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**SNOW HILL MAYOR AND COUNCIL MEETING**

**Special Council Meeting Minutes**

**Tuesday, July 11th, 2023**

**5:00pm – Work Session**

A Special Work Session of the Mayor and Town Council of Snow Hill, Maryland was held at The Old Fire Hall on Green Street on Tuesday, July 11th, 2023, with Mayor Pruitt presiding.

**PUBLIC OFFICIALS PRESENT**

Mayor Mike Pruitt

Councilmember Diana Walsh

Councilmember Margaret Ann Fletcher

**STAFF IN ATTENDANCE**

Carol Sullivan, Executive Administrator

Jerry Jeffra, Clerk

Maureen Howarth, Esq. Town Attorney

Rick Pollitt, Town Manager

Andy McGee, Police Department Chief

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1. **Call to Order – Mayor Pruitt**

Mayor Pruitt called the meeting to order at 5:01pm. Councilmember Janet Simpson was absent for this meeting.

1. **Special Recognition – New Snow Hill Grants Administrator: Paul Bessette**

Mayor Pruitt remarked that Grants Administrator Paul Bessette was not in the audience, but there would be plenty of time to meet him in person during normal operating hours of Town Hall and during the Mayor & Town Council meeting scheduled for today at 7:00pm.

1. **Introduction of Special Session – Councilwoman Walsh**

Mayor Pruitt passed the floor to Councilmember Walsh. Councilmember Walsh remarked that this Special Session was due to the normally scheduled one being cancelled for Independence Day. Councilmember Walsh also commented how council doesn’t have an opportunity to speak outside of formal meetings, and is seeking to establish communications with the public as much as possible. She also suggested to the audience that since public comment is at the end of the meeting to draft their thoughts on paper so they are prepared to give comment when the opportunity arrives.

Mayor Pruitt wanted to take the chance to remind the public and the Council that most of the items up for discussion today are projects or processes that have already been approved during the budget process. Mayor Pruitt discussed the possibility of moving elections to sometime in autumn to allow newly-elected officials an opportunity to participate in the budget process for the following year. As it is now, the new members are working on a budget that was approved by a prior administration.

**D. Improved Communication between Mayor, Town Manager, Council and Town**

**D4: Be advised of reports of various Commissions and Committees on their meetings:**

Mayor Pruitt commented that the Housing Review Board and the Planning Commission are under the Mayor & Council’s purview, whereas the Organization Committee, Downtown Economic Vitality Team, Promotion Committee and Chamber of Commerce are not. Economic Development Director Lorissa McAllister is a liaison for those citizen volunteer boards.

Councilmember Walsh asked if the Housing Review Board and the Planning Commission could apprise the council of items as they are coming through. Town Manager Rick Pollitt replied that the Planning Commission report is rolled in with the Code Enforcement report at the regular monthly meetings. Mr. Pollitt asked if the council has been receiving the (Planning Commission) meeting agendas, and both Councilmembers Fletcher and Walsh replied no, they have not.

Councilmember Fletcher asked when do they meet. Mr. Pollitt responded that the Planning Commission meets on the first Monday of each month, though that changes due to holidays and having enough members to form a quorum. Mr. Pollitt also remarked that since he’s taken office two years ago, the Housing Review Board has yet to meet.

**D1. Assign one councilmember to regularly communicate with each department**:

Councilmember Walsh commented that she got the idea from another mayor to increase communications between council and staff to serve as a liaison.

**D3: Department heads present at meetings to give updates of their activity/departments and to receive public comment:**

Councilmember Fletcher stated that it would be good for staff to attend the monthly Mayor and Council meetings. Mayor Pruitt replied to Councilmember Fletcher’s comments stating that he believes staff should only be in attendance if it’s specifically tied to the agenda, and it may cost overtime pay if employees were required to attend evening meetings. Mayor Pruitt is willing to compromise by having the department heads attend at least every quarter if needed.

Councilmember Walsh asked what circumstance would happen to prohibit any one person from entering the meetings, which Mayor Pruitt said never.

1. **Grants Administration**

**E1. Reports on Grant Awards and allocation of monies (Sturgis and Byrd Parks, Coulbourne Lane, ARPA)**

Mayor Pruitt believes the items on the agenda about the Grants Administrator would be answered in tonight’s Mayor & Town Council Meeting. Mr. Pollitt added that the Grants Administrator will be attending tonight to deliver his report. Mr. Pollitt gave an update on the denial of the grant requests for the repairs of the basketball courts and the flooding remediation of Byrd Park by the County Commissioners.

Councilmember Walsh stated that it may be difficult for the public to find out the status of grants, and to find other uses for any awarded monies should there be any left over. Mr. Pollitt answered Councilmember Walsh saying that monies awarded by grant are very specific, and any unspent funds would be returned to the grantor. Town Attorney Maureen Howarth also warned that there would be consequences should any monies given by a grant be used outside of that grant’s purpose. Councilmember Walsh pointed out that some grants were able to be steered towards a different project from the original, while still honoring the grant’s conditions and asked if that’s something we are still able to do. Mr. Pollitt responded that it’s possible as long as the proper process is followed in consultation with the granting authority.

Councilmember Walsh asked a hypothetical question: What would happen if a person or group price gouged their service knowing that the grant could have paid for more? Mr. Pollitt stated that while he has not experienced such a situation, he is aware that most grant agreements provide for an audit of any monetary expenditure throughout the process of those services.

**E2: Training for new hire:**

Mayor Pruitt asked do we have money in the budget for Mr. Bessette’s training? Mr. Pollitt replied saying that John Rankin, the previous Grants Administrator, is helping in training Mr. Bessette. Other training programs offered by agencies such as MML would also be made available to Mr. Bessette and the Town would be willing to spend money for those courses. Councilmember Walsh addressed that there are also additional free classes to aid in grants writing. Mr. Pollitt also added that most of these training sessions are also remote, removing the costs of travel.

**E3. Formation of Committee For Sustainability Communities Grant Application:**

Mr. Pollitt stated that having the Sustainable Communities designation opens the doors for grant opportunities throughout the State bureaucracy. The next step is to work with the Planning Commission and to invite Regional State Planner Tracy Gordy to one of their meetings. **{CORRECTION: The Planning Commission does not oversee the Sustainable Communities project. Instead, that is assigned to the Town’s economic development office for application and processing.}**

Councilmember Walsh asked if we had a start date, which Mr. Pollitt replied we do not yet. Councilmember Walsh remarked that the due date is in September and the process could be competitive.

Date correction made on 8-8-23

Mayor Pruitt asked what is the chain of notifying for that board. Mr. Pollitt answered that the Planning Commission reports to the Mayor & Council.

Councilmember Walsh asked if the Council could request status updates from the Commission, and Mr. Pollitt replied yes, and that once they do begin, there will be regular updates on the entire process.

1. **Committee Formation:**

**F1. For establishing guidelines on recreational marijuana use and Sales:**

Mayor Pruitt stated he preferred waiting for implementation processes to be established by the State before taking further actions with local zoning and other regulation. Mr. Pollitt remarked that the Planning Commission would be the appropriate forum to discuss how best to tackle the situation.

**F2. For updating Comprehensive Plan:**

Councilmember Walsh believes that the commission should be proactive with coming challenges, and wants to see additional commissions and the commissions that do exist become larger. Mr. Pollitt replied to Councilmember Walsh that it was because of a lack of a readily available attorney that the Town’s hands were tied on most actions. Councilmember Walsh asked about Kevin Karpinski, the Town’s previous attorney. Mr. Pollitt replied that Mr. Karpinski, while he is still available to the Town for specialized representation, he is operating in Baltimore and the lack of ability to have him be readily available physically was detrimental to the Town.

Councilmember Fletcher asked if there wasn’t any way to schedule Mr. Karpinski to attend the meetings, which Mr. Pollitt stated that because he operates in Baltimore, they would need to pay for travel on top of his legal fees, which had not been a part of prior budgets.

Councilmember Walsh remarked that she wants to see the process more fleshed out and to be able to take advantage of a willing council to help and communicate with any board to help expedite or ensure quality of their discussions.

Mayor Pruitt will notify the chair of the commission to begin the process of addressing the three items listed for this topic.

1. **Zoning and Planning**

**G1: What are plans and intentions for vacant town properties, both that the Town owns and that have been abandoned:**

Mayor Pruitt spoke to preparing a new ordinance, with the lawyers’ assistance, how to best tackle vacant buildings. Mayor Pruitt also spoke to the recently passed ordinance that will allow the Town the ability to sell surplus properties should they choose to do so.

Councilmember Walsh remarked that there was a person who walked into Town Hall and asked for a list of properties for sale and were declined. Mr. Pollitt replied that the list is available and doesn’t understand why that happened, but did say that Executive Administrator Carol Sullivan did provide that list. Councilmember Walsh wants to continue transparency. Mayor Pruitt believes the Town shouldn’t be in the real estate business and wants to see the disposal of excess properties.

**G2. Summerfield/Odachowski plans are being revived:**

Mayor Pruitt stated it is in the process of annexation through the Planning Commission. Mr. Pollitt highlighted that this was another task best set aside until the Town was able to get a local attorney.

**G4. Is there a proposal for site of police building on West Market:**

Mayor Pruitt remarked that it was on the list of surplus property. Mr. Pollitt noted that the property is divided by zoning districts, part residential and part commercial. Mr. Pollitt also pointed out that there will be conversations with the attorney about the two lots that are deemed ‘unbuildable’, which may involve an assessment or appraisal of the lots.

Councilmember Walsh asked about the lot on the triangle of Market and Dighton, Mr. Pollitt replied that was not Town property.

Councilmember Walsh asked do we invite commercial development or just approve it? Mr. Pollitt answered her by saying Ms. McAllister has been marketing the Town to commercial development, but some areas have been less attractive to build. Councilmember Walsh asked if a lot of residents request a certain commercial business to come to town, what is the process of doing so? Mr. Pollitt replied that it would be best to speak to Ms. McAllister so she can relay that to potentially interested commercial builders.

**G5. PNC bank options & G6 Rowhouses on Willow Street:**

Mayor Pruitt remarked that the former Peninsula Bank and the row houses on Willow Street are on the list of properties to be potentially sold, and that the lawyer will help in navigating the Town through the processes. Mr. Pollitt remarked that the PNC Bank building would be challenging to sell due to a flood law requiring the building be elevated before becoming usable, and the costs associated with that are high.

1. **Code Enforcement**

**H1**. **Discuss how complaints about town codes are received and addressed:**

**H2. Code enforcement as a function of town government:**

**H3. Building permits displayed:**

**H4. Annual Rental Inspections:**

**H5: How are fines imposed and collected:**

Mayor Pruitt is interested in speaking with experienced people, such as ex-prosecutors, about how much it would cost and what it exactly takes to enforce the Town’s Code and how often and how harshly should the Town pursue violations.

Mayor Pruitt spoke broadly on H1, H2, H3, H4 & H5 that it would be through Code Enforcement Officer Marty Sullivan to investigate and issue any potential violations. While smaller issues have been steadily improving, such as cutting grass, other violations such as accumulation of junk are harder to navigate. Mr. Pollitt remarked that Mr. Karpinski explained to him and to the Town that they do not have as much power to enforce certain actions on certain violations. While the Town can issue fines for certain violations, they cannot, for instance, declare a person’s possessions on their yard ‘junk’, or touch those declared items, without a court’s approval.

Councilmember Fletched asked about rental inspections: What is the protocol for people who do not pay for rental inspections and is there a way to see that documentation? Mr. Pollitt said that so long as there aren’t any violations on privacy, those documents should be available for public inspection, but the protocol would be best explained by Mr. Sullivan.

Councilmember Walsh asked if landlords fail their rental inspections, what actions can be moved against them? Ms. Howarth explained that it would up to the Town’s code and she would be reviewing it soon to see what actions can be taken.

Councilmember Fletcher remarked that she has been approached by some people asking where or how to obtain building permits, and upon directing them to Town Hall, one person was told they don’t do inspections or they were denied or not given that information. Mr. Pollitt said he would like to follow up with Councilmember Fletcher on the incident. Mayor Pruitt stated that he is interested in verifying this claim.

1. **Council Add-ons**

Mayor Pruitt said that the remaining debt on the Black-Eyed Susan is $300k, and the objective is to still dispose of the boat while honoring the debt to the County. Councilmember Walsh commented that everything related to the Black-Eyed Susan has been submitted. Mr. Pollitt stated that there will be a new agreement with the County and the Town due to the repurposed State grant that funded the first $100,000 of the Black-Eyed Susan, and hoping that the debt will continue to have no interest attached to it.

1. **Mayor and Town Manager**

Mayor Pruitt and Mr. Pollitt did not have additional comments to make.

1. **Public Comment**

Rob Hall asked are advertisements still restricted to only being local (Eastern Shore scale), and would like to see the advertisements of legal notices or other official news from the Town on papers that are more accessible to citizens of Snow Hill (rather than in OC papers). Mr. Hall also questioned Mr. Bessette’s lack of specific experience with grants writing. Mr. Hall also wanted to bring to attention that the property on West Market was donated to the town and had conditions attached to it. Mr. Hall warned that the land donated by the Scarborough family that was meant to be used for the police building had conditions attached to it which the Town should oblige to. Mr. Hall commented about the PNC Bank building, that the flooding laws are in effect are due to the fact that the construction work involved would be worth 50% or more of the building.

Rita Williams believes that the department heads should be attending the meetings. Ms. Williams commented that they should also be on more important meetings outside of official Work Sessions and Mayor & Town Council meetings, as well as the boards and commissions, and have closer conversation with the water/wastewater department, along with the other departments. Ms. Williams also wants code enforcement to be treated more seriously.

Eddie Lee remarked he would like to see the grants writer dedicate a portion of their time to aid and support local non-profit organizations.

Diana Nolte commented that the Mayor & Council can help make impacts within the community without also hitting the budget with additional costs, such as implementing Mr. Lee’s idea and having more groups come together to accomplish projects.

Jen Gilliland remarked that she’s been told by and witnessed some people living in certain apartments that there has potentially been ongoing abuse or neglect from the landlords, and she wants to see the Town fulfill their obligations after already forwarding it to the Town since a month ago, such as the inspection report on 200 Ironshire Street. She also noted that complaints submitted would also be made public but have yet to see them as well. Mr. Pollitt remarked he doesn’t recall the specific incidents but asked her to resend those requests. Ms. Gilliland also offered a suggestion: Certain components, such as hoses to water flowers which wouldn’t be processed by the sewer plant, should only be read and charged for water usage rather than rolled into sewer as well. Mayor Pruitt would like to run that idea and how to implement that with Jean S. Holloway, Delaware & Maryland State Lead of SERCAP.

Tony Arseneau asked about the legitimacy of the Town’s codes if they aren’t equal to laws. He also asked how active the Code Enforcement Officer is on finding violations, and pointed out several addresses that are currently in violation in various ways. Councilmember Walsh remarked that the Code Enforcement Officer does not ride up and down the Town, but does respond to violations when people call his office.

Councilmember Walsh wants to make known that the Town, and the meetings of Mayor & Town Council, should be able to operate more freely outside of a lawyer’s presence.

Fran Price raised the issue of previous grants of which monies wasn’t entirely used. She also asked have there been any interest in involving other larger convenience stores such as Royal Farms. Ms. Price also commented on the boat’s insurance, which Mayor Pruitt responded that it is pretty low, and that the Town doesn’t have a large insurance package involving the boat. Fran Price asked about certain properties, zoning and annexation, which Mayor Pruitt explained that it up to a process to determine which zoning something belongs to. She also asked would the police department be interested in the PNC Bank Building? Ms. Price also wanted to see a more complete package from the Planning & Zoning board.

1. **Adjournment**

With no other business to conduct, on a motion from Councilmember Walsh, seconded by Councilmember Fletcher, the meeting was adjourned by the following vote. The time was 6:42pm.

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| **NAME** | **AYE** | **NO** | **ABSTAIN** | **RECUSED** | **ABSENT** |
| **Margaret Ann Fletcher** | **X** |  |  |  |  |
| **Janet Simpson** |  |  |  |  | **X** |
| **Diana Walsh** | **X** |  |  |  |  |
| **TALLY** | **2** |  |  |  |  |

Respectfully Submitted,

Jerry Jeffra

Clerk I