

MINUTES

The Mayor and Council met in regular session on Wednesday, September 13, 2017 at 6:00 p.m. in the meeting room in City Hall.

PRESENT

Kimberly B. Lawson, Mayor  
LaVerne Johnson, Council Vice President  
Charlotte Scott, Councilwoman  
Erik Emely, Councilman  
Mark Konapelsky, Councilman  
Barbara Ward, Councilwoman (arrived at 6:12 p.m.)  
Richard M. Pollitt, Jr. City Manager  
Joyce L. Morgan, Clerk-Treasurer  
Michael Sullivan, City Solicitor

Also in attendance; Valerie Swift, Secretary; Mike Tabor, Chief of Police; Dennis Parkinson, Public Utilities Director; (see attendance sheet for others)

CALL TO ORDER BY MAYOR LAWSON

Mayor Lawson called the meeting to order. He made reference to Hurricane Harvey and Hurricane Irma and advised that during Crab Derby, John Tawes suggested initiating a “Pay it Forward” campaign, along with the City, the Chamber and other service organizations. He commented that the relief that came to Crisfield following Hurricane Sandy made the city better. Mayor Lawson noted that the City had received \$35M in generous funds, following Sandy. He advised that so far, there is \$2,630, which was collected Labor Day Weekend, and that all funds collected will be split between UMCOR and Lutheran Disaster Response.

OPENING PRAYER AND PLEDGE TO THE FLAG

Mayor Lawson led the audience in the Lord’s Prayer and the Pledge of Allegiance.

APPROVAL OF THE AGENDA

At this time, Council Vice President Johnson read a statement that due to public concern, and unanimous choice of the Council, no decision will be made concerning the 2<sup>nd</sup> Reader of the proposed zoning amendment for the Carvel Hall property, and it will be taken off the agenda, and at this time, this item has been tabled until suitable information has been provided . Approval so moved that this be removed from the Agenda by Councilman Konapelsky and seconded by Councilwoman Scott.

Councilman Emely advised that he would like the motion to say “tabled , not “taken off” .

Councilman Konapelsky amended his motion to say the 2<sup>nd</sup> Reader would be tabled until a later date.

Councilman Konapelsky advised that he accepted this motion to be fair as a councilmember and also because he is not in favor of 2<sup>nd</sup> Reader of the amendment after certain things that were brought out at last night’s public meeting. He advised that questions would be given to Spangler & Associates to satisfy the Council and the community .

Mayor Lawson advised that he agrees. He advised that testimony was heard from 27 people last night, with concerns that need answering and a format needs to be assembled for the questions.

Mayor Lawson asked Mr. Sullivan the time frame for adoption of 2<sup>nd</sup> Reader.

Mr. Sullivan advised that it is 60 days from 1<sup>st</sup> Reader, or suspend the rules. He also noted that removing an item is the same thing as tabling it.

The motion carried unanimously 4-0. (Councilwoman Ward was not present)

At this time, Councilman Konapelsky made a motion that the GCAC report be tabled as there is

1) a problem that the Ethics issue is not resolved and 2) what are the bringing to the table

(Councilwoman Ward arrived at 6:12 p.m.)

M&C 91317

He asked to wait until the GCAC issue is finalized.

The motion died due to lack of a Second.

Council Vice President Johnson made a motion to amend the Agenda to add a presentation from the Pride Lodge. Mayor Lawson advised putting it after the 1<sup>st</sup> Session of Public Input. Motion seconded by Councilman Emely and carried unanimously.

#### ADOPTION OF THE MINUTES

Councilwoman Scott made a motion to approve the minutes from the regular meeting of August 16, 2017. Motion seconded by Councilman Konapelsky and carried 4-0, with abstention by Councilman Emely, who was not present.

#### FIRST PUBLIC INPUT SESSION

Mayor Lawson reviewed the rules concerning Public Input, noting speakers have 2 minutes and there is no response from the Mayor and Council at that time.

Mayor Lawson called up John French, who did not get the opportunity to speak at the Tuesday night public hearing. He advised Mr. French that he would be allowed more than the 2 allotted minutes to speak.

Mr. French commented that not many questions were answered by the Spangler group during the rebuttal portion of the meeting. He questioned if there are any manure plants of this same proposed size in the U.S. now and can we visit.

Mr. French made reference to long term effects and the Spangler group changing what they say.

Mr. French stated that he feels there will be other gases, odor and dust. He noted that only Methane gas was addressed.

Mr. French commented that their presentation was impressive, but you can't always believe what you see and hear. Mr. French made reference to the tonnage that would be processed daily and commented that he and his wife, who live at Cullen Parkway, don't want all that manure processed in their neighborhood.

Mr. French made reference to changing the zoning, and then odors and gas leaks occur at the plant. He urged the Mayor and Council to have the long term health effects addressed.

Mrs. Barbara Outten presented the Mayor and Council with the petition that had gone around with over 300 signatures of people who are opposed of the rezoning until further research is done.

In reference to the Carvel Hall proposal, Andre Dorman asked that square footage and acreage be considered. He questioned whether 20 to 60 jobs are worth all of this.

Tim Howlett commented that the people don't want this program. He advised that he spoke to David Mason today, who wanted to go in the Carvel Hall site right after the fire, and is still interested.

Vivian Bradshaw stated that she had worked in the chicken house and now has COPD and Emphysema.

Bonnie Bradshaw thanked the Council for tabling the 2<sup>nd</sup> Reader and urged them to visit a plant, consider, and do the right thing.

AMENDMENT TO AGENDA – IBPOE #194 PRESENTATION

Gary Brown and Raymond Anderson presented a check in the amount of \$1,000 to Chief Tabor and the Crisfield Police Department for their Benevolent fund. Chief Tabor advised that with the Benevolent fund the Department is able to purchase food for the needy, toys for tots at Christmas, and flowers for Seniors on Valentine's Day.

M&C 91317

Mayor Lawson commented that the Elks takes the blame for what happens off of their property and they are working to make it a respectful operation.

PRESENTATION BY GREG CROMER OF AERIAL PHOTOGRAPHY

Mr. Cromer was not present at this time.

Councilman Emely asked if the Council could address the audience.

He thanked those at the meeting last night for presenting their research and facts.

He advised that from this day forward, the City would strive for transparency and working together.

Councilman Konapelsky commented that he felt we were transparent.

Councilwoman Scott commented that the community is impressive, smart, and good. She thanked them for showing up and asked that they continue to help with other things.

Councilwoman Ward commented that there was an awesome turnout.

Councilman Konapelsky commented that this is a difficult situation and there are technical questions. He advised that he is not for or against the proposal and it is his job to vote with the majority and he is responsible to be fair. Councilman Konapelsky commented that there were a lot of good questions and falsehoods last night. He advised that he respects the people of Cullen Parkway and suggested annexation so they would have a direct voice.

Council Vice President Johnson commented that she was impressed by last night's meeting.

She advised that she is both concerned and disturbed at the things she heard.

She commented that she doesn't feel the City is evasive or non-transparent.

Council Vice President Johnson made reference to re-instating a 2<sup>nd</sup> session of Public Input to give people two opportunities to comment at meetings.

M&C 91317

She also thanked Mayor Lawson and Mr. Pollitt for the yesterday's Public Hearing opportunity.

Mayor Lawson spoke regarding several items including the history of the oyster decline in Crisfield, working with former Mayor Purnell to get a lot done, paving of streets with Hurricane Sandy money and keeping the town clean. He noted that outside residents don't receive both a City and County tax bill, and the County does not share taxes with the City.

He noted that he would be at the Sanitary District meeting tomorrow to testify concerning the Front Footage rate adjustment that will affect everyone.

#### REPORT ON 3 PROJECTS FROM GREATER CRISFIELD ACTION COALITION

(7:00 p.m. -Councilman Konapelsky left the meeting)

At this time, Dan Nelson, VP of GCAC, presented a GCAC update concerning the WBOC weather camera recently installed on the Captain's Galley condominiums near the City dock. He noted that after renting the camera for a month, sales at Water's Edge increased by 25%.

Councilman Emely inquired about the cost. Mr. Nelson advised that it is \$1,500 per month with a two year commitment.

Mr. Jay Tawes noted that the camera is geared to go till January 31<sup>st</sup> with sponsorship of Tawes Insurance, Water's Edge, Circle Inn and McCready Hospital.

Councilman Emely commented that we have the best web cam location. He noted that Islanders watch the cam for rides, etc. He also commented that he would like to see the City logo on there.

At this time, Councilman Emely made a motion that the City donate 2 months camera rent, using funds from the money received through the rent of Carvel Hall for solar panels storage.

The motion died due to lack of a second.

M&C 91317

Mr. Tawes commented that previously, WBOC limited the camera to one business, but now they are allowing up to 12 businesses.

Mayor Lawson noted that some businesses in other towns have courtesy cameras.

Ms. Darlene Taylor/ GCAC, advised that her report would focus on tourism. She made reference to the wall art on Main Street.

Ms. Robin Daniels, who painted the mural, advised that she met with Mark Mrohs to come up with the idea for the mural, and explained various details that were implemented.

Ms. Taylor made reference to the 3<sup>rd</sup> GCAC project and introduced Ms. Frances Myers who is working on a Prospectus Project focusing on the Greater Crisfield Area, Somerset County, Salisbury and Pocomoke. She advised that the focus is on tourism, economic development and 2<sup>nd</sup> home communities.

(7:23 P.M. – Councilman Konapelsky returned to the meeting)

#### CITY MANAGER'S REPORT

Mr. Rick Pollitt, City Manager, reviewed his bi-weekly report, highlighting its contents.

#### CHIEF TABOR REPORT

Chief Mike Tabor noted that a new certified police officer, John Stuart, had been hired.

The Chief made reference to the well attended 911 service held at Immanuel Church last Sunday.

He also noted that August and September were great months for CPD as they received \$74,970 in various grant funding. Chief Tabor also advised that through a USDA grant, the Department would be getting two new S.U.V.'s

Mayor Lawson noted that after Hurricane Sandy, old police vehicles were replaced. He noted that CAC Bernice Evans wrote the grants for the vehicles.

PUBLIC UTILITY REPORT

Mr. Parkinson, Superintendent of Public Utilities, advised that he had nothing to report.

Mayor Lawson inquired about the schedule for repairs of the water line damage by SHA in front of Food Lion. Mr. Parkinson advised that we are waiting for another contract and insertion valve.

Mayor Lawson advised that we need a study of water valves in the City, due to various situations.

Councilman Emely made reference to the costs of outsourcing contractors to work on the various water leaks.

Mayor Lawson noted that we had lost employees to better jobs.

Councilman Emely commented that we either need to look for employees, or outsource everything.

Mayor Lawson noted that he will be meeting with the Sanitary District concerning the Front Footage plan to make sure the City is included.

Council Vice President Johnson advised that a work session is needed to address these matters.

Councilwoman Scott inquired if there were 945 outside customers. Mayor Lawson advised that this is correct – either water and sewer or water, or sewer.

CLERK-TREASURERS REPORT

Mrs. Morgan reviewed a follow-up of average gallons used by water customers. She noted that 50% of customers use 1 to 4,000 gallons.

At this time, a work session was scheduled for Wednesday, September 20<sup>th</sup> at 5:30 p.m.

NEW BUSINESS

REQUEST FOR PERMIT OF INGRESS/EGRESS – EDDIE HEATH & GARY KITCHING

After a brief discussion, Councilman Emely made a motion to approve the request for a permit of



Ingress/Egress for Eddie Heath and Gary Kitching. Motion seconded by Councilman Konapelsky and carried unanimously.

LETTER FOR TAX EXEMPTION FROM CRISFIELD HERITAGE FOUNDATION

Mayor Lawson noted that nothing had changed from their previous request. He advised that the J. Millard Tawes Library is for sale and 1012 West Main Street received \$300K in Hurricane Sandy grant funding.

Mayor Lawson advised that he would like to recommend the Calvary Road (Cedar Island Marsh) taxes be waived.

Councilwoman Scott inquired if the Heritage Foundation has a 501C3. Mayor Lawson advised that they did.

Mrs. Morgan noted that the State qualifies them.

Mr. Sullivan noted that the State had not yet approved the exemptions and the City does not have a procedure, we follow the State's Policy. He suggested tabling until the State makes their determination.

Mrs. Morgan noted that she had advised them to contact Mr. Les Pruitt at the Assessment Office.

Following further discussion, Council Vice President Johnson made a motion to table the request to see whether or not they have made the proper application. Motion seconded by Councilman Emely and carried unanimously.

MAYOR AND COUNCIL COMMENTS

Councilman Emely stated that the Chamber, Fire Department, Ambulance Squad, and Friends of Crisfield are all volunteers with the goal of supporting the City of Crisfield.

He stated that he had tried to hold this discussion in Closed Session, but was advised by Mr.

Sullivan that it was not subject to the State's Open Meetings Act and did not qualify for a closed meeting.

He presented a copy of Councilman Konapelsky's Facebook Page from August 12, 2016, and various quotes and accusations against GCAC. He noted that Greg Cain had asked Councilman Konapelsky for justification concerning the statements, but received no response, so being upset, Mr. Cain put Councilman Konapelsky's picture on the electronic sign in front of his business. Councilman Emely advised that Councilman Konapelsky issued an email stating the GCAC was hostile.

Mr. Sullivan advised of attorney/client privilege, if he was copied on the email.

Councilman Emely made reference to the GCAC presentation this evening. He also noted that Councilman Konapelsky had accused Mr. Pollitt of taking bribes from GCAC.

Councilman Emely asked Councilman Konapelsky for his resignation, asking him what GCAC had done that he can't support.

Councilwoman Ward advised that she felt this was not the time and place for this discussion.

Councilman Emely advised that he had tried to do it in private.

Councilman Emely also commented that the Mayor had been texting during GCAC's presentation.

Council Vice President Johnson commented that she felt GCAC had been disrespectful to the City, but she allowed this evening's presentation. She concurred that putting Councilman Konapelsky's face on a sign was offensive. Council Vice President Johnson also commented that during her 11 years as Council, offensive things had been said about her. She made reference to the 2 and 2 meetings with GCAC not working out. She stated that she doesn't know how to move forward.

Mr. Sullivan made reference to the Council receiving a copy of the Ethics Advisory Opinion concerning

GCAC which is non-binding, unless an ethics complaint is filed.

Councilman Emely inquired if any complaints had been filed. Mr. Sullivan advised that none had been filed.

Councilwoman Ward stated that she feels we need to pray, due to all of this animosity.

Councilwoman Scott commented that she likes everyone here and when we work together. She suggested that the Council put their heads together on the Carvel Hall situation.

Councilman Konapelsky suggested that concerned people run for Council. He also commented that it bothered him to learn at last night's public hearing that there was no active hazmat team in the county, but he had since learned that there is an active Team.

Mayor Lawson noted that before next meeting we need to attempt to have bids on Hammock Point, noting that we have Highway User funds.

Mayor Lawson advised that he spoke to Randall Handy who offered to sell the vacant property behind Family Dollar. He advised Mr. Handy that the City is not interested in the property, but also told him about the potholes in the Family Dollar parking lot.

Council Vice President Johnson advised the Mayor that he did not ask her about the offer.

Mayor Lawson noted that Arts Council is interested in a \$1 per year lease for the Corbin Library building. He noted that the Lions and Lioness also would like to have a building. He advised that the Arts Council had offered their building to the Lions & Lioness. Councilman Emely advised that the Masons are also interested in a place.

During further discussion, the Council advised that they are ok with the lease of the library.

Mayor Lawson noted that Mary Bradshaw can no longer take care of the garden to the entrance of

town. He also noted that the Lioness Club has accepted care of the Greenspace and that Barb Tyler wants to adopt and take over care of the garden at the John Tawes Memorial in front of Gordons.

Mayor Lawson made reference to vandalism in the Veteran's Cemetery and asked for ideas to help maintain it.

Mayor Lawson made reference to local tourist attractions and commented that Greg Cain has encapsulated his business. He also commented about Mr. Jay Tawes being the one philanthropist in Crisfield.

Mayor Lawson commented that the City needs to concentrate on the area from 7<sup>th</sup> Street to the Depot. He commented that he is unsure of the profit made by the Crab Derby, due to rainy weather.

Mayor Lawson replied to Councilman Emely that he was texting his employer during the GCAC presentation about his availability for work and noted Mr. Emely has also often texted during public meetings.

Mayor Lawson commented that only one RFP was received for Carvel Hall and noted that the Planning Commission can address any Carvel Hall issues.

Mayor Lawson made reference to needed input from the Council at the next Arts and Entertainment District meeting.

Mayor Lawson advised the Council to have their questions concerning Carvel Hall to Mr. Pollitt by Monday.

Council Vice President Johnson inquired if the Handy property was near the park. Mayor Lawson advised that it was, but that it was out of the City's financial realm to purchase it.

FINAL PUBLIC INPUT SESSION

M&C 91317

Jenny Tawes noted that Barb was working in the garden tonight.

Sue Ransom suggested putting video cameras in the cemetery. Mayor Lawson made reference to the cost.

Liz Warfield suggested having home owners in the area help pay the cost.

She also advised that she had never attended a City meeting and was impressed.

She commented that people need to harness their energy to do good for the community.

Councilwoman Ward noted that there appears to be a water leak on Chesapeake Avenue.

MOTION TO ADJOURN

With no further business for discussion, Council Vice President Johnson made a motion to adjourn, seconded by Councilwoman Ward and carried unanimously.

Meeting adjourned at 9:11 p.m.

Respectfully submitted,

Joyce L. Morgan, Clerk-Treasurer

Prepared by Valerie Swift, Secretary