

COUNCIL AND UTILITY COMMISSION MINUTES FOR THE TOWN OF ROCK HALL**TOWN OF ROCK HALL**

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**MINUTES - MAYOR AND COUNCIL MEETING
June 20, 2013**

MAYOR AND COUNCIL
REGULAR MEETING MINUTES
June 20, 2013

The Mayor convened the Mayor and Council Regular meeting on the above date at 8:25 p.m. All Councilmembers were present with the exception of Councilmember Francis. The Town Manager, Town Attorney; and Assistant Clerk-Treasurer were also present. Officer Sutton was also in attendance.

Councilmember Price gave the invocation. A moment of silence was given in respect to those who serve our country on our behalf. The Pledge of Allegiance was recited.

APPROVAL OF THE MINUTES:

Councilmember Nesspor made a motion to approve the Regular Meeting minutes from the May 9, 2013 meeting. Councilmember Price seconded. All in favor, motion carried.

GUEST SPEAKERS/INVITED GUESTS:

Ryan from McCrone's was in attendance to give an overview of the clarifier project and where the project currently is at this point in time. There were questions asked of Ryan from the Mayor and Councilmembers and a few audience members as well. Ryan answered all questions accordingly.

Mr. David Jones expressed his concern in regards to the chaos that has been going on in the Town. He asked the Mayor to consider the possibility of stepping down from his position as Mayor and take on a position as a Councilmember.

FINANCIAL REPORT:

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

General Fund Investment Account: \$144,076.42

Museum Board Funds 2,389.17

Utilities Fund Investment Account: \$ 82,107.66

Total Available Funds: \$228,573.25

Property Taxes Outstanding: \$ 68,979.53

Utilities Fund Outstanding: \$ 7,963.31

Services Rendered Outstanding: \$ 2,375.50

Total Outstanding: \$ 79,318.34

The Mayor suggested that the decision in regards to the Auditor be held off until the next Workshop meeting. There were still some questions in regards to the bids provided and the Mayor stated that he would like to wait until they could confer with Stephanie in regards to them.

CORRESPONDENCE:

The Mayor received a letter from Judge Bowman stating his regrets of not being able to attend the Town of Rock Hall's 4th of July Parade.

There was a letter received from Jeff Reed who invited the Mayor to a reception to welcome Dr. Karen M. Couch as the Board of Education's new Superintendent. The Mayor stated that he planned on attending.

A letter was received from Sydney Stone in regards to the Town's application for improvement to the Town's Water Plant submitted to the Community Development Block Grant (CDBG).

Mrs. Suzanne Einstein wrote a letter in regards to the Rock Hall Greater Business Association trying to organize a 5k race on Sunday August 11, 2013 during the Pirates & Wenches weekend. They are asking for the Town's support in regards to this event taking place. Mrs. Suzanne was in attendance and stated that there is still a question in regards to whether this is going to happen.

There was a letter received from Mylita Jacob, Amy Nickerson, Sarah Jester, Tracey Brilz and Nancy at Chesapeake Treasures inviting the Mayor and Council to a Grand Reopening of the Oyster Court and its shops.

POLICE REPORT:

Officer Sutton read the report into record.

STREETS/SANITATION:

Councilmember Jones reported that as soon as the budget has been passed we are going to start filling potholes and continue to replace signs.

SEWER/WATER:

Councilmember Nesspor read the reports into record. Pumping station #3 had a pump that needed to be sent away to be repaired. There was a small blower and a check valve replaced/repared at the wastewater treatment plant.

PARKS/RECREATION:

Councilmember Francis was not in attendance to give a report. The Mayor stated that she did let him know that they were hoping to receive a letter any day now to give final approval of the funding for the repair of the Civic Center basketball and tennis courts.

PLANNING/ZONING:

The Mayor stated that the letter from Ann Ogletree was addressed at last night's Board of Appeals meeting. Councilmember Price stated that Mrs. Olgetree representing Bayside Foods was questioning the legality of the swearing in of Mrs. Marty Maxwell and Mr. Peter Metcalf to the Board of Appeals Committee. The Mayor came out and swore them both in at last night's meeting. Mrs. Ann Ogletree also had a discussion on why she thought they should allow her to appeal the decision the Planning and Zoning Board had made, however after much deliberation and Legal Counsels advice they decided to deny the appeal in the same respect as the Circuit Court. Mr. Jeff from Bayside Foods stated that he was planning on appealing the decision again even if he had to go to the State. Councilmember Price also stated that there were two vacant seats that needed to be filled. There is a vacancy on the Planning & Zoning Board and an alternate vacancy on the Board of Appeals Committee. There was some discussion among the Mayor and Councilmembers on how to handle appointing the vacant seats. It was decided that the applicants would be asked to attend an interview with the Mayor and Council prior to the start of the next Utilities/Workshop meeting scheduled for July 1, 2013. Mr. Gren Whitman pointed out to the Mayor and Council that the minutes indicate that Mrs. Marty Maxwell was appointed but there are no minutes that report that she was ever properly sworn in. There is also no record of Mr. Peter Metcalf ever being properly sworn in either. With that being said, the Board of Appeals held a meeting in March that approved the construction of a house in a critical area that a number of people were concerned about and testified against it. If they haven't been properly sworn in, that Board of Appeals meeting was conducted improperly. And the decision they made was an improper decision. Any citizen can now go to the County Planning Department and object to a building permit being issued. It seems to me that the Town Council should take the responsibility of ascertaining if they were properly sworn in or not, because there is no record of them being properly sworn in. The Mayor asked that the Planning & Zoning Commission be given the time they need to take to research the meeting minutes and check into the inquiry.

MUSEUM BOARD:

Mrs. Robin Kurowski of the Museum Board could not be in attendance tonight. The Mayor read a report into record that Mrs. Robin had prepared. There were questions from audience members in regards to the proposed agenda for the upcoming months of the Museum Board. Councilmember Jones wanted to go on record and Thank Doug, Warren, and Mrs. Mary Sue for their service to the Museum Board.

ORDINANCES/RESOLUTIONS:

The Mayor read a summary of Resolution No. 2013-04 (the adoption of the 2013/2014 Budget) into record. The Mayor asked to take a vote, all in favor, no one opposed; Resolution No. 2013-04 was adopted by majority vote.

The Mayor read a summary of Resolution No. 2013-05 (Town Bank Accounts) into record. There were questions from the Mayor in regards to this resolution. The Town Attorney answered the Mayor's questions accordingly. Councilmember Jones made a motion to adopt Resolution No. 2013-05. Councilmember Price seconded. The Mayor stated that he still had questions in regards to this. Councilmember Nesspor stated he didn't see why they couldn't wait until the next meeting to take a look at to see if we can get some of these questions answered first. Without a third vote to approve the Resolution No. 2013-05 the motion died on the floor. It will be addressed at the next meeting.

The Mayor read a summary of Resolution No. 2013-06 (Borrowing Authorization for Pump Station #4 Repairs) into record. Councilmember Nesspor made a motion to adopt Resolution No. 2013-06 as presented. Councilmember Jones seconded. All in favor, motion carried.

The Mayor read a summary of Resolution No. 2013-07 into record for introduction. There were questions from the audience members in regards to this Resolution. The Town Attorney and Mayor and Council answered such questions accordingly. Mr. Gren Whitman stated that he objects to a resolution being introduced and passed without a public hearing. Councilmember Nesspor made a motion to adopt Resolution No. 2013-07. Councilmember Jones seconded. All in favor, motion carried.

The Mayor read a summary of Charter Amendment Resolution No. 2013-01 (Authorized Signatures of Checks) into record for introduction. Prior to the next meeting there will be a public hearing in regards to Charter Amendment Resolution No. 2013-01 (Authorized Signatures of Checks), with proper advertisement and notification given to the public.

NEW BUSINESS:

Mrs. Mary Bovee was in attendance to give an update on the Clam House. The Mayor asked the Town Manager to see that the next scheduled Waterman/Waterfront Committee meeting be advertised in the paper.

The Mayor gave an update in regards to the Adult Education Center.

The Mayor gave an overview of the 4th of July schedule.

Councilmember Jones stated that at the last meeting the Board approved a Website Advisory Committee, and we need to appoint a Chairperson of the Adhoc Website Advisory Committee. There was only one resume turned in for the position of the chairperson, and I would like to make the recommendation to make William Fielder as the Chairperson of the Adhoc Website Advisory Committee. The Mayor stated that he would like to have a meeting with the Business Association on this. The Mayor also stated he wants to make sure that we're all on the same page I think it's important there's much more of a discussion that occurs as this goes forward because of the dynamics and the way this system is set up. There was a discussion among the Mayor and Council and the audience members in regards to this. Councilmember Jones stated that the committee was approved at the last meeting so that all we have to do now is appoint a chairperson. The Mayor stated that he was just going on record and letting you know how he feels. Mr. Fielder spoke on his own behalf in regards to this process. The Mayor suggested that Mr. Fielder and Councilmember Jones attend the next Business Association meeting. Mr. Fielder said that he would make sure he attended the next meeting; he had no problem with that. The Mayor stated that he just wants the Business Associations take on this.

Councilmember Jones made a motion to place Mr. William Fielder as the Chairperson of the adhoc Website Advisory Committee. Councilmember Nesspor seconded. All in favor, motion carried.

Councilmember Jones asked for the consent of the Board to ask the Town Attorney to look into a Social Media Policy. I don't think we should depend on private citizens to host town related material on such social media sites. I think we should be able to do that ourselves from here. All I'm asking is to have the Town Attorney draft a policy in regards to a Social Media Policy. The Town Attorney gave some direction and input in regards to this issue. Councilmember Jones made a motion to have the Town Attorney look into a Social Media Policy for the Town. Councilmember Price seconded. All in favor, motion carried.

OLD BUSINESS:

None

TOWN MANAGER'S REPORT:

The Town Manager received four additional questions on the CDBG grant that we have applied for. We have sent a response back to those questions already. We are starting to work on the energy grant that we have applied for. The Lions Club has made a request of the building down at the Civic Center if it could be used on the first Monday of the month for their meetings. The Mayor and Council were all in agreement to allow the Lions Club use of the building. The Town Manager received a call from someone who asked if the Town would put permanent bathrooms down at the beach, their only request was to place the bathrooms at the Western end of the beach and if the Town would place them there this person would give \$10,000.00 to the construction of the permanent bathrooms. The Mayor asked to have the Planning & Zoning take a look into the zoning qualifications of being able to do this. The Town Manager said he would make the phone calls to check into it.

GOOD OF THE TOWN:

Mrs. Patsy Reihl asked if a bill has been sent to Mr. Maloney for the improvements made to the Rock Hall Inn lot. The Town Manager stated that a letter has been sent to him and that a bill will be sent to him for \$300.00 for the improvements made to the lot by the Town. The Town has received a letter from Mr. Maloney thanking the Town for the improvements and that the Town could send the bill to him for the cost of the improvements.

Mrs. Edna Marie Sutton Hubbard asked if anyone had noticed the deterioration of the building behind the Antique Store on Rt. 20.

Mr. Gren Whitman asked if there was any status on the request from last month's meeting initiating a charter amendment to provide for recall elections in town. Councilmember Price stated that we asked Chip to investigate that for us. There was nothing yet to report on this from the Attorney's. Mr. Gren also asked about a set of minutes that had yet been approved from the April 29, 2013 meeting. There is additional information that is needed before those minutes can be finalized. Mr. Gren stated that on June 4th he asked the Vice Mayor Jones that the Town Council minutes of April 14 be amended to reflect that he and two other citizens objected because a resolution was introduced and adopted without a public hearing. This has nothing to do pro or con with the resolution itself or to the proposed amendments, but only to the fact that the minutes to that meeting do not report these objections to the hurried up adoption without a hearing. This is my request to amend the minutes to report fully what was said at that meeting.

Councilmember Jones said that it was up to the Council. Councilmember Price stated that is was just a matter of amending the minutes. Mr. Gren stated that he asks this because the objections were made and the minutes don't reflect that people were concerned about that. This is an effort to get the minutes to reflect what happens at these meetings. Which I brought up as a problem earlier. It's one sentence. The Town Attorney stated that a motion should be made to amend the minutes from that meeting. Councilmember Nesspor asked if that was the April 14th meeting Mr. Gren wanted that changed, and Mr. Gren stated that no it was the April 11th meeting.

With there being no further business, Councilmember Price made a motion to adjourn at 11:40 p.m.; Councilmember Jones seconded. All in favor; motion carried.

Approved:

Robert E. Willis, Mayor

Olin B. Price, Councilmember

Brian Nesspor, Councilmember

Brian Jones, Councilmember