

Town of Edmonston
Town Council Regular Session Minutes
Wednesday May 13, 2020 7:00 P.M.

1. Call to Order:

Our second virtual meeting was called to order by Mayor Gant @ 7:07pm. A role call was done of teleconference attendees: Council Members: Johnson, Bennett-White, Layne, Turberville, Town Administrator Rod Barnes, Town Clerk Averi Gray Police Chief Demetrius Harris and Town Attorney Suellen Ferguson.

2. Pledge of Allegiance/Moment of Silence

3. The approval of the agenda was approved as presented.

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

Nays: None.

Motion carried

4 Public Comment – There was none

5. Old Business

- i. The final consideration of ordinance 2020-OR-04 adopting the FY20-21 annual budget.

Mayor Gant asked Council for comments concerning the proposed budget.

Mr. Barnes indicated that the property tax levy decreased to 0.5489 from the current year of 0.5748. And we have a reserve of approximately \$635,000 going into this budget with a carryover to begin the year with approximately \$550,000 and we need \$114,844 to balance the budget. He anticipates to stay fairly constant the rest of this fiscal year, and then potentially going down some next year as we deal with the COVID response to areas such as income tax payments, and property tax in the fall. The Town is approaching FY20-21 cautiously and any large expenditures are being carefully considered and in some cases delayed until its determined what impact the pandemic it will actually have. As of now the only loss of revenue is the rental of the rec center for March and April. Council Members Turberville asked for further clarification on the amount from this fiscal year that we're not going to spend, that we'll then carry over to next year and if the \$600,000 in reserves was additional dollars. Mr. Barnes indicated that the carryover number varies each year based on what we don't spend. June 30th, 2014 the total amount of Town reserves was \$202,000. As of April 30th, 2020 there's \$1.2 Million total of carryover and reserves. So there's continual growth including the investment account where the Town's rainy-day fund resides and our operating cash balance lasting several months. As property tax starts arriving in October and other revenues arrive at various times, it ensures that a sufficient amount of money is carried over to cover those expenses.

Council Member Layne asked if we're spending less and have over \$500,000 to carryover; why not move forward with completing projects such as Decatur Street. Mr. Barnes indicated phase 2 of Decatur Street is budgeted for FY20-21, but as proposed at the last regular council meeting it's being put it off until later in the year to see where we are with our revenues as we go into the year.

Council Member Layne asked for more clarification and suggested meeting one-on-one with Mr. Barnes to further discuss the factors behind the amount of increase in the Towns' carryover funds to which Mr. Barnes agreed to arrange.

Council Member Bennett-White asked if cancelled events such as the MML conference in Ocean City get taken that into consideration for the budget. Mr. Barnes responded it's left in as the budgeted amount that end ups as savings for the year the event occurs. In our seminars account this budget year, we have almost \$10,000 underneath what we had budgeted this year.

Mayor Gant asked for any other questions or comments. Council Member Layne expressed concern about the need to purchase the two vehicles for the Police Department at this time but perhaps one for this actual year. Mayor Gant asked the Chief to reply. Chief Harris indicated that his proposed budget requested two vehicles. In review of the capital expenditures the leases on certain vehicles expire this year and therefore pay off. His concern is that the current fleet, some of which have over 100,000 miles will become maintenance issues. For example, the Charger would cost about

\$5,000 and the Crown Victoria about \$6,000 to fix. His tactic is to better manage our fleet and put the department in a better position in the long run. He asked if the only lease that we currently have is his truck. Mr. Barnes confirmed the expiration of the police vehicle leases and shared that in August a final payment will be made on 2017 vehicle and in May 2021 a final payment will be made on another vehicle. So, essentially the Chief's car after May of 2021 will be the only car we'll have on a lease. Mayor Gant asked Chief to explain the process that he wanted to take with the two vehicles. Chief Harris proposed the purchase of two vehicles in the fiscal year but wants to get one vehicle sooner and another later sometime after the beginning of 2021. Going into next year he will determine the condition of a couple of cars based on the current mileages, some to be 120,000, and expected maintenance before making a second purchase. Mayor Gant thanked Mr. Barnes and asked Council Member Layne for any further questions.

Council Member Bennett-White asked what the average lifespan of police vehicles is and which of our cars have reached that threshold. Chief Harris shared that DOJ recommends we replace the cars between 85,000 and 90,000 miles. So generally, if we take care of the maintenance like we are supposed to, we maybe can stretch it a little bit longer. With better monitoring of our mileage, usage and maintenance I incorporated into my business plan going forward a two year plan to purchase a car and make sure our fleet stays in a position it needs to be in order for us to continue to serve. He indicated that three of the cars have an excess of 90,000 miles. Mayor Gant thanked Chief Harris.

Mayor Gant re-addressed Council Member Layne's question about completing the Decatur work sooner based on the carry over projection. Council Member Layne said it was just query because at the last meeting we were going to postpone some of that work. The changing weather conditions are worsening the problems on Decatur. We have started Phase 1 of it and discussed about delaying any further work for the next budget or for 2021 and it shouldn't put off as it impacts everyone in this town. Mr. Barnes shared just recently a major pothole was fixed on Decatur so there is no urgency to repair that spot. The area by La Fondita and beyond that isn't in the worst of shape which is why we're thinking of delaying it to later in the year until we see how the pandemic is going to affect the budget.

Council Member Turberville wanted to add something to the conversation about the carryover and that is we could discover a number of our businesses and/or residents are financially struggling with an inability to pay property tax and personal property tax that funds the town. For example the Go Karts, we usually anticipated \$10,000 revenue from amusement tax from them. We might want to be thinking about how we can provide some sort of abatement or rebate or something like this. We can't expect the same kind of revenue from these places that have not themselves been taking in the revenue that they ordinarily would. So, I just want us to be thinking about maybe that carryover could potentially help support some of that if such a need arises. Mayor Gant agreed and suggested in December we could review our budget and see where we are. In the meantime, the county and/or the state might provide more resources for our small businesses. If we're in a good place at the end of the year we can go ahead and get another vehicle or assist businesses somehow. But also hope and pray that the government will be able to help. Council Member Turberville is not too optimistic that we can rely on help from the federal government considering what has happened with the payroll protection. So, her concern is with small businesses getting support and remaining in Edmonston. Mayor Gant concurs that we want our businesses to thrive throughout all of this and asked if there anything else pertaining to our budget before we vote on it.

Council Member White wanted to know if we are letting small businesses know of the help that they can get or apply for. Mr. Barnes indicated our use of social media, the newsletter, the website, constant contact and Facebook provide information of what's available in the County and/or state or federal. He noted many of our small businesses remained open, particularly the car repair and body shops over in the industrial park. Ones like CrossFit, Table Manners and the flower shop that provide entertainment or hotel meeting-type events are closed. Even M&K Catering is open as they provide lunches through their non-profit for senior living facilities.

Council Member Turberville asked if we could provide Council with what the county is doing or what the state is doing with respect to local businesses or even other municipalities on potential programs that can provide assistance. This information would help council and the Mayor to understand that so we can make an educated decision about what we maybe need to be planning for with respect to our revenues as well as potentially some relief for both individuals and businesses in the town. Mr. Barnes will pull together resource information on what the county is doing for small businesses and also what the state is doing. Mayor Gant added that we are providing the information that we receive to our residents and businesses as much as we can. But I understand that we should have that same information to be maybe explaining it to a business and just be aware ourselves.

Mayor Gant asks for a motion for the final consideration of ordinance 2020-OR-04 adopting the FY20-21 annual budget.

Council Member Bennett-White moved to approve and Council Member Johnson seconded to approve the final consideration of ordinance 2020-OR-04. Adopting the FY20-21 budget.

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

Nays: Layne.

Motion carried

Mayor Gant wanted clarification on Council Member Layne's vote of "any" even if the Council is going to review in December before a second car is purchased as the budget needs to be voted on and approved to move forward. Council Member Layne indicated her vote remains "nay" unless the Town is going to hold off on certain expenditures including the purchase of the two vehicles is decreased to one.

Council Member Turberville asks if it's too late to make an amendment to the budget saying that no purchase of a second vehicle can go forward until that review takes place in December. Mayor Gant indicated that can be done but adds that we've already made the motion and you can do a new motion for another vote. Attorney Ferguson added that the Council can always direct staff to bring something back to you at a certain time before any second purchases are made. Chief Harris reminded everyone that if the council decides to approve the budget, there are actuals that are reviewed, and forecasts are made before a major car purchase. If the revenues or something else changes, we'll make adjustments to the budget and present it back to the Mayor and Council. So, in this process I would expect the council and the Mayor to have confidence in the department heads that they put in place in order to properly, fiscally manage the budget. Council Member Turberville asked that specifically a purchase of a second vehicle not be made until we have this review in December. Chief Harris does not have a problem with the Council at any point reviewing the budget. His argument is that the Council should have confidence in the department heads' ability to manage as they are required to do. We know that we necessarily need to wait and see what the pandemic really looks like in December or going into the year 2021 and he feels that are something that the department heads should always be managing and be reporting back to Mayor and council. Mayor Gant concurs with the Chief but adds to see where we are. And because there is some question or caution about making the purchase of the second vehicle, let's just look at it. Council agreed and indicated full confidence in Chief Harris management of his department budget. Attorney Ferguson just wanted that a budget is a budget; it just puts money aside for something. But you generally are approving contracts anyway. Even though you've already approved the money for those things then when it comes time to buy that thing, you all know to approve it. So you're going to be seeing this again in any event.

Mayor Gant thanked everyone for their input and moved to the next item on the agenda. The consideration of approval of minutes, regular council meeting minutes from April 15.

- ii. The consideration of approval of the minutes from the regular council meeting on April 15, 2020 were presented for consideration. Council Member Turberville moved and Council Member Johnson seconded to approve minutes from the April 15, 2020 council meeting.

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

Nays: None.

Motion carried.

- iii. The introduction of ordinance 2020-OR-05 amending the FY19-20 annual budget was presented for consideration. Mr. Barnes shared the adjusted line items as needed based on the result of occurrences that have happened during the year. The approved budget was \$2,084,834, and the amended budget would take it down to \$1,845,597. Many of the line items were adjusted overall in all the departments. Council Member Bennett-White asked for clarification on the state income taxes budgeted for \$104,000 but now estimated at only \$54,000 and the medical insurance that increased to \$22,000 in General Government. She also noticed retirement decreased and auto liability and property insurance went down significantly and asked about contributions. Administrator Barnes indicated the governor extended the filing deadline for income taxes from April 15 to July so our larger payments which usually come in April and May and June won't occur until the new fiscal year. We budget for single coverage for employees, but they have the option for the increased cost of family coverage. That situation occurred in the General Government. The state retirement is good news. The amount budgeted is our administrative fee that we get assessed once a year and that's for our share on the pension program based on when we joined the pension program. So we budget for about five percent of the salary dollars but when the actual bill came in, it was significantly less. LGIT is our auto/property insurer and offers good discounts, so when we're able

to show we've done all of the survey items that they send out each year, we get that extra discount, resulting in less premiums. In the contributions account we have extra dollars budgeted in case you needed to participate in something or wanted to give funds to an agency that requested assistance. Mayor Gant asked for motion to accept the introduction of ordinance 2020-OR-05 amending the 2019-20 budget.

Council Member Turberville moved to approve and Council Member Bennett-White seconded to introduce Ordinance 2020-OR-05 amending the 2019-2020.

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

Nays: None.

Motion carried.

- iv. The consideration of a Cooperation Agreement with Prince George's County on behalf of the Prince George's County Department of Housing and Community Development for the County to requalify its entitlement status as an urban county eligible to receive funding from the U. S. Department of Housing and Urban Development to administer its Community Development Block Grant, HOME Investment Partnerships and Emergency Solutions Grants was presented for consideration. Mr. Barnes indicated that the agreement is required every 3 years for us to participate in applying for community development block grant funds or any of the other federal grants indicated in the agreement through the county. The agreement simply gives the Town the opportunity to participate in their programs but does not provide any guaranteed funding.

Council Member White asked if our beatification grant is through the Department of Housing. Mr. Barnes indicated that it is not. This is our community development block grant, the grants that we have gotten for this are projects like the Crittenden street lighting program and the summer camp. In addition, we applied for sidewalks on the East side of the river. Council Member Layne asked if this is a federal grant and does it include the rain gardens. Mr. Barnes indicated that there are no grant funds involved, rather an agreement to allow the Town to seek federal funds through the Community Development Block Grant, HOME Investment Partnership and Emergency Solutions Grants that funnels through Prince George's County via an annual competition. The rain gardens are not part of this program, they are funded through the Chesapeake Bay Trust. Council Member Johnson asked when they are going to put in a sidewalk. Mr. Barnes indicated that the sidewalk grant we applied for was to put a sidewalk on one side of each street on this side of the river. This would include 51st, Emerson, 51st place, 52nd Avenue and 52nd place. The reason that we can only apply on this side is one of the national objectives of Community Development Block Grants is that it has to benefit 51% low to moderate income population, and the census track on our side of the Decatur street bridge is an automatic over 51% to meet that qualification. We have not got awarded the grant as it is going through the budget processes with Prince George's County. We have a grant with the Safe Routes to Schools for the construction of sidewalks on 52nd down to Crittenden, and then all the way down Crittenden on one side. The State Highway have reviewed the 60% design plans. Next is to submit the 90% and then it will go out for bid this fall.

Council Member Layne asked if this is all one grant for the camp and lighting work on Crittenden. It's her understanding past it's always been separate. What has changed? Mr. Barnes shared that the Community Development Block Grant is a separate grant that is approved through the council. The grants are separate. There is no lumping of any grants, the source of funding is the federal Community Development Block Grant program that this agreement allows us to submit applications for each grant when they call for them. The agreement does not provide any grant funds.

Council Member Turberville stated that this is not us applying for grants at all, this is just we want to be eligible to apply for grants. And so we have to make this agreement and certification because it could be different sort of projects that we want to fund in the future. But we have no shot of getting grant money for any of it if we are not part of this agreement that makes us eligible for community block grants. Mr. Barnes indicated that is correct. The way it works is that Prince George's County gets a pool of Community Development Block Grant federal money each year. They send out in the fall the guidelines on what grants they'll accept for that. Communities within Prince George's County apply, are evaluated, and awarded the grant if selected. Last year we put in for that particular sidewalk project that I described and the camp grant. The preliminary information I have from the county is that the sidewalk grant will get approved, but the camp grant will not. So next year we might not apply for anything. But without this agreement in place we can't apply for anything. The grants that we've already gotten – the camp, the street lighting, the sidewalk that we're going to get this year – is covered under the cooperation agreement we did three years ago. This is the future; this is not anything to do with current.

Mayor Gant added that all of those are under the umbrella of the CDBG grant. The Mayor indicated if there were no further questions, she would accept a motion to approve the agreement.

Council Member Bennett-White moved to approve and Council Member Turberville seconded to approve the consideration of a Cooperation Agreement with Prince George's County on behalf of the Prince George's County Department of Housing and Community Development for the County to requalify its entitlement status as an urban county eligible to receive funding from the U. S. Department of Housing and Urban Development to administer its Community Development Block Grant, HOME Investment Partnerships and Emergency Solutions Grants

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

Nays: None.

Motion carried.

- v. The consideration of declaring a 2009 Crown Victoria patrol cruiser as surplus and authorization to list it on govdeals.com for sale. Mayor Gant declared a 2009 Crown Vic patrol cruiser as surplus and authorization to list it on Govdeals dot com. for sale. Chief Harris indicated the Mayor was correct. The costs for repairs on the Crown Victoria is just extremely too high and he indicated the Town is looking at comparisons to other municipals who recently have sold theirs. So, we're asking that we declare that vehicle surplus so that we can put it on govdeals.com and sell it. Council Member Layne expressed concerns that the logo and the whole look of the vehicles for the police department, never came before Council and she was questioned by residents on the change. Mayor Gant asked before Chief answered that Council Member Layne weigh in on deciding on the Crown Vic that is surplus and putting it on govdeals.com, then address her other concern. Council Member Layne expressed she agreed with sell surplus vehicles. Council Member Johnson moved and Council Member Layne seconded to approve the final consideration of selling the 2009 Crown Vic patrol cruiser as surplus and authorization to list it on Govdeals that's G-O-V-D-E-A-L-S dot com.

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

Nays: None.

Motion carried.

Chief Harris indicated the vehicle that the color scheme that you all are seeing is a demo model and is not the final color that will be presented. He was not aware that any of the council wanted to be involved in that and if he knew, he would have presented it. Going forward when the final design comes out, it will still have the essence of Edmonston still on the vehicles and everyone will be pleased. If the Council saw the vehicle and it said Edmonston on it if that was a concern you should contact him like Council Member Layne brought to my attention.

Mayor Gant added that Chief Harris is in process of a change. He does not have anything that says that it must come before the council, but he plans do to so before the final result. We have a brand-new Chief who is making changes, and he is making sure that he follows the code as closely as he possibly can, regulations as he possibly can. Changing the color of the vehicles is something that we'd all like to be in on, I know it, because I definitely want to be in on that as well. We want people to identify Edmonston, that is for sure. But also we have to allow our department heads to go ahead and make decisions and bring them past us appropriately. So I say please give him a little leeway in working this process out, and he'll come before us with the final result.

Council Member White asked about the change in the logo. Chief Harris said the scheme was old and dated. But what put it on the forefront of my mind was when we were approached by some of the Hispanic community at the bus stop up the street. Somebody was scared to talk to us for fear they were border patrol, because of the green. I kind of explained to them about the town and this is our colors, and therefore we were coming out to the bus stop at that time. So that is what put it on the forefront to say "alright, we want to keep the essence of what Edmonston is but maybe we need to upgrade our infrastructure a little bit because we want to separate ourselves as we have done in the past.

Council Member Turberville added that **from** past conversations with Chief Walker, she indicated he said that one of the problems that he hadn't gotten around to addressing was the fact that people thought our police looked like border patrol because of the cars green and yellow scheme. Council Member Johnson added that color scheme on those cars have been there forever so it should not be a big deal. The cars are identified as Edmonston but if the Hispanic community feels threatened, changing it should be considered. Council Member White added communicating is the key issue but anything that affects the town and the people of the town, as the Mayor said should be discussed with the Council.

Chief Harris agreed with the Mayor and Council perspective adding that we have a lot of dated stuff in the town of Edmonston. Our infrastructure needs a serious look at upgrading, particularly on our presentation. Chief indicated he wanted to upgrade our digital content in every way, shape, or form and our overall look in general. But we will make sure that – in the future – that the lines of communication are open. Mayor Gant stated that the great thing is that we have a new Chief that's on it, and that's the important thing. Now how we learn to communicate with each other, that's what we're going to have to do. We have this wonderful millennial who is going to teach us some new things and we're going to have to teach him some stuff too on. Thank you everyone for your feedback on that.

- vi. Mayor Gant indicated the next item for consideration is to set the town elections tentatively on either June 22nd or July 13th after the governor has lifted the state of emergency. We are in Phase 1 easing into things. We don't know exactly when the Governor is going to move to the next phase. We need to set the election date for either or unless someone else has another idea. June 22nd or July 13th. The reason that it is July 13th is that the Monday prior to that is a holiday. June 22nd is the last Monday in June.

Council Member Bennett-White moved to approve the election to July 13th, 2020 after the governor lifted the state of emergency and Council Member Johnson seconded.

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

Nays: None.

Motion carried

7. Police Chief Report (Police and Code Enforcement)

Chief Harris indicated the last 30 days have been very busy. They started a hot meals program teaming up with World Kitchen, and had gotten meals Mondays, Wednesdays, Fridays and sometimes on Saturdays. They have served over 285 hot meals since the Town has teamed up with World Kitchen. The Chief reported that the Town received a grant of \$5,000 for our body camera upgrades from LGIT. As it pertains to our code enforcement, Sergeant Young is handling all of our code enforcement violations as of right now. Over the last week and a half, we have seen over 40 notices being issued for different things. So, after we issue a notice, we are waiting on compliance. If the Council has any issue with code – for example any of our residents have issues with code they want us to address – please reach out to me or email me so we can get on top of it as soon as possible. We're looking at some in service training which is required by the Maryland Training Commission that is going to a more digital format. We are working with the executive director of the state to start the training process. Even with the governor's order moving into Phase 1, our county executive has not changed her posture to delay doing so. So while the governor has lifted certain things, he's given power to the county executives to keep things in place until they feel necessary. So as the Police Chief Association gets more guidance on our enforcement and what needs to happen on things that need to open, I'll be working with certainly Suellen and the Council to stay informed.

Mayor Gant asked if there are any questions for our Chief. Council Member White asked is there any follow up with Robey's since from our last council meeting. Robey's permit has been submitted and they passed two of the required inspections from the county. He submitted the request recently and is waiting on response back from the county. Mayor Grant thanked the Chief and asked for Mr. Barnes report.

Mr. Barnes added that our census response rate is at 59.6% as of today. We are doing a small contest where they can get in the drawing for some groceries potentially. The Town is participating in an initiative the Mayor's in the Port Towns started with distributing commodities on Fridays. Each Friday we are serving about 203 family members with those boxes. Chief Harris and Officer Torres connected with one of our local businesses that is a Korean food distributor. They brought down a truckload of supplies one Friday, and we were able to give out rice. We had a resident that recently brought in some macaroni and cheese and we were able to distribute it. The Mayor brought in bread and peppers, and we were able to supplement that. If Council knows anyone that needs assistance or help, then we'll certainly try to get them resources to be able to receive some assistance. Mayor Grant thanked Mr. Barnes and opened for questions by Council.

Council Member Bennett-White asked where we are with the Edmonston collective and the impact of parking. Mr. Barnes indicated that the project is moving forward. It is delayed due to the pandemic. We are continued to work on parking solutions. You have already designated 10 spaces on Lafayette. We are trying to identify other areas that they can duel park or use.

Council Member Johnson noticed a lack of response to the census in some residents who live in his building so there needs to be a better push. Mayor Gant indicated therefore Edmonston is still pushing for residents to complete the census. We have been completed videos, placed info on our marquis, completed direct mailings with one specifically to Fountain Park and held a contest for completing the census. The April 1st deadline has been extended. So, we need to take advantage of every opportunity that we can to get people to fill out that census. Council Member Turberville suggested we reach out to CASA again to see if there might be anything that they can help to do to push folks to respond.

Council Member Bennett-White wanted to remind everybody of the upcoming June primary vote by mail. There will be fewer centers to go to and vote in person. Mr. Barnes added that there is no voting precincts at town hall or at the rec center for the June 2nd primary. They are not opening those, they are only opening a select few. And so the closest place for us would be College Park.

Council Member Johnson moved to adjourn and Council Member Bennett-White seconded at 8:55 p.m.

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

Nays: None.

Motion carried

Averi Gray, Town Clerk

Tracy R. Gant, Mayor