

MINUTES - MAYOR AND COUNCIL MEETING

August 11, 2011

MAYOR AND COUNCIL REGULAR MEETING MINUTES August 11, 2011

The Mayor convened the Mayor and Council Regular meeting on the above date at 7:35 p.m. All Councilmembers were present. The Town Manager, Town Attorney, and Captain Dempsey were also present.

All recited the Pledge of Allegiance and Reverend Dore was asked to say the invocation.

APPROVAL OF THE MINUTES:

Councilmember Price made a motion to approve the Regular Meeting minutes from the July 14, 2011 meeting. Councilmember Jones seconded. All in favor, motion carried.

GUEST SPEAKERS/INVITED GUESTS:

Mrs. Patsy Reihl addressed the Mayor and Council about the property the Town owns; located on Chesapeake Avenue. Mrs. Patsy does not want the town to sell the property for any purpose or reason. She seems to think that the town will need that property for its own benefit in the future. She has put a lot of time and effort into researching who the town bought the property from and when they bought it from them. Mrs. Patsy found an article from the Kent News that claims the Town purchased the property from Marvin Kendall for \$1,800.00, in 1981, which is not true. She wanted to know where the newspaper got their information from. Craig O'Donnell informed Mrs. Patsy that the newspaper receives its information from the tax assessment. In her research she has found that there are no records of Marvin Kendall ever owning that property, and no records of a sale from him to the town for the purchase of the property. She also found that the property that the Kendall's owned was a parcel that sits behind Mrs. Helen Deford's place, which is at the opposite end of Chesapeake Avenue in consideration to the piece of land that the town owns. So the question is, did the town buy land from the Kendall's and if so is it the land that sits behind Mrs. Helen Deford's and not the piece that they currently claim they own? And she wants the Town to solve the mystery of who owned the property, which piece of property do they own, who sold it to the town, and when the transaction took place. She thinks this is pertinent information that the Town should know and have in regards to this property located on Chesapeake Avenue.

FINANCIAL REPORT:

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

General Fund Investment Account: \$118,829.94

Utilities Fund Investment Account: \$185,615.32

Total Available Funds: \$304,445.26

Property Taxes Outstanding: \$846,828.48

Utilities Fund Outstanding: \$ 54,203.05

Services Rendered Outstanding: \$ 1,796.90

Total Outstanding: \$902,828.43

CORRESPONDENCE:

None

POLICE REPORT:

Chief Moore read the report into record. Chief Moore and Councilmember Francis informed the members of the audience of the new camera system the police department has purchased for surveillance throughout the town. These cameras will help the police department catch any acts of vandalism that may be occurring in the areas the cameras are set up in. They are motion sensor cameras that start recording once they've been activated from the movement or motion of someone, or something crossing its path. We think they will be a valuable asset to the police department.

STREETS/SANITATION:

Councilmember Jones reported that the road had been repaired at the intersection of Catholic Avenue and Boundary Avenue where the fire hydrant had been put in at. The guys did some patch work on Beach Road today. And Bramble's has marked some bad spots on Catholic Avenue that we are looking at getting taken care of.

SEWER/WATER:

Councilmember Nesspor read the report into record. The sewer plant is looking good. The Water Plant is also doing well. We had a water leak on the corner of Frederick Avenue and Main Street. It was an old galvanized line that had gotten eaten through, they contacted J. R. Smith to come out and fix the next morning. Mr. Martin Debalski asked if the town had any visits from the EPA or MDE recently. The Mayor and Town Manager are unaware of any visits from the EPA or MDE. If

they did come into town, they didn't make their presence aware to us.

PARKS/RECREATION:

Councilmember Francis reported that after the 4th of July celebration the Parks & Rec. members take a break throughout the month of August. They have been discussing the possibility of putting together a dance or event of some kind for the occasion of returning back to school. Other than that they really don't have anything else to report on.

PLANNING/ZONING:

Councilmember Price reported that the Planning & Zoning have met three times since our last meeting. They reviewed a text amendment that the council had sent to them to look over. They had a public hearing in regards to the text amendment on the proper wording to be changed and presented to the council. The committee met last night and approved the changes that were made to the text amendment. The committee also reviewed a lot line adjustment for Kelley Scholler and discussed charitable organization signs.

MUSEUM BOARD:

Councilmember Francis reported that the Museum Board met today. They approved the minutes, the treasurer gave her report on their funds available. Mrs. Madeline Cornelius loan some items to put on display. We also had John Beliki the architectural design of the new museum attended the meeting and spoke to the board about the new museum project. We discussed some grants and fundraising ideas again for the museum project. The Museum board is very excited about this project and looking forward to it. Councilmember Price made a motion to appoint Mary Sue Willis to the Museum board. Councilmember Francis seconded. All in favor motion carried. Mary Sue Willis was sworn into the board museum as a new member by her son, Mayor Willis.

ORDINANCES/RESOLUTIONS:

Councilmember Price made a motion to adopt Ordinance 2011-01 (Stormwater Management). Councilmember Nesspor seconded. All in favor, motion carried. Councilmember Price made a motion to adopt Ordinance 2011-02 (Amend Chapters 184 (Sewer) & 220 (Water)). Councilmember Jones seconded. All in favor, motion carried.

NEW BUSINESS:

The Mayor and Council will be holding a special meeting on August 16, 2011 at 9:00 a.m. to discuss the Lord's Prayer with some of the town's local clergy. We are still discussing the issue

with our Town Attorney and amongst ourselves trying to come up with the best solution to this issue for everyone. We want to make sure we take the time to consider all our options and make the best decision for ourselves and the town. Councilmember Francis read a letter that was submitted to the Kent County News, but was not printed, from Virginia Clothier in regards to the Lord's Prayer. Councilmember spoke on his behalf in regards to the Lord's Prayer; he stated that he cannot remember a time when the Lord's Prayer ever offended anyone, including people who recited it from other denominations. We will not be silent and we will continue to pray, we have that right. Councilmember Nesspor simply stated that he was going to stand behind his Mayor and fellow Councilmembers. Councilmember Jones stated that he was also going to stand behind the Mayor and fellow Councilmembers as well as the community. Mr. Martin Debalski asked the Mayor and Council why they were making such a big deal about this issue, when they knew they were not going to be able to win it in a court system. The Mayor and Council want to make sure they take the time they feel they need to make the right decision in regards to this issue. David Jones spoke and stated that he has great respect for the Mayor and Council who have been faced with this issue and who have taken the time to consider all of their options. Mrs. Edna Marie Sutton spoke in regards to the town being known as a community of faith and left it at that.

There is a lot to be said with this issue one way or the other and we're going to take the time we need to make sure we are making the right decision for the town and ourselves.

OLD BUSINESS:

None

TOWN MANAGER'S REPORT:

The Town Manager reported that there a couple of water leaks that were already previously discussed and mentioned in the meeting. The town has been preparing for Pirates and Wenches weekend; the boys have been busy getting things together for that. The town is looking good and ready for a busy weekend.

GOOD OF THE TOWN:

David Jones mentioned that the town may want to consider moving the new museum project to the previous fire department location next to Java Rock.

Councilmember Price made a motion at 8:58 p.m. to move into an Executive Session - Under the Maryland Open Meeting's Law, Section 10-508, Subsection A, Paragraph 1, Subparagraph 3 in order to consider the acquisition of real property for a public purpose and matters directly related thereto. Councilmember Francis seconded the motion. All in favor, motion carried.

The Mayor and Council returned from their Executive Session at 9:53 p.m. to report that there were no actions taken during the Executive Session in regards to proposed land acquisition and consultation with the Town Attorney.

With there being no further business, Councilmember Price made a motion to adjourn at 10:00 p.m.; Councilmember Nesspor seconded. All in favor; motion carried.

Approved:

Robert E. Willis, Mayor

Olin B. Price, Councilmember

Susan A. Francis, Councilmember

Brian Jones, Councilmember

MAYOR AND COUNCIL

SPECIAL MEETING

August 22, 2011

The Mayor convened the Special Meeting on the above date at 6:00 p.m. All Councilmembers were present. Councilmember Price made a motion at 6:10 p.m. to move into an Executive Session - Under the Maryland Open Meeting's Law, Section 10-508, Subsection A, Paragraph 3 in order to consider the acquisition of real property for a public purpose and matters directly related thereto. Councilmember Nesspor seconded the motion. All in favor, motion carried.

The Mayor and Council returned from their Executive Session at 8:35 p.m. to report that there were no actions taken during the Executive Session in regards to proposed land acquisition.

With there being no further business, Councilmember Price made a motion to close the Special Meeting at 8:40 p.m.; Councilmember Francis seconded. All in favor; motion carried.

Approved:

Robert E. Willis, Mayor

Olin B. Price, Councilmember

Susan A. Francis, Councilmember

Brian Jones, Councilmember

MAYOR AND COUNCIL

SPECIAL MEETING

August 23, 2011

The Mayor convened the Special Meeting on the above date at 6:00 p.m. Councilmember Francis and Councilmember Jones were present. Councilmember Jones made a motion at 6:00 p.m. to move into an Executive Session - Under the Maryland Open Meeting's Law, Section 10-508, Subsection A, Paragraph 3 in order to consider the acquisition of real property for a public purpose and matters directly related thereto. Councilmember Francis seconded the motion. All in favor, motion carried.

The Mayor and Council returned from their Executive Session at 6:37 p.m. to report that there were no actions taken during the Executive Session in regards to proposed land acquisition.

With there being no further business, Councilmember Jones made a motion to close the Special Meeting at 6:40 p.m.; Councilmember Francis seconded. All in favor; motion carried.

Approved:

Robert E. Willis, Mayor

Olin B. Price, Councilmember

Susan A. Francis, Councilmember