

MINUTES

The Mayor and Council met in regular session on Wednesday, March 28, 2018 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, Councilwoman  
Mark Konapelsky, Councilman  
Barbara Ward, Councilwoman (arrived at 6:04 p.m.)  
Richard M. Pollitt, Jr. City Manager  
Joyce L. Morgan, Clerk-Treasurer  
Michael Sullivan, City Solicitor

Also in attendance; Valerie Swift, Secretary; Chief Mike Tabor; Dean Bozman; Jimmy Charles; Leigh Ann Schoffstall; Jason Loar; Ladell Dorman; John Tawes; George Friedley; and Richard Crumbacker.

CALL TO ORDER, LORD'S PRAYER, PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Councilman Emely made a motion to approve the Agenda. Motion seconded by Council Vice President Johnson, and carried unanimously.

APPROVAL OF MINUTES

Councilman Emely made a motion to approve the minutes from the regular meeting of March

14, 2018. Motion seconded by Council Vice President Johnson, and carried unanimously.

PUBLIC HEARING PANHANDLING ORDINANCE #672

Mr. Pollitt noted that this Ordinance came about because Councilmembers had received complaints about a person aggressively soliciting, therefore, Mr. Sullivan prepared the Ordinance for First Reader at the last meeting.

Mayor Lawson advised that this deals with aggressive panhandling.

Mayor Lawson asked for comments in favor of the proposed ordinance. None were given.

Mayor Lawson asked for comments in opposition to the ordinance. None were given.

Mayor Lawson noted that at 6:06 p.m., neither pro nor con comments had been given.

He asked for any questions. There were none.

At this time, Mayor Lawson declared the Public Hearing closed. So moved by Councilman Konapelsky, seconded by Council Vice President Johnson, and carried unanimously.

FIRST SESSION – PUBLIC INPUT

Ladell Dorman addressed the Council concerning the extension of the Carvel Hall lease to Spangler. He advised he is not opposed to the extension of the contract, but has problems with inadequacies in the Spangler Agreement. He asked that the Mayor and Council require specific plans and performance factors. Mr. Dorman advised that he feels it should be clearly stipulated that the contract be voided if someone else comes forward.

CITY MANAGERS' REPORT

Mr. Pollitt presented his monthly report, reviewing its contents.

POLICE DEPARTMENT REPORT

Chief Tabor noted that equipment is being installed in the new police vehicles. He also noted that one suspect had been arrested in the recent burglary.

PUBLIC WORKS REPORT

Jimmy Charles presented a request from the Beach Committee to remove the old fencing at the beach and install new.

Councilman Emely inquired why this had to be approved by the City. Mayor Lawson advised that there is a mutual lease agreement between the American Legion and the City of Crisfield.

Mr. Charles advised that the Committee is proposing a 3 foot panel fence to replace the old fence.

Councilman Konapelsky commented that a 3 foot fence is not a kid barrier and that he is also concerned that high wind would blow the panels out. Mr. Charles advised that Anderson Fence prepared the proposal.

Councilman Konapelsky advised that there needs to be a 120 mph wind load. Mr. Bozman noted

that City Code requires 120 mph wind load.

Councilman Emely commented that we don't want to "buck" a committee that is helping.

At this time, Councilman Emely made a motion to approve the proposal for the fence with 120 mph

wind load and insurance clearance. Motion seconded by Council Vice President Johnson and carried 3-0 with abstention by Councilman Konapelsky.

Mayor Lawson suggested propping up a section of the fence before installing, for all to see.

Mr. Charles noted that the cost of the project is \$12,000.

Mr. Pollitt inquired if the City would be getting any more sand for the beach this year.

Mr. Charles advised he wasn't sure, as the County Commissioners balked at the request last year.

Mr. Bozman, Code Enforcement Officer, noted that a contractor is set to begin rehab of the house on the corner of Somerset and Main, next month.

#### PUBLIC UTILITIES REPORT

Mr. Bozman made reference to a sewer stoppage at the County Liquor Dispensary. He advised that the

company doing the boring for the fiber optic installation may have hit a sewer lateral in the area. He noted that the City will rent an air compressor and jackhammer to dig, since there is a concrete road underneath.

#### CLERK-TREASURER'S REPORT

Mrs. Joyce Morgan, Clerk-Treasurer, reviewed wind turbine electricity savings comparisons for two years.

Mrs. Morgan requested that the Mayor and Council start meeting at 5:00 p.m. before the regular meeting, beginning on April 11, to begin Budget talks. The Council concurred.

UNFINISHED BUSINESS – ORDINANCE 672 PANHANDLING

Mr. Sullivan presented for 2<sup>nd</sup> reader Ordinance 672, prohibiting panhandling.

Adoption of the Ordinance so moved by Councilman Emely, seconded by Council Vice President Johnson and carried unanimously.

CABLE FRANCHISE AGREEMENT WITH CHARTER/SPECTRUM

Mr. Sullivan made reference to the franchise agreement with Charter/Spectrum for the next 10 years. He advised that Charter's upgrade now provides high speed internet service. Councilwoman Scott noted that Charter sent a letter in December of 2016 concerning the proposed upgrade.

Mr. Sullivan advised that he would recommend that the City go with the agreement. He advised that he will have an Executive Summary for the next meeting and action can wait until that date.

Mr. Pollitt noted that the Charter government representative stops by and checks in with the City frequently.

BID AWARD RECOMMENDATION FOR SANITARY SEWER INSPECTION & REPAIR PROJECT

Mr. Jason Loar, Engineer for Davis, Bowen and Friedel, reviewed the recommendation letter for the Sewer Inspection and Repair Project. He noted that two bids were received on time and a third was received too late; the bid from Prism which was \$41,550, that he

recommends, and the other bid from Mobile Dredging, which was \$132,000, and also contained calculation mistakes.

At this time, Councilman Emely made a motion to accept the bid from Prism in the amount of \$41,550, as recommended by Mr. Loar. Motion seconded by Council Vice President Johnson and carried unanimously.

Mr. Loar noted that this is work paid for with grant funding from USDA and the contractor will clean and inspect the conditions of the 12" sewer line from Food Lion down to the treatment plant. Mayor Lawson also noted that sewer line runs behind houses in the marsh.

NEW BUSINESS

REQUEST FROM SPANGLER STRATEGIC ADVISORS LLC TO EXTEND CARVEL HALL OPTION-TO-PURCHASE AGREEMENT

Mr. Pollitt read the letter of request from Spangler. He advised that there will be no place for Clean Bay going forward, but Spangler feels there is still potential for the building and they want a one year extension to continue their environmental assessment.

Mr. Pollitt also noted that they will be getting support from the State to look for other tenants. He advised that there is no change in the language of the option agreement.

At this time, Councilman Konapelsky made a motion to extend the option-to-purchase agreement for one year. Motion seconded by Councilwoman Scott.

During discussion, Councilman Emely asked if the City had seen any of the test results.

Mr. Pollitt advised that Spangler is not obligated to share the results of his assessments until he

exercises the option or withdraws from the project. He noted that a report detailing known carcinogens on the property had been shared at the last public meeting where Carvel Hall was on the agenda.

Councilman Emely asked why the Governor's office couldn't help the City instead. He stated that he doesn't want to lock in another year and feels he (Spangler) should buy the building.

Councilman Emely advised that he also agrees with the right of First Refusal, giving him the option to purchase.

Mayor Lawson commented that Spangler was the only investor interested in bidding and remediating the Brownfield site.

Council Vice President Johnson advised that she wants to vote, since he is the only interested party and we need jobs. She added she is not in favor of the chicken manure plant.

Councilwoman Ward noted that Spangler was the only interested party, and is still interested.

Councilman Emely commented that someone else is interested.

Councilwoman Scott noted that effort was made in 2014 to put someone in the building and fortunately, Spangler is still in the game, with the involvement of the scientific community.

Councilman Konapelsky advised that he stands by Spangler 100%.

Council Vice President Johnson stated that she is against a manure plant, but hasn't seen anyone else interested and others have had a chance to bid.

MC32818

Mayor Lawson called for a vote. The vote carried, 4-1, with Councilman Emely opposed.

MAYOR AND CITY COUNCIL COMMENTS

Councilwoman Ward advised she had no comments.

Councilwoman Scott wished everyone a Happy Easter.

Councilman Konapelsky made reference to the water meter meeting and stated that the work is done and report completed. He commended the Public Utilities department.

He also wished everyone a Happy Easter.

Mr. Bozman noted that the trouble shooting with the water meters is done with two or three repairs being conducted. There is a list of what still needs to be done, but they are not fixed yet, but we have direction.

Councilman Emely advised that he declines the job on the committee for a new Restroom at City Hall.

Councilman Emely made reference to the housing rental officer. Mayor Lawson advised that this would be saved for budget discussion.

Councilman Emely inquired about the Small Boat Harbor survey.

Mayor Lawson advised that we would be moving forward with surveyor Brock Parker.

Councilman Emely asked for the status of the kayak launch. Mr. Bozman advised that we have applied for wetland permits.

Councilman Emely wished everyone a Happy Easter.



MC32818

Mayor Lawson commented that the City gets things done, when it becomes a priority of the Council.

Mayor Lawson made reference to sea level rise and global change causing more flooding.

He commented that city government needs to focus on big things such as infrastructure so that this area will be livable in the next 50 years.

Council Vice President Johnson wished everyone a happy Easter. She noted that the recent food distribution was an example of “Community Strong”, noting that most people want to do the right thing.

#### FINAL PUBLIC INPUT SESSION

George Friedley commented that the proposed beach fence could be damaged by mowers, paint and wind. He also commented about received a flat water rate with no water usage.

Mr. Friedley also stated that he felt the Carvel Hall extension should have been discussed with input, months ago.

Mr. Sullivan made reference to the Carvel Hall Extension and option agreement and advised that the Mayor needs authorization to sign the extension.

Approval so moved by Councilwoman Scott, seconded by Councilman Konapelsky and carried unanimously.

Mr. Pollitt made reference to holding the previously cancelled closed meeting on Monday, at 4:00 p.m.

MC32818

There being no further business for discussion, Councilman Konapelsky made a motion to adjourn, seconded by Council Vice President Johnson and carried unanimously.

Meeting adjourned at 7:35 p.m.

Respectfully submitted,

Joyce L. Morgan, Clerk-Treasurer

Prepared by Valerie Swift, Secretary