

MINUTES

The Mayor and City Council met in regular session on Wednesday, May 27, 2020 at 6:00 p.m. in the meeting room at the Corbin Library. Due to Covid 19 requirements, other members of City staff were also present, via Zoom, and the meeting was broadcast on Facebook Live.

PRESENT

Barry Dize, Mayor
LaVerne Johnson, Councilwoman
Barbara Ward, Councilwoman (arrived 6:06 p.m.)
Jimmy Ford, Councilman
Mike Atkins, Councilman
Joyce L. Morgan, Clerk-Treasurer (via Zoom)
Michael Sullivan, City Solicitor (via Zoom)
Dean Bozman, Code Enforcement Officer (via Zoom)

Also in attendance; Valerie Swift, Secretary; William Berryhill, IT; and Richard Crumbacker.
Absent due to death in the family – Councilman Nelson Sheppard

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

Mayor Dize requested approval of the minutes from the meetings of May 13, 2020; Budget Workshop and regular meeting. Motion made by Councilman Atkins, seconded by Council Vice President Johnson and carried unanimously, 3-0.

Mayor Dize noted that 6 candidates for Chief of Police were interviewed today. He advised that his goal is to announce the new Chief on June 10th.

Mayor Dize made reference to a meeting with Congressman Andy Harris on May 21st at Captain Tyler's concerning the re-opening of restaurants and expressing his dismay that outdoor seating was not in place. Mayor Dize noted that since then, Governor Hogan has authorized outdoor seating and he(Mayor) would like to close off areas adjacent to local restaurants to assist with space. He noted that he cannot lessen the Governor's orders, but will assist restaurants who would like to do outdoor seating.

Mayor Dize also commented that the City is taking derelict properties seriously, noting that the house on Richardson Avenue that recently burned is now demolished and the lot cleared.

Mayor Dize offered a big "Thank You" to Alan and Sue Kohler, Water's Edge residents who purchased and delivered a new American Flag for Wellington Beach, which was flown for the Memorial Day holiday.

1st Reader – 2020-2021 Water & Sewer Rates Ordinance

Mayor Dize noted that there would be no change to either the water or sewer rate this year. At this time, Mr. Sullivan read the Water Ordinance aloud, reiterating that there would be no change in the rate.

Councilman Atkins made a motion to adopt the Ordinance establishing the water rate for 2020-2021 which will remain the same as 2019-2020. Motion seconded by Council Vice President Johnson and carried unanimously, 4-0.

Mr. Sullivan noted that the sewer rate for 2020-2021 remains the same as 2019-2020. Councilman Atkins made a motion to adopt for 1st Reader the 2020-2021 Sewer Rate Ordinance, which will remain the same as 2019-2020. Motion seconded by Council Vice President Johnson and carried unanimously, 4-0.

1st Reader – Budget Ordinance 2020-2021

Mayor Dize introduced the Budget Ordinance for 1st Reader. In reference to previous questions regarding the street lights, Mayor Dize noted that DP & L may have a LED option. Mrs. Morgan added that the plans for LED are in the 12 month range and there are no solar options.

Mayor Dize addressed Councilman Atkins regarding his concerns about mosquito spraying and advised that he had not heard back from the Department of Agriculture.

Mrs. Morgan addressed the questions concerning Traders License asked at the last meeting. She noted that the State gets and collects the fees and keeps 3%; 5% goes to the Clerk of the Court and the remaining goes to businesses of origin.

After further brief discussion, Councilman Atkins made a motion to adopt the 2020-2021 Budget for First Reader. Motion seconded by Council Vice President Johnson.

Council Vice President Johnson called for discussion.

Councilman Atkins advised that he had reached out to an Entomologist at UMES concerning the mosquito spraying, but he has not heard back yet.

Motion carried unanimously 4-0.

1st Reader – Ordinance 15 MPH Speed Limit Heron Way

Mr. Sullivan read the Ordinance aloud.

At this time, Councilman Atkins made a motion to adopt the Ordinance for First Reader. Motion seconded by Councilwoman Ward.

During discussion, Councilman Atkins inquired of Mr. Bozman if there were any further comments. Mr. Bozman advised that the census for the speed limit was favorable. Motion carried unanimously 4-0.

st
1 Reader – Crisfield Economic Development Ordinance

Council Vice President Johnson reviewed the Ordinance, which had been adopted for First Reader on March 11, 2020, but never was adopted for 2nd Reader due to the Covid 19 Restrictions.

At this time, Councilman Atkins made a motion to adopt for First Reader, and Ordinance Establishing an Economic Development Commission for the City of Crisfield. Motion seconded by Council Vice President Johnson.

During discussion, Council Vice President Johnson commented that the Ordinance did not make 2nd Reader in March due to the Covid 19 outbreak. She noted that the advisory committee will be reporting to the Mayor and Council and will be comprised of people from all sectors.

Mr. Sullivan advised that the entire ordinance does not have to be read again, as it was read into the record at the March 11, 2020 meeting. He noted that it was not 2nd read within 60 days due to Covid, and circumstances don't warrant it being passed as an emergency if it passes for 1st Reader. He noted that it can be 2nd read on June 10 if passed for 1st reader this evening, and goes into effect 20 days later. He advised that members could be appointed at the first meeting in July.

Council Vice President Johnson made reference to the upcoming election and read aloud Paragraph 3 of the Ordinance stating the need for an advisory board to make recommendations to the Mayor and Council concerning economic development and growth to benefit the city and local business. She asked the Council whether or not they would like to move forward with 1st Reader of the Ordinance.

Councilman Atkins commented that we need economic advice, especially at this time. Councilwoman Ward concurred, as did Councilman Ford. Motion carried 4-0 for 1st Reader.

Approval of Deed of Avigation and Clearance Easement to City and County

Mr. Sullivan made reference to the Deed of Avigation and Clearance Easement to the City and County concerning the Crisfield/Somerset County Airport. He noted that this is an urgent matter for the County, which he has reviewed and has determined is fine to move forward with.

Councilman Atkins requested that Mr. Sullivan summarize the document for them.

Upon his review, Councilman Atkins questioned the property being owned by the Annemessex property owners. Mr. Sullivan advised that they are restricted on what they can do. Councilman Atkins commented that we are agreeing to what we don't own with strong legal support.

Councilman Atkins then made a motion to approve the Deed of Avigation and Clearance Easement to the City and County. Motion seconded by Council Vice President Johnson and carried unanimously 4-0.

Election Discussion

Mayor Dize made reference to the upcoming 2 person Council election and noted that the City is legally able to postpone it due to the Covid restrictions. Mr. Sullivan added that the order allowing rescheduling of elections was executed by Governor Hogan.

Mayor Dize opened the matter for discussion of rather or not to hold the election as scheduled on June 17th or postpone it till a later date. He commented that at the current state, he feels we can hold it safely by following social distancing, wearing of masks, etc.

Mr. Sullivan noted that there is no right or wrong answer, just use of discretion. He noted that this is covered under the executive order that was issued by the Governor on March 30, and won't be suspended until the State of Emergency ends.

Mayor Dize noted that we are short a Councilmember at the table tonight. Councilman Atkins asked if we are legally ok with Council Vice President Johnson and Councilwoman Ward, since they are up for re-election. Mr. Sullivan advised that he does not feel this is a conflict of interest because they have no way of knowing the outcome of the election. He noted that there is no pecuniary interest involved if the election is suspended and the focus has nothing to do with the candidates, only public health, welfare and safety. He added that this is not a requirement, but he hopes it is a unanimous decision.

Councilman Atkins commented that we need to weigh the safety of the public versus US voting rights. He went on to say that we should be able to figure out a safe way to vote, though nobody know what the future status of Covid 19 will be. Councilman Atkins noted that he is in favor of the June 17, 2020 voting date, as long as we take safety precautions.

Councilwoman Ward advised that she agrees, as people are looking forward to voting.

Councilman Ford abstained from commenting.

Council Vice President Johnson advised that she agrees with Councilwoman Ward.

Mayor Dize advised that he feels voting can be done following Covid safety protocol, and he has no doubt that we can pull it off. Councilwoman Ward added that we may lose voters if we change the date.

Councilman Ford inquired about handing out masks to voters. Mrs. Morgan advised that the public knows to wear a mask, but we will have some on hand at the voting site.

Mayor Dize inquired if we need a consensus. Mr. Sullivan advised only if there is a change of date.

Council Vice President Johnson noted that the voting location has changed. Councilman Atkins noted to Mr. Crumbacker to report on the change of location.

Mayor Dize advised that voting would be done, here, at the Corbin, 4 East Main Street. He commented that there is a handicap access ramp, and water. He also noted that EMS will be on standby to be available if there are any heat related issues and we will be following all precautions for safety.

Other Matters

Mr. Bozman noted that the HVAC is down at the WWTP and is not repairable. He advised that per Mr. Parkinson, the lab must maintain a temperature of 70 degrees at all times.

Mr. Bozman advised that he had obtained two prices; Somerset Heating and Air - \$6360 and Mrohs Gas - \$6795.

Mr. Bozman noted that both companies are local and reputable.

At this time, Councilman Atkins made a motion to accept the low bid from Somerset Heating and Air. Motion seconded by Council Vice President Johnson and carried unanimously, 4-0.

Mayor and Council Comments

Councilwoman Ward advised that she had no comments.

Councilman Atkins thanked Mr. & Mrs. Kohler for the flag for Wellington Beach. He commented that Waters's Edge and Johnnie Sweets might benefit from closing the street beside them to accommodate outdoor seating. Mayor Dize advised that the City would take any avenue to accommodate them.

Council Vice President Johnson thanked Mr. Bozman for his help concerning the one-way issue on Pine Street. She also inquired about repair of some of the streets that had been tar and chipped. Mr. Bozman advised that the paver would be back in next week. He advised that there had been some issue with the work.

Councilman Ford advised he had no comments.

Adjournment into Closed Session

At this time, Councilman Atkins made a motion to adjourn into a closed session to Discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom the Mayor and City Council has jurisdiction, and any other personnel matter that affects one or more individuals.

THE AUTHORITY FOR HOLDING THIS CLOSED SESSION IS SET FORTH IN SUBSECTION 3-305(b)(1)(i)-(ii) OF THE GENERAL PROVISIONS ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

Motion seconded by Council Vice President Johnson and carried unanimously.

Regular Meeting adjourned at 7:10 p.m.

Respectfully submitted,

MINUTES MC 5272020

Joyce L. Morgan, Clerk-Treasurer

Prepared by Valerie Swift, Secretary