



The Jewel of the Chesapeake Bay
North Beach, Maryland

8916 Chesapeake Avenue | Post Office Box 99
North Beach, MD 20714

410.257.9618 | 301.855.6681
www.northbeachmd.org

**TOWN COUNCIL MEETING
NORTH BEACH TOWN HALL
October 9, 2014
7:00 p.m.**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. APPROVE AGENDA**
- IV. APPROVAL OF MINUTES**
 - A. Minutes from the September 11, 2014 Town Council Meeting
- V. SCHEDULED APPOINTMENTS**
 - A. Sai and Maria Lubrano from Mamma Lucia's Restaurant
- VI. PUBLIC SAFETY REPORT**
- VII. TREASURER'S REPORT**
- VIII. REPORTS**
 - A. Public Works Supervisor
 - B. Code Enforcement Officer
 - C. Town Engineer
- IX. BOARDS AND COMMISSIONS**
 - A. Environmental Committee Recommendation for Walton Preserve – Gwen Schiada.
 - B. Committee Recognitions
- X. BUSINESS ITEMS**
 - A. Living Shoreline and Flood Dike Bids
 - B. Bayfront Park Pond Bids

Mark R. Frazer, Mayor

Council Members: Mike Benton Gregory Dotson Gregory McNeill Randy Hummel Gwen Schiada Kenneth Wilcox



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XI. ORDINANCES AND RESOLUTIONS

A. Ordinance 14-03: North Beach Flood Management Plan – Voting

XII. MAYOR AND COUNCIL REPORTS

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) Thursday, October 23, 2014 – Planning Commission Mtg. – 7:00 p.m.
- b) Saturday, October 25, 2014 – Hound of the Town – 12:00 p.m to 2:00 p.m. on the Pavilion
- c) Saturday, October 25, 2014 – Boo Bash – 3:00 p.m. to 5:00 p.m.
- d) Saturday, October 25, 2014 – Drive In Movie – “Witches”
- e) Tuesday, November 4, 2014 – Election in Town Hall – 7:00 a.m. to 8:00 p.m. – Voting for Mayor and Town Council
- f) Wednesday, November 5, 2014 – SMMA Meeting at the Bayside History Museum – 6:00 p.m.
- g) Friday, November 14, 2014 – Swearing in Ceremony of Mayor and Town Council – 8:00 p.m.

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Minutes from the September 11, 2014
Town Council Meeting
7:00 pm

X___ Mayor Frazer
X___ Mr. Benton
X___ Mr. Dotson
X___ Mr. McNeill
X___ Mr. Hummel
X___ Ms. Schiada

X___ Joanne Hunt
___ Stacy Wilkerson
X___ Donnie Bowen
X___ John Hofmann
X___ Richard Ball
X___ Mr. Wilcox

___ Buddy Jenkins
X___ John Shay
___ Dawn Richardson
X___ Corporal Phelps
X___ Marsha Stiner

APPROVAL OF AGENDA AND MINUTES

- a) **MOTION** made by Randy Hummel to approve the agenda as submitted.
Seconded by Greg McNeil. **All in favor.**
- b) **MOTION** made by Randy Hummel to approve the minutes from the August 14, 2014 Town Council Meeting. Seconded by Mike Benton. All in favor.
Motion carries.

SHERIFF'S DEPARTMENT REPORT

- a) In August 2014 the Sheriff's Department responded to 172 calls for service in North Beach. This is down from 192 calls in July 2014.

TREASURER'S REPORT

- a) Treasurers Report: Reporting Period: 8/1/2014 – 8/31/2014: Beginning Balance; \$67,325.30; Total Debits: \$298,087.88; Total Credits: \$235,893.45; Ending Balance: \$129,519.63. **MOTION** made by Ken Wilcox to accept this report as presented. Seconded by Randy Hummel. **Motion carries.**

REPORTS

Staff Reports: Public Works Department, Code Enforcement, Town Engineer and Waterfront Manager are attached to these minutes.

Mark R. Frazer, Mayor

Council Members: Mike Benton Gregory Dotson Gregory McNeill Randy Hummel Gwen Schiada Kenneth Wilcox



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BUSINESS ITEMS:

- a) FY 15 Asphalt Contract Bids: **MOTION** made by Ken Wilcox to award the contract to Sheehi in the amount of \$84,330.00. Seconded by Gwen Schiada. All in favor. **Motion carries.**
- b) Living Shoreline RFP: **MOTION** made by Gwen Schiada to place this project out for bid. Seconded by Randy Hummel. All in favor. **Motion carries.**
- c) Bayfront Park Pond RFP: **MOTION** made by Randy Hummel to place this project out for bid. Seconded by Gwen Schiada. Vote: Aye: Benton, Hummel, McNeil, Schiada, Wilcox. NAY: Dotson **Motion Carries.**

ORDINANCES AND RESOLUTIONS:

- a) Ordinance 14-03: North Beach Flood Management Plan. Randy Hummel introduced this ordinance and it will be voted on at the October meeting.
- b) Resolution 14-03: A Resolution Declaring the Town of North Beach's intent to take a leadership role in Reducing Electricity Consumption Within The Town of North Beach, Partnering with the Maryland Energy Administration and Enrolling as a Maryland Smart Energy Community. **MOTION** made by Randy Hummel to pass Resolution 14-03. Seconded by Mike Benton. All in favor. **Motion carries.**
- c) Resolution 14-04: A Resolution Declaring the Town of North Beach's intent to take a Leadership Role in Renewable Energy Generation within The Town of North Beach partnering with The Maryland Energy Administration and Enrolling as a Maryland Smart Energy Community – **MOTION** made by Ken Wilcox to pass Resolution 14-04. Seconded by Gwen Schiada. All in favor. **Motion carries.**

Meeting closed 9:15 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

Mark R. Frazer, Mayor

Council Members: Mike Benton Gregory Dotson Gregory McNeill Randy Hummel Gwen Schiada Kenneth Wilcox

Memo



CALVERT COUNTY SHERIFF'S OFFICE TWIN BEACHES PATROL

Date: October 3, 2014

To: Stacy Wilkerson

From: Corporal Thomas S. Phelps

Re: Sheriff's Office Report-North Beach

In September of 2014, the Sheriff's Office handled 169 calls for service in North Beach. This is down from 172 calls in August 2014.

(In August of 2013, the Sheriff's Office handled 212 calls for service in North Beach.)

Call Breakdown for September 2014:

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

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

Of the 169 calls, we handled:

- 1 CDS Violations (Closed by Arrest) (Heroin)
- 3 DOPs
 - Damaged Lawn Chairs (Under Investigation)
 - Spray Painted Garage Door (Under Investigation)
 - Spray Painted Boards on Boardwalk (Under Investigation)
 - Broken Window (Under Investigation)
 - Broken Window (Closed by Arrest)

Breakdown of Dispatched/Self Initiated Calls

| | | |
|-----------------------|------------------------|------------------------|
| Accident – 1 | Found Property – 2 | Suicide Attempt – 1 |
| Alarm – 5 | Fraud – 2 | Summons Service – 2 |
| Alcohol Violation – 1 | Illegal Dumping – 1 | Suspicious Person – 6 |
| Assault – 1 | Indecent Exposure – 1 | Suspicious Vehicle – 4 |
| Assist Other Dept – 5 | Intoxicated Person – 1 | Trespassing – 2 |
| Assist Sick – 5 | Loitering – 1 | |
| Attempt to Locate – 8 | Loud Party/ Music – 5 | |
| Burglary – 1 | Parking Complaint – 3 | |
| CDS Violation – 3 | Patrol Check – 51 | |
| Check Welfare – 7 | Person With Weapon– 1 | |
| DOP – 4 | Police Information – 6 | |
| Disorderly – 11 | Protective Order – 1 | |
| Domestic – 8 | Search Warrant – 1 | |
| Fight – 3 | Special Assignment – 1 | |
| Follow Up – 12 | Stolen Vehicle – 2 | |

****Note – The reportable incident totals on page 1 may 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****

**TOWN OF NORTH BEACH
TREASURER'S REPORT**

Reporting Period 09/01/14- 09/30/14

PNC Bank: estimate

| | | |
|--------------------------------------|---------------------|--------------------------------|
| Beginning Balance 09/01/14 | \$ 129,519.63 | |
| Total Debits (+) | \$ 305,761.50 | |
| Total Credits (-) | \$ 355,489.25 | |
| Ending Balance 09/30/14 | \$ 79,791.88 | Last Year: \$ 991,921.78 |
| Investments (MLGIP/General Fund) | \$2,034,918.75 | Last Year: \$ 1,333,623.89 |
| (MLGIP/Sewer Capital) | \$ 33,986.33 | Last Year: \$ 33,968.11 |
| (MLGIP/Water Capital) | \$ <u>7,424.58</u> | Last Year: \$ <u>7,420.61</u> |
| Total Cash | \$ 2,156,121.54 | Last Year: \$ 2,366,934.39 |

CASH RECEIPTS OVER \$7,500.00

\$ 149,180.13- Calvert County Tax Payment/Aug
\$ 9,108.00- Water & Sewer Audit # 5,416

CASH DISBURSEMENTS OVER \$7,500.00

\$ 33,351.38- Payroll W/E 8/30/14
\$ 30,304.34- Payroll W/E 9/13/14
\$ 44,438.82- Town of Chesapeake Beach- WWTP/ENR Removal
\$ 24,069.64- Southern MD Recycling
\$ 26,362.91- Suntrust Bank (Obligation #83)
\$ 85,103.50- Calvert County Treasurer (Deputy Agreement)

To: Mayor and Town Council Members

From: Don Bowen DPW

Date: 10-8-2014

Subject: Monthly Report

The following is a list of items DPW has been working on in addition to routine task during this period.

- 1) Contacted S.E. Davis construction and have set up a preconstruction meeting for 10-14-2014 for work related to fishing pier and pier rehab. Contractor to start mobilizing on site as early as next week. Plans are to start all demo work require for job, followed by pilings and stone work.
- 2) The town has experienced a few storms and coastal flooding events this month along with winds and wave action that caused the channel at the north end of town to become totally blocked. DPW has excavated sand to open channel and allow tidal exchange twice this report period.
- 3) Met with asphalt contractor and when over paving contract for upcoming milling and paving work in town. Paving work is scheduled to began the week of October 20th and should be completed by October 31th.
- 4) DPW has had ongoing sewer issues affecting 3934 and 3936 2nd street, crew has been out and tried jetting sewer cleanout, which worked for a short time, but problem continued after a few days. DPW crew dug up sewer connection in sidewalk and found a large root mass that was blocking flow. Obstructed section was remove and replaced with new pipe and installed new cleanouts at property line.
- 5) Continuing to work on Bay Ave pump station up grade. Installed new conduits for BG & E to provide new electrical service. Have received some of the new components for upgrade. BG & E is scheduled to provide new power by November. Once power is supplied work will continue.
- 6) Installed new hand rail on boardwalk railing along section of Atlantic Ave from hatches corner to 7th street.

- 7) Continuing work on alleys in town, have removed several loads of tree limbs and debris.
- 8) Town experienced street flooding on 10-3-14 through 10-4-14 due to coastal flooding from high tides and southeast east winds. See attached memo for details. (memo dated 10-7-14)

Questions or comments please contact me.

Don Bowen DPW

October 9th , 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.

September 8th, 2014 thru October 7, 2014

Pending/ongoing issues;

Working on negotiating a compromise for an overgrown/invasive vegetation issue involving multiple properties in the same location on Chesapeake Ave. (pending) . A complaint was received regarding overgrown/invasive vegetation at another property , also off of Chesapeake Ave.. Person in responsible charge of that property has been notified and assurance was given that cleanup there would be done soon (pending).

Investigated a complaint about 2 dead trees on 9th St.. It was determined that the 2 trees were dead and located in Town Right of Way. A proposal to have trees removed was sought and to the best of my knowledge will be removed ASAP.

Total door tags for grass between 9/8/14 and 10/8/14 - 2 (Both cut after door tagged)

Hazardous Abatements: A second hazardous abatement to remove construction debris was performed on a property in foreclosure on 4th St. that had previously been posted with Notice of Violation. Although in the process of foreclosure, the property was being renovated. No dumpster was being used for debris from demolition. I stopped there and spoke to some guys that were working there. I told them that they could not leave debris piled in the yard like that for long periods of time and that they needed to clean up as they went or that the Town would have it abated like before. Mess was not cleaned up so hazardous abatement was performed by EarthTech. (Photos provided)

Rental inspections for rental licenses are ongoing as well as business license inspections. All licenses issued are posted on ShoreScan now. Performed 2 rental inspections . Any rental property owners that failed inspection and have ignored any attempt of correspondence with us or any no shows are being focused on along with any remaining rentals that we have yet to receive applications from.

Performed 3 business inspections.

Respectfully Submitted,

Buddy Jenkins - Code Official /Enforcement





MAINSTREET
DOUBLE 4\"

MAINSTREET
DOUBLE 4\"

MEMORANDUM

TO: Mayor & Town Council

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

RE: Monthly Report

DATE: October 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 and costs that are needed for the agreement with the Town prior to starting design for the channels and culverts. The mayor and Town staff met with SHA on September 19 to discuss the interaction between any improvements the State would make to elevate the MD R 261 roadway and the culvert work that will be part of the Corp's Project. SHA will not know what improvements they will make to the roadway until they complete their feasibility study which is just starting and may take up to 18 months to complete. We are working with the Corp's staff to get their design underway concurrently with study and design work being done by SHA.

9th Street Flood Mitigation Project

We are coordinating the Flood dike permit with the Living Shoreline permit as the Living Shoreline will create the mitigation areas that are needed to address the impacts from the flood dike. MDE is currently reviewing both permit applications and is considering combining them into a single permit application.

The town received a construction proposal for the construction of the flood dike as part of the proposal responses for the Living Shoreline Project. More information on the construction proposal is being provided under the living shoreline item in this report.

New Fishing Platform and Renovations for Town Pier.

Work will be scheduled to start the week of October 6th under the SE Davis Contract as has been discussed.

Bay Font Park

Bids have now been received for the Water Feature Construction . A separated report is being provided on the recommended award of a contract for the water feature work.

Living Shoreline Walton Preserve

Environmental Concerns has completed and submitted the application for State & Federal tidal wetland permits.

In September the Town issued A Request for Proposals (RFP) for construction and companion services such as environmental testing and education for the Living Shoreline. The work under the RFP also included the construction of the 9th Street flood dike We are providing a report on the response to the RFP as a separate report.

Zoning Ordinance & Map

The Planning commission is working on drafting changes to the Zoning ordinance and Map to be recommended to Town council. A draft is scheduled to be completed by the Commission in October.

Drainage & Roadway Projects

We are working on a design for a project to improve the drainage on the east side of Erie Ave. between First & Second Streets.

Transient Slip Dredge project

The State opened up another round of Waterway Improvement Grants in August. The Town submitted an application for the dredge project in the August round. We are continuing with permit applications and finalizing arrangements with Chesapeake Beach on the use of their spoil site. .

ENVIRONMENTAL COMMITTEE NATURE PRESERVE RECOMMENDATIONS

Nature Preserve Defined:

- An area that is managed and operated to protect, maintain and restore natural features
- Natural features include
 - Plants
 - Animals
 - Water quality and quantity
 - Soil and geological features
 - Ecological services & functions
 - Soil conservation/erosion control
 - Nutrient cycling/transformation
 - Water conservation

Walton Nature Preserve requires special management activities because:

- Shoreline erosion rates are high
- Wetlands are susceptible to invasion from non-native species
- Water quality impacted from storm water run off
- Limited areas for sustainable development
- Patrol and monitoring resources are limited
- Trash and other waste can easily overwhelm the public access areas.

Recreational opportunities must be compatible with the protection of the natural features. Activities that could be compatible for beaches, wetlands, and waterways include:

- Bird watching/Nature Study
- Beach combing of natural resources, including fossils, beach glass, driftwood, etc.
- Non-motorized boat launching (E.g. stand-up paddle, wind surfboards, kayaks, etc.)

Recreational activities that would not be compatible for beaches, wetlands, and waterways include:

- Commercial harvest of natural resources, including fossils, beach glass, driftwood, etc.
- Motorized Vehicle access

There are recreational activities that have the potential to be incompatible for beaches, wetlands, and waterways. These activities often have waste and maintenance issues that can become a nuisance to other users.

- Fishing
- Picnicking
- Dog walking
- Non-motorized vehicles (except ADA-required wheelchairs)

- Camping
- Campfires

Management activities include:

- Beach & wetland clean up
- Control of non-native invasive species
- Restoration of native ecosystems
- Control of outside storm water runoff from roads and adjoining properties
- Reduce shoreline erosion

Potential Community Involvement Activities:

- Implement an "Adopt the Beach" month whereby community groups (e.g. scouts, churches, schools, etc.) and/ or corporate partners commit to cleaning-up the beach.

Memo

To: Mayor Frazer & Town Council
From: John Hofmann, Town Engineer, JAH
CC: Don Bowen, Stacy, Wilkerson, Joanne Hunt,
Date: October 7, 2014
Re: Water Feature Construction Contract Award
Bay Front Park & Sculpture Garden

On October 6, 2014, The Town received two bids for the Water Feature Construction. Attached is a summary of the bids received. Knee Deep ponds is the low bidder at \$98,263.67. The bids were based on the layout shown on the drawings we provided to Town Council for review in September.

Both Don Bowen and I are familiar with Knee Deep Ponds and the work they are capable of providing and find that they are qualified to construct the water feature specified in the Town bid documents.

Based on this, Don Bowen and I recommend the for the work for the Water Feature Construction be awarded to the firm of Knee Deep Ponds, Inc. at their low bid price of \$98,263.67.

Please contact me if you have questions or need more information.

WATER FEATURE CONSTRUCTION
BAYFRONT PARK & SCULPTURE GARDEN
TOWN OF NORTH BEACH

BID RESULTS October 6, 2014

| | BIDDER | | | | | |
|--|-----------------------------|--|-----------------------|--|--------|--|
| | Kelly's Tree & Lawn Service | | Knee deep Ponds, Inc. | | | |
| | Amount | | Amount | | Amount | |
| Item 1 Construction | \$105,000.00 | | \$93,263.67 | | | |
| Item 2 Planting Allowance | \$5,000.00 | | \$5,000.00 | | | |
| Total Item 1+2 | \$110,000.00 | | \$98,263.67 | | | |
| ADD Alternate 1yr. O&M | \$0.00 | | \$0.00 | | | |
| Total Items 1&2 + Add Alternate | \$110,000.00 | | \$98,263.67 | | | |
| ADDENDUM | Y | | Y | | | |

Attendees: Marsha Stiner, Don Bowen, Kelly McConkey, John Hofmann

**Town of North Beach, Maryland
8916 Chesapeake Avenue
North Beach, Maryland**

ORDINANCE NO. 14-03

AN ORDINANCE TO REPEAL THE PRESENT FLOODPLAIN MANAGEMENT ORDINANCE FOR THE TOWN OF NORTH BEACH, MARYLAND AND TO ADOPT A NEW UPGRADED ORDINANCE UPON RECOMMENDATION FROM THE STATE OF MARYLAND.

WHEREAS, in September 1984, the Town of North Beach agreed to participate in the National Flood Insurance Program; and,

WHEREAS, as a result of its participation in the program, the Town passed a Floodplain Management Ordinance on October 13, 2011 upon recommendation from the State of Maryland; and,

WHEREAS, the State of Maryland is now recommending new and upgraded rules and regulations and mapping for building in the floodplain and is therefore, recommending that the Town of North Beach pass a current Floodplain Management Ordinance and,

WHEREAS, the Mayor and Town Council of North Beach have determined that it would be in the best interest of the Town to accept the State's recommendation to pass a current Floodplain Management Ordinance.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Mayor and Town Council of the Town of North Beach that the recommended Floodplain Management Ordinance from the State of Maryland which is attached to this declaration page be and hereby is adopted as the new Floodplain Management Ordinance for the Town of North Beach, Maryland.

AND BE IT FURTHER ORDAINED that the current Floodplain Management Ordinance adopted October 13, 2011, be and hereby is repealed in its entirety and is replaced by the attached new Floodplain Management Ordinance.

AND BE IT FURTHER ORDAINED that this Ordinance shall become effective on the ____
____ October 29, 2014 after being read at two successive Town Council meetings as required by Section 19-311 of the Charter.

PASSED this ____ day of _____, 2014.

ATTEST:

Stacy Wilkerson, Town Clerk

Mark R. Frazer, Mayor

VOTE:

____ Benton
____ Dotson
____ Hummel
____ McNeil
____ Schiada
____ Wilcox