

MINUTES

The Mayor and Council met in regular session on Wednesday, April 8, 2015 at 6:00 p.m. in the meeting room in City Hall.

PRESENT

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

Also in attendance; Valerie Swift, Secretary; Mike Tabor, Chief of Police; Dean Bozman, Code Enforcement Officer, Jimmy Charles, Public Works Foreman. (see list of others in attendance)

INVOCATION, PRAYER & PLEDGE, APPROVAL OF AGENDA

Mayor Lawson called the meeting to order with the Lord's Prayer and the Pledge of Allegiance. Mayor Lawson requested a motion to accept the agenda for this evening's meeting. Approval so moved by Councilwoman Johnson, seconded by Councilman Atkins and carried unanimously.

APPROVAL OF MINUTES

Councilman Atkins presented two sets of Minutes for approval; Regular of 3/25/15 and Closed of 3/30/15 and made a motion that they be accepted. Motion seconded by Councilman Konapelsky and carried unanimously.

INTRODUCTION OF ATLANTIC ASPHALT PRODUCTS JEFF BROWN, DARREN WYATT AND DARRICK HOY

At this time, Councilman Emely excused himself from his position as Councilman to sit on the other side of the table, while introducing the owners of Atlantic Asphalt Products; Jeff Brown, Darren Wyatt

and Darrick Hoy. He advised that they would like to locate their business at Carvel Hall. He noted that they currently don't have a lease agreement and would like to negotiate the stipulations for a lease.

They reviewed their product information and noted that they would like to bring their company to Crisfield between May 16th and 30th, bringing 4 jobs.

Councilman Emely also advised that they would need an office, lighting, and 7,000 sq. ft. on the rough end side. He advised that they are serious about establishing their business at Carvel Hall and want to get it underway.

Mayor Lawson advised that no lease agreement has been reached yet and that Mr. Bozman, Codes Enforcement Officer, has received prep bids for the office. He noted that they need seven weeks to get in. Mayor Lawson advised that their product is non-carcinogenic, patented, with no fume factor.

Mayor Lawson made reference to the need to refurbish the parking lot as the product will be stored in tanks and will also be accessed by tractor trailers. He also made reference to CDBG's employment obligation. Mayor Lawson advised that they need 10 days to finalize the lease.

Councilman Emely inquired if a motion to clean up the property was appropriate. Mayor Lawson advised that it was.

At this time, Council Vice President Scott asked that the group introduce themselves. She asked about their five year vision.

Mayor Lawson advised holding this for private discussion, later on.

Council Vice President Scott inquired if their business was for residential or commercial. Mr. Brown advised it was for both.

Mayor Lawson also noted that Mr. Brown's father owns Chesapeake Paving.

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Council Vice President Scott also noted that One Maryland offers benefits to companies if they have 25 employees and invest \$500,000 in the building or equipment.

Mr. Sullivan said that no action or clean up should be taken until a lease agreement has been prepared.

Mayor Lawson also advised that he must make sure USDA funding covers the cleanup.

Councilman Emely commented that the cleanup needs to be done to attract business. Councilman

Konapelsky agreed as did Council Vice President Scott. Councilman Atkins cautioned that Legal Counsel says that it is good not to make any promises without a lease agreement.

Mr. Sullivan also reminded that if the expenditure for the clean-up exceeds \$4,000, it must be put out for bids.

At this time, Councilman Konapelsky made a motion to advertise for bids for the clean-up of the exterior of Carvel Hall. Motion seconded by Council Vice President Scott and carried unanimously.

Councilman Atkins inquired if this is their first entry into this product. Mr. Wyatt advised that they had done four years of research and stand behind the product, which is eco-friendly.

Mayor Lawson also noted that manufacture of the product uses a great quantity of water, which will be metered. Mr. Brown advised that water quality and PH is key, along with the time frame.

DEPARTMENT HEAD REPORTS

CHIEF MIKE TABOR, presented his quarterly report, highlighting its contents. Mayor Lawson commended the Police Department on the purchase of flowers for seniors, which were purchased at a local florist.

Councilwoman Johnson commended the Chief on the Annual Easter Food Drive. She also thanked

CAC/Secretary Bernice Evans for the time she spends preparing letters of condolence for families of

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deceased in Crisfield and also for the letter received by Pastor Betty Smith on the death of her mother.

Councilman Emely noted that cleaning up the lot at Carvel Hall will help with the Impound Lot. He also inquired about the dispatch radio issue. Chief Tabor advised that the necessary repairs will be made. Councilman Emely also commended the Chief on recent funeral details.

At this time, Chief Tabor presented the following awards; PCO Rhonda Daum – Distinguished Service Award, Officer Hiram Henderson – Bronze Star, Officer Mark Hoover – Bronze Star.

DEAN BOZMAN, CODE ENFORCEMENT OFFICER, reviewed his monthly report, highlighting its contents.

Mayor Lawson also introduced Jimmy Charles, Public Works Foreman and noted that Mr. Andre Ames had also been hired in Public Works. He advised that the new Public Utilities Director will be starting on April 27th and the new O & M Foreman will be starting on April 13th. Mayor Lawson noted that Public Utilities is working on more routine maintenance. He also made reference to the 63 streets in the City and calls received daily about potholes. He noted that the County is moving forward with the necessary bidding process.

JOYCE L. MORGAN, CLERK-TREASURER, presented her year-end project for budget worksheets.

She also reviewed the expenses for the work done at the Cove Street lift station, and sewer hauling from Rubberset at an estimated \$15,000 without labor and the Maryland Avenue main break. She advised that this will put water and sewer out of budget.

GALE SHELDON, SOMERSET COUNTY LIBRARY DIRECTOR, presented her monthly activity report, noting the free online courses that are offered through the Library. Ms. Sheldon also noted that the steel columns are being set at the new library site.

UNFINISHED BUSINESS

APPOINTMENTS FOR CITY COMMISSION

Councilman Konapelsky presented the names of Shawna Kearsley, Matt Lawson, and Darlene Taylor.

Mayor Lawson advised that he would have the rules and regulations for the next meeting.

ORDINANCE 645 MAIN STREET PARKING (2ND READER)

Mayor Lawson read the Ordinance aloud. Approval for 2nd Reader so moved by Councilwoman Johnson, seconded by Councilman Emely, and carried unanimously.

ORDINANCE 646 BURNING (2ND READER)

Mayor Lawson reviewed the Ordinance for 2nd Reader. Mr. Sullivan noted that the bolded language be underlined beginning with "The Burning....." Approval for 2nd Reader so moved by Councilman Emely, seconded by Council Vice President Scott and carried unanimously.

ELECTRIC RATES

Mrs. Morgan reviewed electric rates, as supplied by APPI Energy, indicating that Constellation Energy is the lowest bidder. She also noted that the Waste Water Treatment Plant is not included. Mrs. Morgan noted that APPI recommends we go with the contract period of 24 months.

Councilman Atkins commented that this is predicated on not supplying electricity to the waste water treatment plant, and needs further discussion. Mrs. Morgan advised that a decision is needed by June.

At this time, Councilman Atkins made a motion recommending that acceptance of an electric supplier be tabled at this time. Motion seconded by Councilman Emely and carried unanimously.

Mayor Lawson advised that it be addressed at the next meeting.

RESOLUTION 429 DRUG AND ALCOHOL POLICY

Councilman Atkins advised that this is a synthesis of the State and Federal policy. He advised that he

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feels confident that this will protect the City and made a motion recommending that it be approved.

Motion second by Council Vice President Scott, for discussion.

Mr. Sullivan advised that he advised extending the effective date 10 to 15 days to provide City employees with a policy.

Councilman Konapelsky advised that the policy needs review. Mr. Sullivan noted that the Council only comes into play if the policy addresses department heads.

Mr. Sullivan also advised that there will be a Drug & Alcohol Policy Coordinator who will be coordinating the policy and noted that the City Manager should be the Coordinator.

Councilman Konapelsky asked what the goal of the Policy was. Mr. Sullivan advised this was to conduct reasonable suspect and random testing as the prior policy did not provide guidance testing employees. Mr. Sullivan advised that random testing includes all part-time and full-time employees, but reasonable suspect testing includes anyone: volunteers, contractors doing work for the City of Crisfield, etc. Mr. Sullivan advised starting slowly. He advised that with reasonable suspect, the supervisor has to submit a written document, supporting the grounds of their submission.

Councilman Konapelsky advised that he is concerned about being too strict.

Council Vice President Scott inquired if the policy applies to the Mayor and Council. Mr. Sullivan advised that it should apply to the Mayor and Council also.

After further discussion, Councilman Emely made a motion to adopt the Drug and Alcohol Policy Resolution to be reviewed with City employees within the next ten days, by April 18th. Motion seconded by Councilwoman Johnson and carried unanimously.

EVENT APPLICATIONS

Mayor Lawson reviewed the request from Jen Smith for the Wood Stone retreat event on Saturday, June 6, 2015, requesting that the start time be changed from 6:00 p.m. to 5:00 p.m. Approval so moved by Councilman Atkins, seconded by Council Vice President Scott and carried unanimously.

Mayor Lawson reviewed the Event Application for the annual Soft Shell Fair on May 24th. Approval so moved by Councilman Atkins, seconded by Council Vice President Scott, and carried unanimously.

SMALL BOAT HARBOR TRANSFER OF PROPERTY

Mayor Lawson requested that this request be tabled for the next meeting. So moved by Councilman Atkins, seconded by Councilwoman Johnson, and carried unanimously.

MAYOR AND COUNCIL DISCUSSION

Council Vice President Scott reviewed a Power Point presentation highlighting Key Points from the Strategic Revitalization Plan.

Councilman Emely requested that the Action Plan be deferred at this time.

Councilwoman Johnson made reference to the recent tragedies in the community and noted that a prayer vigil was being held at the Community Center in Crisfield and also at Washington High School for the Todd family. She also offered condolences to the family of Andrea Joyner.

Councilman Emely reviewed an equipment inventory list totaling \$50,000. He advised that the owner is willing to finance this equipment himself, at 0% interest. Councilman Emely advised that the equipment is way above the cost being asked. Council Vice President inquired of the actual worth. Councilman Emely advised that it is worth at least \$85K to \$100K.

Mrs. Morgan reviewed the workup on financing; 25% down, would be a payment of \$12,500,

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With \$15,000 left from the \$30K the City has already borrowed.

Councilman Emely advised that the owner would like it paid in two years.

Council Vice President Scott asked if this was everything available or just what we selected.

Mr. Bozman advised that these are the items that were selected.

Councilman Konapelsky made reference to the need for a big backhoe, rather than the smaller size on the list. Mayor Lawson advised that all of the equipment is important. He noted that a lack of equipment had almost prevented the new Public Utilities Director from taking the position.

Mayor Lawson also noted that the equipment had been garage kept. Councilman Konapelsky advised he just wants to make sure the City gets what we need.

At this time, Councilman Emely made a motion to purchase the equipment at a payment of \$12,500 for two years, at 0% interest, but then rescinded his motion, due to conflict of interest.

Councilwoman Johnson made a motion to purchase all of the equipment presented at a payment of \$12,500 for two years, at 0% interest by the owner. Motion seconded by Council Vice President Scott.

Mr. Bozman advised that a tool crib would be constructed at the Public Works Garage. Mr. Charles advised that employees will be responsible for care and maintenance.

Mr. Sullivan inquired if a Bill of Sale with stipulation was needed. Mayor Lawson advised that it did not. Motion carried, with four ayes and abstention by Councilman Emely.

Councilman Emely presented to the Council a letter sent to Mr. Corey Hill, of USDA, by former Public Utilities Director, Harold Frock. He requested that Mr. Hill be placed on the Agenda for the first meeting in May. Councilman Emely advised that his next project would be the location of the former pool hall.

Councilman Emely also read aloud a letter from Phil Riggin, of the American Legion, requesting that

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Lori Quinn Drive be repaved. Councilman Emely advised that he would like to help Mr. Riggin lobby at the State level on this issue. Councilmembers concurred, though Councilman Atkins noted that the Session deadline is Saturday.

Councilman Emely also advised that he had attended a Marina Commission meeting and advised that the City needs an appointee.

Councilman Emely made reference to having a rough draft of the 2016 Budget for the next meeting.

He also made reference to presenting First Responders at the recent fatality accident scene at the next meeting.

Councilman Konapelsky made reference to the recent overwhelming tragedies. He made reference to checking with your local fire department to obtain smoke and co2 detectors. He made reference to reviewing for the City Manager in the upcoming closed meeting. He also noted that Council Vice President Scott's presentation was on key.

Councilman Atkins note that the Marina Commission's meeting was 99% devoted to marketing.

He also advised looking at the budget sheets presented by Mrs. Morgan, when starting to look at the upcoming budget. Councilman Atkins also made reference to the recent tragedy in Princess Anne and offered condolences to the family.

Mayor Lawson made reference to upcoming budget preparations and the Council's goals and

Aspirations. He commented that the City was nailed to the wall with unexpected expenses

during the 4th quarter of the budget. Mayor Lawson commented that he is sick of the elevated

house on Somerset Avenue. He also made reference to the burned house on Charlotte Avenue. Mayor

Lawson also commended Ken Build on their re-build of houses in the City.

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Mayor Lawson advised the Council to look at the Agenda before adding items, to prevent resulting
In a monster sized agenda.

PUBLIC INPUT

Mr. John Dize noted that there as a candlelight vigil for the Joyner family this Saturday at the City dock.

Mr. Terry Pehan made reference to the upcoming meeting with the contractor concerning ACOM's
Requirement regarding tree mitigation/easement and urged the Mayor and Council to attend.

Mr. Pehan advised that he endorses Council Vice President Scott's presentation regarding the SRP. He
commented that tourism is the centerpiece and future of the City.

VOTE TO CONVENE IN CLOSED SESSION

At this time, Councilman Atkins made a motion to adjourn into closed session as per Subsections 3-305
(b)(1)(i), (7),(8), and (14) of the general provisions article of the Annotated Code of Maryland, reading
each section aloud. Motion seconded by Councilman Emely and carried unanimously.

Respectfully submitted,

Joyce L. Morgan, Clerk-Treasurer

Prepared by Valerie Swift, Secretary