

MINUTES
WALKERSVILLE BURGESS & COMMISSIONERS TOWN MEETING
March 13, 2019

The Town meeting of the Walkersville Burgess & Commissioners was called to order on Wednesday, March 13, 2019, at 7:30 p.m. Those in attendance included Burgess Chad Weddle, Commissioners Michael Bailey, Michael McNiesh, Mary Ann Brodie-Ennis, Tom Gilbert, and John Zimmerman, Planning and Zoning Administrator Susan Hauver, Public Works Director Bob DePaola, Town Manager Gloria Long Rollins. Also in attendance were 20 citizens, and Ken Kellar of the Walkersville/Woodsboro Times, and TFC Michael Meyers.

The meeting was called to order with the Pledge of Allegiance and a prayer.

1. MINUTES

Commissioner Tom Gilbert made a motion, seconded by Commissioner John Zimmerman, to approve both the closed legal meeting and the Town meeting minutes of February 27, 2019, with the amendment to page 4 to "Speed bumps damage our snow plows." The motion passed by a vote of 5-0.

2. PUBLIC HEARING ON RESOLUTION 2019-01 – CHANGE THE TOWN CHARTER REGARDING MEETING OF THE COMMISSIONERS

Commissioner Michael McNiesh explained the purpose of Resolution 2019-01, to change the Town Charter to allow absent commissioners to participate, but not vote or be counted present at the meeting.

Mitchell Brannen, 56 Maple Avenue, read his letter opposing Resolution 2019-01 for the following reasons:

- Walkersville has always been a government of showing up. The resolution as written says you don't count for attendance, quorum, or voting if you don't show up. So at this point you don't represent the constituents. He referred to campaign comments made during the 2018 election season.
- He noted that commissioners have counted 13 different ways that a citizen can make comments for a town meeting but none of them include video conferencing or calling in. He recounted the different ways a citizen can contact the Town or Commissioners with concerns.
- He expressed concern that closed meetings are not addressed and there is no way to know the intentions of a phone attendee.
- He expressed concern that the resolution is not posted on the Town's official website, and that the minutes approving the resolution were just approved tonight. He noted the lack of access and information flow.

Discussion ensued between Commissioners McNiesh, Bailey, and Brodie-Ennis regarding the public comments. As a result:

Commissioner Michael Bailey made a motion, seconded by Commissioner Michael McNiesh, to amend Resolution 2019-01 to add §C3-7C to read "C. Exception: C3-7B shall not apply to Closed meetings". The motion passed by a vote of 4-1, with Commissioner John Zimmerman in opposition.

Commissioner Michael Bailey made a motion, seconded by Commissioner Mary Ann Brodie-Ennis, to table a vote on the Resolution for 30 days and post on the Town's website to allow for public comment. The motion passed by a vote of 4-1, with Commissioner John Zimmerman in opposition.

The Resolution now is amended and reads as follows:

Town of Walkersville Resolution 2019-01

A Resolution to change the Town Charter Regarding Meetings of Commissioners as follows:

Be it Resolved this 27th day of February, 2019 by the Burgess and Commissioners of Walkersville, Maryland, that

C3-2 C Each elected official may not miss more than two consecutive regular scheduled meetings unless excused by vote of the Burgess and Commissioners for health or other personal issues, and if an elected official misses more than three regular meetings within a calendar year of October 1 to September 30th,

and the absence is not excused, then that elected official would not receive compensation for the month(s) when the fourth or more unexcused absence occurs.

Charter Article III Officers (NEW)

C3-7 add letter A. before present wording to read

A. The Commissioners shall meet regularly at such times ... to any town question.

Add New Section B. to read

B. Meeting attendance shall be allowed by method of telephone or video conference call format in the event that the Burgess or a Commissioner is unavailable to attend the meeting in person.

1. The Burgess or Commissioner physically absent may join in discussion but is prohibited from casting a vote and will not be counted as present in regards to Charter 3-10, determining a quorum, and C3-2C.

C. Exception: C3-7B shall not apply to Closed meetings.

3. PROCLAMATION 2019-03 CELEBRATING THE 90TH BIRTHDAY OF MR. CHARLIE NICODEMUS

Burgess Chad Weddle offered an apology for his lie in getting Mr. Nicodemus to attend the meeting. He read a detailed and heartfelt proclamation honoring the celebration of Mr. Nicodemus' 90th birthday and wished him many more.

4. 2020 CENSUS PRESENTATION – MR. JIM HASSETT

Mr. Jim Hassett, supervisor of our region for the 2020 census, reported that the census is hiring workers to complete the tasks and follow up needed for taking the census. The hourly rate is \$21.00 with a .58 per mile reimbursement for transportation. Commissioners agreed to post the information on the Town's website and Facebook page.

5. REQUEST FOR FUNDING WALKERSVILLE LIBRARY – ROBIN BOWERS

Ms. Robin Bowers, Branch Manager of the FCPL Walkersville branch, asked Commissioners to consider a donation to the summer lunch program. The summer lunch program that was previously held in Creamery Park through the summer months was moved to the air conditioned library last year. The \$2,500 request is for food provided only.

Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner Michael McNiesh, to allocate \$2,500 for FY2019 to the Walkersville Library for food provided to the summer lunch program and to allocate this amount in budgets for years going forward. The motion passed by a vote of 5-0.

6. SHA SIGN DISCUSSION

Commissioner Michael McNiesh requests that the No Truck signs located on Sandstone Drive be relocated to Rt. 194 to prevent trucks from turning in on Sandstone Drive. He has contacted State Highway and they need an official request from the Town. No motion was made but consensus was in agreement to move the signs.

7. UPDATE ON GENERAL FUND LOAN TO WATER FUND FOR SEWER CAPACITY FEES

Commissioner Michael McNiesh suggested that the Town General Fund loan funds to the Water Fund for the increased sewer capacity fee at the lowest rate possible for the longest term possible. Commissioner Tom Gilbert suggested that the interest accrue for the first year but payments are deferred until evaluation and renewal annually. Discussion ensued regarding the terms for the Town Attorney to draft for approval.

Commissioner Michael McNiesh made a motion, seconded by Commissioner Michael Bailey, to direct the Town Attorney to draft a note structured for 30 years @2%, interest to accrue for the first year, payments deferred for the first year, to be evaluated and renewed annually, with no prepayment penalty. The motion passed by a vote of 5-0.

8. UPDATE ON RAIN GARDEN

Ms. DePaola reported that he and Ryan Knott met with the tenant at the Town rental property next door and that they are fine with the Town's installation of a rain garden and model project for citizens.

9. REPORT ON TOUR OF WALKERSVILLE

Burgess Weddle reported on the educational journey embarked on, on Saturday, March 9, 2019. Minutes documenting the route were presented. Everyone enjoyed the excursion and appreciated the staff discussions on the different Town locations.

Commissioner Michael McNiesh made a motion, seconded by Commissioner Mary Ann Brodie-Ennis, to approve the March 9, 2019 minutes documenting the Burgess and Commissioners and staff Tour of Walkersville. The motion passed by a vote of 5-0.

10. REQUEST FOR REDUCTION IN LETTER OF CREDIT – MILL RUN

Ms. Hauver reported on receipt of a request to reduce the letter of credit being held for public improvements associated with the Mill Run development by \$94,560.32. The letter of credit in the amount of \$405,506.00 is being held for the following improvements:

- Storm drains: \$0, previously reduced
- Water: \$0, previously reduced
- Roads: \$48,921.00 (surface course and sidewalks on vacant lots)
- Sediment control: \$7,495.00
- Stormwater management: \$38,144.00
- 50% Contingency: \$310,946.00

Frederick County inspectors have recommended that all the funds held for sediment control and stormwater management be released, with the exception of \$3,000 to be held until the stormwater management area is fully stabilized. The Town typically holds all contingency funds for the one year warranty period, meaning that the Town will continue to hold \$29,245 for stormwater management. Walkersville public works staff is responsible for all other inspections. The applicant has requested the following reductions for completed work:

- Roads: \$48,921
- Sediment control: \$7,495
- Stormwater management: \$38,144
- Total reduction request: \$94,560 Staff recommend that this requested reduction be approved, subject to approval by the Mr. DePaola, Town Public Works Director.

Contingency funds in the amount of \$263,665 will be held for the 1 year warranty period, which is consistent with reductions granted in the past for other projects.

Commissioner Tom Gilbert made a motion, seconded by Commissioner John Zimmerman, to reduce the letter of credit for Mill Run by \$94,560, per staff recommendation, pending inspection approval by Bob DePaola. The motion passed by a vote of 5-0.

11. ACCOUNTS PAYABLE

Commissioner Tom Gilbert made a motion, seconded by Commissioner Michael Bailey, to pay the attached bills. The motion passed by a vote of 5-0.

12. COMMISSIONERS ' CONCERNS

Commissioner Tom Gilbert expressed his concern that the pedestrian sign at the library was plowed down and noted it is still dangerous for pedestrians in the crosswalk to the library. He explored rapid beam

signs that flash when activated by a pedestrian as they enter the crosswalk. The cost of 2 signs at \$6,400 was prohibitive. He will continue to look for alternatives to address this concern.

Commissioner John Zimmerman thanked Public Works Director DePaola for conserving the Town's salt supply during a recent predicted snow event.

Commissioner Mary Ann Brodie-Ennis reported that she is scheduling a meeting with State Highway Administration to discuss the Walkersville Gateway signs, aka Welcome to Walkersville sign, locations and process.

Commissioner Brodie-Ennis would like to rename the Parks Committee to Parks and Recreation Committee. She will work with the Burgess and other commissioners to introduce the change.

Commissioner Brodie-Ennis reported that the high water sign on Crum Road behind Gladetowne needs to be replaced.

Commissioner Brodie-Ennis asked the verdict on the lighting issues in Gladetowne and Public Works Director Bob DePaola explained that the Gladetowne HOA is responsible for the lighting in that area.

Commissioner Brodie-Ennis reported that 2 (two) multi-generational swings have been installed – one in Community Park and one at Heritage Farm Park. To date they have been well used and much appreciated.

Commissioner Michael McNiesh thanked the Town employees who supported the Tour of Walkersville, i.e. Kelly Woods, Bob DePaola, Susan Hauver, and Gloria Rollins.

Commissioner McNiesh congratulated the Walkersville area Frederick County Teacher of the Year nominees who made it to the quarter finals, Mr. Zachary Little of Glade Elementary, and Ms. Shabana Sayed of Walkersville Middle School.

Commissioner McNiesh reported that in response to complaints about traffic on Sandstone Drive and the coverage of our law enforcement he has reviewed our budget for police. Our budget for \$ 969,260 for Police is offset by our reimbursement from Frederick County Tax Equity in the amount of \$ 543,488 and a Police Protection grant from the GOCCP in the amount of \$ 39,740. The net cost for Police of \$ 386,032, along with our current property tax rate of .16 per \$100 of assessed value, is a great bang for our buck. Comparison of tax rates in towns with their own police force is Thurmont at .2849 and Brunswick at .43.

Commissioner Michael Bailey thanked Kelly Woods and the Parks Committee for the installation of the new multi-generational swing. He's tried it out with his daughter and it's great.

Commissioner Bailey reported that 3 sugar maples at Community Park have been tapped, resulting in 15 gallons of sap to be made into syrup. There will be 2 demonstrations of the syrup making coming up on March 16th and 23rd from 1:00-3:00 p.m. The Town will promote the events on the website and Facebook.

Commissioner Michael Bailey reported that although it is legal for trucks delivering fuel to Rutters to utilize Sandstone Drive, he will be writing a letter requesting Rutters to direct their drivers to use the light on Rt. 194 to turn into Rutters for their deliveries. *Commissioner Michael Bailey made a motion, seconded by Commissioner Michael McNiesh, to write the letter requesting fuel deliveries to Rutters enter via the traffic light on Rt. 194. The motion passed by a vote of 3-1-1, with Commissioner John Zimmerman in opposition and Commissioner Mary Ann Brodie-Ennis abstaining.*

Commissioner Bailey reported that Frederick County's APFO includes a traffic component, while the Town of Walkersville APFO addresses school capacity and water resources. He would like our Planning Commission to amend our APFO to take traffic issues into consideration.

Commissioner Bailey, in the pursuit of environmentalism and sustainability, would like our Planning Commission to draft an amendment to our Town Code to allow for solar panels to be installed in the Industrial Zone.

Commissioner Mary Ann Brodie-Ennis reported that the Parks Committee has approved a GaGa Ball court/pit to be installed at Community Park as an Eagle Scout project. The Scout will work with Commissioner Brodie-Ennis and staff Kelly Woods to arrive at an appropriate location for the court.

Ms. Rollins announced that the wildflower seed packets have arrived and the Town will be handing them out to interested citizens in celebration of Earth Day, April 22nd. We will hand them out until we run out.

Burgess Weddle reported that the Town has space in the Walkersville/Woodsboro Times to utilize so if anyone has information to share via the publication, to let him know.

Ms. Hauver reported that the Rock Creek School plans have been submitted with significant changes to the original proposals. Planning Commission will be reviewing the plans at the March 26th Planning Commission meeting. She will meet with the design team prior to the meeting, to express her concerns regarding the plans.

Mr. DePaola reported that the pre-bid meeting was held for the Glade Village water line project. He also reported that the curb and gutter at the Spring View Estates is in process and they are planning to break ground on the first house.

13. CITIZENS' QUESTIONS AND CONCERNS

Ron Layman, 24 W. Frederick Street, requested funds from the commissioners to pay for stone loads to make the roads at the watershed. He said it would require around 10 loads and would not know the amount or cost per load until it was done. Commissioners declined to allocate funds since there was little information to base it on. Mr. Layman also reported that a forester has been working on updating our tree cutting plan, and although there will not be much money made, it needs to be done to thin out the growth.

Burgess Weddle reviewed the upcoming announcements:

- Tues., March 26, 7:30 – Planning Meeting
- Wed., March 27, 7:30 – Town Meeting
- Tues., April 2, 7:30 – Board of Appeals (if needed)
- Wed., April 3, 7:30 – Parks Meeting
- Tues., April 9, 7:30 – Planning Workshop
- Weds., April 10, 7:30 – Town Meeting
- Friday, April 19 – Good Friday – OFFICE CLOSED
- Tues., April 23, 7:30 – Planning Meeting
- Weds., April 24, 7:30 – Town Meeting
- Sat., May 18 – Walkersville Day
- Sat., June 8 – Bulk Trash, All-Shred, Litter Pick Up, Drug Take Back Day

Charlie Nicodemus, 27 Fulton Avenue, expressed his policy of always promoting Walkersville and how blessed the Town is with our water system. He thanked the Town officials for help with his historical research and noted that the Town has had electricity since May 1915!

The next meeting is Wednesday, March 27th, 2019 at 7:30 p.m.

Meeting adjourned at 9:05 p.m.

Respectfully submitted,

Gloria Long Rollins
Town Manager