



**Town of Rising Sun  
Mayor & Commissioners Town Meeting Minutes  
December 22, 2015**

Let it be remembered that the Mayor and Board of Commissioners of the Town of Rising Sun, held a Town Meeting on the 3<sup>rd</sup> floor of Town Hall on Tuesday evening, December 22, 2015 at 7:00 PM. For the record the meeting place and time were duly posted as required.

**MEMBERS IN ATTENDANCE:** Mayor Travis Marion, Commissioners Allen Authenreath, Brian Leishear, Joe Shephard and Dave Warnick.

**MEMBERS ABSENT:** None.

**STAFF/CONSULTANTS PRESENT:** Town Administrator Calvin A. Bonenberger, Jr., and Town Clerk Marsha J. Spencer.

**IN THE MATTER OF CALLING THE MEETING TO ORDER:** The meeting was called to order at 7:00 PM by Mayor Marion and followed by the Pledge of Allegiance, roll call and prayer.

**IN THE MATTER OF APPROVAL OF MINUTES:** Motion was made by Commissioner Warnick and seconded by Commissioner Authenreath to approve the Minutes of December 9, 2015. Motion carried 4-0.

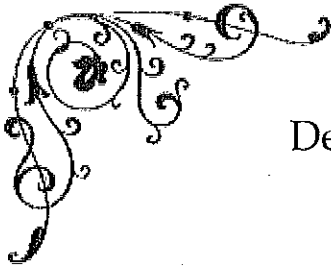
**IN THE MATTER OF REPORTING OF EXECUTIVE SESSIONS:** None.

**IN THE MATTER OF PUBLIC PRESENTATIONS:**

a. **Consideration of Ordinances**

**Ordinance 2015-04 NFPA 1 Fire Code Adoption** – Town Administrator Bonenberger summarized the seamless transition to this Ordinance, being consistent with the County with inclusion of the Life Safety Code. Motion was made by Commissioner Warnick and seconded by Commissioner Shephard to adopt Ordinance 2015-04. Motion carried 4-0.

**Ordinance 2015-06 Rising Sun Property Maintenance Code** – Town Administrator Bonenberger mentioned the ongoing challenges the Town will face with future growth, especially with a large concentration of rental properties. This Code will address issues of property values, curb appeal as well enforce general codes. Also, there is language that protects the tenants by compelling the landlords to



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consider the tenants' best interests. Motion was made by Commissioner Authenreath and seconded by Commissioner Leishear to adopt Ordinance 2015-06. Motion carried 4-0.

- b. **Sewer & Water Mediation & Legal Settlement** – Commissioner Leishear reported on the final mediation of 12/8/15 with Howard Robson, the contractor who terminated construction on the waste water treatment plant with a lawsuit of \$3 Million Dollars against the Town for time delays and suspension of work. As negotiations proceeded, Commissioners considered the costs of time, legal expenses, actions of previously elected officials, overall damage to the Town, possible breach of contract, and an injunction filed by the former mayor.

Commissioner Authenreath further explained the priority given to these negotiations called for an Executive Session, a physical relocation of the meeting to Wagner & Associates, and cancellation of the regularly stated meeting of the Mayor and Commissioners. Many thanks to Patricia Wagner for use of her conference rooms.

- c. **Ordinance Status Update:**

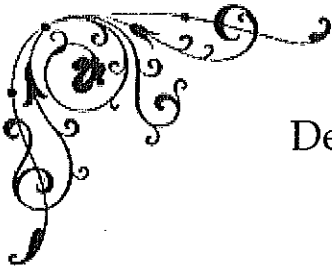
Ordinance 2015-05 Social Media & Information Technology – Commissioner Leishear reported on the buzz generated on Face book and the measures needed to protect the Town while still allowing people to post. As was the case this past weekend, Commissioner Leishear will be available here at Town Hall on January 2, noon to 2 PM for public comment. Please read this Ordinance on the Town's website and give us your input. No action will be taken until after the New Year.

**Ordinance 2015-07 Town Records: Proper Storage, Public Access, Retention and Disposal and**

**Ordinance 2015-08 Community & Public Affairs Officer** – Town Administrator Bonenberger had received recommendations from the insurance attorney and town attorney to consider these ordinances to prepare and protect the Town in the event of certain lawsuits.

Commissioner Warnick presented the original layout of the conference room and proposed layout. Much of the work could be performed work in-house over the Christmas break.

As a result of this review and to address such action taken while Mayor Marion was on vacation, motion was made by Commissioner Leishear to rescind the vote passed at the December 9, 2015 meeting of the Mayor and Commissioners. Motion was seconded by Commissioner Shephard and motion carried 4-0.



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After ample time to review, answer and address various options, Commissioner Authenreath made a motion to move forward with reconfiguration of the conference room with much of the work to be performed by the personnel in the Public Works Department. An electrical contractor or plumber will be used where required. Motion was seconded by Commissioner Warnick. Although the Mayor and Commissioners were not in total agreement on this decision and the way it was handled, the Mayor specifically confirmed his support for this board. Motion carried 4-0.

Mayor Marion commended the Commissioners for settling the legal issue mentioned earlier and expressed appreciation for this space to speak.

**IN THE MATTER OF BUSINESS MEETING ITEMS:** None.

**IN THE MATTER OF CITIZENS' INPUT:** Comments were made and action items taken by respective commissioners.

**IN THE MATTER OF STAFF REPORTS:**

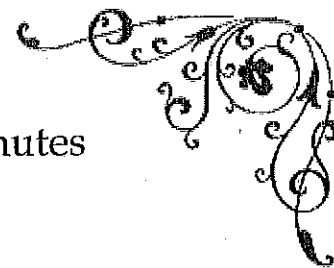
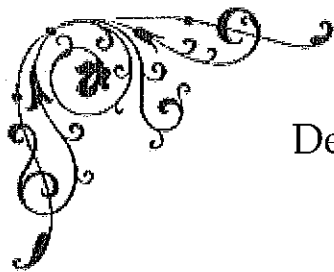
**Chief Peterson:**

- 215 incidents 12/8 – 12/22 – one third are report-written incidents.
- The Police Department is also experiencing growth of records and the need for additional storage for their Evidence Room.
- Shop with a Cop – Great article by Lisa in The Herald; helped 73 kids, 38 families
- Coffee with a Cop – another one planned in March
- Shared a video on shooting at Panama City School Board
- Charged with safety, limitations with elevator in the middle of Town Hall.

**IN THE MATTER OF THE REPORT OF THE TOWN ADMINISTRATOR:**

- Due to changes in the economic market related to recycling, the County will pass on a huge increase to haul recycling. This increase takes effect in January and will cost the Town \$3,000 through June 30<sup>th</sup>. Consideration will be given to moving collection from once per week to twice per month at a savings of approximately \$1,500. Commissioner Authenreath suggested that Mr. Bonenberg begin budget calculations early.
- REMINDER of vacancy on the Board of Appeals.

**IN THE MATTER OF THE REPORT OF THE HISTORICAL PRESERVATION COMMISSION REPORT:** None.



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**IN THE MATTER OF THE REPORT OF THE RISING SUN ARTS COUNCIL (ALLIANCE):** None.

**IN THE MATTER OF OLD BUSINESS:**

Commissioner Authenreath reported that for accounting and audit purposes, the Town has been waiting for a final report on this past fall's Spooktacular. A report had been submitted and was withdrawn due to missing invoices. The Mayor responded that another packet will be submitted. The Town and the elected body consider the Spooktacular a successful annual event and hope that Desiree Davis will continue her involvement. The Mayor agreed to collect this report and meet with the commissioners.

**IN THE MATTER OF NEW BUSINESS:**

Reminder of the Holiday Hours for Town Hall:

Town Hall will close at noon on Thursday, December 24<sup>th</sup>.

Town Hall will close at noon on Thursday, December 31<sup>st</sup>.

**IN THE MATTER OF THE MAYOR'S REPORT:**

- Attended Shop with a Cop – great representation at this outreach.
- Mayor for a Day – MML packet has been received to prepare for this elementary school event.
- Recognition of State Championship Volleyball team is planned after the New Year.
- Social Media – importance of transparency; moving forward after some personal issues.
- Priority to resolve relationship issues in the New Year.

**IN THE MATTER OF THE COMMISSIONERS' REPORTS:**

**Commissioner Authenreath:**

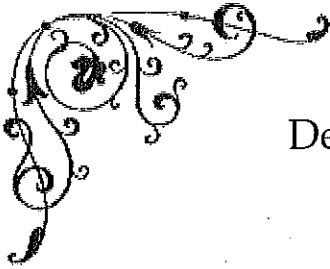
- Letter from KCI regarding contractor Lindstrom Excavating on Ryan Drive. Motion was made by Commissioner Authenreath to pay \$63,000 to Lindstrom for work completed on Ryan Drive. Motion was seconded by Commissioner Shephard. Motion carried 4-0.
- Two potential candidates are needed for the Zoning Board.

**Commissioner Leishear:**

- Met with Vice Chair of the Chester Water Authority with a second meeting two weeks later for formal negotiations. A draft contract has been presented to CWA; the Town is awaiting their response sometime in January.

**Commissioner Shephard:**

- Shop with a Cop – Thank you to Mayor Marion and Commissioner Warnick as well as Chief Peterson and the entire Police Department. Be sure to check out the video.



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- Merry Christmas.

### **Commissioner Warnick:**

- Productive kickoff meeting was held last Monday for storm water management at Veterans Community Park.
- Surveying should start in January to delineate the wetland area followed by application for permits to include some trail system projects in that same area.

### **IN THE MATTER OF OTHER BUSINESS:**

Mayor Marion commended Lisa Tome for the difference she will make in the lives of more than sixty children this coming Christmas morning. The Conowingo Lions Club has recognized Lisa with a big thank you.

With no other business to come before the elected body, Commissioner Warnick made a motion to adjourn. Motion was seconded by Commissioner Shephard. Motion carried 4-0 for adjournment at 9:32 PM.

The next stated meeting of the Mayor and Commissioners is scheduled for Tuesday, January 12, 2016 at 7 PM.

Respectfully submitted,

Marsha J. Spencer

**Motion was made, seconded and carried unanimously to approve these Minutes at the January 12, 2016 meeting of the Mayor and Commissioners of the Town of Rising Sun.**



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**DECLARATION AND VERIFICATION OF AUTHENTICITY**

I, Marsha J. Spencer, Clerk for the Town of Rising Sun, Maryland, do hereby certify that the above and foregoing minutes are a true, perfect and complete copy of the Minutes adopted by the Mayor and Commissioners of the Town of Rising Sun, Maryland, and is identical to the original thereof appearing in the official records of the Town of Rising Sun, Maryland and the same has not, since its adoption, been rescinded or amended in any respect.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have affixed the seal of the Town of Rising Sun as of this 12th day of January 2016.

Respectfully submitted

Marsha J. Spencer  
Town Clerk

**CERTIFICATE & TOWN SEAL**

**(STATE OF MARYLAND)  
(COUNTY OF CECIL)  
(TOWN OF RISING SUN)**