

**MAYOR AND COUNCIL OF FEDERALSBURG  
REGULAR MONTHLY MEETING  
MONDAY, JUNE 4, 2007  
7:30 P.M.**

The Mayor and Council of Federalsburg held their regular monthly meeting on Monday, June 4, 2007 at 7:30 p.m. in the Mayor and Council Meeting Room. Those in attendance were Mayor Ballas and Councilmembers Gasser, Fluharty, Willis, and Gutkin. Also in attendance were staff, local citizenry, and the media.

The meeting was called to order by Mayor Ballas who then led the group in reciting the Pledge of Allegiance.

**PRESENTATIONS**

**A. Sue Simmons – Caroline County Parks and Recreation**

Sue Simmons, Caroline County Parks and Recreation Director, gave a summary of the summer and winter programs that their department provides in Caroline County and to Federalsburg. She outlined the summer program for Federalsburg for 2007. She stated that she understands the town's position with having a tight budget and asked the town to look at budgeting monies for their program for 2008. She thanked the Mayor and Council for their support in the past.

There was discussion on how the town could get grant monies to refurbish the existing tennis courts. Ms. Simmons said she would be glad to work with Mr. Mayer to assist with improvements to the tennis courts.

Keith Christopher questioned the number of programs that they have had to terminate due to lack of participation. Ms. Simmons said the cancellation rate for a business their size is 10 to 15%.

**B. East Coast Property Representatives – Re: Laurel Grove Road Apartment Garbage**

Ms. Teresa M. Walker, Regional Manager, Sherritta Cottom and Rosemary Dean, from East Coast Property Management were present, as management agent for Laurel Grove Acres Apartments, requesting an exemption on their municipal fee for trash collection. They said they have monitored the trash situation at Laurel Grove Apartments I, II, and III and the town has worked diligently with them in an attempt to provide adequate collection. However, they have found that the one collection per week is inadequate for their business. The town has provided extra cans but still they have a problem with overflow. In an attempt to correct this problem East Coast Property Management has contacted an outside service provider who would be able to accommodate their needs. They requested the town's approval to opt out of the garbage collection.

After much discussion the Mayor and Council agreed to have Steve Dyott take a look at the cost if East Coast Property Management were allowed to drop out and revisit the ordinance.

### **C. Habitat for Humanities – Burning Request**

Leslie Brome, Caroline County Habitat for Humanity, Inc., requested an exception to the town’s Burning Ordinance, so that they can burn the trees that are being cleared on the property just north of the intersection of Brooklyn and Gerardi Avenues. Several loggers that have come to look at the site have said that the trees were not of lumber quality and that the quickest and most cost effective way of disposing of them was to burn them.

The Mayor and Council had some concerns about burning since it is so dry, and the close proximity of the homes in the neighborhood and the smoke from the burning. The fire company representative also voiced his concerns about burning because it is so dry.

Mrs. Brome was asked to come back to the Mayor and Council with an alternate plan to burning the cleared debris. The Mayor and Council asked them to look at the possibility of using a chipper to mulch the trees.

## **COMMITTEE REPORTS**

### **1. Federalsburg Volunteer Fire Department**

Kevin Mowbray, President of the Federalsburg Fire Company, presented a report of activities for the month of May. On behalf of the Fire Company he thanked the police for their support in the Soap Box Derby. Councilmember Fluharty expressed his disappointment of the support from the town citizenry for this event. He said the only people who attended were the parents and grandparents of the youth that participated. The winners of the event were Greg Coulburne and Adam Dukes and both were sponsored by Service Transport.

### **2. Federalsburg Historical Society**

Joe Glime advised that the Historical Society has received the paperwork from the architect and they do not see any problems with the plans presented. The Mayor and Council are working on revising the contract with the architect and the project is moving forward. Mr. Glime said he hopes the Historical Society is in a position to participate with the youth in the Soap Box Derby next year, by displaying the cars.

## **OLD BUSINESS**

### **A. Approval of Previous Months Minutes**

A motion by Councilmember Fluharty seconded by Councilmember Willis and unanimously passed by a vote of five to zero to approve as amended.

**B. Ordinances – Skateboard, Bike, Municipal Infraction Update**

It was agreed to combine the Bike and the Skateboard Ordinance with the requirements for the use of helmets to be required for children ages 16 and under. An ordinance will be drafted and presented at a later date.

**C. Mazel Extension Request Update**

The Mayor and Council agreed not to grant an extension for their project. This means that the property will revert back to C-1.

**D. Update PBH Tree Trimming**

Mayor Ballas has talked to Paulette Green and she advised the trees would be trimmed in June.

**E. Mayor & Council Appointments**

Mayor Ballas made the following appointments:

**Appointments made and ratified on May 7, 2007**

Richard Colburn, Town Manager  
Shirley Greene, Clerk/Treasurer  
Donald Nagel, Chief of Police  
Steve Dyott, Public Works Director  
Hattie Gasser, Council President  
George Mayer, Grants and Main Street Administrator  
Steven Watson, Code Enforcement

**Police Officers:**

Tom Wolf  
Joseph Gasser  
Jason Wielgosz  
Brian McNeil  
Pennell Jester  
Michael Jason Plugge  
Justin Riebly  
Jerry Stivers  
Richard Alberto  
Jeffery Adams  
April Hays

**Councilmember Appointments:**

Economic Development – Councilmember Michael Fluharty

Police Department – Councilmember Eric Willis  
Public Works – Councilmember Hattie Gasser  
Planning and Zoning – Councilmember Phillip Gutkin

A motion by Councilmember Fluharty seconded by Councilmember Gasser and unanimously passed by a vote of five to zero approving the recommendations made by Mayor Ballas for Council appointments.

## **NEW BUSINESS**

### **1. Ordinance No. 2007-14- Budget/Constant Yield Adoption**

A motion by Councilmember Willis seconded by Councilmember Fluharty and passed by a vote of three to one with one abstention, as follows, approving Ordinance No. 2007-14 which adopts the Budget for Fiscal Year 2007-2008. The Mayor and Council will also look at the budget again for the possibility of amending police salaries within the budget line items of overtime.

Mayor Ballas – Yea  
Councilmember Gasser – Abstain  
Councilmember Willis – Yea  
Councilmember Fluharty – Yea  
Councilmember Gutkin - Nay

### **2. Verna Bramble – Request for Sewer Connection**

Diane Ewing Wojcik, CHIP Coordinator, requested permission for Verna Bramble, who resides at 617 Academy Avenue, to hook into the town’s sewer system. The CHIPS program would be paying for the complete installation and whatever fees, permits, etc. are necessary. They requested the hookup because of a septic leakage behind her house, which creates a safety issue. The CHIPS program will also be doing some repairs to her home.

A motion by Councilmember Fluharty seconded by Councilmember Willis and unanimously passed by a vote of five to zero to grant Mrs. Bramble approval to connect to the town’s sewer system. The Mayor and Council instructed the Clerk to forward the agreement to Mrs. Bramble for signature. The Mayor and Council also agreed that all fees and permits will be borne by the CHIPS Program as outlined by Mrs. Diane Wojcik. The Mayor and Council agreed that all work shall be approved and supervised by the Public Works Director.

Councilmember Fluharty said he had talked to Mrs. Wojcik about the possibilities of getting assistance to install sewer in the areas outside of municipal limits that have or will be having septic problems. If the town is going to try to increase the tax base the areas of annexation need to be reviewed. There are failing systems in the area and the town needs to be proactive instead of waiting for them to come to the town. Funding may be available through Mrs. Wojcik’s CHIPS program for installation of sewer lines.

## **DEPARTMENTAL REPORTS**

### **Police Report**

Chief Nagel presented the monthly police report. He stated that he has talked to the owner of Super Soda about the concerns addressed at the May meeting about loitering on the property. Chief talked to the owner and it seems to have helped. He said that Radar Patrols have resulted in 25 citations being issued on Liberty Road after concerns were stated at the last monthly meeting.

### **Public Works Department**

Steve Dyott presented the following monthly Public Works Department Update:

The fence at Chambers Park is on the docket to be replaced by Anderson Fence.

### **Main Street/Grants Report**

Happy Mayer gave a brief synopsis of the playground and drainage grants. He also stated that the work for the rewiring of the lights in the Federalsburg Industrial Park will begin during the month of June. He has also submitted a grant to renovate 204 South Main Street, which will be the former police station. The grant was so worded that the Mayor and Council could make the appropriate decisions as to what could be done with the building.

The town has received notification of award of a DNR Grant for a mini park by the Central Avenue Bridge in the amount of \$26,000.

Councilmember Fluharty questioned whether or not the town has written procurement procedures, if so he requested a copy. Councilmember Fluharty feels the bidding procedures for the Industrial Park were not followed per the Procurement Manual. Councilmember Fluharty feels the low bidder should have been contacted to revise their bid. Councilmember Fluharty feels if the low bidder were contacted it would have saved the town \$10,000.

### **Planning and Zoning Report**

Steve Bollinger presented the following Planning and Zoning Monthly Report:

The Commission will be proposing to the Mayor and Council a change to the zoning ordinance as relates to townhomes. The ordinance will establish minimum lot sizes for townhomes.

The Comprehensive Plan is in final draft and the scheduling of public hearings would be the next step. The Commission also discussed setting up a permanent schedule for workshop meetings each month that would be held on the 2<sup>nd</sup> Monday at 6 p.m.

## **CODE ENFORCEMENT OFFICER**

Mayor Ballas introduced Steve Watson, Code Enforcement Officer. Mr. Watson advised that he bid out for grass cutting and two bids were received from Klean Slate Enterprises and Wright's Cleaning Service. He recommended the town go with the lowest bidder. He said the contractor submitted their liability insurance policy and business license.

A motion by Councilmember Fluharty seconded by Councilmember Willis and unanimously passed by a vote of five to zero to accept the bid from Wright's Cleaning Service for grass cutting services and debris removal for the abatement of property maintenance violations within the corporate limits of Federalsburg at a rate of \$25.00 per hour.

Mr. Watson said a correction order has been sent to the property located at 207 South Main Street. The property located at 301 Buena Vista Avenue is in foreclosure. Mr. Watson was also asked to address the property located at 221 South Main Street.

## **MAYOR & COUNCIL ACTION ITEMS**

### **EMAIL ADDRESS**

Councilmember Fluharty requested email addresses for the Mayor and Council and employees. This would allow him to contact as needed with information or concerns via email.

Councilmember Fluharty stated he also contacted the state attorney for the City of Texas and received email link to American legal website and law. He said he would mail everyone the information that he found out about property maintenance and tenant maintenance laws. These laws have minimum standards for tenants, some of which the town already has in place with the Clean and Lien Ordinance, however, there may be some information that the town could use to strengthen their existing ordinance.

### **MML CONVENTION**

Councilmembers Fluharty and Willis expressed their desire to attend the MML Conference on June 24, 25, 26, and 27 provided there were monies available. Both will drive back and forth and not stay over.

### **ETHICS ORDINANCE**

Councilmember Gutkin stated he would like to address a letter to the Mayor and Council from former Councilmember Hutson in regard to establishing an Ethics Ordinance. Mr. Gutkin said he did not feel the Ethics Ordinance should be approved by the Mayor and ratified by the Council as the current ordinance states. Councilmember Gutkin feels the board members should be selected by those who were elected. Councilmember Fluharty stated he thought the guidelines for the Ethics Ordinance was a state mandate. Councilmember Gutkin stated that he would like the Councilmembers to revise the existing ordinance. The letter addressed a permit issue in regard to work being done by a Councilmember.

Mr. Timothy Foley stated the town needs to look into simplifying the standards for a building permit. He feels that Steve Watson is capable of doing the job of code enforcement.

## **PUBLIC CONCERNS**

### **ARCADE FOR KIDS**

Mr. John Taylor expressed a desire to open an arcade for kids in downtown Federalsburg. He said he has looked at two vacant buildings. He expressed his desire to “give the kids something to do” during the summer and winter months. He is looking for his hours of operation to be open no later than 9 p.m. Monday through Thursday and 10 p.m. Friday through Sunday. He said he has operated this type of business before in Hurlock. Mr. Taylor was advised that the same type of activities are being offered for Junior High Youth in Chambers Parks sponsored by the Ministerial Association. Mr. Taylor said he still wanted to be able to start his venture. Mr. Taylor was advised that this type of enterprise has been attempted several times in the past and it has not fared very well. Mr. Taylor was referred to the Planning and Zoning Commission to determine whether or not the business would be allowed in the area he wants.

### **EDC AWARD**

Happy Mayer advised that Frank M. Adams, Federalsburg Economic Development Director, has been elected as the Citizen of the Year for Economic Development by the Maryland Economic Development Committee.

### **CINGULAR WIRELESS**

Mr. Colburn advised that he is still negotiating with Cingular Wireless for the rental cost of the equipment on the town’s water tower. Cingular wireless wants to offer the town \$11,000 per year for 30 years, which is still less than what they currently pay. Mr. Colburn was given approval to continue to negotiate one final offer at \$13,000 per year for thirty years.

## **ADJOURNMENT**

A motion by Councilmember Fluharty seconded by Councilmember Gasser and unanimously passed by a vote of five to zero to adjourn at 11:24 p.m.

Submitted by,

Shirley A. Greene  
Clerk/Treasurer

