

MINUTES

The Mayor and City Council of the City of Crisfield met in regular session on Wednesday, January 13, 2016 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  
Rick Pollitt, Jr. City Manager  
Joyce L. Morgan, Clerk-Treasurer  
Michael Sullivan, City Solicitor

Also in attendance; Valerie Swift, Secretary; Richard Crumbacker; Chief Mike Tabor, Dean Bozman; Dominic Dilegge; Jimmy Charles; Dan Kuebler; Karen Carter; Kelly Townsend; John Dize; Bibiana Cohey; Billy Gene Swift Sr. and Jr.; Lamont Potter; and Timmy Culp.

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

APPROVAL OF AGENDA

Councilwoman Johnson made a motion to approve the agenda for this evening's meeting.

Motion seconded by Councilman Konapelsky and carried unanimously.

APPROVAL OF MINUTES

Council Vice President Scott made a motion to approve the minutes from the Public Hearing

and Regular Meeting of December 9, 2015 and the Workshop of December 12, 2015. Motion seconded by Councilman Atkins. Councilman Emely abstained, as he was absent from these meetings. Motion carried.

Mayor Lawson noted that Mrs. Morgan will be out due to surgery on January 15<sup>th</sup>.

JUDY CENTER PRESENTATION

Mr. Dan Kuebler, Somerset County Board of Education, appeared before the Mayor and Council along with representatives from the new Judy Center. Ms. Karen Carter, Early Childhood Coordinator, reviewed a power point presentation concerning the center and the service that it provides to children from unborn to age 3.

Mayor Lawson suggested using the library as the hub for this program.

Councilman Emely noted that the local radio station 107.3 is now on the air and also suggested using them to do a presentation.

Council Vice President Scott inquired as to how many students are served. Ms. Carter advised that 60 Pre-K are currently served and the grant was written to serve 300 children.

Council Vice President Scott inquired of future goals. Ms. Carter advised that they would like to build and reach younger children

Councilman Atkins inquired how effectiveness is measured. Ms. Carter advised that this is measured through the KRA (Kindergarten Readiness Assessment) test. She noted that the last test given showed 69% of the pre-kindergartners were ready to go into Woodson

Kindergarten to learn. She noted that the program started in Princess Anne in 2014 and is growing.

#### DEPARTMENT HEAD REPORTS

Chief Mike Tabor presented his annual report highlighting its contents. He noted that there had been a meeting with Pride Lodge rulers concerning the recent shooting and a hearing will be held soon concerning the Lodge's license.

Chief Tabor noted that 10% of the criminals do 90% of the crimes.

Council Vice President Scott inquired what the most effective tool is in reducing the crime rate. Chief Tabor advised that it is the use of all-encompassing programs.

Council Vice President Scott inquired what the biggest challenge is to the police department.

Chief Tabor advised that the biggest problem is the racial divide, which he doesn't know how to repair. He asked for any ideas.

Mayor Lawson commented that the world has changed. He made reference to complaints about dark tint on police car windows and commented that officers must be prudent when approaching citizens. He commented about officers donating their time to SAAD to develop relationships with students and noted that we must be respectful of each other.

Councilwoman Johnson commented that the Chief has handled the arrest of some of her family members, but she and the Chief still have a good relationship.

Public Utilities Director, Dominic Dilegge, presented his quarterly report, highlighting its

contents.

Council Vice President Scott inquired of Mr. Dilegge as to how his budget is running as far as the costs to run the plant.

Mrs. Morgan advised that she would review this during her report.

Council Vice President Scott made reference to chemical costs. Mr. Dilegge advised that they have been up due to infiltration. He added that he has been trying to cut back, but must meet MDE permit requirements.

Council Vice President Scott inquired if any of the Public Utilities employees had begun taking classes. Mr. Dilegge advised that most of the classes aren't local and some begin in February.

Councilman Emely inquired which classes would be available. Mr. Dilegge advised that these would be for bugs, sludge, and water.

Councilman Konapelsky inquired if the classes lead up to obtaining a license. Mr. Dilegge advised that they lead up to a 5A license, which is hard to pass.

Councilman Emely made reference to the note on Mr. Dilegge's report concerning issues with MDE. Mr. Dilegge advised he is waiting for the final report.

Council Vice President Scott made reference to the 36 sewer line condition. Mayor Lawson advised that we are concentrating right now on the north end of the City, looking at piping, and have not had a chance to address that area yet.

Mr. Pollitt commended Mr. Dilegge on his dedication to addressing some water issues that

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occurred during the Christmas holidays.

Mr. Jason Loar, City Engineer, advised that he has been working on the water side of the infiltration and inflow problem and has submitted the application to MDE concerning the Inflow and Infiltration problem at Rubberset.

Council Vice President Scott inquired about obtaining USDA money

Mr. Loar advised that an engineering study must be done first.

Mr. Pollitt requested an update concerning the wind turbine.

Mr. Loar advise that he met with the contractor who will be meeting with Aeronautica and anticipates the blades and nacelle to be shipped the first of February. He advised that it would only take two days for the nacelle to arrive.

Councilman Konapelsky inquired about the bulkheading project for the Green Space. Mr. Loar advised that the permits are done and are at the County level.

Mayor Lawson made reference to the wind turbine and advised that after 18 months of delays, the crane can't be ordered again until the blades and nacelle arrive. Mr. Loar advised that the installation must be coordinated, as the crane has been ordered and cancelled three times.

Councilman Atkins inquired what parts are under construction. Mr. Loar advised that this is the nacelle and blades.

Council Vice President Scott made reference to the installation of the large water meters.

Mr. Loar advised that the installation has been coordinated and Mr. Dilege will be installing

one of the four inch meters as a test.

Mayor Lawson advised that he would have to present the cost of installing the 6, 8 and 12 inch meters to the Council.

Council Vice President Scott inquired about the time for installation. Mr. Dilegge advised that it will take two weeks to get the four inch done.

Councilman Atkins inquired if the installation was covered by the warranty. Mr. Loar advised that the meters were replaced, but labor for installation was not covered. He advised that the new ones have a 5 year warranty with 10 on the battery.

Council Vice President Scott inquired when the meter installation program started.

Mayor Lawson advised that it started when Mayor Purnell got a 100% grant to purchase the water meters.

Mayor Lawson noted that the City also needs a new water billing system to tie into the new meters for the rate study. He made reference to a phone conversation with a resident outside of City limits who was advised by the Sanitary District that they will not begin reading their meters for billing until we start billing by our meter readings. He advised that he would like to go to rates by June 30<sup>th</sup> but without the new billing system, it will be next year before any rates can be set.

Councilman Emely suggested reviewing this before the next meeting and having the representative of the new billing software company come in and do a presentation.

Councilman Konapelsky commented that with the new system, an in office I.T. person is needed. He advised that he would ask the County I.T. person to present also.

Joyce L. Morgan, Clerk-Treasurer, presented her financial report for the first six months of the fiscal year.

Mayor Lawson made reference to the Highway User Revenue figure. Mrs. Morgan advised that is a one-time payment.

Council Vice President Scott inquired what part of tax dollars go to the Police Department.

Mrs. Morgan advised that she would get her the information.

Councilman Atkins inquired if the \$110K is really to the good. Mrs. Morgan advised that this is because of adjusted income, noting that there were two extra payrolls last year.

Councilman Atkins inquired why the pension figure was less. Mrs. Morgan advised that the budgeted figure was \$100K but the payment came in at \$80K.

Council Vice President commented that the City found a way to afford a City Manager and break even.

Mayor Lawson commended Mr. Pollitt on his CDBG work when first coming on board.

Mr. Dean Bozman, Code Enforcement Officer, presented his quarterly report, highlighting its contents.

Councilman Konapelsky made reference to the Cube Ordinance. Mr. Bozman advised that he has three applications and placards. He also noted that he spoke to the cube provider,

who will be giving the application to cube renters.

Councilman Emely made referenced to the Abandoned Vehicle Ordinance, which somehow got removed from the City Code when the Impound Lot Ordinance was done. He advised that this needs to go back in the Code Book.

Councilman Emely also commended Mr. Bozman and Mr. Charles for the work they are doing.

Mr. Bozman also requested prayer for employee Rick Lord, who is ill.

Mayor Lawson advised that he concurs with Councilman Emely about the work being done by Mr. Bozman and Mr. Charles.

Mr. Sullivan, City Solicitor, also noted that Mr. Bozman is great to work with.

#### CITY MANAGER'S REPORT

Mr. Pollitt presented his report, reviewing its contents. He also noted that yesterday, Department Heads met concerning the five year capital improvement plan.

Councilman Konapelsky inquired if the fans in the downstairs of the armory had been dismantled by former Mayor Purnell, which caused the mildew problem.

Councilman Atkins noted that he would be meeting with the new marina director this week and would advise that the Mayor and Council would like to meet with him.

Mayor Lawson made reference to the loss of two long time members of the Planning Commission; Steve Marshall, Chairman, and Bobby Goldsborough. He noted that he had spoken to two residents, Mr. Rick Taylor and Mr. John Dize, who would be interested

in serving.

At this time, Councilman Emely made a motion to approve the appointment of Mr. Rick Taylor to the Planning Commission. Motion seconded by Councilman Konapelsky and carried unanimously.

Councilman Emely then made a motion to approve the appointment of Mr. John Dize to the Planning Commission. Motion seconded by Councilman Konapelsky and carried unanimously. Mayor Lawson noted that there are also two other slots on the Planning Commission; one that can't be filled as it is not available, and one female or minority. He added that this is a serious job that requires much attention and consideration.

Councilman Emely advised that Paul Regester has expressed interest in being a member.

Mayor Lawson advised that this would need to be discussed with the Council.

Mayor Lawson also made reference to the email to Council concerning City streets.

Councilman Atkins passed out the street rating sheet.

Mayor Lawson advised that Mr. Pollitt, Mr. Charles, Mr. Bozman, and himself, will be compiling the rating results, which are due next Thursday. He noted that the City will need to look at a capital loan to do the streets beyond the eight that are scheduled to be done with Sandy money.

Mayor Lawson noted that the City has \$30K per year HUR coming in.

Councilwoman Johnson inquired as to who would be making the repairs on Collins Street by

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the new library.

Mayor Lawson advised that they have patched all that they are responsible for.

Councilman Atkins made reference to the spreadsheet used before, but is not the final answer, just a stepping-off point.

#### UNFINISHED BUSINESS

Mr. Pollitt made reference to the garbage truck issue. He noted that we have been borrowing a truck from Pocomoke and also looked at contractual service through Chesapeake Waste.

He noted that there are four options to be considered; 1) repair of our old truck, 2) purchase a used truck, 3) purchase a new truck and 4) contract garbage collection service.

Mr. Pollitt also made reference to the need for mandatory participation of all residents if a new truck was purchase as well as a rate change. If a contractual service is used, there may need for a staff re-alignment, and also the need for standard garbage containers for all residents.

Mr. Pollitt advised that a work session is needed to discuss trash. Councilman Konapelsky advised meeting about garbage, only. It was concurred that a workshop would be held on Wednesday, January 20<sup>th</sup> at 6:30 p.m. concerning garbage only.

#### WATER TOWER LEASE AMENDMENT

Mr. Pollitt made reference to the water tower lease 3<sup>rd</sup> amendment.

Mr. Sullivan noted that New Cingular Wireless has offered \$300 in additional rent money

for an additional antenna on the water tower, which would bring the monthly rent total to \$2,980.04 per month.

Mr. Sullivan advised that he contacted Mr. Jim Peck of Maryland Municipal League concerning what other municipalities charge for this type of service and some of the other towns are hesitant to provide this information. Mr. Sullivan noted that Oxford, MD charges half of what we receive and the Sanitary District charges much less.

Mr. Sullivan advised that a 17% increase in rent is substantial and advised that the City should sign the amendment. He also advised that there are two reports certifying the structural integrity. Mr. Sullivan also note that the additional antenna will enhance AT & T broadband service.

Councilman Atkins commented that this is a fair deal and we can still lease to others.

Mr. Sullivan advised approving the amendment, pending the obtaining of a building permit application.

At this time, Councilman Emely made a motion to accept the third amendment to the lease agreement, pending the application of a building permit. Motion seconded by Councilman Konapelsky.

During discussion, Council Vice President Scott inquired if there was any information provided by Pocomoke. Mr. Sullivan advised that there was none. He also noted that Fruitland does not lease.

Mr. Adam Thompson advised that Mr. Bruce Stasi, who does this type of work, advised that most companies pay \$400 to \$800 per month in antenna rental fees, but it is determined by the property.

The motion was then carried unanimously.

Council Vice President Scott advised that she was glad to have the additional information.

REQUEST FOR SMALL BOAT HARBOR TRANSFER FROM TOMMY LAWSON TO STEVEN THOMAS

Mrs. Morgan presented and reviewed the request for a transfer, all required documentation provided.

Approval so moved by Councilman Konapelsky, seconded by Council Vice President Scott and carried unanimously.

TEXT CHANGE TO ORDINANCE CLARIFYING BAKERIES AS A PERMITTED USE IN THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT

Mr. Pollitt advised that this pertains to the Smith Island Baking Company, which will be re-locating to the former Riggin's Market. He advised that the Planning Commission would be reviewing the text amendment at their meeting in February.

Mayor Lawson recused himself from this portion of the meeting, due to a conflict of interest.

Councilman Atkins made a motion to forward the text amendment to the Planning Commission.

Motion seconded by Councilman Emely and carried unanimously.

OPENING OF BIDS FOR BRICK KILN REPAIR OF BOARDS AND STRINGERS

Mrs. Morgan opened and read aloud bids as follows; 1) Chesapeake Roofing - \$22,532  
2) Global Services, LLC - \$56,850 and 3) Stevens Marine - \$58,000.

Mr. Pollitt advised that Mr. Bozman should review the bids for compliance, before any award is made.

At this time, Councilman Konapelsky made a motion that Mr. Bozman review the bids for compliance, and in the event that Chesapeake Roofing meets all of the requirements, it is ok to award the bid to them. Motion seconded by Councilman Emely and carried unanimously.

#### MAYOR AND COUNCIL Q & A AND DISCUSSION

Councilman Emely advised that he is proud that the Budget is holding on.

Councilman Atkins thanked the City for getting Mr. Bozman from the Marina.

Councilwoman Johnson reviewed highlights from yesterday evening's Park Commission meeting, noting the approval of Chesapeake Construction to build the two ancillary buildings at the park for \$7,500 and the approval of spending \$4,700 for the base of the sign.

Councilwoman Johnson also made reference to the television appearance of Ms. Bibiana Cohey, who was in attendance at this evening's meeting.

Council Vice President Scott advised that she had nothing for discussion.

Councilman Konapelsky wished everyone a Happy New Year. He advised that the Mayor and Council are servants of the people, and encouraged questions from residents.

Mayor Lawson made reference to the relocation of Main Street Pharmacy to a new location

across the street from their current address. He made reference to the completion of the demolition of the Ajello property on Main Street.

Mayor Lawson made reference to the loss of the working class in Crisfield and what can be done as incentives such as tax abatements to keep them here.

Mayor Lawson named himself, along with Mr. Pollitt, Mr. Bozman and Mr. Charles for a project to get Carvel Hall cleaned up before the middle of March. He made reference to a proposed sign to market Carvel Hall, which would cost less than \$10,000 and be done by Chad Ramsay, using USDA funds.

Mayor Lawson made reference to yet another leak on Mariners Road. He advised that a letter will be sent to residents advising them that they will be responsible for paying their portion of the repair bill.

Councilman Emely commented that every time a leak is repaired, another one occurs.

#### PUBLIC INPUT

John Dize made reference to AT & T internet service and advised they have wireless boxes at the Marina and the Annemessex area.

Councilman Emely noted that AT & T had purchased Direct TV.

Bibiana Cohey advised that she was speaking during Public Input because she could not be put on the regular agenda. She questioned why she had been refused and her letters concerning her water dispute ignored.

She advised that she would be requesting to be on the Agenda at the next meeting.

Mr. Sullivan advised Ms. Cohey she was not placed on the Agenda because the City does not want to establish a precedent of allowing Council meetings to become hearings for water and tax disputes. He advised that the Council establishes the Budget, rates, etc., but don't determine if bills are valid. He advised that the City charges a uniform rate based on usage unless established otherwise. Mr. Sullivan advised that this would become a never-ending process and the Council has no authority with respect to the dispute.

Ms. Cohey also commented that she was not informed when water and sewer rates increased.

Mr. Adam Thompson, in reference to the water tower lease, inquired if the agreement had a 3% annual increase clause for abandonment. Mr. Sullivan advised that it is addressed.

Mr. Billy Gene Swift inquired if the tower rent was new money. Mayor Lawson advised that it was not.

VOTE TO CONVENE IN CLOSED SESSION

Councilman Konapelsky made a motion to adjourn the regular meeting and convene in closed session. Motion seconded by Councilman Atkins and carried unanimously.

The regular meeting adjourned at 9:15 p.m.

Respectfully submitted,

Joyce L. Morgan, Clerk-Treasurer

Prepared by Valerie Swift, Secretary