

**MAYOR AND COUNCIL OF FEDERALSBURG
REGULAR MONTHLY MINUTES
MONDAY, JULY 7, 2008 @ 7:30 P.M.**

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

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

MINUTES

A motion by Councilmember Gasser seconded by Councilmember Fluharty and passed by a vote of five to zero approving the minutes of the June 2nd Regular Public Meeting and Public Hearing.

GUESTS

Henry Johnson

Mr. Johnson contacted the office earlier today and advised that he would be unable to attend due to an unexpected change in his schedule.

June Truitt

Mrs. June Truitt requested that the Mayor and Council consider having a triangle committee consisting of about five gardeners who could keep track of things and advise when spraying and pruning would need to take place. The committee could also do some of the maintenance in the triangle several times a year as needed. If this project is successful then the committee may even broaden the gardening to the triangle by the Church and little things downtown. Mrs. Truitt said that she feels the prettier you make the town the more important it is to people to keep their homes up.

She proposed going to a garden center and having a plan drawn. Once the plan is in place and the cost is known, then the project could be done in steps.

It was the consensus of the Mayor and Council to allow the proposal of Mrs. Truitt to form a Triangle Committee with Mrs. June Truitt being the Chairperson.

Councilmember Gasser questioned whether or not they would need any assistance from Public Works. Mrs. Truitt advised they would need mowing done and tree work done. The area would have to be kept so that the Soap Box Derby can continue to be held in the triangle.

It was recommended that Ms. Truitt contact Master Builders through the University of Maryland to assist with the design.

RESOLUTION NO. 2008-06 – SALE OF TOWN PROPERTY

Mayor Ballas read Ordinance No. 2008-06 in its entirety and gave a brief summary of the ordinance. This ordinance will authorize the sale of the former Police Station located at 204 South Main Street. This ordinance also authorizes the Mayor and the Town Clerk, and any other Town Officials to execute and deliver an Agreement of Sale, deed and all related documents to effectuate the transfer of the Property, that are consistent with the intent and purpose of the Ordinance.

Councilmember Fluharty stated that the Agreement should reflect that the property should be developed as a commercial use, with preference given for a restaurant or commercial food business.

A motion by Councilmember Fluharty seconded by Councilmember Willis and unanimously passed by a vote of five to zero approving Ordinance No. 2008-06 which authorizes the Sale of the Old Police Station located at 204 South Main Street to Z and B Brodie Family Limited Partnership and amending the Ordinance to state that "the property should be developed for a commercial use, with preference given for a restaurant or commercial food business and to correct the misspelling of the word Ordinance in the opening paragraph. This language should also be reflected in the Agreement of Sale.

Richard Colburn will contact Mr. Brodie's attorney and ask them to incorporate the language into the Agreement of Sale.

RESOLUTION NO. 2008-07 – CDBG GRANT APPLICATION FOR RAILROAD CROSSING

Richard Colburn read Resolution No. 2008-07 in its entirety and gave a brief summation. This Resolution would give approval for the Grants Administrator to submit an application to CDBG in the amount of \$500,000 for economic development for the connection and rail crossing between the Frank M. Adams and Federalsburg Industrial Parks.

A motion by Councilmember Gasser seconded by Councilmember Gutkin and unanimously passed approving Resolution No. 2008-07 which gives the Grants Administrator approval to submit an application in the amount of \$500,000 to Maryland Community Development Block Grant Program for Economic Development for a connection and rail crossing between the Frank M. Adams and Federalsburg Industrial Parks.

PUBLIC CONCERNS

BART JOHNSON **Federalsburg Historical Society**

Mr. Bart Johnson advised that the Federalsburg Historical Society will meet at 7 p.m. in the new building and he invited the public to attend. This will be the first monthly meeting that they have held in the new building.

Mr. Johnson also stated the museum now has a name. He said their name is officially "The Federalsburg Heritage Museum". He said they solicited name and they had a total of 12 names that were submitted and the Board of Directors finally chose the "The Federalsburg Heritage Museum" because they felt it more encompassing and it didn't delineate a specific area or a specific title. They just felt that the museum was going to represent a broad area and spectrum of people. They solicited names from the members and through the newsletter.

Councilmember Gasser stated that she has had several people question her as to when the large storage bin would be moved that is in front of the Federalsburg Heritage Museum. Mr. Johnson stated that the museum has contracted with someone to move the bin and it will cost \$350.00. The container is for sale and has been offered to the Police Department should they wish to purchase. It is a Hale Container and anyone interested in purchasing the container should contact Bart Johnson at 410-673-7575.

Federalsburg Volunteer Fire Company

Councilmember Fluharty reported the following on behalf of the Federalsburg Volunteer Fire Department:

1. A Chicken Barbeque will be held on Saturday, July 12th beginning at 10 a.m. at the Federalsburg Fire Department.
2. A Teen Dance will be held on July 25th.

3. A Breakfast will be held on Sunday, July 27, 2008.

DAVID ARMES

Mr. David Armes stated that he lives on West Central Avenue and there is an adjacent property that is for sale that is zoned R-2. He questioned how many people could occupy the residence. He stated that it is a single family home and he wants to make sure that there are not 20 people living in the house. He said he wanted to know if there is an ordinance regulating this and what it says. Mr. Bollinger stated that he did not believe the zoning ordinance has any specifics as to who or how many can occupy the house. Mr. Armes stated that if the ordinance does not address the issue of immediate family and a family definition, and the number of people in the home then the ordinance should be changed to address this issue. Mr. Bollinger invited Mr. Armes to attend the next Planning and Zoning Workshop on Monday, July 14th at 6 p.m. and he was asked to bring his concerns and recommendations to the commission. Mr. Armes stated that the duplexes also need to be addressed in regard to single family homes being converted into duplexes.

BULK TRASH PICKUP

There was a question of when bulk trash was picked up. There has been a mattress and box spring at 103 University Avenue for a week or more. Bulk Trash is picked up on the first and third Tuesday of each month. If the owners have not purchased a bulk trash ticket, then that is the reason the town has not picked it up. The owners will be sited for the trash.

DEPARTMENTAL REPORT

Police Department

Sgt. Tom Wolf was present on behalf of Chief Nagel to present the monthly police report. He distributed the monthly stats to the Mayor and Council and gave them a brief listing of the major highlights for the month. He also advised that the Police Department has accepted delivery of two T-3 motion scooters. The scooters are currently programmed at 18 miles per hour; however, they can reach a speed as high as 25 miles per hour. The department will be trained on the T-3 scooters on Tuesday, July 8th. The training will also involve general and routine maintenance on the scooters. The scooters are battery operated with a life of 8 hours continuous run time. Councilmember Gasser questioned where the scooters would be used. Sgt. Wolf stated they would use the scooters for foot patrol, on the hike and bike trail, in the apartment complexes and some residential areas. A minimum of

one officer will patrol in a police car per shift for prisoner transport. Richard Colburn, Town Manager, stated that in light of the increase in gas prices the scooters are better economically for the town and provide a greater visibility for the department. Mr. Colburn stated that he has requested the Grants Administrator to apply for funding through RDA for a police car and two additional T-3 scooters. It is his hope that the town can receive the funding under the emergency funding based on the fact that Federalsburg is a low to moderate income community.

Councilmember Gasser stated that she felt the Mayor and Council acted hastily in taking a position away from the Police Department during budget negotiations. A position was removed from the Police budget that was held by Officer Pluggee.

Councilmember Gasser made a motion to reinstate that position and amend the budget to reflect same. The motion died on the floor for lack of a second.

Mayor Ballas stated that she had spoken to the Chief and one of the things that they discussed was the lack of success in training officers. The town trains the officers and they get hired somewhere else. Currently there are three officers that are in the process of buying their contract back because they did not stay the required time. Mayor Ballas stated that after talking with the Chief, her thought was that the town should hire an officer that is already trained. Certainly if Chief Nagel finds a qualified officer already trained then this council would be willing to reinstate that position and the Chief agreed with this synopsis.

Councilmember Fluharty stated that he doesn't have a problem reinstating the position but before he would vote for a motion to reinstate and amend the budget, he would like to review the budget and see where it could be amended to fill the position.

Councilmember Willis and Councilmember Fluharty stated that they did not remember the position being removed. The clerk advised that she reviewed the budget paperwork the position of new recruit was recommended to not be funded. It was not understood that the new recruit was the replacement for Officer Pluggee's position. The only new position that was retained in this year's budget was a new employee for the Public Works Department.

After further discussion Sgt. Wolf advised that they are interviewing officers at the present time.

Public Works Department

Steve Dyott, Public Works Director, reported the following:

1. He received a telephone call from 207 Maple Avenue about a sewer blockage problem. After investigating Steve found that there was no sewer lateral and this property has a septic tank. Steve requested direction as to what to do. The tenants have been paying sewer since 2000 and they have never used the service. The owner would like the town to connect this property into the town's sewer system. Steve asked for direction on how to handle this situation.

The owner has owned this property for at least four years, and paid more than \$2,300 in sewer charges. Steve is expecting estimates from Briggs Brothers and Greg Bee for a cost to make the sewer connection. Mayor Ballas stated that the town has an ordinance that states that if the lateral runs past your house you must hook up. The choices are does the Town pay for the hook up or forgo the fee. Discussion on this matter was tabled until Steve Dyott obtains the estimates for installation of the sewer lateral.

2. Liberty Road – There were some questions in last year's budget regarding completing some repair of curbing and guttering in addition to repaving the street. There is not enough money to repave and do curb and gutter. The town will have to front the cost and possibly assess the property owners. Mayor Ballas said she thinks that Liberty Road is a priority and the Town could use the money from the sale of the land. Councilmember Fluharty asked for a cost and measurements of the guttering and the costs for the sidewalks. Then the town can review and see where they are at that point and if we need to assess the property owners.

Steve reported that there are drainage issues on that Street. Councilmember Fluharty recommended to complete the above and the Town can advertise from there. Steve will have some numbers for the Mayor and Council by September.

3. Councilmember Gasser advised Public Works that there is a tree down in Chambers Park near the Pavilions.

Codes/Inspections Department

Steve Watson reported the following:

1. The Planning & Zoning Commission would like to request the Mayor & Council to review the Outside Storage Ordinance. It is important that this ordinance be put in place to help with enforcement of violations on several properties in Town.
2. Steve also requested permission to reduce the time limit to abate grass violations from 10 days to 5 days.

Planning and Zoning

Steve Bollinger, Planning and Zoning Chairperson, advised that the Commission entertained a gentleman inquiring about annexing property into the town limits. Mr. Bollinger invited the Mayor and Council to their July 14th workshop to discuss zoning issues. Mayor Ballas stated that the gentleman met with her and Richard, and they directed him to the Planning and Zoning Commission so that they can be aware of what is going on. The Commission invited the gentleman and his engineer to attend the July 14th workshop.

Mr. Bollinger said the Commission is working on revisions to the Zoning Ordinance. These revisions will include a request to rezone the entire community for future use.

ACTION ITEMS

Water and Sewer Adjustment Request

Mr. Roy Everage, 309 Liberty Road, requested an adjustment to his water and sewer bill due to a leak at his home that was immediately repaired. Mr. Everage submitted a letter and invoice, stating that he paid for the completion of the repairs.

Mayor Ballas gave the criteria for water and sewer adjustments and stated that adjustment request should be submitted in writing. The Mayor & Council then obtain information from Kristy Marshall who runs the water and sewer program. If an adjustment is approved, it is given in the form of a rebate, not cash back. It appears that Mr. Everage's leak was fixed on March 29th as soon as it was found. Many people don't realize they have a leak until meter has been read. The Mayor and Council agreed with the recommendation for the credit on the water and sewer adjustment.

DUCKS UNLIMITED

Councilmember Fluharty stated that Ducks Unlimited has requested permission to hold a chicken barbeque on July 19th at the corner of Veterans Drive and the Federalsburg Bypass on town property. It was the consensus of the Mayor and Council to grant their request.

MARYLAND MUNICIPAL LEAGUE ANNUAL CONFERENCE

Councilmember Willis voiced his appreciation for being allowed to attend the MML Conference in Ocean City during the last week of June. He stated the conference was very informative and he learned a lot.

COG Meeting

The next COG meeting will be held on July 8th at the HAPs building at 6:30 p.m.

Caroline County Association of Municipalities

The next meeting of the Caroline County Association of Municipalities will be held on July 16th and will be hosted by the Town of Federalsburg.

Town Manager's Report

Under the State Government Article, Section 10-508(a) the Mayor and Council will hold a Closed Session on Thursday, July 17th @ 1 p.m. and July 21st @ 5:45 p.m. in regard to a legal matter.

Change of Regular Monthly Meeting Time:

The Mayor and Council agreed to change the time of the Regular Monthly Meetings from 7:30 p.m. to 6:00 P.M. beginning with the August 4th meeting.

ADJOURNMENT

A motion by Councilmember Gutkin seconded by Councilmember Gasser and unanimously passed by a vote of five to zero to adjourn at 9:10 p.m.

Submitted by,

Shirley A. Greene
Clerk