

MINUTES

The Mayor and City Council met via zoom for their regular work session on Wednesday, February 10, 2021 at 6:00 p.m.

PRESENT

Barry Dize, Mayor
Eric Banks, Council Vice President
Jimmy Ford, Councilman
Mike Atkins, Councilman
Joyce L. Morgan, Clerk-Treasurer

Also in attendance/Zoom; Chief David Dalfonso; Code Enforcement Officer Dean Bozman, and Secretary Valerie Swift.

Prior to opening the meeting, Council Vice President Banks requested that we open future meetings with a word of prayer.

Mayor Dize called the work session to order and reviewed the agenda for this meeting.

Review of Food Truck Ordinance

Mayor Dize made reference to the review of the proposed Food Truck Ordinance as far as location, etc., which is addressed in the City's Huckster's License Ordinance. He advised that he does not want to exclude or compete with existing sit-down restaurants. He also commented that most food trucks have good food on their menu.

Mr. Sullivan apologized for the delay in his email that contained different town's Ordinances. He made reference to the current language concerning where food trucks may operate and asked if the Council wanted any changes.

Mr. Sullivan shared the Ordinance of the City of Salisbury. He advised that this pertains to a license for a Food Truck Operator. He suggested amending Chapter 83 or create Chapter 83-A. Mr. Sullivan made reference to Sec. 83-5 – Street Restrictions, and asked if the Council wish for them to continue or add other locations.

Council Vice President Banks commented that he doesn't want to create competition with local business, but we need a happy medium. He commented that a Huckster's License would not be required for a festival and the host of the festival has the right to charge a fee, for example at Crab Derby.

Mr. Sullivan inquired if vendors pay the City for participating in Crab Derby. Mrs. Morgan advised that vendors work through the Chamber of Commerce as this is located in the Marina on State property. Councilman Atkins noted that the Somers Cove Marina Commission does not collect fees; only the Chamber of Commerce.

Mr. Sullivan noted that if a group came for an event application to be on private property, the City would issue the approval, but if a food truck came in and wanted to operate on City property, a Hucksters License would apply, but the can operate at an event without one. He went on to clarify that if a group, including the City, wanted to hold a Food Truck event, the vendor would pay the organizer of the event.

Councilman Atkins noted that for the March Madness event, they are inviting vendors, not charging them.

Councilwoman Scott commented that she would like to see more food trucks and more restaurants open. Council Vice President Banks commented that with 24 events we need more food, entertainment, and restaurants and doesn't feel we need to make any changes right now.

Mayor Dize noted that right now, the Hucksters License prevents them from going into the center of town, but they can go to another location. He advised that it needs to be tweaked for “non-event” times.

Mr. Sullivan made reference to food trucks piggybacking off of different events in different locations, without paying the large fee to participate in the sponsored location. Councilwoman Scott commented that the truck would have to park on a private location. She also questioned the reason for the specified location in the current ordinance. Councilman Atkins advised that this was due to the businesses that were in operation during that time period. Mrs. Morgan added that it was designed to protect the existing businesses 30 years ago.

Mr. Sullivan noted that the National League of Cities report states that food trucks would be successful in the Crisfield area.

Council Vice President Banks commented that we are not here to create a new ordinance to hurt any current businesses.

During further discussion, Councilman Atkins commented that we need more options in Crisfield and he is in favor of encouraging vendors and removing restrictions on streets and parking lots. He also commented that vendors need to have their permits displayed.

Councilman Ford commented that he wants to look at the other ordinances and also agrees with Councilman Atkins and Councilwoman Scott.

Councilwoman Scott commented that the more events, the more business and everyone benefits when there are more options.

Councilman Atkins inquired of Councilwoman Scott if she felt there was any advantage in maintaining the current restrictions. Councilwoman Scott advised that she agrees to remove the restrictions and encourage growth.

Council Vice President Banks commented that food trucks will come when attendance is feasible; there is need for change.

Mr. Sullivan polled the Council whether or not they wanted restrictions in 83-5, 7, and 8 removed. Councilman Atkins – Yes, Councilwoman Scott, yes, Councilman Ford, yes, and Council Vice President Banks – modify as needed.

Mr. Sullivan advised he would have the draft by February 18.

Council Vice President Banks suggested holding off as we need a fee increase from the current \$50.

Councilman Atkins advised that he agrees, but a fee increase may discourage people. Council Vice President Banks advised that it should be modified to be fair to brick and mortar restaurants.

Mayor Dize advised that a raise in the fee wouldn't be to raise income to the City, but we can consider other businesses.

Councilman Atkins commented that if we lift restrictions, activities will increase, but if we increase restrictions, we will have a decrease in activities; an increase in fees will discourage food truck vendors from applying, a decrease in fees will encourage food truck vendors.

Councilwoman Scott commented that food trucks add value to events, but they don't compare with restaurants, so we need viability first. She suggested keeping the draft simple and concise.

Mayor Dize summarized that the draft needs to be something simple with some dollar fee. Council Vice President Banks noted that there needs to be discussion concerning fees first.

Mayor Dize directed Mr. Sullivan to draft the Ordinance with the same fees. Mr. Sullivan noted that on pages 9 & 10 of the National League of Cities, it gives a range of fees.

Council Vice President Banks - update on downtown waterfront development

Council Vice President Banks noted that the marketing team is playing a major role. He noted that the depot is the main focal point for marketing maritime culture. Council Vice President Banks commented that the depot is the gateway to the Chesapeake and we need to add value to this area. He advised that he will have a sketch for the next meeting. Councilman Banks commented that the pavilion needs work; renovation and modification. He made reference to the meeting with Tracey Gordy and mapping out Code requirements. Council Vice President Banks also advised that he would have a rendering on the Conference Hotel. He advised the he wants funding through private investments as well as Municipal Bonds and hotel investors. Council Vice President Banks noted that Marketing Team member, Clint Sterling has a wealth of knowledge and passion for Marketing Somerset County. Council Vice President Banks made reference to Crisfield 24 advised that it is headed in the right direction and he hopes to have a build-out on it in 2 years. He also noted that Team Member Greg Cain has reached out to Becker Morgan for a rendering, which will be paid for with private funding.

Councilwoman Scott, also on the Marketing Team, made reference to having food vendors, entertainment, and plans for a pontoon boat, all of which will be at the depot. She asked for public input and ideas.

Councilman Atkins inquired if the Marketing Team is the same thing as the Economic Development Team. Council Vice President Banks advised that it was not. He advised that the Marketing Team was for the City of Crisfield. The Waterfront Development Team was comprised of Donnie Drewer, Frances Myers, and himself.

Councilman Atkins made reference to the Downtown Marketing Team, and inquired if Councilwoman Scott is serving on the Team as a member of GCAC or of the City Council. Councilwoman Scott advised that she is serving as a member of the City of Crisfield and had previously resigned from GCAC.

Councilman Atkins noted that he would like to be able to visit one of these meetings through Zoom. Council Vice President Banks advised that this is not a City meeting. Councilman Atkins advised that he would like to be invited just as a spectator, not to participate. He advised that he would like more than a summary from Council Vice President Banks in order to make better decisions for the City. Council Vice President Banks advised that he would take this into consideration.

Mayor Dize commented that he wasn't aware that there were two entities. He noted that the Crisfield Economic Development Commission had already been approved.

Council Vice President Banks commented that these were just teams that were picked for committees that the Councilmembers were assigned to get things done, and this group was Waterfront Development.

Mayor Dize advised that the Mayor and Council need to be brought into the loop of these meetings.

Councilwoman Scott commented that two months after she and Council Vice President Banks were sworn in, she met with Mayor Dize and saw that he was doing all of the work in addressing City concerns and she felt that this was not fair to him and did not distribute the work, so these groups were established at a meeting. She noted that everything that is done has to come back for approval by the Mayor and Council.

Councilman Atkins asked Councilwoman Scott if he could be included in a Zoom meeting of these groups. Councilwoman Scott advised that this was not her call, but the idea is to drive traffic into Crisfield.

Request from GCAC concerning items of support from the City of Crisfield

Mayor Dize noted that he had received emails from GCAC requesting letters of support for Youth Entrepreneurship. Councilman Atkins made reference to a meeting with Councilman Ford and Mrs. Frances Myers and advised that he feels good about moving forward. Mayor Dize inquired how the other Councilmembers felt about supporting this endeavor. Councilman Ford advised that he agreed, as did Councilwoman Scott and Council Vice President Banks, who commented that Jacob Gragg has done an outstanding job pulling this together. Mayor Dize advised that this could be approved at the next regular meeting.

Mayor Dize went on to review a letter requesting support of an Executive Director position for GCAC.

Council Vice President Banks advised that he supports this request. Councilwoman Scott commented that GCAC needs staff. Councilman Ford noted that he would not support this request. Councilman Atkins advised that he is ok as long as it is funded through a private entity. He further commented that he doesn't understand the purpose because an Economic Development Director is not the sole way things will improve and there is no advantage to duplicate efforts as we already have Danny Thompson, Somerset County Economic Development Director.

Mayor Dize requested consensus for a vote for the next meeting.

Councilwoman Scott commented that paid staff was needed for A & E, the Arts Council, the Heritage Foundation, and GCAC; stating that these organizations can't go on with just volunteers, so she would vote "yes". Council Vice President advised that it would be a "yes" for him. Both Councilmen Atkins and Ford advised that they would vote "no".

Mayor Dize inquired how this would work. Mr. Sullivan advised that the item could be put on the agenda, but would not be approved, or it can be left off.

Councilman Banks asked the Mayor for his position concerning the request. Mayor Dize advised that he is in favor of supporting the Youth Entrepreneurship but is not in favor of supporting the Executive Director position.

Mayor Dize reviewed the 3rd letter concerning an MOU with the City and GCAC. He advised that he is not in favor of having an MOU, but working on a case by case basis.

Councilman Atkins commented that he had met with Mrs. Myers and this was not discussed. He commented that he is not in favor of signing a blanket MOU nor their request for \$30K from the City, so it's a hard "no" for him.

Councilman Ford advised that he met with Mrs. Myers along with Councilman Atkins, and there had been no discussion concerning an MOU. He advised that it is a "no" for him as well.

Councilwoman Scott commented that there is value in what GCAC can do to help the City of Crisfield. She stated that GCAC has been paying fees out of their own pockets and would support a contribution of some amount.

Council Vice President Banks advised that he supports the request and feels GCAC would benefit the City.

Mayor Dize advised that he would work with GCAC on a case by case basis, just not with the MOU and the request for \$30K.

Councilman Atkins advised that he wishes GCAC success. He also made reference to discussions about McCready Hospital, when he and former Council Vice President Johnson were onboard, and they both recused themselves due to their employment with that facility. He advised that Council Vice President Banks that

voting on monetary amount for GCAC, as a member of City Council, while also on the GCAC Board, is a conflict of interest.

Mr. Sullivan advised Council Vice President Banks that if he remains on the Board of Directors of GCAC, he can't vote on anything that gives benefit to GCAC. If he resigns, there is a one year waiting period before he could vote as per Ch44 Section 4(c)(2)(a) of the City Charter. He also noted that the City of Crisfield Ethics Code would apply and we report to the State Ethics Commission. He also noted that The City's high ethics standards earned us commendation by the State Ethics Commission attorney in 2018.

Councilman Atkins commented that there is the letter of the law and then there is the appearance of an ethics violation.

Councilwoman Scott commented that Crisfield Marketing is not GCAC.

Mr. Sullivan commented that there is nothing preventing any of them from attending meetings, but perception is not the letter of the law.

At this time, Mayor Dize requested confirmation from the Council concerning their acceptance/rejection of the request from GCAC for an MOU and \$30K annually from the City.

Council Vice President Banks advised yes, he would support the request. Councilwoman Scott advised that as she hasn't been off of the GCAC board for a full year, she can't comment. Councilmen Atkins and Ford advised "No".

Mayor Dize advised that this item would not be on the agenda for a vote at the next regular meeting.

Consensus – Decision Regarding Carvel Hall

Councilman Atkins commented that he has nothing new. He made reference to Council Vice President Banks' information regarding the use of Marijuana for

illnesses and commented that there is a lot of research out there. Councilman Atkins commented that the Mayor and Council can't determine if Marijuana is medical; we are here to make policies for the City of Crisfield. He noted that John's Hopkins bans medical marijuana use. He went on to say that Element, LLC, has an application in for processing and has been successful in obtaining pre-approval but they have 1 chance out of 200 for obtaining a growers license, which is what they want to do at Carvel Hall.

Councilwoman Scott commented that she has nothing new. She noted that people are still saying that medical marijuana has helped them with their illnesses, and one of those has a young Doctor in the family. She went on to comment that Carvel Hall has been vacant for 20 years; we have three applicants, and one is viable, but we can't get to a place to vote. She advised that she supports Element for Carvel Hall.

Council Vice President Banks commented that Councilman Atkins has information against the use of medical marijuana, but you can Google information on the number of Doctors who are in support of it.

Councilman Ford commented that he was off line during this discussion.

Mayor Dize advised that he understands this is a moral issue, but cannabis and Carvel Hall are two issues. The question is, do we want to sell Carvel Hall or leave it as an albatross; we need to decide. He commented that we need to look at this as a business, not morally. He noted that Element had the best bid with the most money for the City. Mayor Dize commented that this is not an optimal site for every business, and if he could vote, he would vote on Element. He noted that the purchaser has to conform with City Code. Mayor Dize added that this is a tough decision, but we need to make a decision at the next regular meeting to get this property back on the tax roll. Mayor Dize inquired about putting this on the agenda at the next meeting.

Councilwoman Scott advised putting it on the agenda. Council Vice President Banks concurred noting that he agrees with Mayor Dize' input. He commented that the grant the City got for the roof saved the building. Both Councilmen Atkins and Ford agreed that it is ok for the Agenda.

With no further business for discussion, Councilman Atkins made a motion to adjourn, seconded by Council Vice President Banks and carried unanimously.

Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Joyce L. Morgan, Clerk-Treasurer

Prepared by Valerie Swift, Secretary