

TOWN COUNCIL MEETING NORTH BEACH TOWN HALL April 3, 2014 7:00 p.m.

- I. PLEDGE OF ALLEGIANCE
- II. ROLL CALL
- III. APPROVE AGENDA
- IV. APPROVAL OF MINUTES

 A. Minutes from the March 13, 2014 Town Council Meeting
- V. SCHEDULED APPOINTMENTS

 A. Grace Mary Brady from the Bayside History Museum
- VI. PUBLIC SAFETY REPORT
- VII. TREASURER'S REPORT (will be given at the May meeting)
- VIII. REPORTS
 - A. Public Works Supervisor
 - B. Code Enforcement Officer
 - C. Town Engineer
- IX. BOARDS AND COMMISSIONS
- X. BUSINESS ITEMS
 - 1) Presentation of the FY 15 budget and FY 14 Budget Adjustments
- XI. ORDINANCES AND RESOLUTIONS
- XII. MAYOR AND COUNCIL REPORTS
 - A. State of the Town



- XIII. PUBLIC COMMENT
- XIV. CLOSED SESSION MEETING IF NEEDED
- XV. ADJOURNMENT

Upcoming Meetings and Events

- 1) All agendas are subject to change up until the time of the meeting.
 - a) Saturday, April 6, 2014 Planning Commission Work Session
 - b) Monday, April 7, 2014 Special Events Meeting 7:00 p.m.
 - c) Friday, April 18, 2014 Town Government Closed
 - d) Monday, April 21, 2014 Public Safety Meeting 7:00 p.m.
 - e) Thursday, April 24, 2014 Planning Commission Meeting 7:00 p.m.
 - f) Saturday, April 26, 2014 Plant the Town 8:00 a.m. on the Waterfront
 - g) Sunday, April 27, 2014 Beach Opens for the summer
 - h) Thursday, May 1, 2014 Work Session 7:00 p.m.
 - i) Maryland Municipal League Summer Convention June 8, 2014
 June 11, 2014



Minutes from the Marc 13, 2014 Town Council Meeting 7:00 pm

<u>X</u>	Mayor Frazer	XJoanne Hunt	Buddy Jenkins
<u>X</u>	Mr. Benton	X Stacy Wilkerson	X John Shay
<u>X</u>	Mr. Dotson	XDonnie Bowen	X Dawn Richardson
<u>X</u>	Mr. McNeill	XJohn Hofmann	X Sgt. McDonaugh
<u>X</u>	Mr. Hummel	Richard Ball	_
Χ	Ms. Schiada	X Mr. Wilcox	

APPROVAL OF AGENDA AND MINUTES

- a) MOTION made by Ken Wilcox to approve the agenda with the additional public comment section before Business Items. Greg McNeil. All in favor.
- b) MOTION made by Ken Wilcox to approve the minutes from the February 20, 2014 Town Council Meeting as presented. Seconded by Gwen Schiada. All in favor. Motion carries.
- MOTION made by Randy Hummel to approve the minutes from the March 6, 2014 Work Session as presented. Seconded by Gwen Schiada. All in favor. Motion carries.

SCHEDULED APPOINTMENTS

- a) Grace Mary Brady was in attendance from the Bayside History Museum and played a video of the Chesapeake Beach Park from the early 70's.
- b) Ms. Nancy Valentine was in attendance and gave an overview of the FY 13 audit.

SHERIFF'S DEPARTMENT REPORT

a) In February 2014 the Sheriff's Department responded to 144 calls for service in North Beach. This is down from 168 calls in January 2014.

Mark R. Frazer, Mayor



The Jewel of the Chesapeake Bay

North Beach, Maryland

410.257.9618 | 301.855.6681 www.northbeachmd.org

TREASURER'S REPORT

a) Treasurers Report: Reporting Period: 2/1/14 – 2/28/14: Beginning Balance; \$395,265.53; Total Debits: \$227,796.24; Total Credits: \$381,151.35; Ending Balance: \$241,910.42. MOTION made by Randy Hummel to accept this report as presented. Seconded by Greg McNeil. Motion carries.

REPORTS

Staff Reports: Public Works Department, Code Enforcement, and Town Engineer are attached to this report.

BOARDS AND COMMISSIONS

Mayor Frazer swore in Barbara Callis, Ronnie Phipps and Patricia Ruppard as the election judges for 2014.

BUSINESS ITEMS:

A. Repaving of the bike bath from 1st Street to 7th Street: MOTION made by Greg McNeil for the approval for an RFP to be wrote to receive bids for the repaving of the bike path. Seconded by Randy Hummel. All in favor.

NOTE: Entered into the official record from the public comments in regards to the Bayfront Park and Sculpture Garden are the followings documents: a) sign in sheet for public comment; b) email from Carole Hammar, 9825 Sea Maid Court #303; c) Statement from Chris Dotson, 9232 Atlantic Avenue; d) Letter from Abigail Francisco, 4110 3rd Street.

B. RFP approval for the Bayfront Park and Sculpture Garden Pond: a) MOTION made by Randy Hummel to soliciate interested companies for the construction of the water feature at the Park. Seconded by Gwen Schiada. AYE: Benton, McNeil, Hummel, Schiada, Wilcox; NAY: Dotson. Motion carries; b) MOTION made by Randy Hummel to solicit interested companies for the installation of the sidewalk at the Park. Seconded by Gwen Schiada. AYE: Benton, McNeil, Hummel, Schiada, Wilcox; NAY: Dotson. Motion carries.



ORDINANCES AND RESOLUTIONS

A. Ordinance 13-11: Rezoning of RAR properties in Block 5 – MOTION made by Gwen Schiada to approve Ordinance 13-11 as submitted. Seconded by Greg McNeil. AYE: Benton, Dotson, McNeil, Schiada, Wilcox; NAY: Hummel. Motion carries.

Meeting closed 9:26 pm on a Motion made by Randy Hummel. Seconded by Greg McNeil. All in favor. Motion carries.

Submitted:

Mark R. Frazer, Mayor

Stacy L. Wilkerson, Town Clerk

MEETING SIGN-IN SHEET

Project: Bayfront Park and Sculpture Garden Meeting Date: March 13, 2014

Facilitator: Stacy Wilkerson Place/Room: North Beach Town Hall

Name	Address	E-Mail
Norma Jean Smith	Burnt Oaks	rusty ks 58 e aol. com
LINDA ZACHARSKI	Burnt Oaks DAYTON AJE	INDAZACHRSKI@CMAIL.COM
CELIA MOLOFICX	7th St	WhEEl Clothes LLCe Gmail.
Jill Myers	Atlantic Aue	Blorde 2 scentra @ ga hoo
Chris Dotson	9235 Albartic Ac	beachfix@hotmail.com
John Krell	3929 54 88	JKrell 2003 eyahoo . Com
Mary Mattingly	9000 Bay Are	
Mickey Hummel	3922 6th Street	Milleghammel 200 yahov. (ou
Dan Bernier	39474+51	danielabernier Q live, com
Abigail Francisa	41103245+	Hochabaewwa Ynhee
Bill Modhaba	41103 24 5+	((
Cornen clayd		
J		

Stacy Wilkerson

From: Carole Hammar [hammar387@comcast.net]

Sent: Thursday, March 13, 2014 12:32 PM

To: Stacy Wilkerson

Subject: General Comments to the Town

Attachments: Attach0.html

Request From: Carole Hammar Email: hammar387@comcast.net Source IP: 97.73.50.116

Address: 9825 Sea Maid Court #303

City: North Beach

State: MD Zip: 20714

Phone: 443-538-7091 Organization: N/A

Dear Mr. Mayor:

I'm in Pennsylvania this week babysitting my granddaughter, so I can't attend tonight's meeting. However, I would like to register my opinion after seeing one of the nasty fliers posted around town.

I moved to North Beach last year, and have fallen in love with our lovely little beach community. I often have out of town family and friends come for visits, and they enjoy the beach, restaurants and antique shops. Tourist communities like are expensive to maintain and upgrade, but the boardwalk, the piers, and the lovely memorial benches are examples of capital investments that have attracted a growing number of visitors to our community.

I was very pleased to see the construction under way on the showers and bathrooms at the beach office - and I enjoyed reading the recent newsletter explaining the other enhancements that are in progress, such as a new walkway behind the Burnt Oaks North apartments.

That's why I was shocked to see the flier denouncing the proposed "Bay Front Park and Sculpture Garden." I think it's a lovely idea that would attract even more visitors to our town! The flier's anonymous author suggested that citizens would prefer a community pool "where our children could take swim lessons and our seniors could have water aerobics." I realize that I am new to the community, but it was not difficult to find a world class aquatic center less than a half hour away, funded by the County, which costs me less than \$10 for an entire day for myself and my granddaughter!

The anonymous author suggests other ways to spend the money, but I suspect that his/her motive is more about "tearing down" the ideas of others than "building up" our community.

Mr. Mayor, I hope you and the Town Council will stay the course - despite the naysayers - and continue your excellent work on behalf of North Beach, a Town I am proud to call my home!

Best wishes,

Carole Hammar 443-538-7091

My name is Chris Dotson, I live @9232 Atlantic Ave. I would like to address the plans for the town to spend **\$2 Million** dollars on the Bayfront Park and Sculpture Garden.

FIRST, I would like to address a member of the committee who has accused me of spreading false and inflammatory information. I personally distributed 450 flyers, I introduced myself, I shook these people's hands, and I told them where I lived. I posted it from my personal Facebook and I stand behind my questions to the town. I have never accused the town of backdoor dealing, just not sufficiently informing the people of the town about where their money is being spent. We live in a free society where people have the right to know how their government officials spend their money. It isn't negative, it isn't inflammatory, and it's the simple distribution of information. AND I talked to many people of this town, and most had no clue this Park & Sculpture Garden was being built and once they were informed they didn't want it!!!

What is wrong with having a green space??? What's wrong with picnic tables and having space for residents play frisbee or kickball? Hundreds of thousands of dollars for "WATER FEATURES"?? How about the beautiful, natural water feature— the BAY!! Is this really the best use of our tax money when we're already in millions of dollars of debt? I do not believe the committee intends on trying to save the taxpayers' money. This park will not be paid for entirely by state grants, private and corporate donors. We, the tax payers will pay for the creation and maintenance of this elaborate park. Why do we need to dig ponds, commission sculptures when you have the view of the beautiful bay from this waterfront park? Which the taxpayers have already pony upped 1.2 million for!

I was ok with the town buying the waterfront property for 1.2 million, I was all for it to become a park with picnic tables, shade trees, and garden path for all of the citizens of North Beach to enjoy. I was skeptical of hiring of the landscape architects for \$35,000 but hoped the high fee would mean an environmentally responsible, open park.

But from the plan I've seen, and the discussion I've heard tonight I think the final outcome will be anything BUT A SIMPLE PARK. It appears to me that the Bayfront Park and Sculpture Garden is nothing more than an expensive pet project of the mayor and certain members of the committee. A frivolous mark of your time in office at the expense of the tax payers hard earned money. As I'm sure you all know our town is operating at a debt of 10 million plus, how a plan that

could easily exceed \$1 million in additional work and improvements is delusional.

1 million to spend on a park when you're operating in the red is LUDICROUS.

This 30,000 square foot park will waste MILLIONS in tax payers money and attract no new residents or businesses, which the committee themselves admit. Then I have to ask who is this PRETENTIOUS Park really for? 2 MILLION DOLLARS is ALOT OF MONEY when you are currently in 10 Million dollars of debt. Would you advise a struggling business to make this sort of elaborate investment? How does it benefit the people of town who will be left holding this debt long after you are out of office?

So, the Numbers are:

- 1.2 Million for the land
- \$180,000 tap fees
- \$35,000 for the plans
- \$1 million (original estimate) then \$887,000 for the creation of the park and sculpture garden.

So we're talking about hundreds of thousands of dollars being spent on'WATER FEATURES' on a WATERFRONT PARK- does anyone hear how ridiculous that sounds? Let alone, the hundreds of thousands being spent on the 'SCULPTURE GARDEN' concept, hundreds of thousands more in unforeseen costs by this high end landscape architecture firm and various contractors, landscapers, and future maintenance of the park etc. etc.

Ever since I've heard this price point, I've been talking to my neighbors and we can all think of much better ways to use that space and money. Why not make it a green, open space with picnic table and shade trees? Save money and we can better serve all the residents of the town through the creation of better sidewalks, flooding prevention solutions, and at risk youth and senior programs.

I personally have received criticism for my view and distributing of this information and I'm shocked I am personally attacked for asking questions about where my money is being spent. In talking with my neighbors, especially those who live west of Chesapeake Ave, everyone is concerned with the town's mounting debt and obvious indifference to their basic needs. Which include:

- The public safety of our citizens
- The flagrant drug use throughout the town
- Lack of walkways and accessibility
- Lack of lighting
- Overall flooding issues
- Lack of Asphalting and upkeep of the roads

I have lived and raised my family in the Twin Beach area for over 27 years. My immigrant grandparents had summer homes here. My young family was advised in 1984 to avoid North Beach because of its reputation of crime and lack of services. We were redirected by our realtor, to locate to Chesapeake Beach.

So you can understand how it PAINED me the other day when my daughter's friend, a young mother, was advised by a Calvert County based realtor to STILL AVOID North Beach 30 YEARS LATER. She was eyeing a waterfront lot right down the street from me and was adamantly advised to invest in Dunkirk. She was warned of the high property taxes and same crime and drug risks that existed 30 years ago. She is a freelance artist and her husband is a local union plumber with two kids under the age of 3. These are the people that we need to live here and be concerned about; they are the future of this town. This is a big issue, indicative of the problems North Beach has suffered from for decades. My questions tonight for the Mayor and the council are:

WHY DO YOU THINK A **2 MILLION PARK** WITH OUR TAX MONEY IS WORTH PUTTING THE TOWN FURTHER IN DEBT?

DO YOU THINK THE PARK WILL SOLVE ANY FUNDAMENTAL ISSUES THAT I HAVE OUTLINED TONIGHT CURRENTLY KEEPING FUTURE RESIDENTS AND BUSINESSES OUT OF NORTH BEACH?

Thank you for your response but I respectfully disagree.

Would each council member respond to the same question?

QUESTION ABOUT THE FLYER- DID YOU SEND THIS MAYOR? DID YOU WRITE THIS? If so you have used tax payer's time and money to retaliate against me A CONCERNED TAX PAYING CITIZEN. This is unsigned and unethical that you would turn this debate into a political issue.

2 MILLION \$\$\$ PARK IN NORTH BEACH???

That's right! The Mayor is pushing hard to build what's being called "Bay Front Park and Sculpture Garden" totaling over 2 million dollars at the corner of Bay Avenue and 3rd Street.

2 million dollars could buy a lot. How about a Community Pool? Where our children could take Wouldn't the citizens rather have something that they can really use? swim lessons and our seniors could have water aerobics?

How about we invest in more lighting and sidewalks so that the entire town is properly lit and safe, especially west of Chesapeake Avenue?

How about getting our Flooding issues taken care of?

The Mayor is trying to get this done fast, before the people of the town know what is going on. He is pushing for a vote this week.

Voice your opinion!

The council will be voting at the Town Meeting, Thursday, March 13th at 7:00 pm. Tell our Mayor and Town Council what you want and don't want!

Please come and voice your opinion.

You may feel like "they" don't listen. And if "they" don't, then let us be sure that "they" are not voted back in come November!



Classical Ballet | Jazz | Tap | Hip-Hop | Pilates | Yoga



March 11, 2014

Dear North Beach Town Council and Friends:

Over the past year a new park in North Beach has been in the planning stages. A site has been chosen, land has been purchased, plans have been proposed, designs have been suggested, budgets have been developed and a committee has been named to help formulate a plan to propose to the Town Council. As someone who has always been concerned with our area, I am honored to be a member of that committee.

It has recently come to my attention that some in our town not only object to the ideas we have been considering, but also are spreading incorrect information via Facebook and flyers posted around town. This anonymous publicity is inflammatory in nature and does not contribute to the type of positive community spirit we work so hard to establish. It is also irresponsible for anyone to suggest that any of the park discussions have been conducted in secret behind closed doors, when meetings are open for any citizen to attend.

The park which we are proposing is one which is not designed to be a source of income, but rather a source of peace and beauty. Our community has numerous other locations which provide sources of income and activity, but the intended park would be a site of tranquility, although not a picnic ground. It would be an area in which to enjoy the beauties of nature and of gifted artists, a place to relax while family members are shopping or swimming, a pause in a busy day, a relaxing end to an exercise routine, somewhere to clear one's thoughts and contemplate peacefully. Both residents and visitors alike would be able enjoy these proposed purposes.

Although some dissidents have suggested that the costs of this park would far outweigh the benefits, the committee has been making every effort to establish a reasonable budget. The acquisition of a site for a park requires funds, a park of any nature requires some maintenance expenses, both the benches and the sculptures that might eventually be installed would be of materials that would be the most resistant to the rigors of our beach environment and require

the least maintenance, and the landscaping would be designed to provide the most beauty with the least upkeep.

Funding for this park and its design has already been received from a variety of sources: from Maryland State grants, private and corporate donors, and some tax funds. As definite plans develop, additional funding can be sought from grants and donors.

Some individuals may object to the use of taxes for anything other than items that have a direct practical impact on residents such as a street light or a pothole repair. Naturally, I also appreciate practical uses of the taxes I pay, but I support funding for a *balanced* life within our community. I want to live in an area that is safe and healthful, an area that provides the opportunity to earn a living, pursue and enjoy spare time activities. I hope to maintain a town that has places to be active and to relax, a town with beauty for the mind and the spirit. And, yes, the taxes we pay can contribute to this balance. We do not need anyone spreading misleading and incendiary information about this project!

I, a local resident, business owner and community volunteer, am most appreciative that North Beach is fortunate to have a mayor who supports this type of community, one that is balanced in developing a prosperous, attractive, safe and positive environment, one that supports our local residents' interests while encouraging visitors to take advantage of all our community offers. I am very happy we have Mayor Mark Frazer, and I am proud to participate in the development of plans for this park, which extends his vision for our town as well as the vision of so many other North Beach residents and business owners.

Sincerely yours,

Abigail Francisco

Abigar Trancisco





CALVERT COUNTY SHERIFF'S OFFICE TWIN BEACHES PATROL

Date: April 3, 2014

To: Stacy Wilkerson

From: Corporal Thomas S. Phelps

Re: Sheriff's Office Report-North Beach

In March of 2014, the Sheriff's Office handled 161 calls for service in North Beach. This is up from 144 calls in February 2014.

(In March of 2013, the Sheriff's Office handled 176 calls for service in North Beach.)

Call Breakdown for March:

105 calls were self-initiated (patrol checks, follow-up investigations, etc)

56 calls were received by other means (citizens, alarm companies, etc)

Of the 161 calls, we handled:

- 2 CDS Violations (Closed by Arrest)
- 1 Assault (Under Investigation)
- 1 DOP, Slashed Tires and Egged Vehicle (Under Investigation)
- 1 DWI Arrest

Breakdown of Dispatched/Self Initiated Calls

911 Hang up – 3	Illegal Dumping – 1	
Accident – 2	Loud Party/ Music - 1	
Alarm – 3	Mental Subject – 1	
Animal Complaint – I	Patrol Check – 98	
Assault – 1	Police Information – 2	
Assist Sick – 4	Robbery – 1 (Unfounded)	
Attempt to Locate – 6	Special Assignment – 1	
CDS Violation – 1	Suspicious Person - 4	
Check Welfare – 2	Suspicious Vehicle - 4	
DOP – 2	Traffic Complaint – 3	
Death Investigation - 1	Warrant Service – 3	
Disorderly – 5		
Domestic – 3		
Fight – 1 (Unfounded)		
Follow Up = 7		

^{**}Note — The reportable incident totals on page 1 <u>may</u> differ from the dispatched totals on page 2. The breakdown on page 2 represents all calls dispatched/self-initiated by the sheriff's office. The totals listed on page 1 may be less due to factors the deputy learns upon arrival to the scene**

To: Mayor Frazer and Town Council Members

From: Don Bowen DPW

Date: 4-2-2014

Subject: Monthly Report

The following is a list of task the Public Works Department has been working on in addition to routine task.

- 1) The area experienced a late season snow storm on 3-17-2014, with snow total around 5 inches. DPW crew plowed and salted town streets. Crew cleaned all snow equipment and prepared for storage.
- 2) Work is continuing on welcome center bathroom remodel. Progress is moving along well and still plan on opening by May 1st.
- 3) Continuing clean up of debris throughout town. Working on curb line, storm drain pipes and collection system and alleys.
- 4) Preparing all fire hydrants on town water system for painting. This is a project we hope to complete on with help from volunteers on April 26 as part of plant the town, Comcast Cares day.
- 5) Working with town engineer on completing storm drain design for project on Chesapeake Ave, from area of alley between 8th and 9th street on Chesapeake Ave to 9th and Bay. Hope to start work in early May.

April 3rd, 2014

Town Council Meeting

To: Mayor Frazer and Town Council members

Due to my full time position at WSSC/Louis Berger Group I will be unable to attend Town meeting this month. Thank you.

March 13, 2014 thru April 3,2014

Closed and Pending issues:

Illegal burning in Town limits — After receiving multiple complaints from the neighbor of a property owner who on a regular basis burns in a barrel in their backyard on Frederick Ave, a decision was made to establish a strategy that could be used against a property owner who habitually burned illegally in court. Especially when illegal burning here in Town tends to occur in the evening and after Town business hours. So, I personally went over to the North Beach Fire Dept. and asked the shift leader on duty at the time if there was a problem with me telling a complainant of illegal burning to call the Fire Dept. whenever it occurred ,then notify me. A letter of warning would be sent as well as a verbal. Then a citation with fine if burning continued. If issue ended up in court, there then would be evidence on record to back us up. I was told that if the Town wished to adopt that as a standard operating procedure the Fire Dept. had no problem with it. The next day after that, I emailed the assistant Chief seeking affirmation in writing, who in turn emailed me back saying," If someone is in violation of the Town ordinance then they are certainly welcome to call in a smoke investigation and we will respond and ensure the fire is either for cooking or put out." He also copied the Chief and Deputy Chief on our entire email correspondence. If an illegal burning issue ends up in court, the Town would have to subpoena the records. But that way there is evidence and not just "he said, she said".

Tagged a couple of properties regarding yard maintenance which were taken care of right away. I received one complaint about yard maintenance on 7th St., but when I checked it out, it was only a backyard filled with children's toys. Granted they were all over the yard but only childrens's toys just the same.

Rental inspections for rental licenses are ongoing as well as business license inspections. All licenses issued are posted on ShoreScan now. Performed 2 business inspections 2 Saturdays ago. There are a couple of rental properties that failed inspection and re-inspection is pending per work needed being completed. Have a re-inspection scheduled for this coming Saturday.

Respectfully Submitted,

Buddy Jenkins - Code Official /Enforcement

MEMORANDUM

TO: Mayor & Town Council

FROM: John A. Hofmann, P.E. Town Engineer & Zoning Administrator

RE: Monthly Report

DATE: March 2014

The following is the status of activities that are being worked on:

USACOE Wetland Revitalization Project

The Corps is continuing to work up their final engineering scope that is needed for the agreement with the Town prior to starting design for the channels and culverts..

9th Street Flood Mitigation Project

The issue wit6h the last easement property has been resolved We are continuing to work with the federal and state permitting agencies on the tidal wetland permits.

New Fishing Platform and Renovations for Town Pier.

Work is starting. The Contractor was given a Notice Proceed for Monday 3/17.

Block 4 Parking Lot

The easement for the walkway on the RAR property is still unresolved pending USPS approval since part of the easement is on land they lease from RAR.

Pier upgrade project

Work is progressing at the Welcome Center. We are obtaining bids for pier lighting fixtures.

3rd Street Park

We are in the process of obtaining bids for the pond work and concrete walkways as decided at the March Council meeting.

<u>Living Shoreline Walton preserve</u>

The Town has applied for a U.S. Fish & Wildlife Foundation grant that is scheduled to be awarded in April. . Environmental Concern is working on the design and permit applications.

Zoning Ordinance & Map

The Planning commission is working on drafting changes to the Zoning ordinance and Map to be recommended to Town council.

Drainage Projects

A design is being developed for a storm drain from 9th & Bay to Chesapeake Ave. between 8th & 9th Streets to eliminate a drainage problem on Chesapeake Ave. and also for a project to improve the drainage on the east side of Erie Ave. between First & Second Streets. The work for the Chesapeake Ave and 9th Street Project is scheduled to be started in May by Public Works.

Boat Slip Dredge

We are continuing to pursue funding from the State and a final agreement with Chesapeake Beach on the use of their disposal site.