



**Town of Port Deposit  
Town Council Meeting Minutes  
Legislative Session Meeting  
June 6, 2017**

**CALL TO ORDER** - Mayor Tome called the meeting to order at 7:00 p.m.

**PRESENT:** Mayor Tome, Councilman Brown, Councilman Haines, Councilman Knight, Councilman Kuhs, Councilwoman Rodgers, Town Administrator Rinkerman, and Legal Counsel Herring

**ABSENT:** Vacant Council Seat.

**OATH OF OFFICE**

The Mayor administered the oath of office to incumbent Councilman Knight and incumbent Councilman Kuhs.

**COUNCIL APPOINTMENT TO VACANT SEAT – Mayor Tome**

Mayor Tome presented Christopher Broomell as a qualified applicant for the open Council seat.

Councilman Brown made motion to appoint Mr. Broomell to the open Council seat. Second by Councilman Kuhs. All in favor, motion carried. Roll Call Vote: Councilman Brown – Yes, Councilman Haines – Yes, Councilman Knight – Yes, Councilman Kuhs – Yes, Councilwoman Rodgers – Yes.

Mayor Tome administered the oath of office to Councilman Broomell.

**EXECUTIVE SESSION**

Motion was made by Councilman Brown to convene in closed executive session pursuant to the Annotated Code of Maryland, State Government, Title 10, Governmental Procedures, subtitle 5. Meetings, Section 10-508 (a) (1) to discuss Mayor and Councilmember assignments; (3) to consider acquisition of real property for a public purpose and matters directly related thereto for properties on South Main Street for a Community Legacy Grant; and (7) to consult with counsel to obtain legal advice on a legal matter. Second by Councilman Kuhs. Roll call vote: Councilman Brown – Yes, Councilman Haines – Yes, Councilman Knight – Yes, Councilman Kuhs – Yes, Councilwoman Rodgers – Yes. All in favor, motion carried.

Mayor and Council discussed board and committee assignments, directed staff to proceed with the Community Legacy Grant application for the acquisition of properties on South Main Street, and related engineering to create a parking area, and counsel provided advice relative to the Open Meetings Act.

Executive Session was adjourned at 7:30 p.m. and Council reconvened in public session.

## **SAFETY TIP**

Mayor Tome provided the safety tip for June.

## **COUNCIL ASSIGNMENTS – Mayor Tome**

Mayor Tome: Personnel, Emergency Mgmt., Budget, Public Safety, and Revitalization and Economic Development Commission.

Councilman Knight: Budget, Personnel, and Revitalization and Economic Development Commission.

Councilman Kuhs: Historic Area Liaison, Public Safety, Parking, and Revitalization and Economic Development Commission.

Councilman Haines: Parks and Recreation and Public Safety.

Councilwoman Rodgers: Codification Project and Personnel

Councilman Brown: Planning Commission Liaison, Budget, and Revitalization and Economic Development Commission.

Councilman Broomell: Codification Project and Parks and Recreation.

## **DEPUTY MAYOR APPOINTMENT – Mayor Tome**

Councilwoman Rodgers made a motion to elect Councilman Kuhs as Deputy Mayor. Second by Councilman Brown. Roll Call Vote: Councilman Broomell – Yes, Councilman Brown – Yes, Councilman Haines – Yes, Councilman Knight – Passed, Councilman Kuhs – Yes, Councilwoman Rodgers – Yes. Five in favor, motion carried.

Mayor Tome administered the oath of office to Deputy Mayor Kuhs.

## **MINUTES**

Minutes from the May 2 Legislative Meeting and the May 16 Work Session Meeting were presented for approval.

Motion was made by Councilwoman Rodgers to approve the May 2 and May 16 meeting minutes, second by Deputy Mayor Kuhs. All in favor, motion carried.

Councilman Haines and Councilman Broomell abstained from voting on the May 2 minutes.

## **PUBLIC COMMENT**

Dave Leatherwood, 1033 Rowland Drive (representing Newport Landing Home Owners Association). He would like advice on one area of the promenade that is undermined and cracked due to erosion. Questions: Where to start? Whom do they consult with? Who owns that area? Who is responsible for cost and initiation of project?

Councilman Haines asked how far it was undermined. Mr. Leatherwood responded it was a few feet. Councilman Haines also commented that if it is a safety issue, it would seem that they would not have to go through all of the channels.

Legal Counsel Herring responded that he doubts there is any way to get around going through all of the proper channels and that if it is a safety issue, it should be closed off. He also stated that as

far as ownership, the Town has a pedestrian easement but does not own the property.

Mr. Leatherwood stated that he is willing to spearhead the effort but would appreciate some guidance. Legal Counsel Herring stated that we could research who we believe is the owner and provide that information to Mr. Leatherwood.

Mayor Tome suggested that Mr. Leatherwood contact Dave Read as he just had work done on his bulkhead. Deputy Mayor Kuhs stated that Alan Dooling might be able to help also. Town Administrator Rinkerman added that anything that occurs in the waterway comes under the jurisdiction of the Maryland Department of the Environment and Department of Natural Resources. She also noted that Mr. Read did apply for a license to do his project.

## **NEW BUSINESS**

### **Ordinance 2017-01, Fiscal Year 2018 Annual Budget – Mayor Tome**

Public Hearing was held May 16, 2017

Finance Manager Sookiasian reviewed revisions due to ongoing updates on revenue and expenditures and the addition of the town boundary survey. He also updated the calculations as of May.

Deputy Mayor Kuhs asked what equipment was removed. Finance Manager Sookiasian replied that he removed a leaf blower, an attachment for the skid steer, and the radar equipment. The radar equipment probably will not be needed until the storm drain project is completed. .

Councilman Knight made a motion to accept the budget as presented. Second by Councilman Haines. Roll Call Vote: Councilman Broomell – Yes, Councilman Brown – Yes, Councilman Haines – Yes, Councilman Knight – Yes, Deputy Mayor Kuhs – Yes, Councilwoman Rodgers – Yes. All in favor, motion carried.

### **Resolution 29-2017 – Community Legacy Façade Program, Town Administrator Rinkerman**

Resolution to apply for the third Community Legacy Facade Program grant in the amount of \$50,000.

Deputy Mayor Kuhs made a motion to approve Resolution 29-2017. Second by Councilwoman Rodgers. Roll Call Vote: Councilman Broomell – Yes, Councilman Brown – Yes, Councilman Haines – Yes, Councilman Knight – Yes, Deputy Mayor Kuhs – Yes, Councilwoman Rodgers – Yes. All in favor, motion carried.

### **Resolution 30-2017 – Community Legacy Program - South Main Street – Town Administrator Rinkerman**

Resolution to apply for an economic development project grant for the acquisition of two properties on South Main Street and the cost for a structural engineering report to relocate the existing building on one of the properties.

Councilman Knight made a motion to approve Resolution 30-2017. Second by Deputy Mayor Kuhs. Roll Call Vote: Councilman Broomell – Yes, Councilman Brown – Yes, Councilman Haines – Yes, Councilman Knight – Yes, Deputy Mayor Kuhs – Yes, Councilwoman Rodgers –

Yes. All in favor, motion carried.

## **OLD BUSINESS**

### **Budget Amendment 17-04 – Pressure Washer – Finance Manager Sookiasian**

Finance Manager Sookiasian provided a list of intended uses for the pressure washer. He advised that Council that the company provided a demonstration of the unit.

Deputy Mayor Kuhs stated that he was skeptical originally, but was impressed with the demonstration.

Deputy Mayor Kuhs made a motion to approve Budget Amendment 17-04, purchase of a power washer. Second by Councilman Knight. Roll Call Vote: Councilman Broomell – Yes, Councilman Brown – Yes, Councilman Haines – Yes, Councilman Knight – Yes, Deputy Mayor Kuhs – Yes, Councilwoman Rodgers – Yes. All in favor, motion carried.

### **Mosquito Spraying Program Update – Town Administrator Rinkerman**

Town Administrator Rinkerman provided a copy of the public notice. She advised the Council that the cost would be \$30 every two weeks. Additionally, individuals can opt out of the spraying. The Department of Agriculture does not suggest a way to notify residents of opt out provisions; it is left up to the Towns.

Town Administrator Rinkerman asked Council how they wanted the notification done. Legal Counsel Herring said the public notice and Facebook should be fine, as they are the standard ways we notify residents.

## **REPORTS TO COUNCIL**

- **Zoning Administrator Report – in packet.**
  - Reviews being done for the façade Grant program.
  - Working with Planning and HAC on the Wastewater Treatment Plant.
- **Town Administrator Report – Town Administrator Rinkerman**
  - Town received notification that we will received a grant for over \$42,000 for the Main Street basketball court renovation.
  - Town Administrator Rinkerman and Legal Counsel Herring will be attending the MML conference. MML awarded them scholarships for the conference and to participate in the Academy for Excellence in Local Governance program, which runs for two years. The program is also open to elected officials.
  - Rocking the River event is June 17 from 11:00 a.m. to 9:00 p.m. in Marina Park. Town Administrator Rinkerman has been working with officials from Lee's Landing and the sheriff's office to discuss the logistics for the event. There will be parking at Bainbridge and shuttles to carry people from there to the park. Lee's Landing is also renting three electronic message boards letting people know there is an event and they should proceed with caution. They are also working with the sheriff's office to provide security for the event.
  - The proposed plans for the wastewater plans are moving forward.
  - MVA flagging program update has been provided in the report.
  - Boundary survey starting this month in the north end of town. Councilman Knight asked why they needed access to Bainbridge. Town Administrator Rinkerman responded that our boundary goes through the Bainbridge property.

- Bathon Builders is completing the punch list for the visitor center and will apply for the certificate of occupancy.
- Volunteer applications have been sent out for the visitor center and a schedule has been started. The agreements are being reviewed by Legal Counsel Herring.
- **Financial Report – Finance Manager Sookiasian**
  - Cash dropped in May due to the visitor center project.
  - Lee’s landing paid \$500 for the closure of the boat launch on June 17 for the event.
  - Pessoa Construction has not responded to Finance Manager’s email about the rent, or their use of the lot next to the basketball court. Legal Counsel Herring recommended sending them a letter to put them on notice.
- **Legal Report – Legal Counsel Herring**
  - Maryland legislature passed new requirements for training on the Open Meetings Act. At least one person from each public body must take the training and complete it. He recommends that Mayor Tome and Deputy Mayor Kuhs take the training.

**Mayor Tome reported on the following:**

- Michael Fouls is the Atlantic Broadband rep for the Town. He is reviewing the packages that the fire company and the Town have to ensure our needs are being met.
- Waste Water Treatment Plant is in motion. The County wants to have it completed by December 2018.
- The County also agreed to relocate the pumping station closer to the Public Works garage.
- We hired Fred Pride to fill the Public Works position. Mayor Tome gave Floyd a bonus from his discretionary fund for the great job he did while he was working alone.

**COUNCIL REPORTS:**

Deputy Mayor Kuhs thanked everyone for their support for Deputy Mayor.

**PUBLIC COMMENT:** No public comment.

**ANNOUNCEMENTS:** No additional announcements.

**ADJOURNMENT:** The meeting was adjourned at 8:30 p.m.

Approved:

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Wayne L. Tome. Sr., Mayor

Attest:

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Vicky Rinkerman, Town Administrator