

MINUTES
WALKERSVILLE BURGESS & COMMISSIONERS TOWN MEETING
June 26, 2019

The Town meeting of the Walkersville Burgess & Commissioners was called to order on Wednesday, June 26, 2019, at 7:30 p.m. Those in attendance included Burgess Chad Weddle, Commissioners Mary Ann Brodie-Ennis, Tom Gilbert, Michael McNiesh, and John Zimmerman, Planning and Zoning Administrator Susan Hauver, Town Manager Gloria Long Rollins, Cpl. Gary Conkling, and 8 citizens. Commissioner Michael Bailey was on speaker phone for the meeting as he was away for his employment.

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

1. MINUTES

Commissioner Michael McNiesh made a motion, seconded by Commissioner Tom Gilbert, to approve both the Town meeting minutes and the Closed Legal meeting minutes of June 12, 2019. The motion passed by a vote of 4-0.

Burgess Chad Weddle read a statement on the closed meeting, in compliance with the Open Meetings Act. Commissioners met in closed session Wednesday, June 12, 2019 at 8:55 p.m. Those in attendance were Burgess Chad Weddle, Commissioners Mary Ann Brodie-Ennis, Tom Gilbert, Michael McNiesh, and John Zimmerman, Planning and Zoning Administrator Susan Hauver, and Town Manager Gloria Long Rollins. The meeting was closed under §508(a)(8) to consult with staff, consultants, or other individuals about pending or potential litigation. Engineering agreements were discussed and no decisions or motions were made.

2. AGREEMENT FOR CONSTRUCTION MANAGEMENT SERVICES ON HFP BUILDING – WILSON T. BALLARD

A proposal for construction management services to be performed by Wilson T. Ballard, town engineers, for the Heritage Farm Park never-ending building was presented. Hourly rates of \$85.74 plus mileage were included in the agreement. Items that will be subbed out will be direct expenses with no markup.

Commissioner Tom Gilbert made a motion, seconded by Commissioner Michael McNiesh, to accept the Wilson T. Ballard proposal for Chad's signature. The motion passed by a vote of 4-0.

3. REQUEST FOR REDUCTION OF LETTER OF CREDIT – LONGLEY GREEN

Ms. Hauver reported a request from the developer of Longley Green that the letter of credit being held for public improvements be reduced. Previously released was \$116,102.30. Current request is for funds covering roads, curbs and gutters, paved entrance apron, riprap aprons, stormwater management, sediment and erosion control and contingency funds. The Town has not received notice from Frederick County of approval to reduce funds for stormwater management and sediment and erosion control. In addition, the Town does not reduce any contingency funds until the expiration of the one year warranty period. Of the \$277,292.28 requested for release, \$124,375.60 is eligible for reduction approved by the Public Works Director Bob DePaola.

Commissioner Tom Gilbert made a motion, seconded by Commissioner John Zimmerman, to approve reduction of the letter of credit for Longley Green in the amount of \$124,375.60 as recommended by Public Works Director Bob DePaola. The motion passed by a vote of 4-0.

4. REQUEST FOR REDUCTION OF LETTER OF CREDIT - PARKSIDE

Ms. Hauver reviewed the list of concerns prepared by Mr. DePaola in regards to the request from Parkside developer, Tom Poss. List of concerns and Mr. Poss responses:

- Patches on Biggs Ford Road need to be fixed. Mr. Poss explained the patches are intended to be temporary until the road is widened. There has been a hold up with the road widening due to issues with obtaining right of way to widen the road. There are issues with the little brick house septic system location in regards to the road widening right of way. He will come up with some improvement to the patches but they will still be temporary.

- Re-forestation area is overgrown and there is thistle growing behind the cul-de-sac. Mr. Poss reported that typically a reforestation area is to be left to naturally vegetate and he needs to check with Frederick County requirements and the authority of the Town to override. He reported that the thistle has been cut and sprayed with Roundup.
- Fuse links are still need to be installed by an electrician at the light poles. Mr. Poss noted that the electrician is working with Potomac Edison to set meters and once they are set the fuse links will be installed.
- There are open stormwater inlets that need to be sealed off during construction. This has been reported to Frederick County inspectors. Mr. Poss reported that with all the heavy rains, he requested permission and was granted by the Frederick County inspectors to open them for drainage. Water was so deep by the mailboxes that Frederick County allowed drainage into the stormdrains.

Commissioner Tom Gilbert recommended this item be tabled until the July 10th meeting when Mr. DePaola could be here to report on the status of the above concerns.

Commissioner Tom Gilbert made a motion, seconded by Commissioner Mary Ann Brodie-Ennis, to put the Request for the Reduction in the letter of credit for Parkside development on the July 10, 2019 town meeting agenda. The motion passed by a vote of 4-0.

5. REVIEW SENIOR CITIZENS ATTENDANCE HISTORY REPORT

After reviewing the report of the declining attendance numbers for the weekly senior citizens lunches, it was suggested that we see if meals can be provided at a higher cost per meal but with a smaller minimum order. We will also invite the president of the Senior Citizens to come to a Town meeting to talk about promoting their activities. If approved by the Senior Citizens the Town will post their information on Facebook in hopes of increasing membership.

6. ACCOUNTS PAYABLE

Commissioner Tom Gilbert made a motion, seconded by Commissioner Mary Ann Brodie-Ennis, to pay the attached bills. The motion passed by a vote of 4-0.

7. COMMISSIONERS' CONCERNS

Commissioner Michael Bailey, via telephone, asked the status of the investigation of the vandalism at Creamery Park. The cameras did not record the vandalism so there is no evidence from the camera.

Commissioner Bailey asked for information as to whether the policy for reducing water bills is in the Town Code. He has drafted a policy and a document to be utilized by the office staff which includes a section for signature acknowledging the one-time only recalculation to the Industrial rate. The document will be reviewed at the July 10th town meeting.

Commissioner Bailey expressed his concern with the recent issues of vandalism at Creamery Park and also reported an incident of drug residue found by a child at Trout Park. He would like our resident troopers to investigate adding more cameras and direct the Parks Committee to make a recommendation for more cameras and their placement. Burgess Weddle reported that he has contacts with 3 additional camera companies and has asked them to provide reviews of the Town for locations of more cameras. They are experts who attended the Maryland Municipal League Conference and can evaluate the best, most efficient locations for cameras in the Town.

Commissioner Michael McNiesh asked if the Town Code includes information about how much signage a development can display, in reference to the Spring View Estates signage that is appearing. Ms. Hauver will work with Code Enforcement on the signage issues.

Commissioner McNiesh asked about the HFP barn restoration funds in next year's budget and how to get the project rolling. The Town will put the project out to bid. There are at least two barn refurbishing companies available to get bids from.

Commissioner McNiesh notified staff that there is a light pole cap laying on the ground in front of his house. Staff will check the source of it and repair as needed.

Commissioner McNiesh reported that he was contacted by the Frederick News-Post to comment on Frederick County's proposed new sewer rates. He suspects the county is raising the rates to cover operating expenses.

Commissioner Mary Ann Brodie-Ennis reported a complaint that 18 wheelers are continuing to utilize Sandstone Drive to go into Rutters. Commissioner McNiesh will contact SHA to determine the status of the signs that have been ordered to direct trucks to use the traffic light to enter Rutters. Cpl. Gary Conklin reported that until the signs are installed with a visible warning, the current signage is unenforceable.

Discussion ensued regarding whether to put a sign in front of Town Hall and the type of sign, as folks sometimes get lost trying to find the place. Electronic signs were discussed and the suggestion was put on hold.

Commissioner Brodie-Ennis offered kudos to TFC Kyle Knowles who helped resolve the issue of unauthorized usage of the soccer fields

Commissioner Brodie-Ennis offered kudos to Ms. Hauver and the Planning Commission for their due diligence in reviewing the plans for the strip center/Dunkin Donuts, and their concern for the residents of Victoria Park and Colony Village.

Commissioner Brodie-Ennis reminded everyone there will be no Parks Meeting in July due to the Walkersville Volunteer Fire Company Carnival week.

Commissioner Brodie-Ennis asked that anyone with input on the playground equipment for Community Park let her know for the Parks Meeting in August.

Commissioner Brodie-Ennis asked Cpl. Gary Conklin to come forward and expound on the merits of LPR devices (vehicle tag readers). The cost is approximately \$14,500 for a license tag reader and is mounted on the police car and automatically reads tags and notifies the trooper if a tag is flagged in the system. It is a great tool for law enforcement.

Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner Michael McNiesh, to purchase an LPR for one of our resident trooper police vehicles at a cost of \$14,500. The motion passed by a vote of 4-0. Cpl. Conklin reported the Town has 3 marked cars and 2 covert cars. He noted it would not be wise to place the reader on a covert car as it is very noticeable and would blow the covertness of the vehicle. He noted that B-60, Trooper Wills' vehicle, would probably be the best choice for installation. Ms. Rollins will contact MD State Police to activate the process to add it to our FY2020 contract.

Commissioner Brodie-Ennis reported that she enjoyed meeting with the government to government exchange, Russian Delegation, and giving them a tour of our Town Hall and meeting room. She also sent them off with souvenir Walkersville 125th Anniversary shirts.

Commissioner Brodie-Ennis asked the status of the complaint of smoke at the watershed affecting the neighbors of the watershed. Mr. Ron Layman reported that this happened on a damp weather day when the Scouts were retiring old American flags by burning them. He stated it was a one-time happening.

Mr. Ron Layman further reported that a state forester has gone through the watershed and recommends taking a few of the trees out, particularly invasive species. He noted the gypsy moth population is under control. He also reported the Scouts have built a new fire road, and that the well is sometimes providing water and sometimes not. The well is currently operated with a solar pump, which is unreliable, so he plans to replace the solar with an old-fashioned hand pump.

Commissioner John Zimmerman reminded everyone to come out and support the Walkersville Volunteer Fire Company Carnival next week, July 1-6.

Commissioner Tom Gilbert asked why the access road is closed between the high school and the fire company. It was reported that it is undergoing paving, probably during the carnival period.

Commissioner Gilbert reported that his proposed retirement incentive plan will be ready for presentation at the July 10th meeting.

Ms. Rollins reminded everyone of the funeral arrangements for Sam Eyer, Thursday, 6/27 at 11:00 a.m. Ms. Rollins reported that the final numbers for the June 8th Bulk trash/shred/medicine/trash pickup are not yet available but she hopes to have them on the July 10th meeting agenda. Ms. Rollins explained the MS4 permitting process and one of the requirements that the community be informed and involved in the protection of the stormwater runoff. Addressing the complaint that staff made a mess of installing Bay medallions, she informed the commissioners that the Boy Scouts, as part of the required community outreach, had installed the medallions and not properly cleaned up. Staff have inspected the installations and cleaned up as needed.

Ms. Hauver reported on the activities of the Planning Commission this week as follows:

- Review of the site plan for the strip center that included Dunkin Donuts was continued as more information is requested on the traffic studies and usage of Sandstone Drive.
- Spring View Estates and Frederick County Public Schools have entered into an easement agreement expanding the FCPS practice fields. This will relocate a reforestation area in the development and give it a strip needed at the entrance.
- Parkside requested approval to have the requirement that houses face Biggs Ford Road abated. Two of the houses will be allowed to turn on the plans, and face the cul-de-sac rather than Biggs Ford Road. The builder will take the note off of the approved plans.
- The Walkersville shopping center would like a larger sign, and will write a text amendment and code revision to be recommended by the Planning Commission for approval by the Burgess and Commissioners.
- In the OTM district of town, the old Walkersville Market has been leased by Brainstorm Comics. One of their activities will be board games nights twice each week.
- The Planning Commission is working on adopting their Rules of Procedure. The document will need to go through legal review prior to adoption.

Commissioner Tom Gilbert noted that the strip space to be located on the lot in front of Victoria Park will include space for several entities. Dunkin Donuts will occupy only ¼ of the space.

Ms. Hauver noted there is no Board of Appeals on the upcoming schedule and no Planning Commission Workshop in July.

8. CITIZENS' QUESTIONS AND CONCERNS

None

Burgess Weddle reviewed the announcements:

- Tues., July 2 – NO Board of Appeals
- Thurs., Fri., , July 4 and 5 – INDEPENDENCE DAY – OFFICE CLOSED IN CELEBRATION
- Tues., July 9, 7:30 – NO Planning Workshop
- Weds., July 10, 7:30 – Town Meeting
- Tues., July 23, 7:30 – Planning Commission
- Walkersville Volunteer Fire Company Carnival, July 1-6

Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner Michael McNiesh, to hold a closed legal meeting to discuss acquisition of property regarding sidewalks and security regarding cameras. The motion passed by a vote of 4-0.

The next meeting is Wednesday, July 10, 2019 at 7:30 p.m.

Meeting adjourned at 8:39 p.m.

Respectfully submitted,

Gloria Long Rollins
Town Manager