

**MAYOR AND COUNCIL OF FEDERALSBURG
REGULAR MONTHLY MEETING
MONDAY, JUNE 2, 2008 @ 7:30 P.M.**

The regular monthly meeting of the Mayor and Council of Federalsburg was held on Monday, June 2, 2008 at 7:30 p.m. in the Mayor and Council Meeting Room. Those in attendance were Mayor Ballas and Councilmembers Fluharty, Willis, Gasser, and Gutkin. Also in attendance were local citizenry, guests, staff, and local media.

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

MINUTES

A motion by Councilmember Gasser seconded by Councilmember Willis and passed by a vote of four to one approving the minutes with noted corrections. The vote was as follows:

Mayor Ballas – Yea; Councilmembers Gasser, Willis, and Gutkin – Yea; Councilmember Fluharty – Nay.

Councilmember Fluharty stated that he felt that the minutes were tainted. He said, “the only thing cut was all the stuff under the war memorial vote. Didn’t bother to clean up anywhere else except a few typos here and there.” Mayor Ballas said that she felt redundancy was corrected.

GUESTS:

Mike Campbell
Caroline County Mental Health

Mr. Mike Campbell, Caroline County Health Department, was present to thank the Mayor and Council for the \$1,000.00 set aside last year to help the clinic reduce it’s deficit. They did not have a deficit this year, therefore, the funds were not needed. They still have an active case of approximately 900 to 1,000 people and of those, 235 people are residents of the Federalsburg area. They still have a full time presence at the Federalsburg Elementary School, Colonel Richardson Middle and High Schools. They also serve the Federalsburg Head Start Center and this year they have expanded two to three hours per week at the Federalsburg Judy Center. He stated that their financial picture with the most recent projects, will cut their projected deficit in half this year. One of the major reasons for this cut is because of a grant of \$45,000 from the Caroline County Foundation of Mental Health Grant. Mr. Campbell gave a brief overview of the clients that they serve. He encouraged the Mayor and Council to rollover the funds (\$1,000) for the coming year should they need funding for next year.

**Eastern Shore Title Company/Sandy Hayman
T & C Contractors**

Resolution No. 2008-04

The discussion and passing of this ordinance was tabled until the owner/developer could be present. This ordinance was to authorize the conveyance of a portion of Charlotte Avenue to T & C Contractors, LLC.

Resolution No. 2008-02 – Charter Amendment – Borrowing Powers

Mayor Ballas read Resolution No. 2008-02, which repeals and reenacts with amendments Section C11-3 of the Charter of the Mayor and Council of Federalsburg regarding borrowing powers of the Mayor and Council.

Mayor Ballas stated this charter amendment is because the town is currently in the process of upgrading the wastewater treatment plant. The town has applied for and received several State/Federal grants and loans to fund this project. One of the State/Federal loans will not be formally approved and available until after the Federal budget for next year is passed and the new Federal fiscal year begins in October of this year. The contractor working on this project will stop work if he is not paid in a timely manner. There will be a shortfall period where the Town does not have the money to continue to pay the contractor. Thus, the Town will probably need to do some type of interim financing to enable the project to continue according to the plan. Mayor Ballas stated that the good news is that the contractor is way ahead of schedule.

The Town has the interim funding from the bank and this Council has made a decision on which bank to use. The Bank of America has agreed to lend the Town the short term financing requested. However, banks typically do not lend in a competitive bidding scenario. One of the reasons is that in order to be able to evaluate the bids, the competitive bidding sets the loan document format. The Town will not be borrowing this money for a long period of time; therefore, they don't find it reasonable to go into the competitive bidding process. This charter amendment will allow the Town to privately negotiate this loan with this bank without the need for public advertising and competitive bidding. Mayor Ballas advised that the Town has done the comparisons and has obtained bids from three of the local banks. Bid requests were submitted to four of the local banks, however, only three of the banks responded.

The Mayor and Council will still be approving all borrowings and will be required to pass legislation to approve each of the borrowings. That process remains intact and this provision will not in any way take away any of the Mayor and Council's legislative authority. The major benefit to passing the proposed charter amendment is to exempt the Town from the competitive bidding and advertising requirements, and thus enable the Town to borrow money in a more timely fashion. In addition, the Mayor and Council always have the ability to use competitive bidding and advertising, if they so choose. The charter amendment does not prohibit it. It just gives the Mayor and Council the option to privately negotiate borrowings.

Rob Wright questioned that the town wants to borrow the money for five months and is the Town sure they are going to receive the loan? Mr. Wright was advised that the Town is sure that the Town is sure that the monies will be received when they become available in October 2008.

A motion by Councilmember Fluharty seconded by Councilmember Willis and passed by a vote of five to zero passing Resolution No. 2008-02, which repeals and reenacts with amendments Section C11-3 of the Charter of the Mayor and Council of Federalsburg regarding borrowing power of the Mayor and Council.

Resolution No. 2008-03 – Adoption of Operating Budget

A motion by Councilmember Gasser seconded by Councilmember Willis and passed by a vote of five to zero with numerical and typographical changes, which is an ordinance to appropriate funds and estimated income in accordance with the Operating Budget adopted for Fiscal year beginning July 1, 2008 and ending June 30, 2009.

COMMITTEE REPORTS

Federalsburg Historical Society

Bart Johnson stated the Annual Community Hobby Fair was held on May 17th and he thanked the Mayor and Council for their support. He also reported that the Federalsburg Historical Museum garage door has been installed at the museum. They are also working on getting the design for the bathroom areas set up.

Councilmember Gasser stated that they have had some discussion at workshops regarding the request that Chief Nagel put in to utilize some space in the museum. She stated that she understood that it was a unanimous decision by the Board to deny the request for space; however, Councilmember Gasser asked what exactly the request was and what exactly was the reason for denying the request. Mr. Johnson stated that the request was to use the space and they just decided that they needed the space, and that they needed to have the area secure. He asked Mr. Glime for specific comments and Mr. Glime stated that they read the report at the meeting that this question was asked previously. Councilmember Gasser said she knew that there was a door behind the gate which really won't be able to be used by the Historical Society. Mr. Johnson said he thinks there is a question there as far as security. Councilmember Gasser said that she and another Councilmember walked the area and they thought there was an area that could be blocked off adjacent to the door, which could be used by the Police Department. Councilmember Gasser stated they wanted to store evidence, bicycles, and files. Mr. Johnson stated that they just chose not to grant their request; they just feel as though they should be allowed to utilize the space for the Historical Society. Mr. Johnson said they pointed out that they thought the Town has some other space available that could be utilized for that purpose.

Mr. Johnson also advised that Federalsburg Heritage Day will be held on Saturday, September 20, 2008.

Federalsburg Volunteer Fire Department

Councilmember Fluharty reported the following:

1. Soap Box Derby will be held on Saturday, June 7, 2008. The festivities will begin at 8:30 a.m. Councilmember Fluharty apologized to everybody for the traffic congestion that may occur. He invited everyone to attend this event. He stated it is a great event and Federalsburg is very fortunate to have it and it is a showcase for the Town. There will also be refreshments available.
2. A Chicken Bar-B-Que will be held on the June 14, 2008. He thanked everyone for their support and he stated that each one that they have had to date has been sold out.

FILLING OF POOLS

Mayor Ballas asked Councilmember Fluharty if he was able to get a response from the Fire Company about filling swimming pools. Councilmember Fluharty stated that basically the Fire Company does fill pools when they can, when they are requested, however, they are not able to always fill just because they may not have people available. Councilmember Fluharty stated that one thing he would point out and that he questioned was that he knew that the minutes reflected that there would be a meter put on hydrant and they would draw from the hydrant. He said he also thought that there was discussion they would use the well that the fire company used.

Steve Dyott stated that they brought that up and the person stated that the gentleman requesting the pool filling wants the chlorinated water.

Mayor Ballas stated that the town has had a request through the Public Works Director from a Company that fills swimming pools who wants to purchase water from the Town. There was question of how the pools would be filled and what fees would be charged. Cambridge currently charges \$60.00 for 6,000 gallons or \$20.00 per load per day. Steve Dyott was to obtain the Town of Easton's policy on how they charge for filling swimming pools. The water would be taken from a fire hydrant. It was brought up that the Fire Company fills pools to raise money and this might be competition for them and that is why Councilmember Fluharty was to check with the Fire Company.

Mayor Ballas asked if the gentleman had been back and Mr. Dyott stated that he had heard from him, however, he advised him that a decision has not been made to date.

Steve Dyott requested the Mayor and Council wait to make a decision until he has had an opportunity to review and compare Easton, Cambridge and Denton's rates because the Town would be setting a bulk rate. This decision was tabled until Steve Dyott has had an opportunity to review the costs to set a bulk water rate and it will be discussed at a workshop.

PUBLIC CONCERNS

DARLENE DOTSON

Ms. Dotson stated that on several occasions she has written and asked the Town for assistance, direction or help, concerning her issues on Holland Drive with her home and land. She said that she has searched for assistance from various agencies, however, to date she has been unsuccessful. She asked the Mayor and Council for any help they could offer her with her home renovations.

The Mayor and Council offered Ms. Dotson some guidance as to forwarding correspondence directly to the agency that may be directly involved with her situation.

Ms. Dotson thanked the Mayor and Council for any help and assistance they could provide.

New Destiny Outreach Ministries
Lorraine Dawson

Mrs. Lorraine Dawson, New Destiny Outreach Ministries, requested who they could talk to about the former police station. They are interested in purchasing the building to help young people of the town, latch key youth and poor people who don't have anyone to help them in the form of food pantries.

Mayor Ballas advised that there is a committee that has been established for the sale of the building and she was asked to contact the Town Manager and he would set up at time. Mr. Colburn stated that there were several properties that the town put out for bids and the bids were not acceptable by the committee. The majority of the bids came in at \$1.00. The committee, with approval from the Mayor and Council has decided to list the properties with a realtor. Bid requests have been sent to local realtors and two have responded to date. Ms. Dawson was advised to contact the Town Manager at a later date to determine who the realtor would be and she could deal directly with the realtor.

MARION COPPER

Mrs. Copper asked if the youth were still using the community building in Chambers Park. Mayor Ballas advised that the Community Youth Center is incorporated and they are open on Tuesday and Thursday nights from 6 p.m. to 8 p.m.

DARLENE DOTSON

Ms. Darlene Dotson questioned when the additional street light would be placed on Holland Drive. Steve Dyott advised that he is waiting on People for Better Housing to cut a tree back so that Delmarva Power can install the street light. Mayor Ballas recommended Steve Watson, through the Code Enforcement Department, send a letter to People for Better Housing giving them a time limit to have the tree cut down so that the light can be installed.

ROBERT WRIGHT

Mr. Rob Wright questioned when the microphone recording system would be available for use, which would help the clerk with the problems with the tape recorder. The recording system has been placed in the budget for Fiscal Year 2008-2009, which was just approved tonight.

HEATHER HUTSON

Mrs. Hutson reported that the Hometown Veterans Memorial the wood framing has been removed and the dirt has been put back in place. The committee wanted everyone to know that they are searching for possible solutions and they still want to have the memorial and they will get back with everyone when they have more details.

FIRST CHURCH OF GOD **HEATHER HUTSON**

Mrs. Hutson reported that the First Church of God started an open gym night at the elementary school for the middle school aged kids back in March. They wrote a grant for this program to get the money to pay for the rent to use the gym at the school. They have combined this activity with open cafés at the church. Every two weeks on a Friday night for two to three hours a night there have been middle school age kids that have either come to the church, café, or the school. Last Friday was their last night at the school and they had approximately 80 kids show up from 6 p.m. to 9 p.m. They had music, volleyball, and basketball. The last one for this grant process will be June 13th at the First Church of God. She said they made a deal with the kids that if they come to every event at the end, they would be in the running for Sony Play Station 3; and they have three kids that have made it. She stated if any Church would like to help them when they start back up, they are always looking for volunteers when they start the basketball back up on Saturday nights at the church parking lot at First Church.

Mayor Ballas stated they are always open at the CYC on Tuesday and Thursday nights and they are always looking for adult volunteers. If anyone is interested in being a volunteer please contact Rev. Buddy Dunn. Mayor Ballas stated that one of the things that they are doing with the adult volunteers is that they will all have to be fingerprinted and have criminal background checks for the protection of the volunteers and the children.

Heather Hutson stated that one of the things that also came out of the outreach was the pizza lunch at the school. Colonel Richardson Middle School opened up their school to let Pastor Smith come and bring a pizza and have lunch with the winner. The winner could invite as many kids as they wanted to come and eat pizza. This gives the Pastor another opportunity to sit down and meet the kids.

Mrs. Marion Copper stated that on Tuesday nights on Smith Street, Pastor Baines has started movie night for the youth. Heather Hutson suggests that a flyer be put together outlining all the activities that are going on in the community for the youth. Steve Bollinger volunteered to out together a flyer, if the information could be sent to him.

DEPARTMENTAL REPORTS

Police Department

Chief Nagel submitted his monthly police report. Chief Nagel reported the Soap Box Derby will be set up at approximately 6:30 a.m. on June 7th and the street closures would be from Main Street to Vernon on West Central; Park Lane between West Central and Morris Avenue and Buena Vista from West Central to Maple Avenue. Chief Nagel reported they had four less applicants than last year and they ran all day. Chief Nagel stated that the cameras at the community building on the outside had been stolen.

Councilmember Gasser stated that she and she thought another Councilmember had received complaints regarding the hoops that have been left out on the basketball courts. When the unsupervised kids play, the moveable/portable hoops there seems to be some destruction. Chief Nagel stated that these nets are chained down on each side and cannot be moved. The question was asked if the gate could be locked and the gate cannot be locked because it is public property. Mayor Ballas asked if they were caught on camera, and Chief Nagel stated that they were unable to see any faces. Councilmember Gasser stated that there have been drug deals and other activities going on in the area. Chief Nagel stated that his officers would patrol this area more often.

Public Works Department

Steve Dyott reported the following:

1. Public Works has started to make an effort to get the street sweeper out at least twice a week.
2. Public Works has started to paint the yellow curb on Morris Avenue and it should be completed soon, then they will install the handicap signs.
3. Councilmember Fluharty asked if they would be doing something in parking lot. Mayor Ballas questioned if they could remove the old arrows. Steve Dyott said he would paint them black.

Steve Bollinger reported that in front of 116 Liberty Road it looks like the road bed is sinking.

Marion Copper questioned when the patch on Laurel Grove Road would be repaired. Steve Dyott reported that there are 27 patches that need to be repaired. Some of the patches will require them to rent a roller to fix them.

Code Enforcement and Inspections

No report due to the illness of Steve Watson, Code Enforcement Officer.

Main Street and Grants Department

Happy Mayer distributed to the Mayor and Council copies of Resolution No. 2008-05, which gives approval for the Grants Administrator to apply for the designation of Main Street

Community by application and to receive Main Street Maryland designation by the Department of Housing and Community Development of the State of Maryland. Mayor Ballas read the resolution in it's entirety. The Mayor and Council have to endorse the request before Mr. Mayer can submit the application. The Maryland Main Street Program does not give the Town any funding; however, the designation that it gives opens doors for the Town to receive funding. Mr. Mayer stated that this would be the third time that the Town has application for a Maryland Main Street classification. Wendy Garner, former Grants Administrator for the Town, applied for this funding when she was Grants Administer and she stated that the City of Cambridge applied three times before they received their designation. The entire town will be designated as a primary funding main street area.

A motion by Councilmember Gasser seconded by Councilmember Fluharty and passed by a vote of five to zero approving Resolution No. 2008-05, giving the Grants Administrator authority to submit an application to receive Main Street Maryland designation by the Department of Housing and Community Development of the State of Maryland and it grants the Mayor authority to sign the paperwork.

Happy Mayer reported the repairs to the failed bulkhead at the marina are to begin the first week of June. There is a grant in place from DNR for emergency repairs to the bulkhead and the repairs will be made under the grant amount. The contractor will drive new pilings at the corner, reinforce the corner behind the actual bulkhead and then reload with dirt.

The Rip Rap project behind the Czyz, Lloyd and Union Church properties is in progress. They had a couple minor issues when they started, however, the rain has been their biggest problem.

Planning and Zoning Department

Steve Bollinger, Planning and Zoning Chairperson reported a workshop has been scheduled for the June 12, 2008.

ACTION ITEMS

Santa House

Councilmember Gasser stated that last month she asked about the removal of the Santa House and was told that if she could get it moved she could. Councilmember Gasser stated that she did find someone to move it for free, although that created a lot of emails back and forth and legal advice.

Councilmember Gasser made a motion that the Santa House storage shed be removed from the triangle park.

Mayor Ballas stated that now that Councilmember Gasser has brought this up in the minutes, she said that the statement was made erroneously at the last meeting that the Mayor and Council had voted to move that house; that was not true. Mayor Ballas stated that the minutes were reviewed and it was found that Public Works Director, Steve Dyott, was asked to get a cost to move the

house and at that point the Mayor and Council were talking about moving it out in January and moving it back in December. What the Public Works Director found was that it was not feasible, to begin with it would be \$300 per move and this building is not something that should be moved in and out. At that point it was brought back to the Mayor and Council and on September 3, 2002 the Mayor and Council by motion passed with a vote of five to zero to allow the Santa Claus House to remain located at the triangle off West Central Avenue. At that time, the Santa House was red and white, and it was then decided to repaint it. So it was repainted by the Caroline County Community Service Workers at no expense to anyone because the paint was donated. Some flowers were purchased and Ms. Sandy Ruark was doing the planting. At the October 7th, 2002 Mayor and Council Meeting it was also reaffirmed that the Santa Claus House stay in the triangle. Mayor Ballas stated that Councilmember Gasser was referring to some emails and she stated that at this point the Mayor wrote an email that stated no decisions were made reversing those decisions in preceding minutes. Therefore, in order to remove the building a Mayor and Council decision would have to be made. She stated that one Councilperson nor the Mayor saying to move it if you can get it done free, can't be done. Mayor Ballas stated you can't reverse a Mayor and Council decision, it has to be done publicly. Mayor Ballas stated that she actually stated the following in the email: "I have no objections to having the house moved. As I have stated for the past several years". She said that she had already made arrangements for the move. "having spoken with Councilmember Fluharty it is my opinion that he also has no objections to the move, but as president of the Santa Claus Committee it needs to be done properly and my job as Mayor is to see that it is done legally." Mayor Ballas stated that the house itself actually belongs to the Santa Claus Committee it does not belong to the Town of Federalsburg and there are quite a few Christmas decorations inside.

Heather Hutson asked as a member of the Santa Claus Committee, if the Town decides to have the house moved, to send a letter to the committee so that they can bring it back to the rest of the committee before it is moved. Also at that point, they would need to know if there was place that the structure could be put because it does provide a town service. Councilmember Gasser stated that she spoke to a member of the Lions Club and they are planning on building a Santa House. One that can be put up and taken down and could be put in other locations. Heather Hutson stated that there are two members of a multi member board of at least five and two members can't make decisions. Councilmember Gasser said she made a motion that the Santa House be removed and Heather Hutson requested that the town forward a letter to the Santa Claus Committee to make arrangements to move the building once the motion has been passed.

Ms. Vicki Galloway asked how many times Santa Claus has been in the house in the last five years. Ms. Galloway said she saw him one time on the front porch and that does not constitute him being in the house. The last two years Santa has been at the Town Hall, which she stated has worked out very well.

Mayor Ballas stated that if there was going to be discussion on this it would be done properly. She stated there was a motion on the floor. A member of the Santa Claus Committee has stated that she feels to do this properly they need to bring the Santa Claus Committee in on it. Mayor Ballas stated the Santa Claus Committee has time and money that has been raised for this. It is not tax money and it is not citizen money that puts it on and the town pays the electric bill for the lights on the water tower and the Christmas lights. The town has not provided any of the money

for any of the equipment, the house or anything. Therefore, she thinks that the Santa Claus Committee needs to be given due consideration. Mayor Ballas stated that she is not saying that she doesn't want the house moved, she is saying that it needs to be done properly. The Board can vote to move it, but she doesn't think the board has the right to give an ultimatum to do it now. The Council needs to give the Santa Claus Committee time to arrange this.

Ms. Vicki Galloway asked who is on the Santa Claus Committee and she was advised Heather Hutson, Betty Ballas, David Whaley, Terri and Melissa Ayers and Wayne Cole.

Councilmember Gasser amended her motion to state that the Santa House storage shed be removed from the triangle park giving 30 days notice to the Santa House Committee to move the structure. The motion was seconded by Councilmember Fluharty. The vote was four to zero with Mayor Ballas abstaining from voting because she felt that she needed to talk to the rest of the Santa Claus Committee. A letter will be sent to the Santa Claus Committee advising of the request for removal.

Ms. Santos also requested a letter to be sent from the town council to the war memorial committee asking to remove the wood, the bars, and the framing from the triangle. She asked the letter be sent within 30 days.

Councilmember Fluharty stated that he seconded Councilmember Gasser's motion but he determined that the Town also needs to determine where it will go and not just yank it out and it be shoved somewhere or torn up. Councilmember Fluharty stated that he did second the motion because he would like move forward with getting it moved.

Appreciation

Councilmember Willis thanked the Mayor and Council and staff for flowers and other acts of kindness shown to him during the recent death of his mother.

Marshyhope Hardware & Supply Store

Mayor Ballas reported the Grand Opening of the Marshy Hope Hardware and Supply Store was fantastic and she encouraged everyone to support the town's local hardware store.

Department of Planning

Mayor Ballas stated that a letter went out, advising that the State of Maryland is eliminating the positions of Mark Gradecak, MD Department of Planning and Roby Hurley, Critical Area Circuit Rider. These gentlemen have done a tremendous amount of work for the Town of Federalsburg, and were a great help in the updating of the Comprehensive Plan. The Maryland Department of Planning has decided that a local planner is no longer needed on the Eastern Shore. Currently, Mr. Gradecak's office is located in Centreville and he has stated that he will be retiring; and Roby Hurley's office is currently at his home in Easton, and the State is moving him to another office Baltimore. The municipal association has written a very comprehensive letter to the Maryland Department of Planning asking that they rethink their decision. Mayor

Ballas asked for approval from the Council to allow herself and Richard Colburn to write a letter on behalf of the Town. It was the general consensus of the Council present to grant the Mayor and Town Manager approval to write a letter to Maryland Department of Planning requesting them to reconsider their decision.

Caroline County Department of Planning

Mayor Ballas reported that the Mayor and Councilmembers have been invited to a meeting with the Caroline County Department of Planning on June 10, 2008 from 10 a.m. to 12 Noon in room 255 of the HAPS building. Mayor Ballas stated that previously the county was doing a West, North and South Comp Plan, but since the Town was ahead with their comprehensive plan they were just going to incorporate the town's, however, now they are going to do an overall comp plan and they want the input of the municipalities.

Mayor Ballas reported the following items:

1. Mayor Ballas reminded everyone that they should send their applications in for the Homestead Tax Credit. It is not something that comes automatically you must apply for it. Applications can be found at the town hall.
2. The Mayor and Council received notification that Metropolitan-Zion United Methodist Church Ministries would be having a Save the Children-Stop the Violence Benefit at Lockerman Middle School on Saturday, June 21, 2008.
3. Federalsburg received a plaque from the March of Dimes for their participation and for the use of the marina, and for all the help and support of the Police and Public Works Departments.
4. On March 20th the Mayor traveled to Saint Michaels to accept a plaque from the National Guard on behalf of the Mayor and Council for employee support.

County Collection Site – Denton Road

Councilmember Fluharty stated that the Caroline County landfill collection site on Old Denton Road will be closed by July 15th. Flyers have been distributed at the Old Denton Road Collection site advising citizens of the closing. Mayor Ballas stated that she was going to attend the County Commissioners meeting to ask why the collection site would be closing.

Cardboard Recycling Bin

Mayor Ballas said that she wanted to caution people that they are not allowed to put bags of household trash in the Chambers Park containers or any of the Town's public receptacles. Mayor Ballas stated that someone suggested that the Town lock the lid of the cardboard recycling bins, which would force people to mash the cardboard and put it into the slots. Mayor Ballas asked the Council for permission to write the Company and request a lock be placed on the cardboard recycling container.

Town Manager Report

Richard Colburn stated that he wanted clarity in regard to writing letters to the Secretary of Planning. He said that the letter would urge them not cut planners and circuit riders for the Eastern Shore.

A letter would also be written to the War Memorial Committee to move the wood that has been removed. He stated that he is not in opposition to writing a letter, but he wanted to clarify that the Mayor and Council wanted him to write a letter to the War Memorial Committee, even though all the framing has already been removed. Councilmember Willis asked when there it was requested to remove the framing. Heather Hutson stated with all due respect, either you wanted it or you didn't. Mrs. Santo's asked if the wood had not been removed what would have happened tonight. Mr. Rob Wright advised that the Town probably would have been involved in a lawsuit. Richard Colburn was advised to write a letter to the committee asking to remove the framing, at their request, even though it has been removed.

Richard Colburn asked for clarity on the removal of the Santa House. He said he figured that thirty days would be July 3rd and at the time, he questioned whether or not the Council wanted the Town to remove the structure on July 4th, or first thing in the morning on July 7th. He asked for guidance from the Mayor and Council on behalf of the Public Works employees what to do should the Santa House not be removed by the date specified by the Mayor and Council.

There was much discussion about the Santa House location, where the house should be moved and where to place the decorations once the house is moved. There were some recommendations in regard to moving the Santa House to the parking lot off of Morris Avenue near the recycling bins, the former water tower site, Chambers Park, the Community Building, the Public Works compound or along the hike and bike trail.

Councilmember Gasser made a motion to move the Santa Claus House and place it on private property of someone of the Santa Claus Committee. The motion died for lack of a second.

After further discussion regarding the Santa Claus House and its use, if it would no longer be used as a Santa House then it would be used for storage. Steve Dyott stated that if it is only going to be used for storage, and it will not be moved, then he could find a place at the Public Works compound that it could be permanently placed. Steve Dyott stated it would safer if it were locked up at the compound behind the gate.

Heather Hutson questioned whether or not she needed a permit to move the Santa House? Councilmember Gutkin advised her that she needs to coordinate with the Police Department to move it and to contact Steve Watson to inquire if a permit is needed. He said that the permit would be no charge because the Town doesn't charge for permits issued to themselves, however, the paperwork may still need to be completed.

A motion by Councilmember Councilmember Gutkin seconded by Councilmember Fluharty and passed by a vote of four to one (Mayor Ballas abstained from voting) that the Town move the

Santa Claus House building to the Public Works Department, in a location designated by Steve Dyott. The decorations shall be removed and stored safely, and the shed will be moved within thirty days by the Santa Claus Committee.

ADJOURNMENT

A motion by Councilmember Gasser seconded by Mayor Ballas and unanimously passed by a vote of five to zero to adjourn the meeting at 9:55 p.m. in memory of Councilmember Willis' mother who recently lost her long battle with cancer.

Submitted by,

Shirley A. Greene
Clerk-Treasurer