

MINUTES

The Mayor and City Council met in regular session on Wednesday, October 10, 2018 at 6:00 p.m. in the meeting room in City Hall.

PRESENT

Barry Dize, Mayor

LaVerne Johnson, Council Vice President (arrived at 7:00 p.m.)

Barbara Ward, Councilwoman

Nelson Sheppard, Councilman

Gail Lankford, Councilwoman

Jimmy Ford, Councilman

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, Superintendent of Public Utilities; Jimmy Charles, Director of Public Works; Richard Crumbacker; Erik Emely; Erik Banks; Ladell Dorman; David Tawes; and Tom Aushain.

CALL TO ORDER, OPENING PRAYER, PLEDGE OF ALLEGIANCE

Mayor Dize called the meeting to order with the Lord's Prayer and the Pledge of Allegiance.

ADOPTION OF MINUTES

Mayor Dize requested approval of the minutes from the Special Meeting of September 19, 2018, the Closed Meeting of September 19, 2018 and the Regular Meeting of September 26, 2018. Approval so moved by Councilwoman Lankford, seconded by Councilman Sheppard and carried unanimously, 4-0.

PROCLAMATION FOR DR. RICHARD WARREN, MARYLAND TEACHER OF THE YEAR FINALIST

Mr. Pollitt presented and read aloud the proclamation for Dr. Warren. Dr. Warren noted that teaching isn't about winning a car or recognition; it's about changing someone's life.

PROCLAMATION BREAST CANCER AWARENESS MONTH

Mr. Pollitt also read aloud a proclamation designating October as Breast Cancer Awareness month.

FIRST PUBLIC INPUT SESSION

Mayor Dize noted that speakers are allowed 2 minutes of public input, with no response from the Mayor or Council.

Mr. Ladell Dorman made reference to the pending approval of the Rental Registration Ordinance and commented that there hadn't been a sufficient study done and landlords had not been contacted for input. He commented that rental units are held in different ways and provide different services, and the cost of registration will be placed on the renter. He also commented that he didn't want this administration to be a continuation of the previous administration and just push things through.

PUBLIC HEARING – RENTAL REGISTRATION ORDINANCE #679

Mayor Dize opened the Public Hearing and called for both opponents and proponents. No comments were offered.

Councilman Sheppard made a motion to close the public hearing, seconded by Councilwoman Ward and carried unanimously, 4-0.

DEPARTMENT HEAD QUARTERLY REPORTS

Chief Tabor presented and reviewed crime stats compared to last year and community events. He also made reference to the recent arrest of repeat offender at the Housing Authority.

Dennis Parkinson, Supt. of Public Utilities reviewed his quarterly report of daily plant activities and also noted that new sand filters need to be purchased.

Councilwoman Lankford inquired about water coming up on Tyler Street. Mr. Parkinson advised that it may have been an air pocket in the storm water drain.

Councilman Sheppard made reference to storm drain replacement. Mr. Parkinson advised this is handled by Public Works.

Mayor Dize noted that Mr. Bozman, Code Enforcement Officer, is absent due to recovery from knee surgery. He noted that Mr. Bozman is doing well.

Mayor Dize noted that Mr. Jimmy Charles is now our Superintendent of Public Works. Mr. Charles went on to review his quarterly report.

Mayor Dize thanked Mr. Charles for Public Works' hard work in sprucing up the City for Crab Derby. He also inquired if there are contractors we can call to assist with mowing. Mr. Charles advised that he has few people.

Mr. Charles noted the surplus equipment that is available.

Mr. Sullivan explained the bid process; 1) declare the property surplus, 2) make a motion to declare designated items as surplus, 3) Publish the Bid Notice 2 weeks in the paper.

Mr. Charles also made reference to storm prep in the event of Hurricane Michael.

Councilman Sheppard inquired about storm drain replacement time. Mr. Charles advised that it takes from 7 to 10 days to order and receive a drainage grate and install it.

Mr. Parkinson noted that he also has old air compressors to be declared surplus.

Mrs. Morgan advised to hold on the surplus until the next meeting, until all items are compiled.

Mrs. Joyce Morgan, Clerk-Treasurer, presented and reviewed her first quarter financial report, highlighting various areas.

(Council Vice President Johnson arrived 7:00 p.m.)

Councilwoman Lankford inquired if a department has funds left in their budget, is it added to their budgeted amount in the next year's budget. Mrs. Morgan advised each year, you start from the beginning.

Mrs. Morgan made reference to an Ordinance approving an amendment to the Budget Ordinance for 2018-2019, to decrease and transfer certain funds appropriated for anticipated budget expenditures.

Mr. Sullivan advised that a motion is needed to consider Ordinance 680 as an Emergency Ordinance. So moved by Councilman Sheppard, seconded by Councilwoman Lankford and carried unanimously 5-0.

At this time, Mr. Sullivan read Ordinance 680 into record.

At this time, Councilman Sheppard made a motion to adopt Ordinance 680. Motion seconded by Councilwoman Lankford and carried unanimously, 5-0.

CITY MANAGER'S REPORT

Mr. Pollitt reviewed his bi-weekly report highlighting its contents.

OLD BUSINESS – 2ND READER RENTAL REGISTRATION ORDINANCE

Mr. Sullivan noted that he had provided the Mayor and Council with the tracked version and read the revisions. He advised that a motion is need to approve the revisions. So moved by Council Vice President Johnson, seconded by Councilman Sheppard and carried unanimously 5-0.

At this time, Mr. Sullivan reviewed the purpose of the Rental Registration Ordinance. He noted that last year, only four people had registered their rental units. He advised that this is a simple ordinance.

Mr. Sullivan noted that the Housing Authority does not have to register their units as they are Federally regulated, but the City Inspector can address complaints from tenants, as per HUD, the City Building Code and Property Maintenance Code apply.

Mr. Sullivan advised that the ordinance is entirely constitutional and was taken nearly verbatim from similar ordinances in Princess Anne and Easton.

Councilwoman Lankford commented that it is unfortunate that we can't do something about the Housing Authority. Mr. Sullivan advised that anyone can contact Mr. Bozman if they see something wrong or a violation of a ruling code. The Housing Authority must make the repairs. Chief Tabor advised that he can help.

At this time, Councilman Sheppard made a motion to adopt for 2nd Reader, Rental Registration Ordinance 679. Motion seconded by Councilwoman Ward and carried unanimously 5-0.

NEW BUSINESS

FIRST READER OF AN ORDINANCE AMENDING AND RESTATING CHAPTER 112 OF THE CITY CODE AND ZONING MAP

Mr. Sullivan reviewed the Ordinance and noted that 112-76 – Tea Room, has been added.

At this time, Councilwoman Lankford made a motion to adopt the Ordinance for First Reader. Motion seconded by Council Vice President Johnson and carried unanimously 5-0.

Mr. Sullivan advised that a Public Hearing and Second Reader would be scheduled for November 14, 2018.

FINAL PUBLIC INPUT SESSION

Mr. Erik Emely commented that he was not in favor of the Rental Ordinance. He also stated that he feels the Mayor and Council should be able to answer during Public Input. He commented that the City needs renters, or properties go down.

He went on to comment that the City may gain income, but it will be dumped on the renter, and how do you know when a renter changes.

Mr. Emely also suggested lowering the square footage requirement for homes, so that two smaller homes could be put on a lot.

MAYOR AND COUNCIL REPORT

Councilman Ford commented that the Mayor and Council did what they were voted in to do.

Councilwoman Ward had no comments.

Council Vice President Johnson apologized for being late, as she had an employer workshop. She commented that some people wrongly think Mr. Bozman will just show up unannounced to do an inspection (of rental homes).

Mr. Sullivan advised that the City sets the fees and schedules inspections and if there is a complaint, the property owner has to be notified first.

Councilman Sheppard read into the record a statement he had prepared, challenging individuals who have let their properties become in disrepair to step up.

Councilwoman Lankford thanked Mr. Emely for his comments. She stated that she feels the ordinance will help, and she had given it a lot of consideration as she has a vested interest in the City.

Mayor Dize addressed several items;

- 1) If Public Input is open to give-and-take, it will last forever. He urged people to call or email.
- 2) If a person is a renter, and a cost for inspection and registration is passed on to them, it is valuable to them to have decent housing. He advised that he never considered it a revenue stream.
- 3) He thanked Mr. Emely for the Lane Dodson fund raising event
- 4) He thanked Erik Banks for the fantastic LESMA Dinner, noting that he is still receiving comments regarding the dinner and cruise.
- 5) He made reference to the recognition ceremony at the last meeting, which went well.
- 6) He noted that the city is working hard on street drainage issues.
- 7) He made reference to the Housing Authority Resident Board Member, which is an appointment of the Mayor.

Mr. Sullivan noted that a resident had been put in place in error, by the Housing Authority Board. Mayor Dize advised that he would be appointing resident April Sneade to the Housing Authority Board. He noted that his Aunt was wrongly appointed and he would not have approved the choice as he felt it to be a conflict of interest with his being the Mayor.

ADJOURNMENT INTO CLOSED SESSION

There being no further business for discussion in the regular meeting, Councilwoman Lankford made a motion to adjourn into a closed session as per Subsections 3-305(b)(7) of the Annotated Code for the purpose of consulting with legal counsel to obtain legal advice concerning matters of contract negotiations. Motion seconded by Councilman Sheppard and carried unanimously. Meeting adjourned at 7:49 p.m.

Respectfully submitted,

Joyce L. Morgan, Clerk-Treasurer

Prepared by Valerie Swift, Secretary