

MINUTES - MAYOR AND COUNCIL MEETING

October 13, 2011

MAYOR AND COUNCIL REGULAR MEETING MINUTES October 13, 2011

The Mayor convened the Mayor and Council Regular meeting on the above date at 7:32 p.m. All Councilmembers were present. The Town Manager, Town Attorney, and Captain Dempsey were also present.

All recited the Pledge of Allegiance and Mr. Bob Gibson from the Church of God was asked to say the invocation.

APPROVAL OF THE MINUTES:

Before approving the minutes from the September's meeting the Mayor wanted to discuss the quorum that we are going to request at town meetings from here on out. Due to the increased attendance and participation at our meetings we ask that you respect this board and give the board the opportunity to discuss the business that we have at hand on the agenda. I am not going to allow anymore, after we talk about a particular topic, an opportunity to speak at that time. What I will do is wait until we get to the end of the agenda and anybody that would like to speak will be provided three (3) minutes to share their position with the council. I request no outburst, no second conversations to allow us the respect this board needs to go forward.

Councilmember Price made a motion to approve the Regular Meeting minutes from the September 8, 2011 meeting. Councilmember Nesspor seconded. All in favor, motion carried.

GUEST SPEAKERS/INVITED GUESTS:

Carla Gerber is here from the Kent County Planning & Zoning. I am here tonight representing the Chesapeake Country National Scenic Byway. For the past five (5) years we have been working on a project to do interpretive panels in Chesapeake City, Cecilton, Chestertown, Rock Hall, Centreville, and Kent Narrows. I'm here to present what will be happening here in Rock Hall. It's going to be located at Bayside Landing Park. It will involve some landscaping. It will be three (3) panels that deal with Rock Hall's history, one about watermen, one about transportation, and one about bay ecology. There will be a walkway, and a couple of trees planted, and some other landscaping. We hope that it will be an amenity that both residents and visitors will find enjoyable. The panels will be made the same throughout all the scenic byways, to try to create a more unified experience. The Mayor thanked Carla for coming in and presenting the finer points

and details of this project.

FINANCIAL REPORT:

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

General Fund Investment Account: \$163,956.13

Utilities Fund Investment Account: \$ 97,963.14

Total Available Funds: \$261,919.27

Property Taxes Outstanding: \$ 835,882.07

Utilities Fund Outstanding: \$ 179,387.18

Services Rendered Outstanding: \$ 500.00

Total Outstanding: \$1,015,769.25

CORRESPONDENCE:

None

POLICE REPORT:

Captain Dempsey read the report into record. The Mayor congratulated the police department on their recent audit, they did very well.

STREETS/SANITATION:

Councilmember Jones stated that there has been a call put into Brambles to see when they are going to start the repair work on Catholic Avenue. There is a pot hole at the Mariner's Motel that needs to be addressed. The fire company will be holding bike fest on Sunday, we were wondering if the Mayor and Council would have any opposition to closing Bayside Avenue, from Caroline Avenue to Cherry Street to accommodate the bikes? The Mayor asked if the Fire Police would be on duty to help control traffic and if the residents that live on these streets would still be able to get to and from their homes freely if they did close that section of the street off.

Councilmember Jones stated that the Fire Police would be on duty and the residents would still have access to get them in and out of their homes. The Mayor and Councilmember had no problems with allowing the Fire Department to close off these sections of Bayside Avenue during bike fest. The Mayor asked if there were going to be trees cut back and trimmed throughout the town. The Town Manager stated that there were a few places along Catholic Avenue, Haven Road, and Mercer Avenue that needed to be trimmed back, we have had complaints from some of the local bus drives that their buses are being scratched up due to overhanging limbs. They

have been cut back and the bus drivers have already gotten back to us and that it was a job well done and that they were very appreciative of it. The Town Manager also mentioned that the current dump trucks that the town uses during the winter season for snow plows are getting a little worse for wear. The State Highway is getting ready to get rid of some of their dump trucks and as a municipality we have the ability to purchase dump trucks from them for \$5,000.00 apiece. With that you get a plow, and salt spreader. We sent one of our guys down to take a look at the trucks they were getting rid of, and there were a couple that would work well for us that look like they are in good condition. Councilmember Francis asked what we would do with the trucks we have now. The Mayor said that he would like to see us keep one around for some of the harder jobs that we may not want to put the new trucks through the wear and tear of, and we could probably bid out the police cruiser we have on hand that doesn't get utilized as well as the remaining trucks that we are not going to need anymore. The Mayor asked if we had a time frame we were working on with the purchase of these trucks from the State? The Town Manager stated that he contacted Tim Lowery, who is in charge of the trucks, and told him that we had found two that we were interested in. Mr. Lowery in turn called me back and said that once the approval has been given to purchase the trucks that we could start on the paperwork. Councilmember Price made a motion to vote on the purchase of two (2) dump trucks from the State Highway Administration in the amount of \$5,000.00 each at tonight's meeting. Councilmember Nesspor seconded. Councilmember Jones asked where the money would be coming from to purchase the trucks. The Mayor informed Councilmember Jones that we would use the Streets fund to purchase the trucks with, there should be enough money in that line of the budget to cover the purchase of the trucks. All in favor of the motion on the table to purchase the dump trucks, no one opposed, motion carried. The Town Manager was given the go ahead to purchase the two (2) dump trucks from the State Highway Administration. The Town Manager stated that they had been waiting for the ground to settle to repair the sidewalk on Main Street, it should be fixed within the next two (2) weeks.

SEWER/WATER:

Councilmember Nesspor read the report into record. He also reported that there were two leaks that have been fixed. One leak was on Lawton Avenue and one on Haven Road. Both of these leaks were service lines. Pumping Station #2 had some motor work done to it and the seals replaced. The draining of the fire hydrants is almost done. LouAnn Usilton mentioned to me that the rust in her water has gotten much better, but she is still getting some sediment in her shower head. She asked if the hydrant could be flushed on a more regular schedule in hopes that it may take care of that. I spoke to Timmy about that and he didn't have a problem with doing this. Councilmember Nesspor reported that the Waste Water Treatment Plant is running well.

PARKS/RECREATION:

Councilmember Francis reported that the Fall Harvest was a big success for the kids. There was pumpkin painting, scarecrow stuffing, bobbing for apples, moon bounce, cupcake decorating, free hotdog, chips and drink, and the hay ride. Thanks to the Fire Department for donating the wagon to allow us to give the hay rides, it was a big success. We have the Halloween parade coming up on October 29, 2011. The opening of the spook walk is this weekend. Cruise night is coming up on the 21st, instead of holding it on Main Street; they will be parking up on the Fire Department's lot, during the spook walk. Councilmember Jones said that we've added extra entertainment for the younger kids that are too afraid to go through the spook walk. They can come up any time there is no cost for the entertainment. There was a lot of time and effort put into this, it was a good job done by all, and I am very proud of them. Trick or Treating will be held on Halloween, October 31, 2011 between 6 p.m. and 8 p.m.

PLANNING/ZONING:

Councilmember Price reported that for the first time in a year and half the Board of Appeals met. They elected Don Bergman as chairman. They had about a half hour refresher course in how to approve different variance and proper codes. Eleaynor T. Collyer was there to request a variance to the buffer requirements in order to construct an addition to her existing single family dwelling, and relocate the existing driveway, which are both located in the 100 foot critical area buffer. Much of the addition will be constructed over an existing driveway. After some discussion of replanting some shrubbery and trees, the Board approved her variance to build her addition. The Mayor stated that there had been some request made to have our Comprehensive Plan available online and it now is available to view from our website.

MUSEUM BOARD:

Councilmember Francis reported that the Museum Board met today, she read the financial report for the Museum into record. Normally the museum does not meet through the November, December, January months, but they have decided to continue to meet throughout these months this year, but the Museum will remain closed for those three months. Mr. Betts closes his museums in January and February and he will reopen in March. There is more discussion on more marketing for the museum. Updating the website and possibly adding a paypal account to allow another gateway for more donations to come in through. The Mayor asked the Town Manager if he could speak to Mike Wooton about revamping our website to tie in together making payments online by the people and combine that somehow with the museum to allow donations to come in for them. Councilmember Jones asked if the restructuring of the website had been started. He remembers from when Mr. Wooton was here last that he had mentioned that it was in our contract to do a reconstruction of the website. The Mayor stated that he has started working on updating some of the information concerning business listings and such, but the overall look hasn't changed as of yet.

ORDINANCES/RESOLUTIONS:

At this point in time the Board has reached a consensus as to how to move forward with continuing an invocation to open our meetings with. I think it's an opportunity where we can have different members of the faith throughout the community come in and lead us into an invocation and that's how we'll start our meetings. If there are no other questions from the board members in regards to this, I would like to ask for a vote on Ordinance No. 2011-03. Councilmember Price made a motion to adopt Ordinance No. 2011-03 as presented. Councilmember Francis seconded. Councilmember Jones stated that he really hasn't had much to say about the issue, but I don't feel like we should have to have a policy in place to for us to pray now. I would rather have a moment of silence so I can pray for myself and what I believe in. That's where I stand on the issue. With there being no further discussion on the matter let the record show that the issue was voted on, there were three aye votes in favor of the ordinance, and one nay vote in opposition of the ordinance. The Ordinance No. 2011-03 has been passed with a majority vote.

NEW BUSINESS:

Due to the fact that our next Utilities and Workshop Meeting falls on Halloween, we have rescheduled to have that meeting on November 2, 2011.

We have a proposal for a new phone system, but I would like to have a definitive amount on what we will be saving by implementing a new system. So, we will hold onto that and discuss it at a later date when we have all the information available.

OLD BUSINESS:

None

TOWN MANAGER'S REPORT:

The Town Manager stated that some months ago there was a car that ran into the pilings that sit out on Rt. 20. Somewhere along the way having them fixed got lost in the shuffle. The State police were there to right a report and with some help from Bill we were able to contact the insurance company and have them fixed, and we've just received the check from them in the mail today. We put the fence up on the beach a little earlier this year than we did last year. We didn't want to have the same problem with the wind coming up and blowing the sand all around, so the fence is now up. We are working on the solar agreement that will hopefully be available at the next meeting. We've had some minor fixes done to the building here, some shingles replaced and a couple down spouts replaced. The museum paid to have one of the boats out front

repainted, it looks real nice. Kudos to the Garden Club, they have been working on repairing and painting the shanty on the corner of Rt. 20. We need to winterize the shower and water fountain at the beach as well as the bathrooms down at the civic center.

GOOD OF THE TOWN:

Liz Smith from the audience spoke about the proposed project of the purchase of the Rock Hall Inn. We have taken the liberty to see what the people think throughout the town. And what we've found out was that there is a broad base of people in this community that has an interest in what goes on in this town. It's a list of names and numbers of the people we spoke to and their thoughts on the project, and I do have a copy of the list here for you to have. Everyone wants what's best for the town, and would like to see a museum in town. The concern is that we are in tough economic times, and should we spend the tax payer's money at this time. Let's explore every option and see what we can come up with collectively as a community. I urge you all to talk to your Mayor and Town Council and communicate to them your ideas and thoughts. Thank you very much.

My name is Holly Childs and early today the Feral Cat issue was listed on the agenda and it has not been mentioned tonight, and I just wanted to know when that was going to take place. The Mayor mentioned that there will be a public meeting at the November 2, 2011 meeting and that is when that will take place. We had to allow for enough time between the date it was introduced and the date that there will be a public hearing take place on.

My name is Chris Reeves and I have a question for the Mayor and Council. Is there anything going to be done to the roads that need repaving and repairing? The Mayor stated that they were looking into that and Councilmember Jones has been giving us updates on them.

Mrs. Joan Cane had two questions for the Mayor and Council. Is the only time the public is allowed to speak is at a workshop? There was a vote taken tonight, if the public is not allowed to speak to that issue before for the vote is taken, then is the only time we are allowed to speak is at a workshop? The Mayor stated that up until this point we have had much discussion between this board and this audience leading up to this point in time. When we come up to introductions to various votes we will have hearings on these things. In this particular instance here I think we have given as much time to this as we possibly can. Is there a plan to get a separate committee together for the plan to purchase the property for the combining of the museums? How is that going to proceed? The Mayor stated again that is another topic that has been discussed between the public and this board. At this point in time we are going to be making a decision on that at our November 2, 2011 meeting as well. Mrs. Cane said that she would like to respectfully say that I think that there are a lot of people here that feel it hasn't been quite discussed well enough, or that if the vote is to purchase the property that it is not quite understood well enough why that is in

the best interest of the town. If that is where it is leaning towards perhaps more information needs to be provided, more than just I say this, I say that.

My name is Charles Milsop; I live on the Haven Rd. I have a few questions in regards to the museum project. I am against this museum plan as it stands. I have yet to hear any real plan to finance the building of this museum, or the yearly operational cost of the museum. Our town's annual budget is \$1,074,140.00. The initial project cost of buying, tearing down, and redesigning the Main Street location is at least \$500,000.00. That's 47% of our annual budget. Where is our strategic plan for a daily and yearly operation for this plan? Have we talked to other small town museums to learn what their challenges are? How many volunteers does it take to staff a museum like this? What will the hours be, will we have to hire someone for nightly hours? As important as our local heritage is, we often, as locals, over value the appeal of our collections to those outside of our community. Do we have a real plan before we spend a great deal of money that we are talking about here. Have we really done our homework, or are we just being asked to trust you?

My name is Jeannine Marsey and I have two questions. On the agenda there is spot for a moment of silence, we did not have that, and I would like to know why, but I have obviously answered my question, because you had already made up your minds and voted on it tonight. The Ordinance No. 2011-05 was written by a gentleman name Patrick Thomas, who states at the end of this ordinance that he is an Assistant Town Attorney; on his name plate it says that he is the town Attorney. Which is he, and do we in fact have an Assistant Attorney, and can we afford one? The Mayor said that Patrick is the Town Attorney.

The Mayor stated at this point in time there was an Executive Session scheduled for the evening, but I don't see where there is any need for that now. So, if I could have a motion to adjourn the meeting.

With there being no further business, Councilmember Price made a motion to adjourn 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 Nesspor, Councilmember