

MINUTES

The Mayor and Council met in regular session on Wednesday, February 11, 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 due to illness; LaVerne Johnson, Councilwoman

Also in attendance; Valerie Swift, Secretary; Gavin Dryden; Marlene Adkins; Jay Tawes; Tim Carson;

Christina Holden; John Dize; Billy Gene Swift; Raymond Anderson; Christian Ivory; Angenette Stewart;

Gil Berry; Dan Kuebler; Lamount Potter; Barbara Bailey; Bob Aswell; and David Marquis.

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

At this time, Mayor Lawson introduced Boy Scout, Gavin Dryden, and briefed him on the workings of City Government.

MOTION TO ACCEPT AGENDA

Mayor Lawson requested a motion to accept the agenda for this evening's meeting. Approval so moved by Councilman Atkins. Councilman Konapelsky requested that discussion about the Marina Commission be added to the end of the agenda. Mayor Lawson granted this request.

Motion seconded by Councilman Emely and carried unanimously.

APPOINTMENTS – ANGENETTE STEWART, HOUSING AUTHORITY REP. RE: REQUEST FOR THE ADOPTION OF A HUD SECTION 3 RESOLUTION

Ms. Angenette Stewart presented the Mayor and Council a letter concerning the City's adoption of a resolution for HUD Section 3 for jobs and skills training.

Mr. Gill Barry, who conducts the training program, reviewed the program.

Councilman Atkins inquired about the cited section CF24135.5. Mr. Barry explained that anytime HUD money is available, there is an opportunity for job training programs for residents, and the availability of funds must be posted at the Housing Authority. This allows them to go from poverty to prosperity.

Councilman Atkins inquired as to what adopting the resolution will do. Mr. Barry advised that this will give residents the opportunity to participate if HUD money is available. He noted that the program has been on the books since 1968 and was mandated by the government that residents must be notified that funds are available.

Councilman Atkins requested a copy of the Federal regulation.

Councilman Konapelsky stated that the County is Section 3 compliant.

Mr. Barry advised that the notification must be first posted at the Housing Authority when funds are available that you are seeking workers. He advised that a Section 3 business must hire housing authority residents. He also stated that if Sandy funds were received, notification must be posted for Section 3 residents to give them the right to participate.

Council Vice President Scott noted that the County is compliant according to their audit, but the Housing Authority would like the City to pass a Section 3 resolution.

Mayor Lawson noted that according to the Agenda, no action is needed at this meeting. He advised that the Resolution would have to be state, federal, and locally compliant. He advised that a workshop

would be needed concerning this matter.

At this time, Councilman Emely made a motion to schedule a workshop for this purpose. Motion seconded by Councilman Konapelsky. Council Vice President Scott read aloud the material pertaining to Section 3, which promotes home ownership and would tie into a project that creates jobs.

Mayor Lawson added that a study group would be needed to do research for the implementation of the resolution. Motion carried unanimously.

#### APPROVAL OF MINUTES

Councilman Atkins made a motion to approve the four sets of minutes; 1/26/15, 1/28/15, 2/2/15 and 2/2/15, with the necessary corrections. Motion seconded by Councilman Konapelsky and carried unanimously.

#### UNFINISHED BUSINESS

##### BUDGET AMENDMENT ORDINANCE 1<sup>ST</sup> READER – RE: CITY MANAGER

Councilman Konapelsky made reference to the Budget Amendment for the City Manager's salary and advised that there was no super majority vote present again, therefore it could be taken care of in the new budget cycle. He noted that \$4,000 has been taken from the \$36K, for vehicles, \$25K has been taken from the City Solicitor's salary, and \$5,000 each, has been taken from Mr. Frock (ret.) and Mr. Bradshaw's (ret.) salaries and put on hold for City Manager funding.

Councilman Konapelsky stated that when the hiring process is done, he would like there to be two people from the business area along with two other people to serve on the selection committee, for input, even though they would not have a vote. He advised that he would ask for a vote for these people at the next meeting.

Councilman Emely stated that he would go along with the cuts, but he is concerned about using the \$36,000 budgeted for equipment, since safety is the number one issue. He noted that he should have a price on two safe pick-ups by the next meeting.

Councilman Konapelsky commented that some of the problem with the vehicles is upkeep.

Council Vice President Scott commented that getting a City Manager is a priority as well as having safe equipment, and that good equipment and training go together. She advised that she is open to purchasing equipment.

Mayor Lawson commented that priorities are getting a City Manager and equipment, however, City employees haven't had a raise in six years, and the City has lost 10 employees this year. He advised that he feels the wind turbine will be on line by July 1<sup>st</sup> and will be effective for additional income. He advised taking off the First Reader of the City Manager Budget Amendment from unfinished business. Councilman Konapelsky concurred.

#### ELECTRICITY RENEWAL

Mrs. Morgan reviewed the most recent electricity quotes she had received from Jeff Sherman of APPI Energy. Mayor Lawson advised that he would like to go with a shorter term.

Mayor Lawson made reference to Solar City, which is being used by several residents and noted that they have a government division. He also made reference to the cost to the City for street lights leased through DP & L, of \$108K. Mayor Lawson advise that Solar City is looking at 4 acres at Carvel Hall to install solar panels, which they would pay for. They would be looking at contracting with local contractors.

Mayor Lawson requested that the renewal be held and re-examined the 2<sup>nd</sup> quarter each meeting until

March 31<sup>st</sup>.

At this time, Councilman Emely made a motion to hold on the adoption of the electric rate until the end of the 1<sup>st</sup> Quarter after March 31, 2015. Motion seconded by Council Vice President Scott and carried unanimously.

Mayor Lawson thanked Councilman Atkins for the figures he had obtained from the Energy Information Administration. Councilman Atkins noted that the trend seems to show a lower cost in the 2<sup>nd</sup> quarter.

IMPOUND LOT – CHIEF TABOR PRESENTATION

Chief Mike Tabor presented bullet points concerning having an impound lot in Crisfield. He also noted that Princess Anne Police Department gets 100% of the proceeds from their impound lot.

Council Vice President Scott noted that personnel from their town office advised that the money goes back into their budget. Chief Tabor advised that it goes into the general budget as a separate line item, and then is given to the Police Dept. The result is they get 100%.

Councilman Konapelsky suggested that once it gets going, he would like to revisit it to see if it is a fair split.

Councilman Atkins noted that parking and speeding ticket money used to all go back to the Police Department. He suggested putting 100% of the impound lot money in a line item fund and whoever is on the Council at the time, can determine how it is disbursed.

Councilman Konapelsky stated that he feels this would create a dangerous situation, as they deserve to know that 50% is going directly into their budget.

Councilman Atkins stated that the police department is not a business and we don't want to give the appearance of a bounty system, it is the city council's responsibility to decide how the money is spent.

Councilman Konapelsky stated that 50% of the line goes to the police department and 50% goes to the City.

Mayor Lawson commented that 1) the impound lot is necessary as there is no incentive to do the work required to find these vehicles and 50/50 allows the documentation of the work, etc.; and 2) the City does not know what obstacles we will meet from the public . He advised that he likes a 50/50 split to start with.

After further discussion, Councilman Emely made a motion to adopt Ordinance 644 as written, for 2<sup>nd</sup> reader. Motion seconded by Council Vice President Scott.

Chief Tabor noted that the same towing fee applies to the vehicle even if towed by someone else.

Motion opposed by Councilman Atkins and carried 3-1.

#### WATER METER WARRANTY ISSUE AND COMMITTEE TO ESTABLISH WATER METER RATES

Mayor Lawson advised that these items were on hold pending a meeting and the water rate class. All Councilmembers concurred that they would be attending the class.

#### RESTRICTIVE COVENANT ON 216 MARYLAND AVENUE

Mayor Lawson briefed that this area was primarily occupied years ago by African Americans and was eventually sold to the City for a deep water port that never came to pass. He advised that this house was in the Wicks/Wise family and they would like an historical plaque installed in this location. Mayor Lawson read the restrictive covenant aloud that the property only be used for open space for public usage. Mayor Lawson requested a motion to accept the restrictive covenant for 216 Maryland Ave. At this time, Councilman Atkins made a motion to accept the restrictive covenant for 216 Maryland Avenue. Motion seconded by Council Vice President Scott and carried unanimously.

NEW BUSINESS

BORROWING RESOLUTION 427

Mayor Lawson reviewed the Resolution for the purchase of three vehicles at a cost of \$16K over a four year period from Hebron Bank. Council Vice President Scott made a motion to accept Resolution 427.

Motion seconded by Councilman Emely and carried unanimously.

BID OPENING PROPERTY DEMOLITION 216 MARYLAND AVENUE & 609 DIXON STREET

Mrs. Morgan, Clerk-Treasurer, opened bids for demolition of the properties as follows;

King Excavation – 216 MD Avenue - \$2,290, 609 Dixon Street - \$6,290

Don Group – 216 MD Avenue – \$6,787, 609 Dixon Street -\$8,580

J & J Yardwork – 216 MD Avenue - \$13,900, 609 Dixon Street - \$17,200

Bozman – 216 MD Avenue - \$7,500, 609 Dixon Street – \$7,800

Swift Seasonal – 216 MD Avenue - \$4,500 if landfill fee waived, \$7,500 if not, 609 Dixon St. – \$6,500 if waived, \$8,500 if not

John W. Tawes - \$216 MD Avenue - \$6 ,100, 609 Dixon Street - \$16,100

Go Away Acres - \$216 MD Avenue - \$10,400, 609 Dixon St. - \$12,300

Miller Land Services - \$216 MD Avenue - \$9,600, 609 Dixon St. - \$11,800

A & B Salvage – 216 MD Avenue - \$17,480, 609 Dixon St. – 27,640

Mayor Lawson noted that King was the low bidder for both properties.

At this time, Councilman Atkins made a motion to accept the low bid from King for both properties. Motion seconded by Councilman Emely and carried unanimously.

Mayor Lawson noted that he needs to begin within 60 days.

CRISFIELD COMMUNITY RADIO PROJECT OF THE SOMERSET COUNTY ARTS COUNCIL

Mayor Lawson made reference to the Crisfield Community Radio Project, noting the letter issued for the Membership Drive Kickoff. He advised that it is located at the former George McCready's place and they will be using the Broadway water tower for the band.

MARINA COMMISSION

Councilman Konapelsky apologized for being testy when bringing up this subject at the last meeting and apologized. He also read a statement in support of putting a qualified person on the Commission.

MAYOR AND COUNCIL REPORT

Councilman Atkins thanked those in attendance.

Councilman Konapelsky advised that he had nothing.

Council Vice President Scott made reference to Ms. Stewart coming forward to ask for the opportunity for jobs and training through Section 3. She advised that this is a step forward for job opportunity. She advised that tenants take and pass the training with no guarantee of hire, just good intent.

She advised that information must be reviewed before a resolution can be adopted. She thanked those in attendance and advised that the Council is trying to do right by the community.

Councilman Emely advised that he had received an email from the owner of Crabi Gras, who will be opening this summer in Crisfield. He also noted that the SHA trucks are in.

Council Vice President Scott noted that Crabi Gras is coming here because of Councilman Emely and will be selling crab themed gifts.

Mrs. Morgan noted that there is a financial report in the Mayor and Council's packet.

Mayor Lawson noted that he had attended the MMA convention last week in Annapolis. He noted

that Governor Elect Hogan has promised to restore Highway User Revenues from the Highway Trust Fund of 19.7 M, with 90% going to municipalities.

He also made reference to MML Ethics information and discussion about tax sharing.

Mayor Lawson noted that Mr. John McGee of Davis, Bowen and Friedel is operating the Waste Water Treatment Plant Monday, Wednesday, and Friday.

Mayor Lawson advised that he and Mr. McGee have met with personnel. He also noted that Mr. Bozman is now the Public Works Supervisor and job applications for assistant foreman are due this Friday. He also made reference to chain of command issues at Public Works.

Mayor Lawson noted that new toilets and sinks have been installed in City Hall. He also advised that he is looking to get an exterior shed to store records. Mayor Lawson advised that the Davis, Bowen, and Friedel insurance clause has been resolved. He also advised that he will be meeting with Donnie Drewer concerning street improvements.

Mayor Lawson made reference to the Taste of the Eastern Shore on the 19<sup>th</sup>.

Councilman Emely made reference to recognition of Mr. Frock. Mayor Lawson advised that he had been issued an invitation to the next meeting, where he will be recognized.

#### ACTION ITEMS – COUNCILMAN EMELY

Councilman Emely made reference to 329 Cove Street. Mayor Lawson advised that he will be working on a process to bid.

In reference to the former Tightly Mister property, Councilman Emely advised that Mr. Bozman is work-  
on this.

The Impound Lot is complete and he advised moving the date for the walking trail to March 15.

The Greenspace is to be continued. The library foundation is complete.

Councilman Emely made reference to the Community Commission requesting that it be brought up at the next meeting. Mayor Lawson noted that to qualify you would need to be a resident or business owner. Council Vice President Scott advised that it has to be someone of influence.

Mayor Lawson also made reference to adding two high school reps and two minorities.

Councilman Emely also requested that re-opening the City Parking lot needs to be added. Mayor Lawson advised opening only the side next to the former Clarence Sterling Hardware.

Mayor Lawson noted that the pipe under Norris Harbor Drive has collapsed and an RFP needs to be put out for replacement.

#### PUBLIC INPUT

Mr. Dan Kuebler noted that the Board of Education has Adult Education programs available.

Mayor Lawson made reference to broadband and advised Mr. Kuebler that according to Valerie Mann, Bluesurf is our grant provider. Mr. Kuebler also advised adding Danny Thompson to the process.

Mr. Terry Pehan commented that "No Parking" signs need to be installed on Norris Harbor Drive where the pipe collapsed, since someone trying to launch a kayak parked there and got stuck.

Mr. Phil Riggin noted that if the signage grant money had been received, there would have already been an African American Heritage sign installed in the area of 216 Maryland Avenue. He advised that this can be done in Phase II of the signage project.

Mr. Riggin noted that the Economic Development Task Force shares MML's views on Tax Sharing.

Mr. Riggin inquired about the progress on closing the end of 10<sup>th</sup> Street for a pocket park. Mayor

Lawson advised that this would be scheduled to go before the Planning Commission.

Mr. Riggin also inquired about the status of the bulk heading at the dock and the street repair at the depot, which will be covered under the Sandy funding held by the County. Mayor Lawson advised that another person will be hired at the County level to assist the City.

Mayor Lawson thanked Mr. Riggin for obtaining the broadband information, and for addressing the tax differential at the County Commissioners meetings.

Mr. Klaus Trepczyk addressed the Mayor and Council concerning the barrels of grease at the wind turbine site. He also encouraged the installation of solar energy panels at Carvel Hall, suggesting that solar components be made there.

Councilman Atkins made reference to scheduling a workshop about Section 3. Council Vice President Scott advised that she would coordinate this meeting.

There being no further business for discussion, Councilman Atkins made a motion to adjourn, seconded by Councilman Emely and carried unanimously.

Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Joyce L. Morgan, Clerk-Treasurer

Prepared by Valerie Swift