



**MAYOR & COUNCIL**  
**REGULAR BUSINESS MEETING MINUTES**  
May 28, 2020

*\*\*\*Meeting minutes are transcribed in a summarized format. For full discussion and further detail of the meeting you can view the streamline video at the following link: <http://townhallstreams.com/locations/rock-hall-md>. There are also available at Town Office\*\*\**

Mayor Jacobs called the meeting to order at 6:01 p.m. In attendance were Vice Mayor Andrews, Councilmember Jones, Councilmember Edwards, Councilmember Collyer, Town Manager Resele, Clerk-Treasurer Loller, and Acting Police Chief Dempsey.

**Agenda –**

Councilmember Jones motioned to approve the agenda as amended. Vice Mayor Andrews seconded the motion. All present in favor. Motion carried.

**Minutes –**

Not approved. They need revisions

**Thank You's –**

If there had been a meeting on May 14<sup>th</sup>, Mayor Jacobs wanted to recognize National Nurses Appreciation Week which was May 6<sup>th</sup>-12<sup>th</sup> which is in line with Florence Nightingales birthday. Most importantly it's the enormous sacrifices,

efforts and risk nurses are taking now with the COVID situation they are dealing with. It was also National Police Appreciation Week from May 10<sup>th</sup>-16<sup>th</sup> and the Council certainly have Police on staff to be appreciative of.

### **Special Commentary – COVID-19**

Kent County has 165 positive cases and with expanded testing those numbers will continue to climb as it is an accumulative number. The 21661-zip code has 12 cases tested positive. The 21620-zip code has 113 cases. There will be more Community cases coming in as a result of expanded testing. The testing site at Chesapeake College will be closing. The Kent County Health Department will pick up where they left off with testing with a doctor's order. They haven't opened as of yet but will be testing at their Route 291 Headquarter Offices. The target date to start testing is June 8, 2020 which will be limited to 100 kits per day.

### **Correspondence –**

There needs to be a continued focus on the Census. If you have not participated, please do so.

Think Big will be extending solicitation in Harbor Woods. They want to do door hangers and will be putting up flags so people will know who and what they are doing.

Recovery Celebration – Mark Einstein put together an event call Rock Hall Boaters Appreciation Parade. Mayor Jacobs said a lot of thought went into this and perhaps this is something the Community could put together when the time is right and be centered in the Harbor.

Residency Concerns – A resident questioned Vice Mayor Andrews residency and weather she should continue as a member of the Council as a result of her residency. There was also a PIA (Public Information Act) request submitted on the same subject. Vice Mayor Andrews took her Maryland Driver's License over to Acting Chief Dempsey and had him read her local address as 5923 North Hawthorne Avenue, Rock Hall, Maryland. Vice Mayor Andrews stated that this question had come up in the last Administration and no action was taken by the Council. They also tried to come after her though the media and this Council took no action. Vice Mayor Andrews said she would like a decision tonight, here, and

now as to how the Council feels weather she sits on the Council and finishes out her term or she leaves, it's up to the Council. Mayor Jacobs said that this complaint had not come before this Council until this email from Brian Jones. She also said that the Charter is pretty clear about residency and where you intend to be defined legal residency. Mayor Jacobs said that Vice Mayor Andrews had not changed her license to be where she resides. Mayor Jacobs also stated that just a few weeks ago, the Council took action with respect to another translation of the Charter and now the Council was considering a different stance. Vice Mayor Andrews stated the Charter allows the Council to make their own rules. Town Manager Resele said that the Charter states that anybody applying for a Council or Mayoral position must for 2 years be a resident of Rock Hall. There is nothing that says you can't move out of Town limits after you become a member of the Council. It reads that you have to have a 2-year residency before you can be elected. Mayor Jacobs said that at this point she thinks it is another flaw in the Charter that needs to be addressed. Councilmember Collyer said it's specific and we need to vote. Councilmember Jones said that since she has been on the Council, personally she thinks Vice Mayor Andrews is a valued Council person for our Town and only had a year or so left of her term. She also said it would be sad to send Vice Mayor Andrews on her way and she hopes there are not any underlying things that have come up in the past to have prompted this.

Councilmember Collyer made a motion that the Council does not pursue this any further. Councilmember Edwards seconded the motion.

Councilmember Collyer – voted yes, Councilmember Edwards – voted yes, Councilmember Jones – votes yes, Vice Mayor Andrews – abstained  
Mayor Jacobs – voted no. Majority votes yes to not pursue this matter any further.  
Motion carried.

### **Administrative Reports –**

Clerk-Treasurer Loller gave the financial report. (\*)

Acting Police Chief Dempsey gave the police report. (\*)

### **Comments from Acting Chief Dempsey –**

Acting Chief Dempsey stated that the No Dogs Allowed on the beach is a \$100.00 fine and the Police Department is respectfully requesting that the Mayor and

Council look into increasing the amount to the following: 1<sup>st</sup> offence - \$250.00 and 2<sup>nd</sup> offence - \$500.00.

Vice Mayor Andrews made a motion that the Council increase the violation for having dogs on the beach to \$250.00 for the first offence and \$500.00 for the second offence. Councilmember Collyer seconded the motion. All in favor. Motion carried.

Acting Chief Dempsey also said that Golf Carts are not a legal mode of transportation in the Town of Rock Hall. Citation is \$275.00 and points on your driver's license. He just wants to reaffirm; they are not legal.

The phone number to the Police Department is 410-639-7222 but there is not always a Police Officer there to answer it. There is a voice recording that tells you what to do.

Mayor Jacobs would like to ask the citizens that are concerned about what they are seeing at the beach to take the initiative, be patient and make a phone call to the Police Department and a Police Officer will deal with the issue.

### **Streets and Sanitation –**

Mayor Jacobs made a suggestion about removing the tape from the benches on Main Street. After a discussion it was determined that the tape should be removed.

Vice Mayor Andrews made a motion to remove the tape off the benches and to leave the signs on them. Councilmember Collyer seconded the motion. All in favor. Motion carried.

Street repairs have started with filling in sink holes, potholes and removing the grass from the edges of the streets.

The beach is open and being monitored.

The bathrooms in the Village will be open on weekends.

## **Water and Sewer Operations –**

The rain has caused excessive amounts of water to be added to the sewer plant.

On June 8<sup>th</sup> and 9<sup>th</sup> there will be a Smoke Test done on the sewer lines. The Town will be sending out notices and alerts telling people green smoke may be coming up from street locations to identify any collapsed sewer lines that need to be repaired.

New pump for PS #7 – the meter was not repairable so bought a new pump assembly for \$7,900.00.

Water Plant Phase #2 of new chemical treatment will start June 2, 2020. Will have to buy Personal Protective Equipment which will consist of a runner apron, gloves, shield, and boots.

County water meter outside of Edesville has been repaired.

GMB updates – Water Meter Upgrade Project - Have drafted RFP and IMI and sent to Maryland for review. Looks like they will be able to put out the RFP simultaneously for the equipment and contractors. The meters will be bid separately from the construction so we can get the meters and software here and the contractor will be installing accordingly to what meter we buy.

Water Treatment chemicals seem to be working very well. Will have a better feedback at the next meeting. Some of the benefits of the chemical changes will be cost savings and consistent water quality.

## **Parks and Recreation –**

Playgrounds still fenced off.

Tennis Courts are open.

Civic Center is unlocked.

**Planning and Zoning –**

Vice Mayor Andrews said the virtual meeting went well. Town Manager Resele stated that starting next week there will be a weekly review with Chris Jakubiak, Stephanie Loller, Cheryl Butler, and himself.

Cathy Jayne accepted becoming a full-time member of Planning and Zoning. Jerry Creighton has officially resigned. Still need an alternative member.

Vice Mayor Andrews had a meeting with Chris Jakubiak and DNR to go over the critical areas map because it had never been approved. They made some corrections and sent it back for approval.

The next Planning and Zoning meeting will be Wednesday, June 10, 2020.

Mayor Jacobs stated that Jim Luff asked her to provide a letter of support for a text amendment for Data Centers at the County level. Data Centers were not thought of when County level zoning was set up. There is opposition to it from folks that are concerned about the potential loss of agricultural land. There is some conversation that is indicating maybe if it contains a limit on how much acreage could be committed to Data Centers in the County there might not be so much opposition. Mayor Jacobs is in favor of it and asked if she can write the letter of support. Vice Mayor Andrews said she does not support it. Councilmember Collyer said she was not opposed to it.

Mayor Jacobs – voted yes, Vice Mayor Andrews – voted no, Councilmember Jones – voted yes, Councilmember Edwards – voted no, Councilmember Collyer – voted yes

After a consensus vote to send a letter of support to the County Commissioners it was decided to send the letter.

**Museum Board –**

Nothing to report

## **Communication Board –**

Nothing to report except for the need to update the Schedule of Events on the Webpage.

## **Transportation –**

Mayor Jacobs said there was an open topic on the budget that was to be addressed this evening. There is enough money raised in the Capital account to pay for 9.5 months of the Trolley lease but is short \$3,200.00 for the full first year. Mayor Jacobs spoke with Haven Harbour and they are authorized donate \$1,000.00 and possibly could try to get more funding. They are very interested in transportation because they are planning not to open their restaurant facility. As of now Haven Harbour, Haven Harbour South and Osprey Point have no food service so both Marinas are in the position to need transportation for their customers. Haven Harbour is in full support of transportation, Osprey Point will not support transportation because of their current financial situation. North Point Marina already donated \$2,000.00.

Rick Carter more recently has expressed an interest in supporting transportation for the Town. He wants to know what cost will be and ridership. At the end of the conversation, he had some serious interest.

The Council has a discussion. Councilmember Jones said that the money should not come from taxpayers. She also asked about the wear and tear of the vehicle and paying the driver and if this was going to be self-sufficient or is the Town going to spend money they don't have.

Councilmember Collyer does not see how this can be done this year because most events have been cancelled and they were major contributors to the ridership. She also stated that the Marina's might not have many people staying there this year. Councilmember Collyer just doesn't see how the Town can support this, this year.

Councilmember Collyer made a motion to suspend the quest to provide transportation for the Town this year. Should circumstances change, the Council has provisions by which they could do something about it. Councilmember Edwards seconded the motion. Four in favor. Mayor Jacobs was opposed to the motion. Motion carried.

## **Old Business –**

The Council has not heard anything about the 4<sup>th</sup> of July Fireworks.

## **RFQ Status –**

There are 2 engagement letters to be signed. One to MacLeod Law Group and the other to Lindsey & Associates.

Mayor Jacobs wants to table signing the engagement letter.

Vice Mayor Andrews made a motion to have Town Manager Resele sign the MacLeod Law Groups engagement letter. Councilmember Edwards seconded the motion. 4 in favor. Mayor Jacobs was opposed to the motion. Motion carried.

Vice Mayor Andrews made a motion to sign Lindsey and Associates engagement letter. Councilmember ones seconded the motion. All in favor. Motion carried.

## **Budget –**

Mayor Jacobs stated that everyone felt comfortable moving forward with the budget as drafted. One thing that Mayor Jacobs noticed in the Budget was the fact that none of the Council was getting paid. She just wanted the public to be aware of that.

## **Loans –**

Vice Mayor Andrews talked to Lindsey from Funk & Boulton which has been Bond Council for the Town and she put together a good summary and overview of what we need to look for. The Town has both taxable and tax-exempt loans on the balance sheet and we can't combine the two. There are a couple of recommendations made by Lindsey. The Council should approach both our local lender here as well as USDA. Rather than going through a full refinance, just ask them is we can amend the terms of the loans we currently have. Lindsey also recommended that we engage a financial advisor to help us if we decided to refinance. The Maryland Finance Water Quality loan that we have, we will need

to get their permission before we can refinance anything. The other thing to keep in mind is there is one thing you can't do with public debt; you can't retire debt by issuing new debt that exceeds the life of the existing debt. Today, Vice Mayor Andrews received an email from Lindsey saying the banks are offering very attractive terms for the purchase of municipal general obligation bonds. There is a lot of work to do something like this and really don't 'know what financial service firms would charge for these services.

### **Grant Updates –**

Town Manger Resele talked with Valerie Mann about new grants to work on and which one should she proceed with.

1. Bike lanes for Beach, Bayside and coming back to Main Street. This grant could include expanding the roads. Will get more information before proceeding. Council said no to proceeding.
2. USDA vehicles for municipality – lawn mower and trailer. Council gave the go ahead to proceed
3. Chesapeake Bay beach grass and snow fence. Council gave the go ahead to proceed.

### **Sewer Relief Request –**

Will discuss at Monday's, Utilities Board Meeting, June 1, 2020.

Think Big has started the Fiber Optic in Waterman's Way.

CDBG Income Survey is on hold for now. Further steps to be discussed.

### **New Business –**

New Events Sign quote is \$1,274.00 and will be added to MOU for the Cares Act Funding.

Delmarva Power LED light upgrades will be completed in 4 months at no cost to the Town.

Acting Chief Dempsey wanted to thank all of the Council, Town Manager and Clerk-Treasurer for the diligent hard work they do. All of these meetings and putting the budget together during these difficult times.

### **Outdoor Dining Guidelines –**

Mayor Jacobs discussed the current Health Department restriction limiting outdoor dining to those restaurants that had it in the past with Bill Webb. The reason the original guidelines were set, for outdoor dining was because a zoning issue was involved and would take precedence to the Health Department policy. Planning and Zoning said the Restaurants will need to do a submission to have outdoor dining and the Council would have to give Planning and Zoning permission to issue a temporary permit to the restaurant.

### **Next Meeting Dates –**

Monday, June 1, 2020 – Utilities Board Meeting and Mayor & Council Regular Workshop Meeting

Thursday, June 11, 2020 – Mayor & Council Regular Business Meeting

Mayor & Council Special Workshop Meetings - to be scheduled as needed to work on FY2020 Budget.

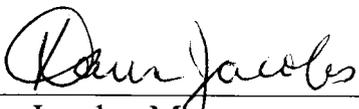
Vice Mayor Andrews made a motion to adjourn the meeting. Councilmember Collyer seconded the motion. All in favor. Meeting adjourned 8:43 p.m.

Respectfully Submitted:

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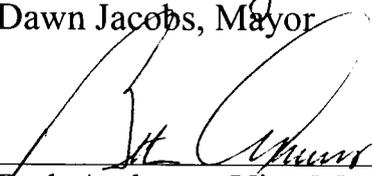
Cheryl M. Butler

Approved by:



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Dawn Jacobs, Mayor



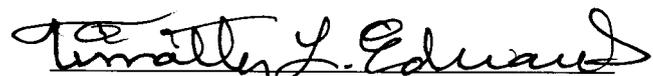
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Beth Andrews, Vice Mayor



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Carolyn Jones, Councilmember



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Timmy Edwards, Councilmember



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Eleanor Collyer, Councilmember