

MINUTES

The Mayor and City Council met in regular session on Wednesday, August 13, 2014 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 (arrived @ 6:15)
Mike Atkins, Councilman
Erik Emely, Councilman
Mark Konapelsky, Councilman
Joyce L. Morgan, Clerk-Treasurer
Michael Sullivan, City Solicitor

Also in attendance; Valerie Swift, Secretary (see copy of attendance roster)

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

Mayor Lawson made reference to the procedure for Public Input at the end of the meeting.

APPROVAL OF MINUTES

Mayor Lawson requested approval from the Council of the minutes from the July 28th Work Session, the July 23rd Regular and Closed Meeting and the Work Session on July 21st.

Council Vice President Scott made reference to a few corrections in the minutes from July 28th. She then made a motion to accept the minutes from July 28th, with the

necessary corrections. Motion seconded by Councilman Emely and carried unanimously.

Councilman Atkins then made a motion to approve the Work Session minutes of July 21st, the Regular Meeting of July 23rd, and the Closed Meeting of July 23rd.

Motion seconded by Councilman Konapelsky and carried unanimously.

FINANCIAL REPORT – JOYCE L. MORGAN, CLERK-TREASURER

Mrs. Morgan presented the City's Financial Report for the month of July. Figures presented were actual versus 1/12 of the 2014-2015 Budget, with detailed explanation.

Councilman Atkins thanked Mrs. Morgan for taking a very complicated concept – a twelve month budget, versus monthly revenue and expenses, and presenting it in an easy to understand format.

CERTIFICATE OF APPRECIATION FOR MIKE HEADLEY

Mayor Lawson presented Mr. Mike Headley with a certificate of appreciation for all of his hard work on various beautification and community projects. He commended his hard work on the Janes Island Lighthouse replica. Mr. Headley thanked everyone on behalf of the City.

DAVID MARQUIS – RE: LETTER OF SUPPORT FOR MICROBREWERY

Mr. David Marquis appeared before the Mayor and Council to request a letter of support from the Mayor and Council for a microbrewery. He advised that the County has endorsed microbreweries if you have a certain type of liquor license and own a restaurant.

Councilman Konapelsky commented that this is a great idea.

Councilman Emely made a motion to write a letter of support for Mr. Marquis for his microbrewery. Motion seconded by Councilman Konapelsky. During discussion, Councilman Atkins commented that he doesn't know much about problems associated with micro-breweries, such as possible odors.

Mayor Lawson also noted that there had been no offenses against the Marquis' liquor license. He requested that Mr. Sullivan prepare the letter of support.

DR. KERRY PALAKANIS – RE: S.H.I.P.

Dr. Kerry Palakanis presented the Mayor and Council with a power point of a proposal for a Grant to provide medical services through telemetrics, to Smith Island. She advised that if the City supports the grant, they would be a conduit for receipt of the grant and would receive a portion of the admin funds. She also noted that even if the administration is farmed out, there would still be admin funds left. She also noted that this program would also be conducive to getting broadband in Crisfield.

Councilman Emely inquired as to what the program involves. Dr. Palakanis advised that the City would be a sponsoring agency for the grant.

Councilman Konapelsky inquired as to why they came to the City, as Smith Island is in the County, and made reference to liability. Dr. Palakanis advised that she wanted sponsorship in the City.

Councilman Atkins noted that you must make sure the funds are used appropriately.

Councilman Konapelsky made reference to concerns that about liability if something happens to a patient.

Following further discussion, Councilman Emely made a motion for the City to be the grant administrator for the S.H.I.P. program. Motion seconded by Councilman Konapelsky.

During discussion, Councilwoman Johnson asked for a legal opinion about the matter from Mr. Sullivan. Mr. Sullivan advised that this is a grant, so you must make sure the money goes where it is supposed to. He advised that the City would have to follow public procurement laws. Councilman Atkins commented that the medical liability would be on the providers of care, but the liability for proper administration of grant dollars would be on the City Council, and the cost of administering the grant for Smith Island would likely exceed administration payments to Crisfield. He also commented that a project benefitting Smith Island should go through the County Commissioners, as Smith Island is not part of our municipality.

Council Vice President Scott stated that since she had not read the contract, she would be signing something she was not familiar with, adding that it was a last minute proposal.

Councilman Konapelsky commented that it was a great proposal, but he is not comfortable signing the contract.

Mayor Lawson called for a vote, with Councilman Emely voting "aye", Councilwoman

Johnson abstaining, and Councilman Atkins, Council Vice President Scott and Councilman Konapelsky voting “Nay”. The motion did not carry.

JASON LOAR, D.B.F. – WIND TURBINE UPDATE

Mr. Loar advised the Mayor and Council that the project is slightly behind schedule. He advised that the pilings are in and they are working on the foundation. The tower will be delivered late next month. Mr. Loar stated that the turbine should be up and running in late January or February.

Mayor Lawson advised that he would send Mr. Brian Kuhn a fax of the proposed crab design for the turbine. He advised the Council to decide on the logo as presented by Council Vice President Scott. Council Vice President Scott stated that she wanted to come up with something that would brand the City as the Crab Capital of the World.

OLD BUSINESS

No old business for discussion.

NEW BUSINESS

Councilman Konapelsky made reference to zoning fees and stated that \$500.00 is too much to go before the Board of Zoning. He advised that he would like the fees to be lowered to \$100 to \$150.

Councilman Atkins advised that we addressed this same issue, he believes, in 2013, and found our fees comparable to surrounding cities.

Councilman Konapelsky commented that the fee makes it inaccessible to business owners and other people.

Councilwoman Johnson advised that she agrees with Councilman Konapelsky.

Mayor Lawson read aloud the permit fees of Somerset County and commented that the City is right on par.

The Mayor went on to discuss the work involved by Mr. Bradshaw and commented that the City has one inspector and the County has 15 employees. He added that he would like to go lower, but it is right in line with the cost.

Councilman Atkins stated that just because we are a small town does not mean our costs are less, and asking for a change in zoning affects everyone in the neighboring area, no small thing.

Councilman Emely commented that he feels we need to make a change.

Councilman Atkins advised that the Council should consider the work involved before making a change. Councilman Konapelsky advised that he wants the actual cost.

At this time, Councilman Konapelsky made a motion that a study be done of the actual cost to go before the BZA. Motion seconded by Councilwoman Johnson and carried unanimously.

HARBOUR'S EDGE PROPERTY – TRANSFER OF EDU'S

Mayor Lawson made reference to the request from The 825 Group for a transfer of the

61 EDU's at property located on the end of 7th Street to a purchaser of the property. He noted that City code does not allow for EDU transfer.

Mr. Sullivan advised that the EDU policy can be changed by Resolution or you can enter into a special agreement as per Section 94.10 of the Code.

After further discussion, Councilman Emely made a motion to approve the transfer of of the EDU's in the sale of the property, for The 825 Group. Motion seconded by Councilman Konapelsky and carried unanimously.

LIGHTING PROPOSAL FROM JAYKAL FOR PUBLIC WORKS, FIRE HALL & ARMORY

Mayor Lawson read the proposal from Jaykal to replace the lights at the public works garage, the fire hall and the Armory with new energy efficient bulbs at no cost to the City.

At this time, Councilman Atkins made a motion to accept the proposal from Jaykal Lighting for new bulbs at the public works garage, fire hall and armory, at no cost to the City. Motion seconded by Council Vice President Scott and carried unanimously.

EVENT APPLICATION REQUEST – CRAB DERBY PARADE

Mayor Lawson reviewed an Event Application request for the annual Crab Derby parade to be held on Saturday, August 30, 2014. Approval so moved by Council Vice President Scott, seconded by Councilman Atkins, and carried unanimously.

EDU REQUEST – MATT CAIN RE: ADDITIONAL SEWER HOOKUP FOR THE CRAB PLACE

At this time, Council Vice President Scott recused herself from this request, as Mr. Cain is her son.

Mayor Lawson briefed on the request from Mr. Cain and reviewed the slides.

At this time, Councilman Atkins made a motion to approve Mr. Cain's request for an additional sewer hook-up at the Crab Place. Motion seconded by Councilwoman Johnson and carried unanimously. Councilman Konapelsky commented that the City needs to help businesses. Councilwoman Johnson commented that it is a nice, clean, establishment.

M&C Q & A, COMMENTS

Councilwoman Johnson noted that the reason she abstained from Dr. Palakanis' request was that she was not informed beforehand.

Councilman Emely made reference to the status of the house on Cove Street. Mr. Sullivan advised that Mr. Bradshaw is working to locate the property owner. He noted that as City Inspector, the Council cannot force Mr. Bradshaw to do anything, but can ask him to pursue other avenues such as Municipal Infraction.

Councilman Atkins stated that the City needs to come up with a way to handle all dilapidated properties.

Councilman Emely questioned if the City is going to wait until a child gets injured.

Councilman Atkins noted that the City doesn't own the property.

Councilman Konapelsky advised that he would assist Mr. Bradshaw with the Municipal

Infraction Process. Councilman Atkins commented that the City must be fair to others living next to similar situations.

Councilman Emely requested that Mayor Lawson follows up strongly on this issue.

Mayor Lawson suggested forming a sub-committee to look at making a line item in the budget for demolition.

Mr. Sullivan suggested that the Council follow the International Property Maintenance Code.

Councilman Atkins stated that it could be pursued as a Municipal Infraction, but that may not be the best way. He advised that the Council needs legal counsel at a work session.

Council Vice President Scott noted that she does not have much experience with property matters such as this one. She also commended Councilman Emely on his work on getting the downtown parking lot cleaned up.

Councilman Emely advised that this was done by inmates at the Detention Center and took 4.5 hours. He advised that they will be coming back at another time to paint parking spaces. He also advised that a landscaper will be doing the front blocks for free and should be done within 14 days. Councilman Emely advised that he is working with CAC Bernice Evans concerning paid parkers. He advised that he would like to see the front parking spots designated for tourists.

Councilman Konapelsky noted that he had recently attended the UMES Summer Youth

Appreciation Program for summer youth workers and advised that he would like to get more kids involved in the program.

Councilman Konapelsky made reference to the Kayak Launch Area as far as a security issue with the oil tanks. He stated that he feels this is not a viable place and asked the Council to look at it.

Mayor Lawson noted that the Waste Water Treatment Plant had one of Mr. Turner's summer workers.

Mayor Lawson made reference to Councilwoman Johnson's concern about Dr. Palakanis' request. Councilwoman Johnson advised that he did not have to respond.

Mayor Lawson noted that the agenda was emailed to the Council and the meeting notice posted in the Crisfield Times.

Mayor Lawson noted that the Park Grant is due August 18th and asked for input. He also advised that there needs to be a work session concerning Municipal Infractions and city equipment.

At this time, Councilman Atkins read aloud the summary of findings concerning the complaint regarding compliance of the Open Meeting Law, from Mr. David Marquis concerning the April 23, 2014 meeting.

PUBLIC INPUT

Dr. Kerry Palakanis inquired of the Mayor and Council as to how to get items on the

agenda and was advised to contact the Secretary.

She commented that the City doesn't need to be a roadblock to new business. She also commented that the abandoned buildings are a deterrent to the City.

Mrs. Billie Jo Chandler commented that she feels Williams Street is the best place to launch kayaks. She also noted that the meeting room needs speakers in the back so the audience can hear the Mayor and Council.

Mr. David Marquis noted that at the County a zoning change fee is \$500 but to go before the BZA, it is \$150.00. He advised that he feels the cost is prohibitive.

Councilman Atkins commented that a business/property owner doesn't need to go before the BZA if they are opening a business in a business district; only when not zoned properly.

Mr. John Tawes addressed the Mayor and Council concerning the proposed Kayak Launching site on Williams Street. He advised that he has funds available to build one at another site.

Mr. John Dize commented that he feels the fees for going before the BZA are too high.

Mrs. Betsy Thompson made reference to beautification and who is on Council Vice President Scott's committee. Council Vice President Scott advised that she is hand picking the members. Mr. Sullivan clarified that she is in charge of the Committee, not through the

City.

Mrs. Thompson commented that there seems to be several beautification committees. Mayor Lawson advised her to give her phone number to Council Vice President Scott.

Councilman Emely noted that Mrs. Thompson, and a group of others, planted the flower pots that are around the City.

Mrs. Thompson also made reference to incentives for small businesses. Mayor Lawson advised that she should go through the Economic Development Commission.

There being no further business for discussion, Councilman Atkins made a motion to adjourn into a closed session to consult with legal counsel concerning the supervision of employees of the City of Crisfield. Motion seconded by Councilwoman Johnson and carried unanimously.

Respectfully submitted,

Joyce L. Morgan, Clerk-Treasurer

Prepared by Valerie Swift, Secretary