

**MAYOR AND COUNCIL
DECEMBER 16, 2013**

Mayor Margo Bailey called the meeting to order at 7:35 p.m. In attendance were Council members James R. Gatto, Linda Kuiper, Mabel Mumford-Pautz and Mauritz Stetson, W. S. Ingersoll, Town Manager, Jennifer Mulligan, Stenographer, and guests.

Mayor Bailey asked if there were any additions or corrections to the minutes of the Mayor and Council Meeting of December 2, 2013. **Mrs. Mumford-Pautz moved to approve the minutes of the Mayor and Council meeting of December 2, 2013 as presented, was seconded by Mr. Stetson and carried unanimously.**

Mayor Bailey stated that cash on hand and in the banks was \$2,211,429.12.

Mayor Bailey asked for a motion to pay bills. **Mrs. Mumford-Pautz moved to approve payment of the bills as presented, was seconded by Mr. Stetson and carried unanimously.**

Santa and Mrs. Claus surprised the Council with a visit. The Mayor read a proclamation into the record thanking Santa for his work with the citizens of Chestertown over the years.

Chief Baker was present and swore in Chestertown's two (2) new Police Officers, Charles McCracklin and Cliff Wilson.

Chief Baker presented the Police Report for the month of November 2013.

Mr. Stetson thanked Mrs. Mumford-Pautz for her thirty-two (32) years of service to Chestertown. **Mr. Stetson moved to name the Gateway Park the Mabel Mumford Gateway Park, was seconded by Mr. Gatto and carried unanimously.**

Mayor Bailey presented and read into the record a proclamation for Mrs. Mumford-Pautz. She also presented her with a key to the city. Mayor Bailey said that it was extraordinary to serve with her and appreciated the depth of care that was shown to the Third Ward over the years.

Mr. Ingersoll requested an executive session about a new police hire and an employment contract. **Mrs. Mumford-Pautz moved for an executive session under Section 10.508 of the Annotated Code of the State of Maryland to discuss a police hire and an employment contract, was seconded by Ms. Kuiper and carried unanimously.**

Mr. Ingersoll stated that he was hoping to have more information on the DBED matching grant, but said that he had not heard anything from DBED about the draft submittal the Town sent to them a week before.

Mr. Ingersoll stated that generally the new Mayor was sworn in as early in January as possible, in case there was business that had to be conducted before the first January meeting. Mr. Ingersoll stated that he would suggest Mr. Cerino be sworn in at noon on January 2, 2014. He said that he would check with Mr. Mumford to set a firm date and said he would notify the press when it would occur.

Mr. Ingersoll stated that Mr. Gibson Anthony gave the Town three (3) bluebird boxes and Mr. Ernie Marr would decide the best placement for them at the Margo Bailey Community Park. Mr. Ingersoll stated that there was a stretch of the Rail-Trail between the Railroad station and Lynchburg Street that would also be a good spot for placement of bluebird boxes.

Mr. Ingersoll stated that the "Walk In-Fall Out" building had been demolished at the Gateway Park. He said that the building was found to be unsound and beyond repair.

Mayor Bailey asked for a motion to reappoint Ms. Lucy Maddox to the Historic District Commission. **Mr. Stetson moved to reappoint Ms. Maddox to the Historic District Commission, was seconded by Mr. Gatto and carried unanimously.**

Mayor Bailey asked for a motion to reappoint Mr. Alex Dick as an alternate to the Zoning Board of Appeals. **Mrs. Mumford-Pautz moved to reappoint Mr. Alex Dick to the Zoning Board of Appeals as an alternate, was seconded by Mr. Stetson and carried unanimously.**

Mayor Bailey stated that she would like to nominate Mr. Ted Maris-Wolf to the Historic District Commission. She said that the incoming council would decide on the appointment.

Ms. Kuiper asked if there were any other applications. Mayor Bailey stated that there were no other applications for Historic District, adding that Mr. Wolf had the knowledge and skill for the position. Ms. Kuiper stated that as faculty at Washington College he would have to recuse himself from the Board of Education Building and the Armory.

Mr. Ingersoll stated that a resume was received from Deborah Lane for the Planning Commission just before the meeting began. Ms. Mulligan stated that Mr. Jim Gatto also submitted his resume for Planning Commission. Mr. Ingersoll stated that in all, there were five (5) applicants for the Planning Commission so far and only two (2) vacancies.

Mr. Jon Hanley, President of the Board at Shared Opportunity Services located at 600 High Street, was present. Mr. Hanley stated that the facility provided training, programs and services for fragile families in Kent County. Mr. Hanley stated that their normal major grant of \$250,000.00 through Maryland Family Network has fallen through and they were suspending all operations at the site as of December 31st. Mr. Hanley said that as a result there were twenty (20) babies and toddlers that now would have no daycare. Nine (9) of the ten (10) full-time employees would be laid off. One (1) employee would be kept on part-time to manage the building as there were three (3) tenants (DLLR,

Chesapeake College and a private renter) still in place. He said that he was looking at any opportunity to remain a viable entity.

Mayor Bailey stated that she would like an executive session for a real estate matter. **Mrs. Mumford-Pautz moved for an executive session to discuss a real estate matter under section 10.508 of the Annotated Code of the State of Maryland, was seconded by Mr. Stetson and carried with four in favor, Ms. Kuiper recused as she was a member of the Board.**

Mayor Bailey thanked Mr. Gatto for his years of service to the Town and presented him with a gift as a token of appreciation.

Mrs. Mumford-Pautz presented Mayor Bailey with a proclamation declaring December 31, 2013 as Margo G. Bailey Day in Chestertown. She read the proclamation into the record and thanked Mayor Bailey for her years of service. Mayor Bailey was presented with a key to the city.

Mr. Gatto stated that he went through a series of notes to try to close out some business. He said that Fresh & Green's is closing and asked how the Town could help. Mayor Bailey stated that when Super Fresh closed everyone was upset and a new grocery store came to Town that was not patronized by the public.

Mr. Ingersoll stated that he has contacted the owner of the shopping center and he was unaware of the closing. He said that there were three (3) stores interested and they were hoping that there would be news soon about another tenant in that building.

Mr. Gatto thanked everyone who worked with him over the years including the Garden Club and Curb Appeal.

Mr. Gatto stated that he would like to extend the Rail-Trail to Coventry Farms. He said that he talked with the Homeowner's Association in Coventry and they were supportive of a study. He made a motion to use \$15,000.00 of the College Armory donation to fund a feasibility study. The motion failed for lack of a second, with Mayor Bailey stating that this was a matter for the incoming Council to decide.

Mr. Gatto stated that the Garden Club presented a plan for development of the Fountain Park and said that they should be invited back before the new Council. Mr. Gatto stated that the trees in the park needed to be assessed and actions taken to preserve them. There was also overuse of the park by the artisan groups and thought the Council should make a recommendation to the new Council that the artisans be moved to the park area between Memorial Park and the Courthouse.

Mr. Gatto asked about the current status of the NEA grant. Mayor Bailey stated that Mr. de Mooy was working on it, noting that the grant has been awarded, but not received.

Mr. Gatto stated that he took issue with the use of the College Armory donation for the \$8,000.00 match to the DBED grant as he thought it was decided that the College donation would only be used for the Rails to Trails project. Mayor Bailey stated that the Rails to Trails project was now also funded by other sources.

Mr. Ingersoll stated that the \$25,000.00 match for the NEA grant was discussed in two (2) budget workshops and taken out of the College Armory donation in the 2014 Budget Ordinance. He said that the match could also come from the unappropriated surplus if the Council so desired. The budget could also be altered by the Council as they saw fit. He said that the money comes from the same area and not a dime has been received on the NEA grant, nor has a dime been spent from the \$200,000.00 that the College donated to the Town.

Mr. Gatto stated that the funds were supposed to be used in total for the Rail to Trail. Mr. Ingersoll read excerpts from the budget hearings showing that the NEA grant match had been discussed as coming from the College Armory donation.

Mr. Gatto stated that he thought the match for the NEA grant should be from general funds. Mr. Ingersoll stated that would be fine and more or less arbitrary since no funds had been spent out of the NEA or College Armory funds. Mr. Gatto said that he wanted to correct the matter and have the money come out of general funds.

Mr. Gatto moved to amend the budget to where the NEA match of \$25,000.00 be taken from the general funds, was seconded by Ms. Kuiper and passed with three (3) in favor, Mr. Stetson and Mayor Bailey opposed.

Mr. Gatto stated that the RFP for the Gateway Park included three (3) public meetings. Mr. Ingersoll stated that was still going to happen. Mr. Gatto stated that there was already a draft of the park submitted to the County. Mr. Ingersoll explained that because the park was in the County the concept plan had to go to them first. Once given approval it would return to the Town for the public meeting process with the Planning Commission and Town Council.

Mr. Gatto stated that the pedestrian bridge was eliminated from the Gateway Park plan because it was going to cost too much. He said that the estimated cost for sidewalks was a million dollars. Mr. Ingersoll explained that the MD 514 sidewalk study from the SHA contained the million dollar estimate for sidewalks, not the Gateway Park. It was a separate issue from the Gateway Park, and was done at the request of the residents of Coventry Farms to have safe pedestrian passage on Flatland Road to Town.

Mr. Ingersoll stated that the public would be able to see the earliest conceptual plans. He said that it was going to the County at their January Planning Commission meeting and then would come before Chestertown's Planning Commission after that.

Mr. Gatto stated that the Council voted to annex the park and it has not taken place. Mr. Ingersoll stated that the metes and bounds of the property were not sufficient to become a

new Town boundary. He said he had reported this to the Council and that a park use was legal in the County on that site so annexation was not necessary.

Mr. Gatto asked if there was an environmental assessment done on the property. Mr. Ingersoll stated that there was an environmental study done by a previous interested party and asked why environmental issues were being introduced at this point. Mr. Gatto stated that this property was bought for \$350,000.00 and the property survey evidently was not done correctly as it was not sufficient for annexation. Mr. Ingersoll stated that the property had been purchased with title insurance but the property lines were not appropriate for a Town boundary.

Mr. Gatto stated that he was not being kept up to date. He said that there should have been a survey and an environmental assessment for human contact, not an industrial site or business site.

Ms. Kuiper stated that she had a request to repaint the goose at the waterfront. Mayor Bailey stated that it was a bronze statue. Mr. Ingersoll stated that it may need to be cleaned.

Ms. Kuiper stated that she had a request from the Farmer's Market to have a sandwich board on Washington Avenue through the winter months to announce that the market is still open. Mayor Bailey stated that would be a decision for the State Highway Administration.

Ms. Kuiper stated that the Farmer's Market would be open on Christmas Eve from 8 a.m. to noon.

Ms. Kuiper stated that people had to be directed to businesses on Cannon Street and Park Row, especially on First Fridays. Mayor Bailey stated that there should be eye catching directional signs. Ms. McGuire stated that she was working on an idea that might help with this issue as well as parking.

Ms. Kuiper stated that she would like separate budgets for Gateway Park, Bailey Park and Remembrance Park. She said that the marina budget shows the huge deficit that the marina has and she thought that each ward should have a separate budget for their major project. Mr. Stetson stated that he did not think the outgoing Council should act on this and it should be brought up at budget time. Ms. Kuiper said that there were no projects in the black and she thought each Councilmember should be aware of the major projects in their ward and how much taxpayer dollars are being spent and how much is coming out of the general fund to subsidize the projects.

Ms. Kuiper asked about Mr. Stetson's Dog Park LLC. Mr. Stetson stated that the 501(c3) was so that he could get donations, which were then turned over to the Town.

Mr. Stetson stated that the trees have been planted in Bailey Park, which was done with 100% grant money. He said that the park looked beautiful.

Mrs. Mumford-Pautz asked if there was any way that the Town could help the Kent Family Center. Mr. Ingersoll stated that he recommended to Mr. Hanley different possibilities that he thought could help. He said that they were looking into all ideas at this point.

Mrs. Mumford-Pautz stated that there was an empty house falling down behind Coventry Farms.

Mrs. Mumford-Pautz thanked all those who helped her through her tenure as Third Ward Councilperson. She said that beyond the local Town work she has attended meetings and workshops all over the State of Maryland and reported things that had happened at them. She said that she was here for a National census parade and at least two (2) State of Maryland Crab Feasts to help with economic development and she also participated in the shooting of the movie "Space". She said that being the "Grand Marshall" of the Tea Party Parade was an honor, but her proudest moments were carrying the Chestertown flag at the opening of the MML conference each year.

Mrs. Mumford-Pautz stated that she has been made a life member of the Eastern Shore Association of Municipalities and would like to re-establish the Eastern Shore scholarship for students studying political science or a service career such as a police officer. She said that anyone wishing to make a donation should send checks to her marked "ESAM" and she would start the fund up again.

Mrs. Mumford-Pautz said that she was happy to serve so many for so long and said thank you.

Mr. Gatto stated that the Town had to invest in itself and park maintenance should come from the general fund, noting that the Town had to continue to invest in the parks. He said that he wanted to drive at the fact that there was a list of stuff to do. He said that recreation efforts also had to continue.

Ms. Rebecca Flora, member of the Waterfront Task Force, said that she wanted to commend the Mayor for her work. She said that she wanted to assure the Council that she would be insisting on a public process for the waterfront planning. Ms. Flora stated that she was a professional planner and a certified economic development professional. She said that she has worked on hundreds of acres of waterfront property and was a specialist in sustainable community development, raising millions of dollars in the course of her career. She said that she wanted to assure the Council that the funds committed for design work would be well used and the Committee would be accountable for their work.

Mr. Ingersoll stated that he received a proposal from South Fork Studios (Miles Barnard) to do the soil and tree work at the Fountain Park for \$2,500.00. He said that this was the design work with the grass, trees, soils and monitoring. The Council decided that this should be taken up at the next meeting.

Mayor Bailey stated that it has been a privilege and an honor to serve the Town of Chestertown as Mayor for the last 20-years.

There being no further business, **Mrs. Mumford-Pautz moved to adjourn the meeting at 9:05 p.m., was seconded by Ms. Kuiper and carried unanimously.**

Submitted by: 
Jennifer Mulligan
Stenographer

Approved by:
Margo G. Bailey
Mayor

**TOWN OF CHESTERTOWN
STATEMENT FOR CLOSING A MEETING**

Location: Town Meeting Room

Date: Dec 16, 2013

Motion by: Mabel Mumford Seconded by: Renka Kuiper

Vote to Close Session:

	AYE	NAY	ABSTAIN	ABSENT
James R. Gatto	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda C. Kuiper	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mabel Mumford-Pautz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mauritz Stetson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a)

- (1) To Discuss:
 - (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
 - (ii) Any other personnel matter that affects one or more specific individuals.
- (2) To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.
- (3) To consider the acquisition of real property for a public purpose and matters directly related thereto.
- (4) To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.
- (5) To consider the investment of public funds.
- (6) To consider the marketing of public securities.

- (7) [] To consult with counsel to obtain legal advice on a legal matter.
- (8) [] To consult with staff, consultants, or other individuals about pending or potential litigation.
- (9) [] To conduct collective bargaining negotiations or consider matters that relate to the negotiations.
- (10) [] To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:
 - (i) the deployment of fire and police services and staff; and
 - (ii) the development and implementation of emergency plans.
- (11) [] To prepare, administer or grade a scholastic, licensing, or qualifying examination.
- (12) [] To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- (13) [] To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosure about a particular proceeding or matter.
- (14) [] Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

TOPICS TO BE DISCUSSED:

REASON FOR CLOSING:
