

## Town Council Meeting May 8, 2017

Present: Harry Sampson, Tom Morris, Bill Miners, Mayor Dean Geracimos, Frank Vari, Trudy Carter, Town Attorney Thomas Yeager  
Staff: Project Manager Rob Bernstine, Town Manager Sandra Edwards, Clerk/Treasurer Val Walls

Mayor Geracimos called the meeting to order at 6:30pm followed by the Pledge of Allegiance.

### Approval of Minutes

April 10, 2017 Meeting

**MOTION:** Frank Vari made a motion, seconded by Bill Miners to approve the minutes from the April 10, 2017 meeting. All in favor, motion carried.

April 24, 2017 Workshop/Public Hearing HS BM

**MOTION:** Harry Sampson made a motion, second by Bill Miners to approve the minutes from the April 24, 2017 meeting. All in favor, motion carried.

### Action Items

- Proclamation: Peace Officers Memorial Day May 15, 2017, Police Week May 14-20, 2017
- Proclamation: National Safe Boating Week May 20-26, 2017
- Ordinance 04.10.2017 – to authorize and empower the Town of Chesapeake City to issue and sell from time to time one or more series of General Obligations Bonds in an aggregate principle amount not to exceed \$486,000.00 for the purpose of financing, reimbursing or refinancing costs of activities incurred in connection with a water system improvements project generally referred to by the Town as the New Water Storage Tank Project.

**MOTION:** Trudy Carter made a motion; seconded by Harry Sampson to approve Ordinance 04.10.2017. All in favor, motion carried.

- Helen Titter Park – KCI Task Order

**MOTION:** Frank Vari made a motion, seconded by Trudy Carter to approve the task order, not to exceed \$8500. All in favor, motion carried.

- Town Right of Way, Tree removal in proximity of 331 Cecil Street tree rotting away and hanging over the street, feels it's a safety hazards. Low bidder Toms Tree Service \$1900

**MOTION:** Trudy Carter made a motion, seconded by Tom Morris to approve the removal of the tree rotting by Toms Tree Service. All in favor, motion carried.

- Pump Station Bid Approval

Part of USDA grant to update the pump station – 30900. Waiting for KCIs written approval; and USDA approval. This keeps us moving along, being contingent on the approval of KCI and USDA.

- Water Tower Project Bid Approval

Bid opening on April 19<sup>th</sup> approval pending MDA and USDA approval for low bidder. \$1653900. Both of them said they would cover additional costs MDA/USDA

**MOTION:** Harry Sampson made a motion, seconded by Bill Miners to accept the Bid contingent on both KCI and USDA's approval for \$1,653,900. All in favor, motion carried.

- CCPS Easement for Water Tower

**MOTION:** Harry Sampson made a motion, seconded by Trudy Carter for the Mayor to sign easements with Cecil County Public Schools. All in favor, motion carried.

*Town attorney trying to reach the CCPS attorney; if his draft is acceptable, we'll use that as a template for the other easements.*

#### Boat Dockage Agreement Amendment

**MOTION:** Bill Miners made a motion, seconded by Frank Vari, with the approval of Historic and Planning Commission, to accept the Boat Dockage Agreement Amendments to include \$500 rent for kiosk for the year. All in favor, motion carried.

- Miller Environmental Contract-

Contract has not been drawn up yet, to extend the current contract another two years, with a 1.5% increase per year for the next two years.

**MOTION:** Harry Sampson made a motion, seconded by Tom Morris to extend the current contract for two years, including a rate increase of 1.5% each year. All in favor, motion carried.

- Special Budget Amendment for Legal Expenses

Multiple legal issues with PIAs, etc. to "bury the town in legal fees" it's happening now. We have no choice, we need to defend the Town; requesting an increase of \$22,500. Do not have it in the General Fund.

**MOTION:** A motion made by Harry Sampson, seconded by Trudy Carter to borrow \$22,500 from the water and sewer fund, for a special budget amendment for anticipated legal expenses. Aye: 4 Nay:1 F Vari. Motion carried.

- Ordinance 01.09.2017

-to amend the Chesapeake City Comprehensive Development ordinance to add boutique hotels as a permitted and as a conditional use, to provide for satellite parking, and to codify the existing Architectural Design Standards, and generally relating to the Chesapeake City Comprehensive Development Ordinance

Mayor Comments: - this issue has fractured of the Town and is saddened by it. While many say it's for one property, it's not. Another thing we've learned from rezoning last year, was the satellite parking not transferred. It was unintentional. We've talked to many, Council has heard you; Asking to pull the Boutique Hotel from the ordinance, but to move ahead on the parking and ADS. Negativity and disrespect needs to stop. We need to mend fences and agree to disagree. Always to remain respectful. Chesapeake City is a great town and we all want the best for it. We need to start planning for ten years from now. We will grow, whether we're here or not. Try to think outside the box and keep our tax base strong. Things are scary – the county is raising property taxes to raise 7 million. Elkton is considering a 26% tax rate increase. I'm begging each of you, we need to find solutions. Eventually without a sound plan, we could be the same. This ordinance has four issues: An Accessory Building, Boutique Hotel, the ADS and Satellite Parking:

Boutique Hotel:

Councilman Sampson-does not believe it's a good idea at this time.

Councilman Morris-agrees with Councilman Sampson

Councilman Miners –with no public support for the program, agrees to drop it for now.

Councilman Vari-always against it in the text amendment. I agree it's not the time

Councilwoman Carter-agrees, but concerned what could come into that property.

Mayor: We will remove everything from the ordinance for the Boutiques Hotel.

Storage shed – do not feel this should be part of this amendment; send back to planning and zoning = need to come up with a better plan.

Councilman Sampson-Needs to change the wording, would have been turned down by the Planning Commission.

Councilman Morris-hasn't seen a plan

Councilman Miners –agrees with Councilman Sampson

Councilman Vari-it's a building – not attached to an existing building. Doesn't belong

Councilwoman Carter- agrees with Councilman Sampson.

Mayor: Accessory Building Stricken from the ordinance.

ADS – needs to be passed, not just for the property up there, all buildings, needs to be codified. Without it, can be threatening to any zone, they would need to follow the Towns Standards. Need to protect ourselves.

Town Attorney: another item in old ordinances, and not added. Adding it makes it enforceable. It's in the CDO and for the public to see. This is the right thing to do. Wants to include language that could be revised from time to time

Commissioner Sampson– its required and we have to have. Want to know about roofs and railing.

Commissioner Morris – for it

Commissioner Miners – we need this

Commissioner Vari – definitely needs this , the planning commission did support it.

Commissioner Carter – is for it.

Satellite Parking – was in the 1998 ordinances and then it was left out in 2012 Lack of parking impedes the tourist parking. Parking an issue that's been up and down, in each district, we need wherever we can get it.

Commissioner Sampson: elected in 1998 – been working for it ever since. We still don't have enough parking. Recommends to put it back in.

Commissioner Morris same here

Commissioner Miners – we just assumed it was included in Comp Plan – when sent to the council, it was approved. Somehow it got left out. To say we don't have a parking problem is false thoughts.

Commissioner Vari: we do have a parking issue, but the satellite parking should have gone back to Planning Zoning and let them work through it properly. It should go back to PZ.

Town Attorney Tom Yeager: we can't have satellite parking anywhere right now. There's no CDO for parking. We have to allow it somewhere in town or we can't have parking anywhere.

Commissioner Vari : we do have issues on both sides

Commissioner Carter: we have parking issues.

Point of Order Findley McCool – We advertised as a public meeting. We are entitled to see a printed document. This needs to go back to Zoning Commission

Town Attorney: under charter Mayor and Council they can pass, reject it or pass with amendments. The proposal is for the items listed; They can make an amend as long as it doesn't alter (add new things in) I Respectfully disagree with Findley McCool.

Findley McCool = respectfully disagrees with Town Attorney and will file an injunction tomorrow.

Commissioner Miners- studied this – has a proposal to hand out = to amend the ordinance to provide for satellite parking and the codification of the ADS, removing the boutique hotel and storage buildings. Commission Vari feels the ADS should be separate. Just don't think it's right combining it.

Town Attorney– can vote on Amendments separately.

**MOTION:** Frank Vari makes a motion to codify the Architectural Standards by themselves in a separate ordinance. No second, motion dies.

Written document tracks changes from original document. What has been left in and what has been revised.

Commissioner Vari – can't believe you would turn down a proposal of that sort. Why can't we have a vote on each item.

**MOTION:** Bill Miners made a motion, seconded by Harry Sampson to amend the Chesapeake City Comprehensive Development Ordinance to codify the existing Architectural Standards and to provide for Satellite Parking in all zones within the Town of Chesapeake City.

Roll call vote requested by Commission Vari:

Commissioner Sampson Yes

Commissioner Vari - No

Commissioner Morris Yes

Commissioner Carter Yes

Commissioner Miners Yes

Motion carried.

Commissioner Assignments: scaled down version

Commissioner Sampson: Doug from Miller Environmental gave his report, no violations. processed – a. Check water for monthly tests. Rob to check. ½ million more gallons processed. Highest so far. Working on chemical costs. Univar having a 44% price increase. Looking for another chemical supplier. Will let you know when we get more info. WWTP = nothing new to report – working on design process, checking on pumps, Zoning Commission sending ADS to Mayor and Council soon. Continuing to review CDO.

Commissioner Miners – budget under old business. The docks – new tour boat delivered, the water taxi – haven't seen yet, its in Rock Hall, should be up this week. Tried to bring it up last week, but had to turn around with heavy winds.

Commissioner Vari – Harriett Davis gave the Historic report; Public Works: nine patches starting this week; If anyone needs special yard pick up call, JBG – no plastic bags for yard waste. Elkton police department will take prescription drugs to get rid of. May 13<sup>th</sup> yard sale, June 1 Bo Manor band will be putting on a concert. Recycling – no numbers yet – we are right at the top again. Racing program – we have 80% of sponsors, please bring a non-perishable food item. Just got back the noise meter – it's been recalibrated.

Commissioner Morris – no report for this meeting. Nothing for Code Enforcement – working on summer coverage; may increase the foot patrol.

Commissioner Cater. Bo kids came over and weeded beds on canal trail; missed one, we will take care of ; 331 Cecil followed up with Rob, stuff in the alley by Helen Titter Park – lighting has been corrected – have a better coverage in Helen Titter Park. Adding additional lights to Ferry Slip Park.

Old Business:

Council decided to meet an hour earlier for the budget 530-630 before the workshop on the 22<sup>nd</sup>.

New business: None

Public Comment

Rick Post – lights look great – junction box in front of parking spots;

Mayor: Town didn't realize the boxes would be protruding out, need bumpers.

Rick Post – poles leaning after heavy rains.

Lee Hutton. Thanks Council for listening to the public. Agrees with what Council did. It's right for the Town

Harriett Davis: Election on June 5<sup>th</sup> – at Town Hall and on north side at the Fire Company.

Findley McCool. = been here 30 years, I have maintained the Corp of engineering property mowing over half of it. To the left of me is the water tower property – had conversations with the mayor – David used weed killer last year and killed the grass. Spoke with both Val and Sandra; spoke with Frank, and it was mowed the next day. It's an important to have it look as good as the entrances. I pay for water view. If that property belonged to another tax payer, it needs to be finished.

Mayor – you are 100% right. David is back to work. We are assessing what areas done by David and what areas parceled out. We did not have a backup plan.

Bill Staker – Thank you for what you did – one concern – State of MD had a hearing in the office. It was not announced on website. Why wasn't it advertised? MDE – another issue with the Inn. 50x90' dock. When State of MD has a hearing, the Town should post it.

Town Manager – MDE contacted us for Town Hall use. It's not a Town Meeting.

Town Attorney – the State is responsible for the advertising.

Harry Sampson. We have all the candidates running for office. Can they stand up and introduce themselves.

Trudy Carter

Rebecca Mann

Bill Staker

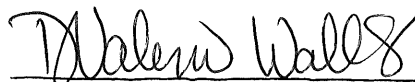
Frank Vari

Brian Blum

Carolyn Blevins

**MOTION:** Bill Miners made a motion, seconded by Harry Sampson to adjourn the meeting at 8:10 pm. All in favor motion carried.

Respectfully Submitted:



Valerie Walls

Clerk/ Treasurer



Dean Geracimos

Mayor