

MINUTES

The Mayor and City Council met in regular session on Wednesday, December 10, 2014 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
Mark Konapelsky, Councilman
Joyce L. Morgan, Clerk-Treasurer
Michael Sullivan, City Solicitor

Also in Attendance; Valerie Swift Secretary; Kerry Palakanis; Sarah Rayne; Irving Saltz; John Dize; Phil Riggin; Richard Crumbacker; Betsy, Adam, and Emily Thompson; Billie Jo Stern; Irma Stromberger; Carolyn & David Marquis.

Councilman Emely – out of town; Councilwoman Johnson , attending workshop for her job.

INVOCATION AND ADJOURNMENT FOR CHRISTMAS TREE LIGHTING CEREMONY

Mayor Lawson called the meeting to order and requested a brief adjournment for the Christmas Tree lighting ceremony.

LORD’S PRAYER AND PLEDGE OF ALLEGIANCE

Following the ceremony, the meeting re-convened with the Lord’s Prayer and the Pledge of Allegiance.

MOTION TO ACCEPT AGENDA

Council Vice President Scott made a motion to accept the Agenda. Motion seconded by Councilman Konapelsky and carried unanimously.

Mayor Lawson noted that Councilman Emely is in Cancun and Councilwoman Johnson is attending a

workshop for her job.

Mayor Lawson thanked Mrs. Mary Nelson, owner of the Water's Edge Café, for her idea to have a Storefront Decorating contest. He advised that the event will be better organized next year, involving the entire community. Mayor Lawson announced the 3 winners and the prizes that they received. He also noted that the contest had stimulated the ideas of one local artist, and sometimes the observer misses the point. He then presented a Certificate of Appreciation to Emily Thompson, for her creativity in window decorating.

APPROVAL OF MINUTES

Councilman Atkins noted that the deferred minutes from the meeting of September 29th, would have to be deferred for approval again, as both he and Councilman Konapelsky were absent from that meeting and Councilman Emely and Councilwoman Johnson were absent from this meeting. He then made a motion to defer this set of minutes and approve the minutes from the November 12, 2014 meeting. Motion seconded by Councilman Konapelsky and carried unanimously.

UNFINISHED BUSINESS

INCREASE IN FEES, BROWN'S COURT (NEGOTIATION)

Mayor Lawson advised that the administration fees for Brown's Court would be increasing, for a period of two years, from \$1,500/quarter to \$2,000/quarter.

Councilman Atkins inquired about the administration fees. Mayor Lawson advised that this is the cost to maintain, maintenance, wear and tear. Mrs. Morgan also noted that one of the units had had a long time tenant, and was now vacant. She advised that Brown's Court has five double units, which are 100% occupied.

Councilman Atkins inquired about the cost to make repairs on the vacated long-term rental.

Council Vice President Scott inquired of the total rental income per year. Mrs. Morgan advised that the City receives \$8,000 per quarter.

Mr. Sullivan inquired if the two year period for this increase would be put in writing. Mayor Lawson advised that it would. Councilman Atkins noted that this would be an increase to \$8,000 per year.

Mayor Lawson advised that the matter could be tabled if the Council wishes. Councilman Atkins stated that he wants to make sure of the administrative fee purpose.

Mrs. Morgan noted that the Housing Authority also has to vote on this.

At this time, Councilman Atkins made a motion to table the Brown's Court matter. Motion seconded by Council Vice President Scott and carried unanimously.

CHANGE IN ZONING FEE ORDINANCE

Mr. Sullivan reviewed the ordinance amending Section 45-1 of the City Code entitled "fees". He noted that sections E-1 and E-4 have been struck.

Councilman Konapelsky made a motion to approve for first reader the Zoning Fee Ordinance. Motion seconded by Council Vice President Scott and carried unanimously.

Mr. Sullivan also commented that there are some City Code provisions that have conflicting codes and would need to be reviewed.

CABLE FRANCHISE TRANSFER RESOLUTION

At this time, Mr. Sullivan reviewed Resolution 426, approving the transfer of Charter to Comcast.

He advised that if the City does not accept the Resolution, we won't be entitled to the refund of attorney fees and benefits, and legal protection.

At this time, based on the recommendation of the Cohen Law firm, and Attorneys Robin Cockey and Michael Sullivan, Councilman Atkins made a motion to accept Resolution 426. Motion seconded by Councilman Konapelsky and carried unanimously.

AGREEMENT OF SALE FOR MASSEY PROPERTY

Mr. Sullivan reviewed the Agreement of Sale for the Massey Property and advised the Mayor and Council to give approval.

Mayor Lawson briefed on the passing of the Eminent Domain resolution, which was never moved forward, and now an amicable agreement has been reached, the financing of which would be covered with CDBG grant money. Mr. Sullivan also advised that he had notified DHCD.

At this time, Councilman Konapelsky made a motion to accept the Agreement of Sale for the Massey Property. Motion seconded by Council Vice President Scott and carried unanimously.

SUB-RECIPIENT AGREEMENT FOR JANES ISLAND FEASIBILITY STUDY

Mayor Lawson made reference to the negotiation between CDBG and Tony Clark of the Corp of Engineers and thanked Mr. Sullivan for his work to get us to this point and briefed on the feasibility study and information. He noted that this was the only Army Corps project approved in Maryland for 2017. He advised that the project is funded through Hurricane Sandy money. Mr. Sullivan noted that all of the Sandy money was issued to the County, who are in charge of releasing it. He advised that we oversee the project, but don't have the money, thus the need for the Sub-recipient Agreement. He also noted that the Army Corps will contact us when we get to the \$2,600 shortfall.

Councilman Konapelsky stated that this is a huge gift to the City of Crisfield. Councilman Atkins commented that there is no risk, only benefit, and made a motion to approve the Sub-recipient

Agreement. Motion seconded by Council Vice President Scott and carried unanimously.

FINANCIAL REPORT – JOYCE L. MORGAN, CLERK-TREASURER

Mrs. Morgan presented the financial report from July through November. She noted that the annual Audit is in the final phase of review and will be presented at the January meeting.

MAYOR AND COUNCIL DISCUSSION

Mayor Lawson advised that the City had acquired the property next to the park (Wicks) with mitigation money.

Mayor Lawson made reference to the demo process for 329 Cove Street and re-development of the property.

Mr. Sullivan advised that the property owner has executed the deed and we should have it by Friday.

Mayor Lawson advised that a demolition notice would need to be prepared for 329 Cove Street, the Wicks property on Maryland Avenue, which would be covered with mitigation money, and the Massey property on 7th Street.

On behalf of Councilman Emely, Mayor Lawson thanked everyone who participated in the City clean up on November 22nd.

Mayor Lawson noted that Mr. Dean Bozman had been hired as the City Building Inspector.

Mayor Lawson advised that he had received a letter from Barb Outten concerning the Old State Road water line issue, requesting a delay in meeting until January.

Mayor Lawson made reference to a recent meeting with Lisa Fitzgerald of USDA, to audit the funding of existing projects. He noted that Ms. Fitzgerald advised that the benchmark formula for water rates is \$400 per year and for sewer it is \$500 per year; ours is only \$175 per year, which prevents us

from getting help from USDA.

Councilman Konapelsky inquired if this is a pitch to raise water and sewer to get better grant funding.

Mayor Lawson advised that it needs to be considered.

Mayor Lawson noted that in January, the City Manager discussion will get down to hard business.

He noted that the Signage Committee is moving forward. He also noted that Goodsell Alley is officially closed.

Councilman Atkins wished everyone a happy holiday.

Councilman Konapelsky advised that (1) he would like to have the City Manager's job description in place next week and also asked for suggestions from the public. (2) the City Manager interview process; he would like to involve to business owners and two lay people for their input, though they would not have a vote. (3) He would be meeting in Ocean City with Friends of Crisfield and the Tourism Department and would be meeting with the County Administrator next week, (4) He received a call from MDE concerning the Kayak Launch at the end of the depot, and can move forward and must provide Specs. (5) He made reference to how the City adopts Codes in Crisfield following State regulations , which takes powers away from the City and (6) he advised he is glad to see the audience and wished everyone a Merry Christmas.

Council Vice Preside Scott commented that there are a lot of things going on. She used a Rubik's Cube as an analogy that you have to work all of the pieces and things will come together. She made reference to the Drone Testing project. She also noted that she has been enjoying the Open Door sessions.

Council Vice President Scott commented that together is better and our momentum is good.

PUBLIC INPUT

David Marquis commented that the City acquiring property takes away from the tax rolls, the constant yield causes tax increase and less water and sewer is paid, making it tough to balance the budget next year.

Phil Riggin advised that in the next to Mayor and Council meetings there should be a mock-up ready of the proposed signage. He inquired if you must be a resident of the City to be on the Citizens Advisory Council. Mayor Lawson advised that there are parameters, but would discuss it in January.

Mr. Riggin inquired if the funding for the steel bulkheading had been released yet. Councilman Kona-pelsky advised that it is in the stage to be bid. Mr. Riggin also inquired if the County had released any of the Sandy money for paving. Mayor Lawson advised that he had no knowledge of it yet.

Mayor Lawson noted that he has been in discussion with Jason Loar concerning the proposed use of Carvel Hall. He made reference to the proposed demo of the Forbush building. He noted that USDA money would be used for preparation of Carvel Hall and that a work session would be needed in January to discuss how to move forward. He also asked that Mr. Loar sit in on the proposal for the Mariner's road water line project.

Mayor Lawson asked Mr. Loar for an update on the Wind Turbine Project. Mr. Loar advised that the major work is complete and they are completing miscellaneous electrical work, with the Nacelle to be delivered in early or mid January, up and running in February.

Mayor Lawson made reference to the water meter project close-out. Mr. Loar advised that he has been in contact with the large water meter manufacturer who says they will replace the 17 large meters, with one caveat; they won't do the installation.

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Mr. Sullivan noted that this matter should be discussed in a Closed Session.

Councilman Atkins inquired about the design for the front of the Nacelle. Mayor Lawson advised that the proposed design was too small.

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

Meeting adjourned at 7:30 p.m.

Respectfully submitted,

Joyce L. Morgan, Clerk-Treasurer

Prepared by Valerie Swift, Secretary