

MINUTES

The Mayor and City Council met in regular session on Wednesday, July 28, 2021 at 6:00 p.m. in the meeting room at the Corbin A & E Gallery.

PRESENT

Barry Dize, Mayor
Eric Banks, Council Vice President
Jimmy Ford, Councilman
Mike Atkins, Councilman
Charlotte Scott, Councilwoman
Casey Goldsborough, Councilman
Joyce L. Morgan, Clerk-Treasurer
Michael Sullivan, City Solicitor (via Zoom)

Also in attendance; David Dalfonso, Chief of Police; Dean Bozman, Code Enforcement Director; Mayor Percy J. Purnell, Jr., Richard Crumbacker; and Valerie Swift, Secretary (working from City Hall via Zoom).

CALL TO ORDER, LORD’S PRAYER AND PLEDGE OF ALLEGIANCE

Mayor Dize called the meeting to order, opening with the Lord’s Prayer and the Pledge of Allegiance.

Mayor Dize advised that the New Business – Appointment of Members to the Crisfield Economic Development Commission, would be deferred in order to speak with potential members.

APPROVAL OF MINUTES

Council Vice President Banks made a motion to approve the special and regular meeting of May 26, 2021. Motion seconded by Councilwoman Scott and carried unanimously.

DEPARTMENT HEAD REPORTS

Joyce L. Morgan, Clerk-Treasurer, presented her quarterly financial report, highlighting its contents. She noted that she had received the first portion of the American Relief funds for the City.

Mrs. Morgan advised that water bills go out with the new water and sewer rates this Friday. She made reference to broken and un-readable meters. She advised that Mrs. Soukup had 933 water meters that read with 60% reading within the rate that was set.

Councilwoman Scott asked for clarification on there being 171 missed reads. Mrs. Morgan advised that this has been the average. Council Vice President Banks inquired if it is the same meters. Mr. Bozman advised yes and no; we looked into replacing batteries and relocated antennas. Councilwoman Scott inquired how to remedy the ongoing problem. Mr. Bozman advised we can do manual reads. Councilwoman Scott commented that this has been an ongoing conversation.

Mayor Dize advised that with this many meters missed, we could be missing a lot of gallons, so they need to be addressed and read manually.

Councilwoman Scott asked for a monthly update on how we are doing. Mrs. Morgan advised that meters are read on the 23rd of the month. Mayor Dize asked that the results be emailed to the Council.

Mrs. Morgan also made reference to the year-end report, comments, she noted that these are not the final numbers and she reviewed the Comments section and explanation of why we are over in the budget and also acct #359, grant funding. She noted money coming in from I & I and also an expensive repair at the sewer plant. She also advised that they are almost done with having all of the pumps up. She continued on and highlighted budget information concerning the Police Department budget. She advised the Council to stop by her office if they need any further review.

Councilwoman Scott made reference to updates on various projects. Mrs. Morgan advised that Ms. Finucan would present this in her quarterly report at the next meeting, as she is on vacation this week.

Council Vice President Banks made reference to being over-budget in the depot category. Mrs. Morgan advised that there was some storm and cruise ship damage. Mayor Dize advised that the storm damage was under the City's deductible.

Chief David Dalfonso presented the Crisfield Police Department's quarterly report.
(see attached)

Councilman Atkins inquired about a Common Law Assault. Chief Dalfonso advised that this is a basic assault.

Council Vice President Banks made reference to the trespassing cases concerning the Housing Authority. Chief Dalfonso advised that the Department is working well with the State's Attorney's office and the Officers have done very well.

Councilwoman Scott made reference to Overdoses. Chief Dalfonso noted that there were none in the first quarter; in the last quarter there were 10, and there was a large amount of fentanyl being sold and used, along with other drugs. He advised that Narcan was administered, but there were still two fatal, though 6 were saved by Narcan.

Councilman Atkins noted that this is not just a Crisfield statistic. Nationwide, we saw the highest rate of deaths ever due to overdoses, in 2020; about 93,000 Americans died, and the first quarter of 2021, surpassed the first quarter of 2020, so it's not looking good, but Narcan saves lives. Putting Narcan in more people's hands saves more lives.

Chief Dalfonso addressed the Mayor and City Council concerning the LEOPS Pension System, which helps keep and retain officers. He noted that he has held on to the officers that he currently has, but advised that officers like Viridiana Villafuerte are a huge commodity, and she will be sought after by other agencies, who would buy out her contract.

Chief Dalfonso went on to explain the procedure to join LEOPS. He also noted that a high turnover rate is not healthy for a department and LEOPS is a must-have for CPD.

Mayor Dize advised that he supports the Chief's LEOPS proposal and asked for the Council's support as well. He also advised Chief Dalfonso to introduce Officer Villafuerte at the next meeting.

Councilwoman Scott inquired about the difference between LEOPS and the current retirement plan. Chief Dalfonso advised that no Crisfield Police Department officer ever retired from here due to the high turn-over rate and you get no invested officers, therefore it costs more for turn-over.

Councilwoman Scott commented that Mayor Purnell had noted one time that it costs about \$50K to train a new officer. Chief Dalfonso advised that this is correct. Chief Dalfonso advised that he would like to have a study done by an Actuary and have them look at our average age, and with new, younger officers; we would more than likely get a credit, so we would have to come up with a yearly maintenance fee. Mayor Dize noted that an Actuary is not a commitment. Chief Dalfonso advised that they would apply in September, then do the Actuary, and come before the Mayor and Council for a vote next spring, prior to the Budget. He noted that the cost for the Actuary would be \$4 to \$5K.

Councilwoman Scott inquired which other departments don't have LEOPS. Chief Dalfonso advised Snow Hill, and Wicomico County, but they have a program that is equivalent to it. He also noted that he is retired from the State, so the program does not benefit him whatsoever.

Councilman Atkins commented that he understands what the Chief is saying; we have a lot of young officers so it's beneficial to start it now. He made reference to a worst case scenario, if our younger officers leave and we have to hire older officers; would the cost go up? Chief Dalfonso advised that once in the program, officers must contribute 7%, so the cost would be on them, and the only way it would go up is if we hire additional officers.

Councilman Atkins inquired if any officers had left and gone elsewhere that participated in LEOPS, since he had been Chief. Chief Dalfonso advised that none had left, but he had done a survey and the officers want to participate in LEOPS.

Mayor Dize asked Chief Dalfonso if he was requesting approval to obtain an Actuary, to which the Chief replied that this was correct. Council Vice President Banks advised that he would speak would meet and speak with the Chief.

At this time, Councilman Atkins made a motion to approve Chief Dalfonso obtaining an Actuary to do a cost analysis for the Crisfield Police Department's participation in the LEOPS program. Motion seconded by Councilman Ford.

During discussion, Councilwoman Scott commented that she feels money isn't the only reason officers want to be here; they want to show their professionalism. Chief Dalfonso advised that a lot of them enjoy working here.

Chief Dalfonso also advised that he doesn't take the budget lightly. Council Vice President Banks advised that this was his concern; is this in the Budget? Mayor Dize advised that the Chief would make room in his budget. Chief Dalfonso advised that he would do what they want him to do. The motion carried unanimously, 5-0.

Dean Bozman, Code Enforcement, Public Works, Public Utilities, Superintendent, reviewed his quarterly report, highlighting its contents.

Councilwoman Scott inquired if there were any trends being seen in building.

Mr. Bozman advised that new builds have been cut back due to the price and scarcity of materials, but are still doing well with the selling of properties, the rehab of properties and rehab of abandoned properties.

Councilwoman Scott noted that she had met with Assistant Inspector, Nelson Sheppard, who had advised her that he had 8 developers interested in rehabbing properties and also had 8 demolitions scheduled. Mr. Bozman advised that he knows of two upcoming demo's; one on Richardson and one on Maple.

Mr. Bozman noted that the Planning Commission met concerning the lot recommendations for the American Legion Campground.

He also reviewed pictures of the Kayak Launch ADA adjustments. Mr. Bozman noted that the City had passed the airport inspection. Mr. Bozman noted that Gary Pusey, County P&Z, has given the ok to fund adding Myrtle Street to the Bayland drainage report. He noted that he met with MDE concerning inspection of the WWTP. Mr. Bozman advised that the Chesapeake and Myrtle and Chesapeake and Main draining project is complete.

In reference to water meters, Mr. Bozman advised that he will follow up on the meters that don't read and he also noted that Mr. Loar will be replacing the 5 meters at the Housing Authority.

In reference to Public Works, Mr. Bozman advised that the beautification project at the depot turned out great. He also noted that the Crisfield Police Department has been setting up a safe environment for events.

Mayor Dize inquired about the status of the non-working traffic light and wires. Mr. Bozman advised that a contractor will be coming in to take it down. Council Vice President Banks made reference to just leaving it up. Mayor Dize commented that even though it seems crazy, people still sit there and wait for it to change.

At this time, Mrs. Morgan noted that Verizon had ended the meeting's live Facebook feed.

Mayor Dize inquired of Mr. Bozman concerning the drainage and clean out status. Mr. Bozman advised that we should have the sewer jet by next week.

Councilwoman Scott inquired about the second drainage ditch project. Mr. Bozman advised that this is the ditch on Third Street into Tyler Street.

Mayor Dize advised Mr. Bozman to keep on top of Ryan Miller concerning the Solution for the 215 S. Somerset Avenue issues.

Councilwoman Scott inquired about the lot on Main Street. Mr. Bozman advised that it had been graded today.

Councilman Atkins commented that it has taken six or seven years to get the kayak launch and it is beautiful. Mayor Dize commented that it is a phenomenal apparatus and it turned out great.

Mayor Dize noted that the appointments to the Crisfield EDC had been deferred until the next regular meeting.

MAYOR AND COUNCIL COMMENTS/QUESTIONS

Councilman Ford advised that he had nothing.

Councilman Goldsborough made reference to the Andre Collins Downtown Sneaks Ribbon Cutting. He also congratulated Hitesh Patel for his designation as a Roadway Inn Hotel, which is great to have in Crisfield.

Council Vice President Banks commented concerning the revised Crisfield Maryland Brochure which was paid for by the Explore Crisfield grant.

Council Vice President Banks made reference to the lack of response when people reach out, particularly the Mermaid Shanty, concerning parking issues. Councilman Atkins advised that he had reached out to the owner.

Council Vice President Banks made reference to a June 21 email advising that Davis, Bowen and Friedel, would be contracted to operate the waste water treatment plant for the amount of \$204K. Councilman Vice President Banks advised that he didn't feel that a vote of approval should have been done through email. He commented that we need transparency and this should have been brought to the table, not through email chat. Council Vice President Banks commented that he did not know anything about the matter.

Councilwoman Scott advised that she declined to vote because she felt it was against Open Meeting requirements and she had questions about it.

Mayor Dize advised that this was an emergency and he and Mr. Bozman had spent months looking for a 1A licensed water/waste water treatment plant operator. Mayor Dize advised that normally, the City Manager would help with the process, but he had to fill the void. He advised that that the contract is approved in the budget and he had one contractor willing to do the job. Mayor Dize noted that Davis, Bowen and Friedel are local, experienced, and familiar with the plant. Mayor Dize advised that the Council can fault him for making the City in compliance. Council Vice President Banks advised that compliance is not the issue.

Councilman Goldsborough advised that if the City did not accept the contract, we would be fined daily and we cannot spend tax payer's money on fines.

Councilwoman Scott commented that she had met with Mayor Dize six months earlier and was looking for a solution then and it is hard to find someone with a license. She advised that her issue is that the City received the contract one day, and had to vote on it the next day. She inquired if this is the City's long term

solution, as the Principal operator is \$190 per hour and the lowest operator is \$60/hour.

Mayor Dize deferred to Mr. Sullivan who advised that he recommends that the decision made through email, be made in open session. He advised that this is a temporary fix as we are changing from one private contractor to another, due to excessive cost. He advised that this had been done for well over a year. He advised that he agrees with Councilwoman Scott about finding a permanent path, but this is not a deviation of the previous services. Councilwoman Scott commented that the top priority should be finding a permanent solution; she did not know about a contract. She advised that she wanted items addressed in open session. Mr. Sullivan advised her that she has a right to her opinion. He advised that this should not be a permanent solution and we need to employ our own operator. Mayor Dize noted that the City had worked hard to get Davis, Bowen and Friedel.

Councilwoman Scott noted that the Military Tribute Banners are up and look nice. She thanked Councilman Atkins, Mrs. Morgan, Eric Emely, and the legion for their hard work. She also noted that the Amazing Grace B & B was now open and will be hosting High Tea. She also commented about plans for the Crockett House and commended Mr. Hitesh Patel on all of his remodeling efforts and his designation as a Roadway Inn.

Councilwoman Scott made reference to the demolitions for properties in the City, the new restaurant opening up as well as Council Vice President Banks new seafood business. She also noted that Wheels on the Waterfront was well attended. She also advised that Ms. Linda Singh said today was very busy for her in her gift shop. Councilwoman Scott commented that things are happening and we need to push forward with the momentum.

Councilwoman Scott advised that she would like to have an update on the Housing Authority's progress with renovations and demo's . Mayor Dize advised that he would have Mr. Bibb give a report at the next work session meeting.

Councilwoman Scott also made reference to the status of Carvel Hall. Mr. Sullivan advised that he would report on the status of the Contract of Sale at the next meeting. Councilwoman Scott and Mayor Dize made reference to a rough settlement date. Mr. Sullivan advised that he did not have one, but hopefully will next month. He advised that he can respond concerning progress and timeline, but he can only push them so far, as they are focused on their licensing.

Councilman Atkins advised that he wants to make sure that Council Vice President Banks and Councilwoman Scott are comfortable with the decision on the Davis, Bowen and Friedel contract.

Mr. Sullivan addressed the Open Meeting law. Council Vice President Banks commented that it was not done in an open meeting, so it was a violation of the Open Meeting law. Mayor Dize inquired of Mr. Sullivan if we were in violation. Mr. Sullivan advised that we were not in violation. Councilman Atkins advised Council Vice President Banks that he had abstained from voting on the Water and Sewer Increase Ordinances, but voted on the Budget.

Councilman Atkins advised that Mr. Bibb is looking at 30 properties in the County for relocation of residents. Councilman Atkins also noted that he is glad the Chief brought up Leops tonight. He also noted that he attended a meeting on July 16th with Senator Van Hollen. Councilman Atkins commented that with all of the new businesses in Crisfield, if the virus goes away, the City will boom.

Just prior to adjournment, Mr. Timothy Dyson addressed the Mayor and Council concerning the status of the Pines Motel, which he had purchased and was renovating. Mayor Dize advised that the City could not respond as litigation papers had been served. Mr. Dyson asked that the City reconsider responding at this meeting. Mr. Sullivan advised that Mr. Dyson had been notified that operating a motel at the Pines Motel location was a non-conforming use and a Board of Zoning Appeals meeting was set to be scheduled, but his attorney, Mr. Thornton, cancelled the meeting. He advised Mr. Dyson to save his comments for

the Board of Zoning Appeals. Mr. Dyson commented that he felt the City could work something out so that he could operate the motel, such as granting him probation. Mr. Sullivan advised that the City has to follow local laws and his suggestion does not comply. He again advised Mr. Dyson to appeal to the Board of Zoning as their decision will stand. Mr. Sullivan advised the Mayor and Council not to engage in any discussion with Mr. Dyson.

There being no further business for discussion, the meeting adjourned at 7:45 p.m.

Respectfully submitted,

Joyce L. Morgan, Clerk-Treasurer

Prepared by Valerie Swift, Secretary