

## MINUTES

The Mayor and City Council held their regular monthly meeting on Wednesday, February 23, 2022 at 6:00 p.m. in the Corbin Studio and Gallery meeting room.

### PRESENT

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

Also in attendance; Brian Waller, Director of Operations, via Zoom; Kate Finucan, Grant Writer/Adm.; Jason Loar, City Engineer; Via Zoom; Richard Crumbacker; and Valerie Swift.

### INVOCATION, LORD'S PRAYER, PLEDGE OF ALLEGIANCE

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

### APPROVAL OF MINUTES

At this time, Councilman Atkins made a motion to approve the minutes from the meetings of November 30, 2021, December 8, 2021, and January 26, 2022. Motion seconded by Councilman Goldsborough and carried unanimously, 5-0.

### PAVING DISCUSSION AND UPDATES

Ms. Kate Finucan, Grant Writer/Administrator, advised that she had spoken to Mr. Jerry Bozman, of Bozman Paving, today, who advised that he hopes the paving plant will be open between March 7 to 11. She advised that either she or Mr. Waller would be in touch.

At this time, Mayor Dize introduced Mr. Waller, the new Director of Operations. Mayor Dize noted that Mr. Waller had already received his ICC Certification.

Mr. Waller advised that this was day three on the job. He advised that he had just retired from Salisbury University as the Maintenance Plant director. He thanked the Mayor and Council for the opportunity to work for the City of Crisfield.

Mayor Dize addressed Mr. Jason Loar for an update concerning the Norris Harbor Drive Study. Mr. Loar also noted storm water as well and inquired if the City had put out the RFP. Ms. Finucan advised that she is finishing up the RFQ and should be done in the next few days.

Council Vice President Banks made reference to the next item of Somerset Avenue Drainage Diagnostic.

Councilwoman Scott extended welcome wishes to Mr. Waller.

Mayor Dize the Somerset Avenue follow up would be done prior to paving.

Mrs. Morgan reviewed pictures of the right hand side of South Somerset Avenue work done by CES.

Councilman Atkins inquired if there was a piece of conduit in the picture. Mr. Waller advised that this was correct. He advised that a lot of material is collecting there and there is a bore hole on top of the pipe for a pole or line, unsure of whom the work was done by.

Mrs. Morgan noted that \$7,800 was allocated for this work and 80% of the drainage problem is Somerset Avenue.

Mayor Dize noted that the pipe crosses Drewer to the Corbins. Councilman Atkins advised that this takes the flow from the east side to the west side to drain.

Councilman Atkins inquired if the pipes are in good shape. Mayor Dize noted that there are cracks in the pipe. Mrs. Morgan noted that there is water pouring in many places, but once it is cleared we should get a good flow. CES has noted that the line is in pretty good shape. Mrs. Morgan also noted that Ms. Finucan has a flash drive showing line work.

Councilman Atkins inquired of Mr. Loar about the pipes being in good shape, but there being ground water. Mr. Loar advised that we are ok with groundwater; the main issue is the pipes being clogged and floods, and once cleaned out, we should see a significant difference.

Mayor Dize noted that the pipes were installed in the late 70's, noting that rain drained fast after maintenance.

Councilman Atkins made reference to the conduit pipe that had been driven through. Mr. Waller advised that we need to confirm what kind of line it is and repair it, noting that this happens frequently.

Mr. Waller went on to say that they are working on previous maintenance, cleaning grates, jetting drains, etc.

Mayor Dize inquired if there was any build-up by the conduit. Mr. Waller advised that the flow is clear.

Councilman Atkins inquired if we need that section lined. Mr. Loar advised that it's an option but the pipe is not broken or collapsed. He advised that we can clean out and re-evaluate.

Councilman Goldsborough made reference to the ditch by Councilman Atkins and behind Woodson School. Councilman Atkins advised that it drains out into the area behind and into a creek. Councilman Goldsborough advised that he would reach out to the County.

#### CARVEL HALL SETTLEMENT STATUS

Mr. Baldwin advised that he had spoken to Mr. Bibart this past Friday and read aloud a letter from same, noting that the closing on the property was to be 02/28/22. Mr. Baldwin advised that he feels it will go through. He inquired of the Mayor and Council whether to keep going or rock the boat. He advised that he feels it will go through, but can't say the time line, but will follow up with Kirk Simpkins.

Mayor Dize thanked Mr. Baldwin for the update. He commented that the delays are getting old and are not fair to the Mayor and Council.

Mr. Baldwin made reference to "turning screws" and reviewing the exit strategy.

Mayor Dize noted that this is holding the City up from being able to receive grant money from DHCD. He advised that at this point, we need to set a deadline.

Council Vice President Banks made reference to "National Realty Trust" in the letter, which he feels is the hold up and we need to know the closing date because we need grant money.

Mr. Baldwin commented that there is an element of doubt in the closing date and asked for a deadline.

Council Vice President Banks commented that we can't continue waiting and need the property settled.

Councilwoman Scott commented that Monday, the 28<sup>th</sup>, is the end of the month, and she feels it is ok to wait for 3 more days.

Councilman Atkins made reference to Mr. Bibart's info concerning the National Realty Trust for funding. Mr. Baldwin advised that this was for Phase 1 construction.

Councilman Atkins advised that he is concerning about them borrowing for phase 1 and the status of their medical cannabis license.

A discussion followed concerning whether or not legislation had passed to grant their license.

Mayor Dize commented that we appreciate their bid to purchase, but they have not bought Carvel Hall yet; the rest is their issue. He advised that he agrees with Councilwoman Scott that they should be given until March 31, 2022, or the deal is done. He commented that they are making their problem ours, but we need a deadline and need to put pressure on them, since lack of sale inhibits our DHCD money, but the licensing is their issue.

Council Vice President Banks advised that he feels their settlement package should be done and suggested giving them until March 15<sup>th</sup>.

Mr. Baldwin advised that he agrees, but needs to review the contract cancellation rules.

Councilman Atkins suggested asking for the penalty money as a sign of good faith and made a motion to ask Mr. Bibart for two months penalty fees to go to DHCD. Motion seconded by Councilman Goldsborough for discussion.

He inquired about DHCD deadlines. Ms. Finucan advised that training is the end of March. Councilman Goldsborough inquired if the City can attend in this situation. Ms. Finucan advised that we should still be able to take the training. Mayor Dize noted that we can apply for funding, but Carvel Hall will come up and we will lose our turn. Councilman Goldsborough advised that we need to hold their feet to the fire and agrees with Councilman Atkins about the

penalty money, but feels that March 31<sup>st</sup> is too soon. Councilman Atkins noted that if they get their license it takes effect on July 1<sup>st</sup>.

After further discussion, Councilman Atkins amended his motion that the City ask Mr. Bibart to send us a check for two months penalty, to be sent to DHCD and have Mr. Baldwin look into the limits of the penalty date in the agreement. Motion seconded by Council Vice President Banks who noted that he wants to set a date for the deal to close, or withdraw the award.

Further discussion followed and Mayor Dize suggested a motion to allow Mr. Baldwin to send Mr. Bibart a letter giving them notice, after review of the contract, tomorrow.

At this time, Councilman Atkins made a motion to allow Mr. Baldwin to research the time necessary for the City to withdraw the contract of bid with Mr. Bibart, and the City will withdraw if not settled by then. Motion seconded by Council Vice President Banks. Councilman Goldsborough added giving them three days, and send the letter on Monday. Councilwoman Scott suggested taking action on Tuesday in hopes they settle on Monday. Councilman Goldsborough advised sending the letter on Tuesday. Motion carried unanimously, 5-0.

#### MAYOR AND COUNCIL REPORT

Councilman Ford had no comments.

Councilman Goldsborough made reference to the paving of 5<sup>th</sup> Street the 2<sup>nd</sup> week in March and asked if it would be scraped beforehand. Ms. Finucan advised that she would be getting the details next week. Mrs. Morgan advised that notification would be posted on Facebook, when the paving was to begin.

Councilman Goldsborough also commented that he is looking forward to summer.

Council Vice President Banks inquired about the status of the street sweeper. Mr. Waller advised that he is waiting on a part. He also noted that he will be having more employees train on different equipment and would sweep ASAP. Council Vice President Banks welcomed Mr. Waller on board and advised that he is impressed with his work.

Councilwoman Scott commented that she is pleased that we have a street paving plan, but disappointed about 5<sup>th</sup> Street, as we were promised it would have already been done. She noted the upcoming RFQ for Norris Harbor Drive and the work to be done on Spruce Street.

Councilwoman Scott noted that Mr. Waller has gotten off to a good start. She commented that there is a lot of activity in Crisfield, commenting on Mr. Sheppard's list of improvements, which she reviewed.

Councilman Atkins made reference to the construction of Tiny Homes, noting that he had shared an email of his research with the Council. He commented that this is a lot to consider and there must be community interest first. Councilman Atkins commented that he wants to see some rain fall to see how South Somerset drains. He also noted that the turbine is up, thanks to Mr. Loar. Councilman Atkins also noted that tomorrow, here at the Corbin Gallery and Studio, there will be a Soul Food Sampling. He also noted that an Event Planner had been hired for the Crab Derby.

Mayor Dize noted that his 2018 election campaign platform was city infrastructure and he thanked the Council and staff for following his journey. He noted that the City's function is to provide our residents with police protection, streets and roads, and water and sewer. Mayor Dize noted that he is coming up on the end of 4 years as Mayor and thanked everyone for their support.

#### ADJOURNMENT

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

Meeting adjourned at 7:20 p.m.

Respectfully submitted,

Joyce L. Morgan, Clerk-Treasurer

Prepared by Valerie Swift, Secretary