

MINUTES

The Mayor and City Council met in regular session on Wednesday, February 10, 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
Richard M. Pollitt, Jr. City Manager
Michael Sullivan, City Solicitor

Also in attendance; Valerie Swift, Secretary; Dean Bozman, Code Enforcement Officer; Richard Crumbacker; Jason Loar; David Hood; Matt Lawson; Phil Riggin; and Terry Pehan. (See signature list).

Absent; Joyce L. Morgan, Clerk-Treasurer, Mark Konapelsky, Councilman

THE LORD'S PRAYER AND THE PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Councilman Atkins made a motion to accept the agenda for the meeting. Motion seconded by Councilwoman Johnson and carried unanimously.

APPOVAL OF MINUTES

Councilman Atkins noted that neither he nor Councilman Emely were present for the meeting of November 18, 2015.

Councilman Atkins made a motion to approve the minutes from the meetings of September 23, 2015, January 20, 2016 and January 27, 2016. Motion seconded by Councilman Emely and carried unanimously.

Council Vice President Scott made a motion to approve the minutes from the meeting of November 18, 2015. Motion seconded by Councilwoman Johnson and carried, noting that Councilmen Atkins and Emely were not present at this meeting.

Mayor Lawson advised the Council that with Mr. Pollitt and other Department Heads busy trying to get so many things done, he would like them to select one person among them if they have any questions about day to day operations, allowing Department Heads to focus on the big things, for a better way to streamline the process.

CITY MANAGER'S REPORT

Mr. Pollitt reviewed his bi-weekly report, highlighting its contents.

Councilman Atkins made reference to item #3 regarding Golf Carts, and inquired if there had been any feedback from Senator Mathias. Mr. Pollitt advised that he had not gotten a reply from Senator Mathias' Chief of Staff.

Mayor Lawson advised that it was made understood that seatbelts, driver's license and insurance is required for golf carts.

Council Vice President Scott inquired if additional letter were sent to Delegate Otto. Mr. Pollitt advised that letters had been sent.

UNFINISHED BUSINESS

GARBAGE DISCUSSION /DECISION

Mr. Pollitt noted that the owner of the trash collection service that Mr. Bozman had been working with had gone from a 3 month to a 6 month and now a one year trial period.

Mr. Sullivan advised that this would need to be put out for bids.

Mr. Bozman advised that the cost would be \$9.00 per unit if the company can use their transfer i.d. number or \$5.90 per unit if we take care of the landfill fee, which is basically the same cost.

Mr. Sullivan advised bidding for a one year service contract with the option to renew. He noted that the cheapest offer is not always the best.

Councilman Atkins made reference to a 90 day opt out clause. Mr. Sullivan advised that this is already in the draft contract.

Council Vice President Scott questioned the urgency and also commented that she understood that there were no competitors.

Mr. Pollitt advised that he expects no more than two bidders.

Council Vice President Scott advised that she also wants the average tipping fee per month.

Mr. Bozman advised that he would get this from Mrs. Morgan.

Councilman Atkins asked if the private company would be able to dump at the landfill at the city rate. Mayor Lawson advised that the City would have to obtain approval from the

County Commissioners.

Council Vice President Scott advised that we need all facts.

At this time, Mayor Lawson advised that he would like to ask for motion that Mr. Pollitt, Mr. Sullivan and Mr. Bozman move forward with the writing of a contract to be reviewed at the next meeting.

Mr. Sullivan advised putting out an RFP with different scenarios and modify the contract and terms as needed.

Council Vice President Scott commented that a vote had almost been taken without all of the information.

Following further discussion, Council Vice President Scott made a motion that a 12 month tipping fee cost be obtained from Mrs. Morgan. Motion seconded by Councilwoman Johnson and carried unanimously.

Councilman Emely made a motion that city garbage collection be outsourced, if financially feasible. Motion seconded by Council Vice President Scott, who during discussion stated that she would like to evaluate outsourcing first, to make sure it makes sense financially.

Motion carried unanimously.

Council Vice President Scott made motion that an RFP for how to outsource city garbage collection and bring in bids, be prepared by Mr. Pollitt, Mr. Bozman and Mr. Sullivan and that Mr. Pollitt discuss with Mr. Doug Taylor, Somerset County Commissioners, the

cost of the tipping fee, before the next meeting. Motion seconded by Councilman Emely, for discussion.

Councilman Emely made reference to the delay in making a decision.

Mr. Pollitt advised that he already has information from Delmar concerning procedure to outsource collection.

Mr. Sullivan advised that bids could go out the day the RFP is approved and the City could use our website, newspapers, and e.marylandmarketplace.

The motion carried unanimously.

EVENT APPLICATION FOLLOW-UP

Mayor Lawson made reference to events scheduled to be held at the depot and advised that the contractor awarded the bulkheading bid will have 90 days to complete the job as state funding will revert back after July 1st, therefore the job should be done by then. He noted that some of the parking lot may have to be roped off. He advised that the bid will be awarded on February 23rd and suggested delaying the approval of the event application.

At this time, Councilman Emely made a motion to table the decision until the first meeting in March. Motion seconded by Council Vice President Scott and carried unanimously.

ALTERNATIVE FOR OBSTRUCTION REMOVAL PROJECT – AIRPORT

Mayor Lawson advised that on August 13, 2015, the City advised the County Commissioners

that the City needed a longer period (six months) to review and make a decision.

Mr. Pollitt reviewed the four alternatives. He advised that the City is charged to organize a comp plan to take advantage of our assets and it made no sense to diminish the area of the airport. He advised that the City held a public meeting and heard testimony concerning the closing of the turf runway. He also advised that City reps also went to Washington DC and met with UMES Representatives.

Mr. Pollitt advised that the City also must face reality. He suggested that the City agree to accept Option #4 with the following stipulations; 1) the city keep legal control over the turf runway, 2) continued sharing of the cost of the upkeep of the turf runway maintenance with the County, and 3) during the County Commissioner Comp Plan update, the County consider appropriate zoning control as a functional resource.

Mayor Lawson noted that during an airport meeting with county reps and AECOM, it was discussed that a plan was needed to acquire easements, and the County has to put up money for the acquisition.

Mayor Lawson advised that the airport was downgraded due to usage, as there are only two fixed base planes, so it doesn't qualify for funding.

At this time, Councilman Emely made a motion to endorse Alternative #4 with the three terms proposed by Mr. Pollitt. Motion seconded by Councilwoman Johnson.

During discussion, Councilman Emely advised the he likes the idea of working with the County

Commissioners.

Council Vice President Scott advised that the zoning change is needed for future growth of the airport. She also made reference to strict legal control. Mr. Pollitt advised that the City needs to make it clear that the turf runway is not permanently closed if it ever needs to be open.

Councilman Atkins advised that solid airport zoning is needed. He advised that he disagrees with alternative #4 as the turf runway is a valuable resource. He suggested alternative #2 and defer the easements on six additional parcels until a later date. He advised that we need to speak on what is best for City residents.

Councilman Emely inquired if UMES had used the turf runway.

Councilman Atkins advised that pilots in training have.

Councilwoman Johnson inquired if #4 is permanent. Mr. Pollitt advised that he is trying to define "closed" with the ability to re-open, and if needed in an emergency, as we are still maintaining it.

Councilman Emely inquired as to how the selection would affect City residents.

Mayor Lawson advised that City residents own a portion of the airport. He advised that the City is trying to keep open available options and use it in the right manner.

Councilman Atkins noted that crop dusters also prefer turf runways.

Council Vice President Scott stated that alternate #4 is based on previous meetings and does

not promote future growth, but #2 keeps the turf runway open and the option for future growth is more apparent.

Councilman Atkins commented that the County may not live up to the three contingencies suggested by Mr. Pollitt.

Mr. Sullivan advised that the City of Crisfield owns half interest in the airport. He advised that there are no rules available and there needs to be a regulatory body based on rules and regulations – an Airport Commission.

Council Vice President Scott noted that everyone wants to protect the future of the airport and everyone wants the same thing.

Councilwoman Johnson advised that she agrees with Mr. Pollitt's three stipulations.

Councilman Atkins advised that he would never vote for #4 closing the turf runway, as he feels this is the wrong direction and #2 is better.

Councilman Emely noted that Councilman Konapelsky, who is absent, also agrees with alternative #4. He added that we can't afford to maintain the airport on our own and need the partnership with the County.

At this time, Mayor Lawson called for a vote on the motion on the floor to go with Alternative #4 with the three contingencies as proposed by Mr. Pollitt. The vote was as follows; Council Vice President Scott, Councilwoman Johnson and Councilman Emely in favor, Councilman Atkins opposed. Vote carried in favor 3 to 1.

DISCUSSION ABOUT THE ADDITIONAL STREETS THAT THE COUNCIL AGREED ON

Mayor Lawson made reference to the top ten streets as reviewed and scored by the Council.

He noted that the legion area will be paved with HUR money.

Mayor Lawson note that a pre-bid meeting for paving was held today and bids are due on February 23rd.

Council Vice President Scott commented that she is excited to have a street list which made things much clearer.

NEW BUSINESS

Resolution 436 – of the Crisfield City Council supporting Maryland Department of Housing and Community Development Neighborhood Business Works Program financing to the Smith Island Baking Company, Inc.

Mr. Pollitt reviewed the Resolution and advised that the zoning must be appropriate for the location. He noted that the Resolution may have to be submitted after the text amendment.

(Noted: Mayor Lawson left the room due to a conflict of interest)

At this time, Councilman Atkins made a motion to adopt Resolution #436. Motion seconded by Councilwoman Johnson and carried unanimously.

FIRST READER – ZONING ORDINANCE TEXT CHANGE AMENDMENT

Mr. Sullivan reviewed an Ordinance amending §112-23 A(14), striking the language after bakery.

Councilman Atkins made a motion to adopt this ordinance for First Reader. Motion

M&C21016

seconded by Council Vice President Scott and carried unanimously.

Mr. Pollitt advised that this was recommended by the Planning Commission. Councilman

Atkins added that this was per Council request.

SUB-RECIPIENT AGREEMENTS – COVE STREET LIFT STATION, MARYLAND AVENUE WELL GENERATOR

Mayor Lawson advised that these Sub-recipient agreements are for Hurricane Sandy money administered by the County.

Mr. Sullivan advised that this is Sub-recipient Agreement 3 & 4 with the County.

At this time, Councilman Atkins made a motion to accept both Sub-recipient agreements.

During discussion, Council Vice President Scott made reference to the \$5M noted in the agreement.

Mr. Sullivan presented a copy of Exhibit A and advised that the total State grant was for \$5M and is separated out for each project.

Motion carried unanimously.

MAYOR AND COUNCIL REPORT, Q&A

Mayor Lawson made reference to attending the Maryland Mayor's Association Convention in Annapolis. He advised that 62 Mayors were in attendance. He advised that Governor Hogan is working to restore HUR. Mayor Lawson advised that the City has received \$30K the past two years, with one-time supplemental amounts of \$70K and \$80K. Mayor Lawson noted that this needs to be a line-item, not a supplemental item, but they are battling fiscal

constraints of the State.

Mayor Lawson made reference to another agenda topic at the convention; a Revenue Sharing Plan as well as a plan to deal with property foreclosures which would allow cities to secure these properties before they are vandalized.

Mayor Lawson also made reference to discussion concerning tax equity/differential between cities and counties so a city can get back money from the county for duplicate services.

Mayor Lawson advised that he would need the authority to have a study done at a cost of \$15 to \$30K before approaching the county.

Mayor Lawson made reference to a missed opportunity for Carvel Hall concerning medical marijuana.

Mayor Lawson advised that Mr. Dilegge, Public Utilities Director, is stressed out over the Inflow and Infiltration issues in the City.

Mayor Lawson thanked Councilman Emely for handling certain personnel issues.

Council Vice President Scott made reference to medical marijuana at Carvel Hall and feels there are other alternatives.

She made reference to voting for Alternative #4 for the airport, because she feels confident in Mr. Pollitt's recommendation.

Council Vice President Scott also made reference to an upcoming broadcast of American Pickers at the Burgess Museum, Crisfield being named as one of Americas Safest Cities,

and Water's Edge Restaurant being voted as one of the best restaurants. She also advised that she is encouraged by the proposal to permit golf carts, the upcoming installation of the wind turbine, and street paving.

Councilwoman Johnson noted that she is also happy about the plans for street paving. She noted that she appreciated Mayor Lawson's report and is also glad that Council Vice President Scott voted for Alternative #4.

Councilwoman Johnson advised that she had spoken with Cindy Stone, who advised there would be a grant workshop in March with the application due in May, with regards to It Takes A Village.

Councilman Atkins advised that he shares the concerns of Mayor Lawson regarding the tax differential and appreciates the idea to have a study done in order to have legislation changed from "May Share" to "Shall Share". Councilman Atkins also advised that he hopes HUR is restored.

Mr. Jason Loar, DBF, advised that he had no wind turbine updates. He also noted that the logo for the turbine must be one of a higher resolution.

Councilman Emely advised that he also likes the idea of a study being done concerning the tax differential. He suggested selling surplus property to pay for the study.

Councilman Emely suggested inviting the local county commissioner to the regular meetings.

Councilman Emely noted that with the Blue Crab Café closed, the item of theirs that was on City

property now needs to be removed.

Councilman Emely also advised that he had invited the Wicomico Yacht Club back to the Somers Cove Marina.

Councilman Emely also presented pictures and prices of the challenge coin he had been working on.

Mayor Lawson made reference to Councilman Konapelsky's request to meeting with the Chamber, Heritage Foundation, and Tourism Board. He advised that this would be scheduled.

PUBLIC INPUT

Terry Pehan commented concerning the airport. He advised that when a runway is closed, a NOTAM is put out and pilots are responsible for knowing.

He made reference to the meeting with Jennifer Lutz, ACOM, and the City/County split for the easements. He advised that FAA pays only 1 time and will be reimbursed.

Mr. Pehan made reference to the event at the depot, with the Softshell Festival in May.

Mayor Lawson advised that he and Councilman Emely would address this.

Mr. Pehan suggested that Mr. Pollitt and Mr. Taylor discuss the three points concerning the airport, in person.

Councilman Atkins made reference to the challenge coin and presented his idea, which was geared toward CHS students. He made reference to the intent of the coin; just for CHS students or for distribution to others as well?

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Mayor Lawson advised Councilman Emely and Councilman Atkins to work out the details.

There being no further discussion, Councilwoman Johnson made a motion to adjourn,

seconded by Council Vice President Scott and carried unanimously.

Meeting adjourned at 8:45 p.m.

Respectfully submitted,

Joyce L. Morgan, Clerk-Treasurer

Prepared by Valerie Swift, Secretary