

Commissioners of Ridgely

Minutes November 5, 2007

The November meeting was held in the Ridgely House on the above date at 7:00 pm. Nancy Gearhart, President; Chuck Hunter, Commissioner; Joe Mangini, Town Manager; Merl Evans, Police Chief; Stewart Ewing, Police Officer; Missy Vanskiver, Asst. Clerk; David Crist, Supt. of Water/Wastewater; and Carol Balderson, Town Clerk; were present.

A list is attached of residents in attendance.

Call to Order – President Gearhart reported that Commissioner Epperly-Glover would not be here this evening due to her husband having surgery today.

She called the meeting to order with the Pledge of Allegiance and a moment of silence for our service men and women.

President Gearhart introduced Tommy Rampmeyer.

Mr. Rampmeyer explained that he did not have the time to promote Vol. 6 like he usually does due to his involvement with the Veterans project. He has been working on Vol. 7, but has had some health issues and has not been in Ridgely selling ads like he usually does. He said he had 350 copies printed last year and there were 111 books left. He is afraid they will have to charge more this year, maybe \$12.00. He already has 112 orders for the new book.

Portia Dunst asked him to bring her a copy and she would see if they could print the copies. If they can do it, they could do batches as needed rather than have a lot of them left over.

Commissioner Hunter made a motion to finance 250 books to sell at no more than \$12.00 per copy, seconded by President Gearhart. Motion passed.

At this time Rev. Denzil Cheek, Shirley Hunter, and Herman Dunst were sworn in as Ethics Commission Members by the Town Clerk.

Approval of the Minutes – Work Session of October 29 – President Gearhart requested her opposition to not having an official engineer for the Town doing inspections at the Tech Park be added to the minutes. Robin Eaton does this for the Town.

President Gearhart made a motion to approve the Work Session minutes of October 29 with that addition, seconded by Commissioner Hunter. Passed.

Minutes of October 1 – President Gearhart made a motion to approve the minutes as submitted for October 1, seconded by Commissioner Hunter. Passed.

Treasurer's Report – The Clerk reported a General Fund balance of \$202,659.05, Sewer Fund balance of \$168,682.81, and Water Fund balance of \$21,760.39.

Bills were presented to the Commissioners for payment approval.

Police Report – Chief Evans reported in regard to Kathy Smith's complaint regarding speeding and failing to stop at a stop sign, officers have been in the area during the times reported and have not been able to issue any citations or warnings due to no violations. Installed a stop sign at First and Sunrise (needed to be there anyway). Highest speed was 31 mph and a California type stop.

The Chief went on to say that in regard to Commissioner Hunter's complaint concerning trucks speeding on Central in the early morning hours, he posted an officer from 4 am to 7 am on Central. They had 12 trucks, high speed was 28 mph but found that most were empty and the

noise was due to the crown in the road where the old railroad tracks were. He has made contact with SHA to see if the crown can be ground to eliminate the noise.

Chief Evans reported that Halloween went well with no incidents, no eggs and no soap---very little paper.

The Chief reported there had been one SWAT call out where 21 lbs. of marijuana was seized and three folks were arrested.

Chief Evans said in reference to numerous complaints regarding a four wheeler on the roadway; the suspect was found, issued citations, and the four wheeler was stored. The owner was contacted and the vehicle was returned. It has since been sold.

A certified letter was sent to the owner of 308 Maple indicating that she would be receiving citations if there are any further problems at that residence from her tenants.

The Chief also reported that our replacement officer had second thoughts about being a police officer here, or anywhere, after going through the entire process. He was required to reimburse the Town \$400 for processing expenses. Has two other applicants.

Monthly Report – Arrests to date – 135, traffic citations – 177, warnings – 549, foot patrol – 851 hrs., and 501 calls for service. There were 5 traffic crashes last month.

The skatepark remains closed until repairs to the fence are made.

Leo Stepp thanked the Chief for the police presence on Halloween. He said they had 400 kids in Lister Estates and the police were riding and walking through.

Joe agreed that they did a great job.

President Gearhart asked about reducing the speed on Sunset Blvd. to 25 mph.

Chief Evans said that is State Highway and would take some time to get done.

Public Works Report – David reported on Public Works activities. Robin attended a tree seminar in Westminster last month and met with a few tree contractors to try to get some costs for tree work here next spring.

There were two water leaks which were repaired.

They are putting ceilings in the pole sheds to prevent bird droppings on the equipment.

Concerning the street light on Sewer Rd. at Mr. Moore's house; Delmarva has been contacted, the pole is there, waiting for Delmarva to come and fix it. The other light farther down is Choptank; they will be coming to hook it up.

They have been cleaning up old concrete and debris from around the Town shop.

David reported they would be starting to put up Christmas lights this week since this will be the only full week they will have to do it. Needs list for additional lights.

Leaves – David reported they will pick up before Thanksgiving and again before Christmas.

Leaves to be placed in alleys, loose.

Rev. Cheek reported a very dim street light at Park Ave. and Second St.

Kathy Smith expressed concern over reports of people running out of water.

David said the drought this year was not as bad as 2002. The Town checks the wells monthly and they have not moved.

Mason Shehan asked about the drainage issue on Sunrise and First with plugged up drain.

David said the road is lower than the storm drain. A contractor is to come in and redo the storm drain. We have to elevate the corner to get it to run to the storm drain.

Water/Sewer Report – David reported 83 days of holding capacity in the lagoons.

David reported on meetings with MDE and Mark Prouty (URS) on plant upgrade. Still doing hardness tests for water every month from 3 locations.

Other Board/Commission/Committee Reports – EDC – John Balderson expressed concern and disappointment with the Planning Commission for turning down the Brodie project. EDC worked on that for over a year. (John was not present at the last EDC meeting.)

Leo Stepp said everything else they had at the meeting was dedicated to the introduction of new members. They were briefed on current events in the town. No action was taken.

Planning/Zoning Commission – Martin Sokolich reported there was a mixed use discussion regarding 106 W. Railroad. Not suitable for a residential/commercial mix.

Regarding the Brodie property, the applicant brought in drawings for the building. The Commission voted the design not suitable for the location. He did not come in with any alternatives or suggestions for how to work on that and that ended the discussion.

There was a request for orientation or directional signs for businesses on Railroad Ave. by Brenda Walls and Kelly Hayman.

There was consideration of the application for a sign which is already erected at the Ridgely Business and Industrial Center. It was a like for like exchange.

There was a new owner in the 300 block of Central Ave. looking into making some improvements to the property. They were approved.

They had a retreat the following Saturday – Planning Commission and Town Commissioners. Good discussion.

President Gearhart reported that Shane Johnston had been hired by the Town to get us through the Comprehensive Plan which is way past due for rewriting. He led the discussion in the retreat.

Joe said they attended a seminar on water resources.

Martin said that relates to the Comprehensive Plan. There are several new pieces of plans that the State Dept. of Planning and the Dept. of the Environment are requiring. All towns and counties will be putting together plans to account for all their source water, stormwater, and sewage. They spent a day telling them what they needed from all the local governments, but no suggestions for how to pay for doing it.

These plans have to be in by October 1, 2009.

President Gearhart responded to John Balderson's comments about the Brodie project. She said, "The Planning Commission did not disapprove the business. They are fine with businesses going there; they would like to see economic development. They disapproved of the design of the building itself. They had already been through everything else dealing with the lot, the buffer between that and the cemetery, etc. It came down to just the design of the building itself where each time it was discussed, the building actually got less and less and less, rather than improved in design as they went through the different steps. There is a standard to be upheld here."

Cindy Dashiells asked after buying the property and putting money out, how much could it have been changed that he just said, that's it, and walked away. What was the difference in the building?

President Gearhart said at first what was looked at were a couple of plans that were not official, but the Commission was given the idea that this would be something along the lines of what this building was going to look like. When it got down to it, there was a very plain building with none of the features that were looked at in the beginning.

Patricia Puckett said when she opened her business, she was stopped by them because they wanted her to put masking tape as window panes on her windows.

Cindy said why couldn't he have been worked with; that was a lot of jobs lost in Ridgely.

President Gearhart said the folks at the meeting were looking at the plan trying to figure out what could be done. He asked for a yes or a no. He could resubmit. There are design guidelines; they are not spelled out exactly.

Joe said when Mr. Brodie first came into town, he proposed the shopping center with a Subway, an Italian restaurant, a tanning or hair salon (thinks), and a restaurant to serve breakfast, lunch, and dinner. He presented three plans to the Planning Commission; the first one showed a clock tower, the second sketch had four dormers, and the third was the same building without the dormers. That's the one that was turned down by the Planning Commission.

Joe said Mr. Brodie has done some good things over at the New Roads building. There are two or three businesses over there. One of those businesses came over here from Delaware. They are doing so well they would like to have the whole building.

Mr. Brodie has also talked about trying to establish a medical center in town. There is another business that is now defunct that he was going to purchase and fix. All this is in jeopardy now.

Joe said basically, we traded four businesses for four dormers.

President Gearhart said there are Design Guidelines for that area so Planning and Zoning could have some kind of control over the types of buildings that would go there.

Arlene Hege said she served on Planning and Zoning, and thinks it's wrong to give the impression that Planning and Zoning gave up four businesses over four dormers.

Missy said she has the official plans of record as they were submitted. The dormers were never on any official plans of record. She thinks it is very unprofessional for anyone to accuse Mr. Brodie of bait and switch.

Arlene asked for Planning and Zoning minutes for the web site.

Commissioner Hunter asked Martin how many official plans Mr. Brodie came to P & Z with. He said the site layout and the building. There were a couple because of SHA issues over ingress and egress.

Commissioner Hunter asked if the official guidelines call for dormers on buildings in that area?

Martin said no; he did not recall exactly what the guidelines called for. It's community character. There was too much discussion about dormers, and too little about the quality of the building in general.

President Gearhart said with Design Guidelines, a lot of it is at the discretion of the individuals on the Planning Commission. There are opinions.

Paul Puckett said small businesses will not survive here without other small businesses.

Jerry Sutton said a lot of businesses fail in the first 5 years. We need some kind of business climate in this town.

Portia Dunst said concerning things looking beautiful when you are coming into town, you have Rob's Quality Car Care (no Ridgely motif), she has a 119,000 sq. ft. building, there is Dave's across the street, and a towing company (that is so atrocious). Where do we come up with this design?

President Gearhart said to try to make it better; have to start somewhere.

Tree Commission – Leo Stepp reported that Robin briefed them on a seminar he attended. Talked about various trees in town that have some form of disease that need some form of maintenance or removal. Plan to plant 15 new trees for Arbor Day.

Joe reported that Robin has submitted paperwork to make us a tree city.

Rails to Trails Advisory Committee – Joe said they have advertised for a Planning & Design Consultant. They received a draft proposal, and he will be meeting with Davis, Bowen, & Friedel out of Salisbury. A couple of gentlemen from Easton have offered to put in a proposal. Waiting to review those.

Joe said the proposals are expensive, one is \$90,000 for a \$500,000 project.

Ridgely Historical Society – Joe said Rick and Kathy Schwab hosted a wonderful social on Nov. 1. JOK Walsh was guest speaker.

President Gearhart said this year the Christmas ball will be of the horse fountain in the park.

They will be available here. The Historical Society is going to work on these this year.

Joe said he received a call from the Governor's office this afternoon seeking support. Need to watch what is going on and contact your delegates and senators. There are a lot of issues on the table.

Town Manager's Report – a) WWTP – Joe reported that the town has a design capacity and a permit to do 200,000 gpd. We are well within that. There are some people at the MDE level that feel the town does not have that capacity. Until they are clear about it, they are not signing off on plats. Every residential project in town is on hold until we hear from MDE.

The Tech Park is okay and can go forward. All the infrastructure is going to be completed by Nov. 27. They will then have to market the project.

Capital Projects – Joe said these projects are propelled by impact fees received from development. When we have no impact fees we have to hold up on capital projects. We are pursuing the WWTP Upgrade Project.

There is good news on the water storage tank concerning a disagreement between the town and the county over a \$7,000 proposal from the county engineers to help us with our water storage tank. We fought that. All we need is a deed for the land.

Cow Barn Athletic Field Facility – Joe reported that Robin has filed a grant request for \$100,000 to the U. S. Soccer Foundation to do two soccer fields with lights.

Ridgely Municipal Public Safety Facility – Joe reported this has been added because the Commissioners have approved to go out and advertise for consultants to do a feasibility study. This facility would house the Fire Dept. and the Police Dept. on Sunset Blvd. property owned by the Fire Dept.

Martin Sutton Park Renovations Project - Should be done by spring.

140th Anniversary Celebration – Putting on hold, but would still like to go back to the of 60,000 gpd. We disagree with that, more like 10,000 to 30,000 gpd. They are also saying our plant is not operating at full capacity of 200,000 gpd. Many days there are not 200,000 gals. to put out. Some days it's 120,000 to 124,000 gpd; on bad days it may be 150,000 gpd. You can't Commissioners and recommend doing an appreciation dinner.

Old Business - Kathy Smith asked about the wastewater issues.

Joe said our two lagoons have a holding capacity of 90 days plus. The health officer at the county and some other state folks feel that we have too much inflow/infiltration up to the point drain your lagoons; they have to stay at a certain level. The other problem is you can't spray

irrigate when it's raining, windy, etc. That's one of the reasons they want the pivots instead of the spray rigs. Rainfall is also an issue.

He feels Ridgely is being treated different than other towns.

Commissioner Hunter asked how mowing bills are handled.

Missy said there is a charge for mowing, a 15% administrative fee, and a fine. If they don't pay it becomes a lien on the property.

Joe said there is a 15% administrative fee added on town services, charges to developers, etc.

New Business – Consideration of Request From DBED & Caroline County Economic Development Corporation for Town of Ridgely to Administer/Manage CDBG grant project for Hanover Foods – Joe said Hanover has had problems for about 3 years. They have been cited by MDE several times. They don't have any ponds/lagoons for holding.

They have come to an agreement. They agreed to build a 60-day holding lagoon off of Peaviner Rd. (out of town). The cost is \$1.4 million. JOK Walsh and he met with DBED officials and through a community development block grant, because the majority of the jobs there are low to moderate income, DBED has agreed to provide \$700,000 in grant funds. DBED and Caroline County have asked that the Town administer the grant. The project is out of town. The county would be responsible. This would take 10 to 20 hrs. per week. DBED would provide \$25,000 in funds for this purpose (for salary, admin., travel, etc.). If the Town Commissioners say no, the County will have to hire someone to take care of it.

President Gearhart asked when they need an answer on this.

Joe said asap.

President Gearhart said if we had an Administrative Assistant on board now, either they could do it, or take some of Joe's other responsibilities so that he could do it.

President Gearhart asked if they could give us another 30 days.

Joe will check to see if they can wait another 30 days; if not, they will have to handle it.

President Gearhart said someone is needed for the Zoning Appeals Board. She nominated Nick Cappella.

Commissioner Hunter said he did not know him.

It was agreed to wait until the December meeting.

President Gearhart said the Commissioners have rewritten the Town Manager's Contract. It's in Joe's hands for his review.

Joe said he received the contract on Oct. 31 and has sent it off to his attorney, ICMA, and MML for their comments. He should have all of that by the first part of next week. He has given the Commissioners his comments.

President Gearhart said when the Commissioners gave the contract to Joe they requested his signature tonight.

Commissioner Hunter said the Commissioners hired a lawyer representing the Town who specializes in contract law. They met with her three times in an effort to improve the contract for the Town's sake, and future Town Managers. There were a lot of issues that were vague in the contract. She suggested an ordinance requiring the Town Manager to live in the 21660 zip code area. The other thing she suggested was that he get to see the contract before it is made available to the Town. This contract has not been voted on by the Commissioners. He feels comfortable that, with the help of this lawyer, that this contract will be much better for the Town.

President Gearhart said she is trying to figure out how to give the public an opportunity to look at it.

Joe said this is totally unusual, but he doesn't have a problem with the public looking at it. He said if the people see the contract, maybe they should also see the comments coming from the professional organizations.

Kathy Smith questioned this.

President Gearhart said the Commissioners did not allow for negotiations on the contract.

Joe said this contract sets out the duties of the Town Manager, and the fringe benefits.

The ordinance specifically says the salary gets set by resolution so that will have to be done.

There was discussion regarding having paper copies available for public review, as well as putting it on the Town's web site.

Joe reminded the Commissioners that this is a personnel matter, contract negotiations; and under normal conditions, you would never be doing this.

Rev. Cheek said this is a personnel matter, and as far as he knows, it is legally done in private.

Public Comments -Arlene Hege said she has had requests from some businesses for some advertising, the web site just lists names and addresses. No more.

President Gearhart said the Lions Club Christmas Parade will be Dec. 1. Parade lineup will be at Martin Sutton Park at 6:15 pm, and begins at 6:45 pm. Registration instructions are available, or folks can just show up. This will be followed by the Open House at Town Hall.

President Gearhart went on to say on Dec. 15 at 7:30 pm beside Town Hall there will be a Live Nativity. She is the contact person for that information.

Rev. Cheek said there will be a Community Thanksgiving Service held on Wed., Nov. 21. Not sure about location yet. He will let Arlene know for posting on web site.

Ethics Commission Training – Joe will check out training options and notify the Commission.

President Gearhart made a motion to pay the bills as submitted, seconded by Commissioner Hunter. Passed.

Kathy Smith referred back to the shopping center issue. Aren't there guidelines to go by, not just a committee to decide?

Joe said there are Design Guidelines. They don't specifically address what happened that night.

These are specifically for the Village Planning District (center of town) and the C-2 Zone (the commercial section up town). Thinks some other sections of town were added this year.

Commissioner Hunter made a motion to adjourn at 9:00 pm.

Respectfully submitted,

Carol A. Balderson, Clerk

