPARTMENT HEAD REPORTS CONT'D

Mayor Lawson introduced Dean Bozman, the new Code Enforcement Officer. Mr. Bozman reviewed his report and advised that he has an "open door" policy. He advised that he will be fair and will follow City Code. He advised that he has been working on bids for the problems at the Armory and also getting bids on the Fire Dept. floor and heating system. He noted that he would like to go street by street, and contact the owners of vacant houses to clean up the City. He also noted that he is meeting with a representative concerning solar panels for the City.

Mayor Lawson thanked Councilman Konapelsky for assisting Mr. Bozman. He also requested that Mr. Bozman contact students in upper grade levels who need service hours, to help with various clean up.

Mayor Lawson also noted that Mr. Bozman had recently lost his mother, adding that he is a good guy.

UPDATE ON WIND TURBINE

Mayor Lawson advised that the wind turbine would be delayed until the end of March.

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Jason Loar, City Engineer presented a brief overview concerning the reason for the delay. He noted that official contract ended on 12/31/14.

Councilman Konapelsky inquired about fines for the delay. Mr. Loar advised that there are liquidated damages.

Mayor Lawson also noted that residents of the Old State Road water line association will be meeting here at City Hall.

Mrs. Morgan, Clerk-Treasurer, noted that the financial report for six months was in the Council's packet.

BUDGET AMENDMENT ORDINANCE 1ST READER RE: CITY MANAGER FUNDING

Mrs. Morgan reviewed the proposed amendments to the 2014-2015 Budget. She advised that \$30,823 is available for appropriation for funding the City Manager's salary.

Councilman Atkins presented a Power Point Presentation concerning the proposal for a City Manager.

Councilman Emely stated that the request for ideas had been out for a month and questioned why

Councilman Atkins had waited until now to make this presentation.

Council Vice President Scott questioned if the \$36K in legal fees would be reversed. Mrs. Morgan noted that some figures belong in last fiscal year.

Mr. Sullivan reminded the Mayor and Council that a Super Majority vote is needed to amend the Budget in the middle of the year. He noted that Councilwoman Johnson is absent today and that there needs to be four to vote.

Mayor Lawson stated that the City still needs to continue with approving the job description, advertising for the position, and going through the vetting process. He added that he doesn't feel that the City has the funding source right now.

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Council Vice President Scott noted that the \$36K will be reimbursed. She added that the City also needs to look at other equipment that is needed and sharing the Barton flow equipment.

At this time, Councilman Konapelsky made a motion to adopt for First Reader an Ordinance amending the 2014-2015 Budget. Motion seconded by Councilman Emely. Motion carried by Council Vice President Scott and opposed by Councilman Atkins. Motion failed due to lack of Super Majority vote as per the requirement of Sec. 5-205 of the Local Government Article.

FINAL APPROVAL OF CITY MANAGER'S JOB DESCRIPTION

At this time, Councilman Konapelsky made a motion that the Council review the fulltime job description for the ad for City Manager by email, and give an opinion by the end of the week, to advertise next week for advertisement in the local paper by 1/21/15. Motion seconded by Councilman Atkins.

During discussion, Council Vice President Scott requested that we also add "five years successful business experience" . Mayor Lawson also made reference to using the Municipal Employee guide and requested that the add be open to receive applications until 2/28/15. Motion carried unanimously.

2ND READER ORDINANCE 642 – CHANGE IN ZONING FEES

Mr. Sullivan reviewed the Ordinance for 2nd Reader. At this time, Councilman Emely made a motion to adopt the Ordinance for 2nd Reader. Motion seconded by Councilman Konapelsky and carried unanimously.

PLANNING COMMISSION RECOMMENDATIONS

Mayor Lawson reviewed the Planning Commission's recommendation for the consolidation of lots 483 and 484 at 454 Charlotte Avenue. Councilman Emely made a motion to accept the recommendation of the Planning Commission. Motion seconded by Councilman Konapelsky and carried unani-

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mously

Mayor Lawson reviewed the recommendation of the Planning Commission for the splitting of lot 355 on map 101 on Wellington Road into two parcels. Councilman Emely made a motion to accept the recommendation of the Planning Commission. Motion seconded by Council Vice President Scott on the condition of potential consequences of subdivision. Councilman Konapelsky noted that he will review Critical Areas laws to make sure the lots will not become unbuildable due to current and new Critical Areas laws.

Mayor Lawson noted that the Planning Commission's recommendation that the 4th and Broadway stop sign remain the same be tabled to hear testimony from the Planning Commission for their reasoning, as well as others who feel it should be changed.

FLOODPLAIN MANAGEMENT ORDINANCE FIRST READER

Mr. Sullivan reviewed the Floodplain Management Ordinance for First Reader. He advised that it must go into effect by 2/4/15.

Councilman Atkins made a motion to adopt the Ordinance for First Reader. Motion seconded by Councilman Konapelsky and carried unanimously.

MAYOR AND COUNCIL DISCUSSION

Mayor Lawson made reference to a new tax differential law and noted that he had attended a meeting with a group in Ocean City. He advised that he would like to invite the group to meet with the Council and do a study and advise the County Commissioners.

Councilman Emely made a motion to allow Mayor Lawson to invite the group to meet with them.

Motion seconded by Councilman Atkins and carried unanimously.

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Councilman Emely noted that he had nothing for this discussion, but would be picking up at the next meeting the Action Items of Parking on Main Street and the Impound Lot.

Council Vice President Scott advised that she had been working with HUD concerning home ownership and would like to move forward with that. She also made reference to the Barton Flow system needs list she would be presenting to USDA per Mr. Frock.

Councilman Konapelsky advised that he would like to extend his support to MSP and the Sherriff's Department advising that it is important to support them.

Councilman Atkins advised that he had nothing to report.

Councilman Emely reminded to put Main Street Parking on Action Items.

Mayor Lawson made reference to changing signs on 9th Street to 11th Street on the West side of Main Street from "No Parking Dusk to Dawn" to "No Parking Midnight to 6:00 a.m.". He advised that there would be 18 signs placed on one side and a second group of 18 signs "24 Hour Parking by Permit Only" to be installed on the post below the other signs, with a suggested cost of \$30.00 per month.

Councilmembers concurred with the signs.

Councilman Emely also made reference to the Impound Lot to be discussed at the next meeting.

Mr. Sullivan advised that both matters could be addressed in the same Ordinance.

PUBLIC INPUT

Dr. Kerry Palakanis commended Councilman Atkins on his safe equipment presentation. She inquired as to why the City is going to advertise for a City Manager, without fund and feels that it is not wise to advertise. She also commented that the Mayor and Council are all wonderful people, but are a house divided.

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Carolyn Marquis made reference to the City's equipment issues and how it got in its current condition.

In reference to the City Manager issue, she commented that she appreciates the diversity among the Mayor and Council and urged them to stay strong to the end. She also made reference to a disclaimer that she be included in the job ad.

Harold Cropper addressed the Council on behalf of his mother, Hazel. He stated that she is a respected citizen and the Police should have contacted her in person before breaking down her door during the recent raid. He stated that he appreciates trying to rid the community of crime, but the elderly should be given consideration.

David Marquis made reference to property tax and personal property and commented that the audit does not break it out. He stated that he feels there are a lot that don't pay their personal property tax.

Mayor Lawson commented that we don't have arm within the City to know if businesses file their taxes or not.

Councilman Emely stated that City equipment was put on the action board in August, so it's not a new topic.

Mayor Lawson stated that the City has a line item from retired debt of \$36K for equipment. He also commended the Chief for obtaining funds when police vehicles were ruined during Sandy.

There being no further business for discussion, in the regular meeting, Councilman Atkins made a motion to close the open session as per Subsections 3-305(b)(1)(i), (3),(7) and (8) of the General Provisions Article of the Annotated Code of Maryland and read the subsections in their entirety. Motion seconded by Council Vice President Scott, and carried unanimously.

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Respectfully submitted,

Joyce L. Morgan, Clerk-Treasurer

prepared by Valerie Swift, Secretary