

Mayor and Council of Federalsburg
Regular Monthly Meeting
July 6, 2020 @ 6:00 pm

The Mayor & Council of Federalsburg held their regular monthly meeting on Monday, July 6, 2020 at 6:00 pm. Those in attendance were Mayor Abner and Councilmembers Phillips, Morean, Windsor and Sewell. Also in attendance were Lyndsey Ryan, Town Attorney, staff, citizens and media. This meeting was held via Zoom for the public, due to the nationwide coronavirus. The Mayor and Council, Lyndsey Ryan, Town Attorney and town staff attended in person.

Call to Order

Mayor Abner called the regular monthly meeting to order at 6:00 pm and welcomed all guests present for the video/call meeting.

Approval of Minutes

Councilmember Sewell made a motion seconded by Councilmember Phillips and unanimously approved by a vote of five to zero to approve the minutes as presented.

Ordinance No. 2020-01

An Ordinance of the Mayor and Council of Federalsburg to execute a contract for the sale +/- 4.91 acres located in the Frank M. Adams Industrial Park. Lyndsey Ryan, Town Attorney provided an update on the sale of Lot 2. There have been some issues with Delmarva Power, however, they have agreed to forego their corporate policy to not release blanket easements to accommodate the release and reestablishment of a defined easement within the setback area as previously discussed with Jeff Hicks and Delmarva Power. The buyer is providing an updated ALTA survey and legal description so Delmarva can prepare a quitclaim of the blanket easement and a deed of the application, which was received on June 9th. Pursuant to the Second Amendment to the Purchase Agreement, the Study Period expires July 24th, which is before the Town can expect to clear the easement issues with Delmarva.

Councilmember Windsor made a motion seconded by Councilmember Morean and unanimously passed by vote of five to zero to approve Ordinance No. 2020-01 authorizing the sale of land in the Frank Adams Industrial Park, which addresses any amendments in place by stating if the title is not procured the sale will not proceed.

Ordinance No. 2020-03

An Ordinance of the Town of Federalsburg to regulate the parking of trailers and oversized vehicles on the streets within the Town of Federalsburg. At the June 1st regular meeting, the Mayor and Council discussed Ordinance 2020-03, which prohibits parking of trailers and oversized vehicles on streets within Town for more than 24 hours. The draft Ordinance included a clause that an individual can not park a trailer or oversized vehicle in a substantially similar place for more than 24 hours. After discussing the matter and raising concerns about the sustainability similar language, it was removed from the Ordinance.

Councilmember Sewell made a motion seconded by Councilmember Phillips and unanimously passed by a vote of five to zero to schedule a Public Hearing on August 3rd to adopt Ordinance No. 2020-03.

Ordinance No. 2020-04

An Ordinance of the Town of Federalsburg to amend Section 223-1 of the Federalsburg Town Code to prohibit parking at all times on certain Town streets to preserve peace and order, secure persons and property from damage and destruction, and to protect the health, comfort and convenience of the citizens of the Town. The Planning and Zoning Commission reviewed the Ordinance and submitted a recommendation to proceed. This Ordinance was introduced on June 1st, and the Mayor and Council agreed to schedule a Public Hearing on August 3rd.

Councilmember Sewell made a motion seconded by Councilmember Phillips and unanimously passed by a vote of five to zero to schedule a Public Hearing on August 3rd to adopt Ordinance No. 2020-03.

Discussion - CM/I RFP - Solar Project Award of Bid

Lyndsey Ryan, Town Attorney stated that on June 12th, the Town advertised a Request for Proposals for Construction Management and Inspection Services for the Town of Federalsburg WWTP Upgrade to Conserve Energy. The Construction Management and Inspection firm serves as the Town's Site representative and is the Town's liaison with the project contractor. The Scope of Work includes project scheduling and coordination with the contractor and MDE; conducting meetings, including the monthly progress meeting; observe contractor's work; review shop drawings; review and respond to change proposals and contractor claims; report defective work; conduct inspections; compile and submit records and reports; store and track submittals; review and recommend payment requests to WQFA; review and ensure compliance with MDE grant funding; provide part-time Resident Project Representative to observe quality and progress of work. the deadline for bid submittals was July 3rd at 2:00 pm. The Town received 3 bid proposals from DFI, GMB, and Rauch Engineering Firms. After review of the proposals, Mr. DiRe Town Manager recommended the Mayor and Council select the low bidder, which is Rauch Inc at \$64,000

Councilmember Phillips made a motion seconded by Councilmember Morean and unanimously passed by a vote of five to zero to accept and award the bid from Rauch, Inc. for the Solar Panel CM/I in the amount of \$64,000.

Discussion - Comcast Cable Franchise Agreement

Larry DiRe, Town Manager requested a Public Hearing be scheduled at the August 3rd, 2020 Mayor and Council meeting to hear/discuss public comments regarding the Comcast Cable Franchise Agreement. Councilmember Phillips made a motion seconded by Councilmember Windsor and unanimously passed by a vote of five to zero to hold a Public Hearing on August 3rd to review and discuss the Comcast Cable Franchise Agreement.

Mayor and Council Action Items

Councilmember Windsor - Councilmember Windsor stated that he spoke with Chris Parks from the Fall Co-Ed Softball League, and they would like to start planning for the upcoming season. Mayor Abner stated that she was contacted by the Eastern Shore Force 11U travel ball team, inquiring about practice and playing on the field as well. After some discussion, it was agreed that the Fall Co-Ed League would gladly work with

the travel team to share use of the field. Mayor Abner will have the travel team contact Chris Park to coordinate for use of the field.

Councilmember Sewell - Councilmember Sewell made some comments regarding the events that happened last night, "I am both saddened and angered. I feel affronted personally and on behalf of our community by the blatant disregard the event planners and attendees have for the residents of Federalsburg. Our community works hard to make Federalsburg a place we can all be proud of and this is unacceptable. I personally vow to continue to work with our town leaders to make sure this never happens again." Councilmember Sewell also acknowledged the efforts of the Federalsburg Police Department and Public Works Department for their role in cleanup and making things right again.

Councilmember Sewell also stated that she and Mayor Abner would be out of town during the July 20th Workshop and didn't know if the rest of the Council wanted to cancel or keep the scheduled meeting. After some discussion, it was agreed that they would wait to see if any pressing business arises and make a determination when it gets closer to July 20th.

Councilmember Morean - Councilmember Morean stated that Councilmember Phillips contacted the Code Enforcement Officer regarding an issue with someone living in an RV in town limits. He asked what the status of this matter was, because no one has heard anymore about the matter. Larry DiRe, Town Manager stated that Code Enforcement looked into the concern and was advised that there is a gentleman staying as a guest in the residence and his dogs are staying in the RV.

There was also question about the follow-up regarding the inquiry on the apartments. Mr. DiRe stated that the Code Enforcement is looking into this matter also.

Councilmember Phillips - Nothing at this time.

Mayor Abner - Mayor Abner expressed thanks to Chief McDermott, the Police Department and the town employees who cleaned up the marina area from the events of the weekend. There was also discussion about revisiting the rental policy for town property and addressing cleanup more stringently.

Mayor Abner expressed a concern to add more trash cans in the downtown trail area. She has talked with Public Works about the installation and they have cans available for those locations. One of the locations is on private property, and Mayor Abner has reached out to the owner to obtain permission.

Adjournment

Councilmember Phillips made a motion seconded by Councilmember Sewell and unanimously passed by a vote of five to zero to adjourn the meeting at 6:32 pm.

Respectfully submitted,

Kristy L. Marshall
Clerk-Treasurer