

MINUTES

The Mayor and City Council met in regular session on Wednesday, August 27, 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  
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 attached list of others in attendance.)

INVOCATION – LORDS’ PRAYER AND PLEDGE OF ALLEGIANCE

Mayor Lawson called the meeting to order with the Lord’s Prayer and the Pledge of Allegiance. Mayor Lawson briefed those in attendance concerning Public Input procedures, noting a 3 minute time limit.

Mayor Lawson commented that he is pleased to have a Council that is really engaged, with everyone working on something i.e.; Councilman Konapelsky in the County, Councilman Emely obtaining inmate assistance to help paint curbs, as well as cutting grass himself.

APPROVAL OF MINUTES

After a review of the minutes from the regular meeting and closed meeting of August 13, 2014, Councilman Atkins made a motion that they be accepted. Motion seconded by Council Vice President Scott and carried unanimously.

This evening’s appointments were deferred, as they had not yet arrived at the meeting.

UNFINISHED BUSINESS – ITEMIZED COST FOR BOARD OF ZONING HEARING

Mayor Lawson requested that the Council review, for further discussion, the information provided by Mr. Bradshaw, Inspector.

Councilman Konapelsky commented that he wanted to see the cost just to meet with the Board. He advised that in the County, it costs \$150.00 to meet with the Board, but \$450.00 for a rezoning. He stated that he feels there should be a fair rate, such as \$150, to go before the Board.

Councilwoman Johnson advised that she would like to have the variance cost.

Council Vice President Scott also requested a fee for grievances and variances.

Councilman Atkins commented that we are mixing up terms; in short there is no specific fee for a grievance versus a variance, there are specific steps and costs associated with requesting a variance versus a request for a zoning change as Phil Johnson is requesting at our meeting next Wednesday.

During further discussion, Mayor Lawson also advised the Council to review the fee structure in their code books. Mr. Sullivan also noted that the City has a sliding scale.

Councilman Atkins also noted that a person's voice can be heard by coming before the Mayor and Council in reference to changing a law at no cost to the individual making the request.

APPOINTMENTS

MR. JOHN TAWES appeared before the Mayor and City Council concerning the proposed Kayak Launch site on Williams Street. Mr. Tawes reviewed historic details concerning the area and also noted that based on the property survey, 17 feet of the property belongs to Tawes. Mr. Tawes commented that he is also concerned about the need for the area for drawing water for fire prevention, as well as road access.

During further discussion, Mr. Tawes offered financial support for an alternative Kayak Launch site.

Councilman Atkins inquired about the closest fire hydrant in the area. Councilman Emely advised that it is located on the left side of the Tawes building and stated he doesn't feel that the launch site should be located on Williams Street.

Councilman Konapelsky commented that the use of the area for the fire department is a big concern. He stated that he feels the end of 413 by the Green Space, is the best location.

Mayor Lawson advised that funding from the grant, if awarded, won't be available until July 15, 2015. He advised that the proposal could be revisited and studied after that time.

He advised that Williams Street is an open space for the public, but maintained by the Tawes.

He advised that if the grant is awarded, they would meet with Mr. Tawes.

Councilman Konapelsky commented that Mr. Tawes has offered money, the City should pursue and get prices for an alternative site.

Council Vice President Scott thanked Mr. Tawes for his well-researched presentation and funding offer.

MR. BRIAN MURPHY, SMITH ISLAND BAKING COMPANY, appeared in front of the Mayor and City Council to update them on his business. He noted that he has 30 employees, and pays more than minimum wage. He also noted that they are looking at moving to a new building.

He advised that he ships to 2,500 cities and 9 countries.

Council Vice President Scott made reference to plans for demonstrations and plant tours. Mr. Murphy advised that these are available.

MR. TOM ROBINSON, OF CBG COMMUNICATIONS, appeared before the Mayor and City Council appeared before the Mayor and Council concerning the Charter's transfer and renewal with Comcast.

Mr. Robinson reviewed information from his Power Point presentation.

Council Vice President Scott inquired as to how often the contract is renewed. Mr. Robinson advised that typically its 10 years, but you need to be careful due to changes in technology. Council Vice President Scott inquired about the cost of services. Mr. Robinson advise that the fees are incremental, the Franchise is separate. He advised that the menu of services are provided. He also advised that he recommends the Technical Review.

Council Vice President Scott inquired about the time frame. Mr. Robinson advised that the County is on track to get technical review done and it can take 4-6 months.

Councilman Atkins inquired what would happen if the merger falls through. Mr. Robinson advised that the City would have to renew with franchise with Charter.

Mayor Lawson requested that the Council review the proposal to piggyback with the County and schedule a special meeting.

Mr. Robinson advised that he would put the timeline in the email to Mr. Sullivan.

At this time, Councilman Atkins made a motion to schedule a special meeting on 9/4/14 at 6:00 p.m. in reference to reviewing the proposal of CBG Communications, Inc., consulting proposal.

Councilman Konapelsky briefed the Mayor and Council on the Somerset County Disaster Response Team. He advised that Steve Marshall, Director of Emergency Services, saw a need for a team to be available to assess damages from storms for State and Federal agencies. He advised that

this is the first group in Maryland to have a response team. He added that they will be doing quarterly exercises and that he is proud of the team.

Mayor Lawson suggested preparing a resolution of support for the Somerset County Disaster Response Team.

At this time, Councilman Atkins made a motion to draft a letter of support for the Somerset County Disaster Response Team. Motion seconded by Councilwoman Johnson and carried unanimously.

Mrs. Joyce L. Morgan, Clerk-Treasurer, reviewed a power point concerning tax credits issued to property owned by Jersey Island because of a decrease in their assessment, which apply to the last fiscal year.

She advised that this is money removed from the tax roll in the amount of \$39,961 in lost revenue. Mayor Lawson noted that this was the 2<sup>nd</sup> of two unforeseen budget adjustments.

Council Vice President Scott inquired what the first one was. Mayor Lawson advised that it was an internal theft.

#### EVENT APPLICATION

Mayor Lawson reviewed a request for the use of the trash truck during Crab Derby from 8/29 to 8/31. Approval so moved by Councilwoman Johnson, seconded by Councilman Emely and carried unanimously.

Mayor Lawson reviewed a request for funding assistance for the annual Fireworks display. The Mayor commended Mr. Steve Flaherty for his hard work in raising money for this event. Mayor Lawson advised that the fireworks cost \$5,000 and also noted that the Chamber has spent more

money that it has taken in, in the last 5 years and that bad weather could render them broke. He advised that they have \$2,400 and need \$2,600.

Mayor Lawson recommended establishing a line item for recreation open to at-large, with a maximum donation of \$250.00 each, up to \$2,000.

Councilman Emely commented that there is a lack of money for many city needs. He stated that the money should be spent here, on the Cove Street house. He added that he is not against the donation, but feels it will open the door for everyone.

Councilman Konapelsky commented that he feels the Council needs more time to consider the matter.

Councilwoman Johnson inquired if the Chamber needs the money, ASAP. Mayor Lawson advised that they would take it afterwards. Councilwoman Johnson advised that she also understands Councilman Emely's concern.

Council Vice President Scott suggested that the Mayor and Council spend some time to establish goals at meetings in the future.

Mayor Lawson pointed out that he was never contacted by the Chamber concerning this matter; it was an internal recommendation. He also commented that the American Legion footed the bill for Freedom Fest this year. He advised that he understands everyone's concern. He noted that citizens don't donate, just businesses. Mayor Lawson advised that Crab Derby 48 almost wasn't held due to lack of funds, and advised not to take anything for granted.

Councilman Atkins commented that the fireworks are a big economic driver for the City. He commented that when Freedom Fest was moved from the Somers Cove Marina to the Legion

property, the Marina had many cancellations on boat slip rentals for the 4<sup>th</sup> of July. This hurt the Marina and downtown businesses.

Mayor Lawson noted that a Public Hearing will be scheduled for the zoning amendment that is being requested by Mr. Phil Johnson. He advised that they would not need Mr. Sullivan present. Mr. Sullivan advised that the Hearing must be held at least 14 days from the publication, with the proposed date on September 24<sup>th</sup>.

Councilman Konapelsky also made reference to setting a meeting on the same date to discuss priorities.

Mayor Lawson advised that the Public Hearing would be held on September 24<sup>th</sup> at 5:30 p.m. before the regular meeting. Council Vice President Scott advised that the Council could also work on scheduling a meeting to discuss goals.

At this time, Councilman Emely made a motion that the Public Hearing be scheduled for Wednesday, September 24<sup>th</sup>, at 5:30 p.m. Motion seconded by Councilman Konapelsky and carried unanimously.

#### EVENT APPLICATION – SKIFF RACE

Mayor Lawson reviewed the Event Application for the annual Crab Derby Skiff Race. Approval so moved by Councilwoman Johnson, seconded by Council Vice President Scott, and carried unanimously.

#### MAYOR AND COUNCIL – Q & A

Mayor Lawson advised that Mr. Sullivan has found the owner of 329 Cove Street who will relinquish the title over to the City for \$5 or \$10 dollars. He also found the owner of the mortgage

Minutes 8/27/14

company. Mayor Lawson suggested offering the money to take possession of the house and offer the owner of the mortgage a nominal fee.

Mr. Sullivan advised that this is a property matter and would need to be done in a closed session.

Councilman Konapelsky suggested giving Mayor Lawson the authority to negotiate.

Councilman Atkins commented that the City doesn't have a plan to deal with any other derelict property.

Mayor Lawson noted that the City has been approached by five other property owners who want to give the City their property. He advised that the Council needs to establish a policy to handle properties like this.

Councilman Konapelsky made reference to taking the issue to court and then tearing it down.

Council Vice President Scott suggested going the most expeditious way.

Councilman Atkins noted that if the City takes the property on, we are liable for it.

After further discussion, Councilman Emely made a motion regarding the property at 329 Cove Street, that Mayor Lawson and Solicitor Sullivan move forward with the negotiations for the acquisition of this property, keeping the Council informed of the cost. Motion seconded by Councilwoman Johnson, and carried with a vote of "Nay" from Councilman Atkins.

Council Vice President Scott thanked all in attendance. She also noted that she would be holding some open door sessions in September on the 1<sup>st</sup> Saturday (9/6/14) from 10:00 to noon and the 3<sup>rd</sup> Wednesday, (9/17 /14) from 6-8 p.m.

Councilman Konapelsky wished everyone a safe Labor Day weekend.

Minutes 8/27/14

Councilman Atkins wished everyone happy, exciting and safe Labor Day weekend.

Mayor Lawson made reference to an investor who is looking for 16,000 square feet of property at Carvel Hall.

He also made reference to information concerning an equipment loan package breakdown of \$100-125K for acquisition of City equipment.

Councilman Atkins made reference to the need to look at City equipment before a meeting.

PUBLIC INPUT

Mrs. Darlene Taylor, Director of "It Takes a Village" addressed the Mayor and City Council. She advised that she had hoped she was on this evening's agenda. Ms. Taylor advised that their organization is "homeless". She advised that they offer support for between 70-100 youth and employ 15. Ms. Taylor noted that they had never asked for any money in the past 8 years, just endorsement.

Ms. Taylor read aloud a letter to the Mayor and Council concerning the \$3M proposed to the County Commissioners and asked them to stand by the proposal and include a new facility for "It Takes a Village." She advised that she has received over 500 support signatures. Ms. Taylor advised that she needs to know what is going on.

Councilwoman Johnson advised that she would respond as liaison and noted that there has been no meeting with the County yet. Mayor Lawson advised that he would draft a letter of response in two weeks.

Mrs. Margo Green-Gale addressed the Mayor and Council regarding concerns about South Fourth Street – St. Paul AME Church. She advised that going down Broadway there is a problem

Minutes 8/27/14

with cars speeding and there needs to be a sign indicating pedestrians.

Mayor Lawson advised that he would talk to the Chief concerning either a 4 way stop or pedestrian crossing.

Mrs. Gale-Green also made reference to speeders on Chesapeake Avenue, all day and night and noted that there are a lot of children on that street.

Councilman Emely made reference to parking on both sides, which is dangerous. He inquired if the "No Parking" signs are gone.

Mayor Lawson noted that money was earmarked in the Community Legacy grant for paving.

Mayor Lawson also advised that public works is waiting on the schematic to install the flashing lights in front of CHS.

Councilman Atkins advised that the City will look at the issue, but advised residents to call 911 on speeders.

Mayor Lawson advised calling the Chief directly.

Mrs. Catherine Brown thanked the Mayor for addressing the St. Paul problem.

Mayor Lawson also noted that no agenda items have been cut.

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

Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Joyce L. Morgan, Clerk-Treasurer

Prepared by Valerie Swift, Secretary

