

Town of Edmonston
Town Council Regular Session Minutes
Wednesday April 15, 2020 7:00 P.M.

1. Call to Order:

The meeting was called to order as the Town's first virtual meeting by Mayor Gant @ 7:11pm. A role call was done of teleconference attendees: Council Members: Johnson, Bennett-White, Layne, Turberville, Town Administrator Rod Barnes, Town Clerk Averil Gray, Police Chief Demetrius Harris and Town Attorney Suellen Ferguson.

2. Pledge of Allegiance/Moment of Silence

The approval of the agenda was approved as presented.

Vote: Ayes: Johnson, Bennett-White, Layne and Turberville.
Nays: None.
Motion carried

3. Public Comment:

Donata Bryan 4811 Hamilton Street – Followed up with the Chief on concerns previously expressed on the status of Robey's Towing business lack of a U&O permit to operate in the Town. Chief Harris noted the Code Officer's status report stating Robey's towing application is in process with issues yet to be resolved with the County. Due to the pandemic, enforcement is limited but a formal letter can be done to track Robey's and other businesses progress. Mayor Gant added that electrical issues with a trailer owned by Robey's has been resolved with the County. Ms. Bryan also noted a carport structure being added to a home on Hamilton Street. The Police Department has sent a letter to the homeowner questioning the structure and is awaiting response. Chief Harris added that he appreciates receiving information on potential issues residents see and encourages the continuation of this type of communication with the Town.

Hilary Chester 4809 51st Street – thanked the Town for the resource information about the pandemic put up on social media. She is a member of the community Green Team & the Events committees and suggested a morale booster in that the Town increase the designation of yard of the Month' to perhaps a weekly/bi-monthly basis. Mr. Johnson suggests perhaps every two weeks with a gift card but can possible highlight a yard per week.

4. Old Business

- i. The final consideration of ordinance 2020-OR-02 amending the rental license requirements was presented for consideration. Mr. Barnes shared that this ordinance clarifies that if a home is rented to a non-family member, a license is required but that is not the case if

the owner lives in the home and rents to a family member. Council Member Turberville moved to approve and Council Member Johnson seconded to approve the final consideration of ordinance 2020-OR-02.

Vote: Ayes: Johnson, Bennett-White, Layne and Turberville.
Nays: None.
Motion carried

- ii. The final consideration of ordinance 2020-OR-03 creating a vacant property registration process was presented for consideration. Mr. Barnes indicated that this process was never codified in the Code making sure vacant properties are registered at a cost of \$300 annually. Council Member White asked how this is enforced. Mr. Barnes indicated the code office can obtain the record and property owner information from the County records. The owner is then notified via mail.

Council Member Turberville moved to approve and Council Member Bennett-White seconded the final consideration of ordinance 2020-OR-03.

Vote: Ayes: Johnson, Bennett-White, Layne and Turberville.
Nays: None.
Motion carried

5. Public Hearing

a. Open a Public Hearing

1. Presentation of the FY20-21 annual budget.
2. Public Comment

- ii. The introduction of Ordinance 2020-OR-04 presenting the proposed FY20-21 annual budget was presented.

Town Administrator Rod Barnes gave an overview of the proposed FY20-21 annual budget. He indicated a Reader's Guide was created as a guide and provides information on budget terms, tax rates, valuation, department management, operational and strategic plans, staffing and organization chart and the proposed budget of \$2,444,861. A copy of this guide is on the Town website and available by paper once the Town opens again. Mr. Barnes highlighted upcoming projects noting that due to the pandemic costs for areas such as events will decrease, as will income from the rental of the Edmonston recreation center. Also, some construction projects like the 2nd phase of the Decatur may be deferred to later in the FY20-21 fiscal year as other revenues such as the receipt of taxes are delayed due to State extensions being provided. Mr. Barnes wants to avoid having to use any reserve funds which are at \$630,166. Strategic planning was stressed by Council and a grant was found to apply for that would support those efforts from the MD Department of Planning and Zoning. We will submit a proposal for

strategic planning support for FY 20-21 and in FY23 Park and Planning will update the Port Towns sector plan. Mr. Barnes indicated he left 10K in the budget for matching funds or if we go a different route using the University of Maryland. Because of the pandemic, the 3% cost of living raise included in the budget will potentially be held off until later this year. We'll keep vacant the slot for another officer and reassess later in the year. Council Member Turberville asked about the conferences and seminars budget given the situation that could develop with any shortfall in revenues lost elsewhere. She asked if the Town can consider a program to help residents in financial hardship situations. Mr. Barnes indicated this item will remain in the budget should conferences occur. Revenue areas such as Red Light cameras expected to increase but there will be decreases in Rec Center rentals, tax revenue will be slow to arrive so the Town is moving forward in a conservative manner. He mentioned that typically there are budgeted items that move from the end of one fiscal year in June to another and about \$400,000 will carryover this year. He also suggested that Council could look into creating a stimulus plan for either this or next year for possible FEMA reimbursement to help residents experiencing financial difficulties. Mayor Gant wants to see what the County will offer to municipalities help with financial relief efforts using organizations such as PGCMA, etc. to advocate for financial support.

Chief Harris presented the Police Department budget and referred to his strategic plan as a guide. The department is interested in selling of one or two vehicles. Supply requests have increased as we update equipment and add more training to invest into employees thus improving retention. He is still auditing vendors to find cost savings. Council Member Layne asked about vehicle assignments of car purchases noted in the Police Department budget and asked if budget amendments should be made now given the pandemic. Chief Harris has not made vehicle assignments but Sergeant Young and Officer Torres will most likely get them. Chief Harris noted the promotion fund will not likely happen this year and regarding the Red Light Camera, projections are made based on better monitoring so these areas should meet or surpass what is budgeted. Chief indicated that potential savings can be found as the department evaluates all of their vendor processes. Mr. Barnes will provide budget amendments for the current year at the next meeting. He suggested July or August as a time frame to propose an amendment for next years' budget.

Council Member Bennett-White questioned the salary and title of the new hired police officer and are we able to hire another officer as a result. Chief Harris met with Captain Sullivan and Sergeant

Young on ways the Department plans to achieve its goals and coupled with this officer's previous experience and expertise determined the rank and salary. As he is an asset to Edmonston his salary was warranted and comes with definite strategic goals he's expected to accomplish. Mr. Barnes provided that the salary is in the current budget and his salary will be in the next year. Chief Harris chose to reallocate some of these funds. With the pandemic, Chief Harris is holding off on hiring this fiscal year but there is still funding to do so if we were to hire.

Council Member Layne asked if there can be more collaboration in the hiring and the title which is given to new hires in the Police Department. Council Member Johnson expressed concern as well. Chief Harris wants to ensure continuity and transparency and noted his hiring to oversee a once understaffed department but there is a need for some latitude in meeting goals and expectations as set forth in strategic plans. He further stated that a budget that Council agrees to through continued open communication forecasting can measure status and projections as we go forward. Council Member Turberville noted the Captain is nearing retirement and the position of Lieutenant might prove beneficial in building the leadership within the Department. Mayor Gant thanked all for input on the Police Department and noted in the past not always being privy to exact salary and rank but we are becoming more transparent and support the Council questions and answers by the Chief of this process.

Mr. Barnes noted the landlord of the parking lot lease on 46th Avenue didn't agree to lowering costs or short term arrangement so that \$45K figure is being removed from the budget. Using the constant yield rate, the property tax has decreased slightly this year from .5748 to .5489 using the constant yield rate. Mayor Gant expects amendments based on the pandemic and thanks .

Council Member Bennett-White suggested an increase of \$100 per Council salary and based on similar Town budget and size as Edmonston and wants to know the consensus. Council Member Layne and Johnson agreed with the suggested increase. Council Member Turberville noted a concern reference an increase at this time and its adverse effects on revenue to the budget. Mr. Barnes noted this would be a change in the Charter and wouldn't go into effect four to six months. Attorney Ferguson noted it could not change until the next term after election. The Mayor asked for a motion to increase the stipend by \$100 a month for an annual increase from \$2,400 to \$3,600 for the Council and \$4,800 for the Mayor. Council Member Bennett-White moved to approve an

increase to the Mayor and Council salary of \$100 per month and Council Member Johnson seconded.

Vote: Ayes: Johnson, Bennett-White, Layne
Nays: Turberville
Motion carried

Council Member Turberville wanted to be certain that the budget reflects all supplies needed to ensure staff safety during the pandemic. Both Chief Harris and Mr. Barnes are securing items this fiscal year that should be long-lasting with the current projections. We are also looking at vendors for available supplies and welcome recommendations on suggested items or where to purchase. Mayor thanked the partnering with other Towns on the food distribution efforts. Council Member Bennett-White asked about insurance and life coverage for a particular police officer. Mr. Barnes indicated insurance covers 100% for the employee and 65% for family and coverage is decided upon and budgeted according to the employee choice. Mayor added that salary and benefit package had been enhanced to retain employees and the Chief agreed and noted using these packages as a recruitment strategy.

Mayor Gant opened the public hearing to public comment. Resident Donata Bryan asked for clarification on the estimated revenue for Red Light Camera, HUR, the Rec Center, carryover funds, grant assistance by outside contractors, salaries, printing costs, the street improvement projects and gas costs in the Police Department budget. Mr. Barnes indicated the red light camera projections based on what we received this year and is a safe assessment of expected revenues. The state raised our HUR and combined grant dollars for street repair projects into the amount provided each year from the State of Maryland. The Recreation Center is a projection based on trends from past years. Mr. Barnes indicated that reserve funds have increased from \$60K when he began working here in 2014 to currently \$630K in reserves and at least \$400K to \$500K cash carry each year. He also noted that he and Chief Harris write and manage grants and outside help is used mostly for administrative support. Regarding salaries, it was noted that they change as staff move within departments and printing for newsletter and advertising is projected for an increase but given fewer activities this area will actually decrease. Phase 2 of the Decatur Street project is at \$78K and is not supported by a grant but by HUR funds but is being postponed until we are sure of funding to move forward. The fuel amount is based on historical record and there is a lag in the billing process thus a reduction in actual cost. Comments from the chat areas were provided by Council Turberville. Resident Marc and Beth Sydnor commented that they oppose a raise for Council but support a raise for the Mayor. Resident Hilary Chester indicated a raise at this time is a bad idea due to job loss and the financial

hardships some residents face. Council Member Layne noted the opposition of salary increase for Council should apply to staff as well to which Council Member Bennett-White agrees and added that the amount of Council involvement in the community should merit the raise. Mayor Gant noted she spends vast amount of time while taking on personal expense while serving as an elected official. She added that the supplement income received for voluntary service can't be compared to the work someone does for their livelihood and feels other cost saving measures can be investigated. Mayor Gant however, understands Council request for an increase. Resident Marc Synder noted there it's a difference between employees and elected officials who choose to serve their communities and the employees that choose their job as a profession. Resident Betsy McCauley opposes an increase to Mayor or Council as it is an honor to serve and believe raises should not be taken from employees as it is their job. Council Member Layne pointed to years past when the Town experienced financial difficulties so freezes on raises to both Council and staff and Council have occurred before. Council Member Turberville noted that not providing a cost of living increase is a nominal amount compared to the overall budget and could appear to penalize staff leading to retention issues. She added that the Council can decide on a raise for themselves but cutting raises for staff who are coming to work through this pandemic not be considered at this time. Betsy McCauley thanked the Mayor and Council Member Turberville for supporting the employees. Council Member Layne stands by suggestion that if there are no salaries increase to Council there should not be an increase for staff.

Council Member Layne moved to approve and Council Member Johnson seconded the introduction of ordinance 2020-OR-04 approving the FY20-21 annual budget with the change of including funds for salary increases for the Mayor and County..

Vote: Ayes: Johnson, Bennett-White, Layne and Turberville.
Nays: None.
Motion carried

6. New Business

i. The consideration of approval of the following minutes:

1. Work Session minutes from the March 3 council meeting.

Council Member Johnson moved to approve and Council Member Bennett-White seconded to approve March 3 (Budget Review) Work Session minutes.

Vote: Ayes: Johnson, Bennett-White, Layne and Turberville.
Nays: None.
Motion carried

2. Closed Session minutes from the March 11 council meeting. Mr. Johnson questioned the presence of Sergeant Young in that session. Mayor Gant didn't recall his presence but if so it was in error and unintentional and takes responsibility for this occurrence. Going forward Mayor Gant urges Council to bring any irregularities at that time it occurs to avoid this type of situation. Chief Harris and Attorney Ferguson did not recall Sergeant Young in the meeting however Council Member Layne did.

Council Member Johnson moved to approve and Council Member Bennett-White seconded to approve March 11, 2020 Closed Session minutes with the change of adding Sgt. Young as in attendance.

Vote: Ayes: Johnson, Bennett-White, Layne and Turberville.

Nays: None.

Motion carried

3. Regular Council Meeting minutes from March 11, 2020 council meeting and the Regular Council Meeting minutes from March 25 teleconference update on the COVID-19 virus were presented for consideration. Council Member Johnson moved to approve and Council Member Bennett-White seconded to approve the March 11, 2020 Regular Council Meeting minutes and minutes from the March 25 teleconference update on the COVID-19 virus.

Vote: Ayes: Johnson, Bennett-White, Layne and Turberville.

Nays: None.

Motion carried

- ii. The consideration of an emergency charter resolution moving the Town's Election due to the COVID-19 virus was presented for consideration. Mayor Gant noted the planned May 4th election needs to move to follow Governor Hogan's executive order to "shelter at home" and most importantly not to jeopardize the health of the residents in the community. She added that other communities are moving their elections as well. Attorney Ferguson noted that many jurisdictions elections were upcoming. As a result, a group of Maryland municipal lawyers met to discuss concerns raised about campaigning and holding elections and practice social distancing during the pandemic and asked the Governor to issue an executive order that allows the Town during an emergency to postpone the election by the Mayor and Council or as defined in the Town emergency plan. Furthermore, it allows Charter resolution to postpone and reschedule without public hearing to a date after the Governor lifts his executive order. A copy of the Town resolution would need to be sent to the Governor's office. Council Member Turberville asks that language in the resolution explicitly state a vote by Council and the Mayor be added. Council Member Bennett-White asked if the Town has an emergency plan and what is done

for the future. Mayor asked Chief Harris if one was in place for the Police Department and so that special orders are in place operationally and a plan for the Town is in development. Mayor stressed the importance of an emergency plan thanking Chief Harris for his work on creating such a plan. Attorney Ferguson noted the resolution covers the current and future situations.

Council Member Turberville moved to approve the consideration of an emergency charter resolution to change the date due to the COVID-19 virus and Council Member Layne seconded.

Vote: Ayes: Johnson, Bennett-White, Layne and Turberville.

Nays: None.

Motion carried

Mr. Barnes noted an additional resolution needs approval with the Charter resolution that provides for the election actual date change. Mayor Gant explained the first vote was for the emergency resolution and the second vote is for the resolution to change the election date.

Council Member Bennett-White moved the resolution to change the date for the election be approve and Council Member Johnson seconded.

Vote: Ayes: Johnson, Bennett-White, Layne and Turberville.

Nays: None.

Motion carried

- iii. A discussion about drafting a Town Council policy for the Town's Facebook pages was conducted. Council Member Layne is concerned that a resident posted pictures on Facebook through "linking" with the Town seems to endorse that person's business. Mayor Gant's understanding of social media is that one is linked by "friending" another but doesn't indicate endorsement. Mr. Barnes noted there is no Town policy on social media usage but there is policy for personnel usage guidelines. The discussion is to be certain any censure attempts of social media don't violate resident's freedom of speech. Council Member Turberville suggests that a setting change to the Town's Facebook page so that we only display material that the Town is aware of and accepts to which Council Member Layne agrees with.

7. Police Chief Report (Police and Code Enforcement)

Chief Harris reported that a food drive was a huge success and received a donation from a community business. It was an impactful event and appreciated by residents. The Chief wants to focus on the Hispanic community providing resources and welcomes the communication with Mayor and Council on ways to meet this goal. The Police Department continues to deal with code issues through engagement, empowerment and enforcement and has seen a rise in violations. Chief also wants

Council to be mindful of the exposure the Department faces doing their job and thanks his staffs' dedicated service. The re-branding launch is underway with a new badge and car decal visibly highlighting change coupled with internal departmental changes. Council Member Layne noted some resident's reluctance to accept help but encourages Council to continue to check on the needs of their neighbors. Council Member Turberville asked what resources might be useful and suggested making sidewalk travel one way on Decatur using signs as a gentle guide. Mayor Gant is hesitant to enact that type of control as it might cause more undue stress and mask use is now required. Chief Harris noted obtaining PPE is challenging but has received help from neighboring communities. Council Member Bennett-White wants us also to be mindful of other essential workers like sanitation, postal, grocery store employees and thanks the Chief for his accessibility when she has questions. Chief Harris suggested a letter writing campaign thanking essential workers. Council Member Turberville noted property stolen from a car and a rock thrown through a window on her street. Chief Harris noted call volume has increased here and, in the County, throughout but so has his request for neighborhood patrolling in hope that this visibility serves as a prevention measure.

Mayor Gant again thanked the Council and Chief for their input adding that she and Mr. Barnes have been working with Bladensburg to take part in the "Grab & Go" food distribution campaign starting this Friday throughout the month and perhaps through May. Edmonston can expect a portion of the thousand boxes of food Bladensburg receives to share with residents. She noted that during the time when she and her husband were battling coronavirus having food available was vital even though she wasn't able to cook so the Town providing that resource is very important. She urges Council to spread the word of the distribution and reminds all that we are all in this together. The Mayor mentioned the Census count is still ongoing and the Town has a 47% response rate. She thanked Council, staff, Attorney Ferguson for input in the meeting and asked for a motion to adjourn.

8. Council Dialogue – there was none

9. There was no closed session. Closed Session - to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals and/or to consult with counsel to obtain legal advice on a legal matter.

10. Adjournment

A motion to adjourn the meeting was made at 10:10 pm by Council Member Johnson and Council Member Turberville seconded.

Vote: Ayes: Johnson, Turberville, Layne and Bennett-White

Nays: None

Motion carried and the meeting adjourned.

Tracy R. Gant, Mayor

Averi Gray, Town Clerk