

**MAYOR AND COUNCIL  
REGULAR MEETING MINUTES  
July 13, 2017**

*\*Meeting minutes are transcribed in a summarized format. For full discussion and further detail of the meeting you can view the streamline video at the following link:  
<http://townhallstreams.com/locations/rock-hall-md>.*

*Meeting minutes will also be available for viewing at the Town Office\**

The Mayor convened the Regular Mayor and Council Meeting on the above date at 7:30 p.m. Councilmember Kuechler, Councilmember Nesspor, Councilmember Edwards and Councilmember Andrews were present. The Town Manager, Town Attorney and Officer Sutton were also in attendance.

Councilmember Kuechler gave the invocation. A moment of silence was given for our service men & women. The Pledge of Allegiance was recited.

**APPROVAL OF THE AGENDA:**

Councilmember Nesspor made a motion to approve the agenda as presented. Councilmember Kuechler seconded. All in favor, motion carried.

**APPROVAL OF THE MINUTES:**

Councilmember Nesspor made a motion to approve the Public Hearing Meeting minutes of June 7, 2017 for Ordinance No. 2017-05 Chapter 196 (Streets & Sidewalks). Councilmember Kuechler seconded. All in favor, motion carried.

Councilmember Nesspor made a motion to approve the Public Hearing Meeting minutes of June 7, 2017 for Ordinance No. 2017-06 (FY 2018 Budget). Councilmember Andrews seconded. All in favor, motion carried.

Councilmember Nesspor made a motion to approve the Special Budget Meeting minutes of June 7, 2017 for FY 2018 Tax Rate. Councilmember Kuechler seconded. All in favor, motion carried.

Councilmember Nesspor made a motion to approve the Regular Meeting minutes of June 7, 2017. Councilmember Andrews seconded. All in favor, motion carried.

**ROCK HALL COMMUNITY SPIRIT AWARD:**

The Mayor and Council presented the Rock Hall Mariners baseball team with the Rock Hall Community Spirit Award.

### **GUEST SPEAKERS/INVITED GUESTS:**

Mrs. Kris Hemstetter was in attendance to introduce herself to the Mayor and Council as the new Rock Hall Elementary School principal for the upcoming year. She gave an overview of some of the upcoming improvements to the school and a brief overview of what we can be expected for the upcoming school year.

### **PUBLIC PARTICIPATION:**

Mrs. Betty Glenn was in attendance to discuss the retirement of employees and the policy for how new employees are hired. There was a discussion among the Mayor and Council, the Town Manager, the Town Attorney and the Audience Members in regards to the retirement policy and the hiring of new employees. This lead into a discussion in regards to the Town's personnel policy among the Mayor and Council, the Town Manager, the Town Attorney and the Audience Members.

### **CORRESPONDENCE:**

The Mayor read a letter into record from the Wilmington Sail & Power Squadron.

The Mayor read a letter into record he wrote to the Community in regards to the Reader's Digest competition.

### **FINANCIAL REPORT:**

The Town Manager read the Financial Report into record as follows:

General Fund Investment Account:	\$ 25,311.64
Museum Board:	\$ 2,907.59
Utilities Fund Investment Account:	<u>\$ 23,084.14</u>
<b>Total Available Funds:</b>	<b>\$ 51,303.37</b>
Property Taxes Outstanding:	\$ 53,993.70
Utilities Fund Outstanding:	\$195,206.76
Services Rendered Outstanding:	<u>\$ -</u>
<b>Total Outstanding:</b>	<b>\$249,200.46</b>

There were questions asked from Councilmember Andrews in regards to the financial report and they were answered accordingly.

### **POLICE REPORT:**

Officer Sutton read the police report into record. There were questions asked of Officer Sutton and he answered them accordingly.

### **STREETS/SANITATION:**

Councilmember Kuechler and the Town Manager gave an update on the Streets and Sanitation departments.

The Town Manager gave an update on the brush pile. There was a discussion among the Mayor and Council, the Town Manager, and the Audience Members in regards to the options available with the brush pile.

### **SEWER/WATER:**

Councilmember Nesspor gave an update on the sewer and water departments.

There is a pre-construction meeting scheduled for next Wednesday for the Catholic Avenue/Well project.

The Town Manager gave an overview of a few places in Town that will be freshly paved by the County at no cost to the Town.

### **PARKS/RECREATION:**

Councilmember Edwards gave an overview of the Parks and Recreation board and the upcoming events scheduled.

### **MUSEUM BOARD:**

Councilmember Kuechler gave an update on the Museum Board.

### **COMMUNICATIONS:**

Councilmember Andrews gave an update on the Communications Board.

### **ORDINANCES/RESOLUTIONS:**

The Town Manager read a summary of Resolution No. 2017-06 (Working Waterfront Phase II) into record. Councilmember Nesspor made a motion to adopt Resolution No. 2017-06 (Working Waterfront Phase II) as presented. Councilmember Kuechler seconded. Councilmember Nesspor, Councilmember Kuechler and Councilmember Edwards voted in favor of the motion made. Councilmember Andrews abstained from voting. With a majority of the vote in favor of the motion made, Resolution No. 2017-06 (Working Waterfront Phase II) was adopted.

### **PLANNING/ZONING:**

Councilmember Andrews gave an update from the Planning and Zoning Board.

### **OLD BUSINESS:**

NONE

### **NEW BUSINESS:**

Councilmember Nesspor reported that there was about 1,800 people who attended Waterman's Day. The largest turn out in the history of the event.

The Mayor gave an update on the meeting held with the property owner of Old Oars.

The Mayor gave an update on additional mosquito spraying needed for this year. Councilmember Andrews made a suggestion to discontinue Festive Friday to offset the cost of additional mosquito spraying. Councilmember Andrews made a motion to abolish Festive Fridays. Councilmember Edwards seconded. There was not a majority of the vote in favor of the motion made. The motion was denied. Festive Fridays stays.

It was agreed to wait until next year to increase the budget for additional mosquito spraying.

Councilmember Andrews inquired about the reimbursement funds from grants the Town is currently participating in. Mrs. Meg Parry answered Councilmember Andrews questions accordingly. There was a discussion among the Mayor and Council, Meg Parry, and the Audience Members in regards to the grants the Town is currently participating in.

Councilmember Andrews asked to have the meeting packets provided to them in a more timely fashion.

Councilmember Andrews asked for information in regards to the donations received for the 4<sup>th</sup> of July entertainment. The Mayor gave an update in regards to this inquiry.

Councilmember Andrews asked for an update on the demolition of the barn. The Town Manager and the Town Attorney gave an update on the demolition of the barn. There is a court date scheduled for July 19, 2017 at 8:45 a.m.

Councilmember Andrews inquired about conflict of interest. Councilmember Andrews asked why the Town was paying for DJ services the Mayor was providing. There was a discussion among the Mayor and Council, the Parks and Recreation Chairman, the Town Attorney and the Audience Members in regards to this issue.

### **MAYOR'S REPORT:**

The Mayor read a statement of compliance with Maryland Code for the Open Meetings Violation into record. Councilmember Andrews and Councilmember Edwards chose not to sign the acknowledgement of the Open Meetings Compliance Boards opinion.

Reverend Dore is turning ninety and they are having a luncheon on July 23, 2017 at 12:00 p.m. and the Council is invited.

The Mayor gave an overview of the 4<sup>th</sup> of July holiday and thanked the Town Manager and the staff for all their efforts. The Mayor also thanked the Police Department, the Auxiliary Police, the Fire Department, Mrs. Penny Usilton, Jessie Burton, the Parks, the Waterman's Association, the Soroptimist Club, all the sponsors and anyone that may have been forgotten that helped make this holiday a huge success.

There is one day left to vote for the Nicest Place in America contest.

We are participating in National Night out on August 1, 2017 from 6-9 p.m.

The Mayor met with representatives from DHDC on the Community Legacy applications and met them on Main Street to show the progress of the improvements.

There was a discussion in regards to the Maritime Heritage grant and the potential of low cost loans among the Mayor and Council and Meg Parry.

#### **TOWN MANAGER'S REPORT:**

The Town Manager recognized the boys that work for the Town for all their efforts and help in preparing for the 4<sup>th</sup> of July holiday.

There was a discussion among the Mayor and Council, the Town Manager and the Town Attorney in regards to the funding for the Catholic Avenue project.

There was a discussion among the Mayor and Council, the Town Manager, and the Town Attorney in regards to updating the personnel policy. Councilmember Andrews made a motion to review the personnel policy and make updates to it with an adhoc committee and have them present their suggestions to the Mayor and Council. Councilmember Edwards seconded. Councilmember Andrews and Councilmember Edwards voted in favor of the motion made. Councilmember Nesspor and Councilmember Kuechler and the Mayor voted in opposition of the motion made. The motion was denied. It was agreed to have the Town Attorney provide an estimate on the cost of having them revise the personnel policy for the Town.

Councilmember Andrews made a motion to waive the \$200.00 fee being charged to a person who has asked for a substantial amount of information from the Town. Councilmember Edwards seconded. Councilmember Andrews and Councilmember Edwards voted in favor of the motion made. Councilmember Nesspor and Councilmember Kuechler and the Mayor voted in opposition of the motion made. The motion was denied. The request to have the fee waived was denied.

## **GOOD OF THE TOWN:**

Mr. Artie Kendall commented on the 4<sup>th</sup> of July fireworks.

Mrs. Carolyn Jones invited anyone that was interested to attend a Parks and Recreation Board meeting. The meetings are held on the third Wednesday of every month at 7:00 p.m.

Councilmember Nesspor made a motion to recess the regular Mayor and Council meeting to reconvene in closed session pursuant to Section 3-305(b)(7) of the General Provisions Article of the Maryland Annotated Code to consult with counsel to obtain legal advice on a legal matter. Councilmember Edwards seconded. All in favor, motion carried. The open session adjourned at 10:01 p.m., and the closed session convened immediately thereafter in the Council Chambers. Mayor Jones, Councilmembers Kuechler, Nesspor, Andrews, and Edwards, the Town Manager, and the Town Attorney, Chip MacLeod, were present during the closed session.

The closed session adjourned at 10:26 p.m. and Mayor Jones reconvened the Mayor and Council meeting in open session at 10:27 p.m. During the closed session, the Mayor, Council, Town Manager, and Town Attorney discussed an incident at a property under lease by the Town and potential liability related thereto. The Mayor and Council took no action during the closed session.

The Town Manager recommended that the Town Attorney take a look at the lease agreement the Town has with that museum and take action accordingly. The Mayor and Council agreed with the Town Managers recommendation of having the Town Attorney review the lease agreement with the museum.

The Town Attorney gave an overview of the responses that have been provided and why in regard to a pending PIA request that is asking for some information about expenses incurred by the Town on a legal matter.

Councilmember Nesspor retracted his statement he made in regard to Mr. Whitman's monetary values from \$100,000 and the \$27,000 for the Lord's Prayer. Councilmember Nesspor stated "I will say it has cost this Town a hell of a lot of money".

With there being no further business, Councilmember Nesspor made a motion to adjourn the meeting at 10:32 p.m.; Councilmember Kuechler seconded. All in favor; motion carried.



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Brian L. Jones, Mayor



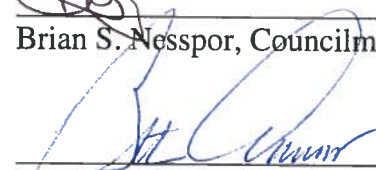
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Rosalie Kuechler, Councilmember




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Brian S. Nesspor, Councilmember



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Beth Andrews, Councilmember



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Timothy Edwards, Councilmember