

MINUTES

The Mayor and City Council met in regular session on Wednesday, August 24, 2016 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
Richard M. Pollitt, Jr., City Manager
Joyce L. Morgan, Clerk-Treasurer
Michael Sullivan, City Solicitor

Also in attendance; Valerie Swift, Secretary. See attached list of others in attendance.

INVOCATION, LORD'S PRAYER AND PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mayor Lawson requested approval of the agenda for this evening's meeting. Approval so moved by Council Vice President Scott, seconded by Councilman Konapelsky, and carried unanimously.

APPROVAL OF MINUTES

Councilman Emely made a motion to approve two sets of Minutes; from July 22, 2016, Closed Meeting and August 3, 2016, regular meeting. Motion seconded by Council Vice President Johnson and carried unanimously.

PRESENTATION BY GREATER CRISFIELD ACTION COALITION RE: ENDORSEMENT FROM CITY COUNCIL

Mayor Lawson advised that during the presentation, proper decorum was expected and there would be no talking out of turn. He advised that there would be four speakers in favor of GCAC receiving endorsement by the City, who would be permitted to speak 2 minutes, and four speakers against GCAC receiving endorsement by the City, who would be permitted to speak 2 minutes. Mayor Lawson advised that any rebuttal regarding misinformation would come at the end of speakers and there would be no conversation with Council.

GREATER CRISFIELD ACTION COALITION PRESENTATION

At the request of Mayor Lawson, Councilwoman Charlotte Scott, who is also the president of GCAC, briefed those in attendance about the mission of GCAC and advised the Mayor and Council that the Coalition is requesting the Council vote to endorse GCAC and its mission.

SPEAKERS IN SUPPORT OF ENDORSEMENT

Ms. Darlene Taylor, Secretary of GCAC, introduced the members of the GCAC Board. She advised that the Coalition has a passion for the City, and needs the partnership of the City for job opportunities, training, and the revival of the City, which they can't do without the City's endorsement.

Mr. Dan Nelson, who was slated to speak, was not present.

Mrs. Tina Swift read a letter in support of GCAC, and noted that when she moved back from Florida, after being away for 18 years, the downtown had deteriorated.

Mr. Phil Rigin advised that he supports GCAC's action plan and respects the way that they conduct business.

SPEAKER NOT IN SUPPORT OF ENDORSEMENT

Dr. Mike Atkins advised that he had no formal statement and that he does not object to their mission. He advised that he is 1) concerned with having a public/private partnership between the City and GCAC, as positions can change and the City will have to compete with GCAC for grant funding, and 2) grant money to the City of Crisfield has been used efficiently, but he does not want to see a grant spent on salaries, for example the Bending Water Park. Dr. Atkins advised that he feels grant money needs to go to the City of Crisfield directly to make sure there is proper control over the use of grant funds.

REBUTTAL

Mr. Keith Campbell, member of GCAC, offered a rebuttal to Dr. Atkins. He advised that he sees Dr. Atkins's point, but feels that the private sector spends grant funding more efficiently and there is no overhead. He advised that it is the people's money to serve the people. He advised that GCAC is here to help private and public entities.

At this time, Councilman Emely made a motion for the City of Crisfield to endorse the Greater Crisfield Action Coalition.

Motion seconded by Councilwoman Ward.

COUNCIL DISCUSSION

Councilman Konapelsky stated that this is a full, inclusive plan that he feels this is a dangerous move for the City and the City could lose control over decisions that are the responsibility of the Mayor and Council. He stated that, by the Council giving GCAC a blanket endorsement, the City will then be in competition with GCAC for grant funding, and the City has done its best with the grant funding it has received. He stated that there is a tight line between the Council and GCAC. Councilman Konapelsky advised that the City has never given any organization blanket support and we need a safety valve. He stated that the Mayor and Council is elected by the people and he cannot endorse GCAC, as their mission is too extensive and not specific.

Councilman Emely advised that GCAC asked its supporters to attend this meeting and they are not here to take anything away from the City since everything has to be approved by the Mayor and Council anyway. Councilman Emely stated that GCAC is not dangerous and has a 501c3 tax status. He advised that people are here to volunteer and help the City, but can't get an endorsement.

Council Vice President Johnson advised that this is a good point, but GCAC should have met with the City a long time ago. She advised tabling the request and coming together for discussion.

Councilman Emely stated that Mr. Pollitt had been asked to join GCAC.

Council Vice President Johnson advised that she didn't want this to be labeled as "Good guy versus Bad guy," but in reference to any salaries being paid, she does have a problem with that.

Councilwoman Ward commented that together we stand and we need to pull together and work together.

Councilman Emely responded to Council Vice President Johnson by stating that GCAC has reached out to the City. Council Vice President Johnson advised that she cannot vote tonight and until all come together.

Councilman Emely advised that there had been public meetings held by GCAC and that salaries will be someone getting a job, not a board member.

Councilman Konapelsky commented that he feels passing a blanket endorsement is incredibly dangerous. He advised that he agrees there is no communication between groups and he is not against anything that helps the City, but he cannot endorse giving a blank check.

Council Vice President Johnson advised that she was going to vote to table the matter because we need to meet and iron out our differences.

Councilman Emely commented that waiting pushed away a partnership with businessman Joe Corrado years ago.

Councilwoman Scott inquired if she could speak. Mr. Sullivan advised Councilwoman Scott that, because she is the President of GCAC and a member of the board of directors for the organization, she should not participate in the discussion on the matter of the City endorsing GCAC under Section 44-4 of the City Code.

Councilman Emely advised that GCAC is only here to help the City.

Council Vice President Johnson stated that the Council had helped before, but then Councilman Emely ran off and joined GCAC.

Mayor Lawson reviewed the history of issues since he was elected in June of 2014. He advised that he had nobody on his side. Mayor Lawson advised that the Council had asked to plan development after the City Manager was hired, but in the meantime, GCAC was formed. He noted that he had been criticized by Senator Mathias for not working with GCAC. Mayor Lawson advised that GCAC has great plans but do not understand how to implement them intergovernmentally.

Mayor Lawson advised that the Mayor and Council answers to all citizens and people have opinions before they get information.

Mayor Lawson advised that Councilwoman Scott would have to recuse herself from the vote, as she is President of GCAC. He noted that Councilman Emely had resigned from the GCAC Board, and therefore,

could vote. He also noted that if GCAC requests funds, the Mayor must sign. Mayor Lawson also noted that Mr. Joe Corrado's operation failed.

Mayor Lawson questioned what power the City would give up by endorsing GCAC.

Councilman Emely advised that GCAC does not want any power; they are just trying to get a partnership with the City and the Mayor and Council still have to approve anything they do.

Council Vice President Johnson commented that they have already gotten approval from the Mayor before.

At this time, Mayor Lawson called for a vote, as follows:

Councilman Konapelsky – Nay

Council Vice President Johnson, - Nay

Councilwoman Ward – Aye

Councilman Emely – Aye

The vote result was 2-2 and therefore failed.

Councilwoman Scott then asked to speak. Councilwoman Scott stated that the Code says there has to be three affirmative votes from the Council to act on any measure so, at this point, since there is a 2-2 tie, she could vote in favor of endorsing GCAC so long as she disclosed her conflict of interest that she is the President of GCAC.

Council Vice-President Johnson stated she thought the issue of whether Councilwoman Scott could vote on the matter of endorsing GCAC should go before the Ethics Commission.

Mr. Sullivan advised that he considered Councilwoman Scott's interpretation of the City Code, in regards to her conflict of interest, to be incorrect; he further advised, that since Councilwoman Scott is the President of GCAC, as well as a member of its Board of Directors, she should not participate in any matter, including taking a vote, which directly affects GCAC like the decision before the Council.

Councilwoman Scott responded that if she cannot vote on the matter than she will abstain.

Mayor Lawson stated the vote of the Council to endorse GCAC failed due to lack of a majority vote.

CITY MANAGER'S REPORT

Mr. Pollitt reviewed his report, highlighting its contents. Mayor Lawson noted that Mr. Rick Lord had returned to work after 8 months of sick leave.

He noted that Mr. Lord had done a fantastic job sweeping the street, only for people to throw grass from mowing back into the street. He advised that this gets into storm drains and causes street flooding. He urged people to spread the word and noted a fine needs to be established for

great discharge of grass.

Mr. Pollitt noted that Mr. Lord had made a remarkable recovery and made reference to generous co-workers who had donated vacation and sick time so Mr. Lord could continue to receive a pay-check when his own leave had run out.

UNFINISHED BUSINESS

VOTE OF CONFIDENCE CONCERNING DEEDING OF PROPERTY TO IT TAKES A VILLAGE

Councilman Konapelsky addressed Ms. Darlene Taylor, Director of It Takes a Village. He advised that he continues to support It Takes a Village, but is concerned about voting with respect to his position at the County planning and zoning office. At this time, he recused himself from voting concerning this matter.

Council Vice President Johnson advised Ms. Taylor that she would have a vote of confidence from her, based on any contingencies from the County on the property.

Mr. Sullivan advised that a vote of confidence is fine, but should not fall into the action to transfer a piece of property we don't own. He advised there may be a caveat that things can change. Voting means nothing, legally.

At this time, Council Vice President Johnson made a motion to offer to It Takes A Village a vote of confidence regarding the deeding of the property to It Takes A Village from the City, contingent upon the County's disposition of the property. Motion seconded by Councilwoman Scott.

During discussion, Mr. Sullivan noted that deeding the property will include a reverter clause.

The motion carried 4 to 0, as Councilman Konapelsky had recused himself from the vote.

NEW BUSINESS

New Business -- Motion to adopt the Planning Commission's Recommendation regarding

Text Amendments to Section 112-47 of the City's Zoning Code Re: Permitted Uses in the Light Industrial District.

Mr. Pollitt briefed on the text changes that are needed, specifically by adding permitted uses 34 – Manufacturing, assembling and repairing of boats and 35 – Generating and/or producing electrical energy derived from agricultural by-products, to 112-47(A).

Councilman Emely made a motion to accept the recommendation from the Planning Commission for the adding of permitted uses 34 and 35. Motion seconded by Council Vice President Johnson and carried unanimously.

First Reader - An Ordinance amending Section 112-47(A) (Chapter 112, Article X) of the Crisfield City Code, entitled “Permitted uses,” establishing the permitted uses of property located in the zoning district designated as “I-1 Light Industrial District.

At this time, Councilman Emely made a motion to adopt the Ordinance for First Reader. Motion seconded by Council Vice President Johnson and carried unanimously.

Mr. Sullivan noted that a Public Hearing was required to be held at 5:45 p.m. on September 14th.

Mayor Lawson verbally submitted an Event Application for the upcoming Crab Derby Parade for the 69th Annual Crab Derby. He advised that they would be insured by the Chamber’s liability coverage. Approval so moved by Councilman Konapelsky, seconded by Councilman Emely and carried unanimously.

MAYOR AND COUNCIL Q & A AND DISCUSSION

Councilman Emely thanked those who came in support of GCAC. Councilwoman Ward advised GCAC to not give up.

Council Vice President Johnson stated that we do need help and are willing to meet with GCAC.

Councilwoman Scott stated that she is disappointed that GCAC was not supported by the City but she is glad to see all of the people here and urged them to keep coming back.

Councilman Konapelsky advised that he stands with Council Vice President Johnson, but it doesn’t mean the door is closed to discussion and we will have work sessions. He advised that people can

contact the Council with their concerns.

Mayor Lawson advised not to shelve the GCAC work because some of it is what the City needs but plans must be cleared with the Mayor and Council. He also noted that GCAC eventually offered Mr. Pollitt a position on their Board. He noted that Mr. Pollitt would sit as an ex-officio member.

Mayor Lawson advised that he has great respect for Keith Campbell as a workforce developer.

Mayor Lawson noted that the Green Space work is wrapping up. He also advised that Chesapeake Avenue will be paved.

Mayor Lawson advised that at the Chamber, there is now a photo history, done by Frank Rhodes, of past Crab Derbys.

PUBLIC INPUT

Mrs. Paula Green, business entrepreneur, advised that she had attended the Business Navigation Forum conducted by Councilwoman Scott. She advised that she is in support of GCAC. She advised that when looking for a place in Crisfield to open a book store, there was nothing suitable.

Mr. Randy Laird, County Commissioner, advised that the County would be voting to give the Whittington Primary property to the City after demolition of the building; then it could go to It Takes A Village. He encouraged everyone to work together.

Mr. George Friedley commented that he supports GCAC. He also suggested sending out fliers about mowing and throwing grass into the street.

Mr. Phil Riggin thanked the City for allowing him to speak during GCAC testimony but he understands democratic process.

Mr. Riggin noted that the Great Point project cannot be done due to some Corps of Engineers issues. He advised that this leaves 4.5M in Sandy funds which can be used for other projects and he urged the City to stay on top of this. He advised that he said the same to the County Commissioners.

Mr. Riggin asked that GCAC work through Mr. Pollitt with pieces of the plan.

Mr. Riggin addressed Councilman Konapelsky by saying that he understands it is hard to bite on a big plan, but the County Commissioners endorsed the Smith Island Coalition.

Mayor Lawson advised that the City would work on a contingency plan for the extra Hurricane Sandy money.

Ms. Shawna Kearsley invited everyone to a presentation at McCready Hospital by the Federal Government concerning a network planning grant, concerning health issues.

Mrs. Catherine Brown advised that some people think that it is ok to wash grass clippings down the storm drains.

Mr. George Friedley commented that this was a phenomenal meeting.

Mr. Tyron Lane commented that he had attended previous meetings where there was bad energy. He advised that there needs to be unity and he is for the vision of GCAC. He urged the Council to implement some of their proposal.

Mr. Elmer Barclay advised that he is concerned about having a recreational and sports facility for our youth. He also inquired if there are any plans to upgrade this end of Crisfield. Mayor Lawson advised Mr. Barclay to stop by for a discussion.

Mrs. Margo Green-Gale advised that she was pleased to see members of the Council at the opening day of schools ceremony on Tuesday and encouraged the Mayor and Council to visit our schools and attend school board meetings.

Ms. Venetia "Cheryl" Jackson advised that she came to the meeting to support It Takes A Village and GCAC. She commented that the City is stagnant and needs to move forward. She stated that we need to come together and we need jobs. She offered to help in any way because she loves Crisfield.

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

Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Joyce L. Morgan, Clerk-Treasurer

Prepared by Valerie Swift, Secretary