

MINUTES
WALKERSVILLE BURGESS & COMMISSIONERS TOWN MEETING
October 9, 2019

The Town meeting of the Walkersville Burgess & Commissioners was called to order on Wednesday, October 9, 2019, at 7:30 p.m. Those in attendance included Burgess Chad Weddle, Commissioners Michel Bailey, Mary Ann Brodie-Ennis, Tom Gilbert, Michael McNiesh, and John Zimmerman, Planning and Zoning Administrator Susan Hauver, Public Works Director Bob DePaola, and 15 citizens, including 2 Boy Scouts and 2 Leader/Parents, Ken Kellar of the Woodsboro Times, and TFC Keith Preston. Town Manager Gloria Long Rollins was absent.

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 Michael Bailey, to approve the Town meeting minutes of October 9, 2019. The motion passed by a vote of 3-0-2, with Commissioners Mary Ann Brodie-Ennis and Tom Gilbert abstaining.

2. INTRODUCTION OF ORDINANCE 2019-05 GENERAL FUND BUDGET AMENDMENT

The prepared modification included \$250K towards park equipment and \$110K towards the purchase of a backhoe, both items previously unbudgeted or planned for. Total proposed General Fund Budget modification is in the amount of \$360K. Commissioner Tom Gilbert asked the process for getting rid of the old backhoe. Burgess Weddle explained that advertising for sealed bids will occur for the sale of the backhoe.

Commissioner Michael McNiesh made a motion, seconded by Commissioner Michael Bailey, to introduce Ordinance 2019-05 for a General Fund modification increase of \$360K to be paid from reserve funds for \$250K new park equipment and \$110K for new public works equipment. The motion passed by a vote of 4-1, with Commissioner John Zimmerman opposed.

3. PUBLIC HEARING ON ORDINANCE 2019-05 – GENERAL FUND BUDGET AMENDMENT

There were no public comments on the amendment.

4. CHANGE ORDERS (3) APPROVAL NEEDED TO RESUME WORK ON WATER PLANT

Commissioner Michael McNiesh asked Mr. DePaola to explain the need for change orders. Per Mr. DePaola the planned cabinets were too long for the space so smaller ones needed to be obtained.

Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner Michael McNiesh, to approve the 3 change orders needed to continue work on the construction of the new water plant. The motion passed by a vote of 5-0.

5. CTC HOUSE PUBLIC WORKS AGREEMENT AND WATER TAP AGREEMENT

James Thurman, of the Career and Technology Center, reported that his organization has been teaching students to build houses since 1978. He asked that the fee charged for water capacity (tap fee) be waived. He also asked to waive the regulation to build a sidewalk in front of the property. He also asked to have the requirement to obtain a Letter of Credit to guarantee the public improvements be waived. Much discussion occurred regarding these requests with the following motions made:

Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner John Zimmerman, to waive all fees for the construction of the CTC (Career & Technology Center) to be built at 12 Fulton Avenue. This motion was withdrawn after discussion and the items were separated.

Commissioner Michael Bailey made a motion, seconded by Commissioner Mary Ann Brodie-Ennis, to waive the tap fee of \$ 6,000 to connect to the Town's water system. The motion passed by a vote of 3-2, with Commissioners Tom Gilbert and Michael McNiesh in opposition.

Commissioner Tom Gilbert made a motion, seconded by Commissioner Michael McNiesh, to waive the requirement to provide a Letter of Credit to guarantee public works improvements in the amount of the Construction Plans Cost Estimate plus contingency of 50%, and to require the installation of the sidewalk, curb, and gutter as presented in the Public Works Agreement, costs to be paid by CTC. The motion passed by a vote of 5-0.

6. SIDEWALK MAINTENANCE PROPOSAL

Commissioners reviewed the Town Code text amendment regarding the maintenance of sidewalks. There was much discussion and clarifications of the wording. There will be a public hearing at the November 13th town meeting.

Commissioner Michael Bailey made a motion, seconded by Commissioner Michael McNiesh, to introduce Ordinance 2019-06 regarding the maintenance of sidewalks in Town and to hold a public hearing at the November 13th town meeting. The motion passed by a vote of 5-0.

7. EZ COMMUNICATOR TECHNOLOGY INFORMATION

Commissioner Michael McNiesh presented information for the EZ Communicator, the vendor for the Find Out First software that is currently used for notification in Frederick County Public Schools. He plans to have the vendor hold a live demonstration during the first week of November. He noted the cost of \$5,000 for the first year, which would represent 1/1000 of the Town's yearly budget. Citizens can sign up for the information that they want to receive and there can be as many administrators as needed to disseminate appropriate notifications. Burgess Weddle asked that the vendor make a presentation at a town meeting. Commissioner McNeish explained that the company is located in Colorado, so there is little opportunity for the rep to attend a meeting.

8. PAVILION RENTAL FEES AND SECURITY DEPOSITS RECOMMENDATIONS

Commissioner Mary Ann Brodie-Ennis, and representative from the Parks Committee, reported that our pavilion rental fees are the cheapest in the County. She and the committee recommend raising the rental fees from \$40 to \$50 and keeping the large pavilion at HFP at \$75. Security deposits, which are refundable at the end of an event, are recommended for a raise to \$75 from \$50. No income is generated for the Town via the security deposits. It was recommended to tell renters of the pavilion to photograph the site when they leave, as proof that it was cleaned up when they left.

Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner Michael Bailey, to raise the rental fees of pavilions from \$40 to \$50, and security deposits from \$50 to \$75. The motion passed by a vote of 5-0.

9. YARD WASTE PICKUP AND MULCH PILE UPDATE

Burgess Weddle announced that a meeting with Frederick County regarding the future of the mulch pile resulted in the Town being notified of the County decision to close the mulch pile on November 29th. He was disturbed that there was no discussion, no public hearing, and the Town was blindsided by the decision. He read a letter that he sent via email to County officials. Commissioner Mary Ann Brodie-Ennis noted that there were 3 town commissioners present for the meeting (i.e. Commissioners Brodie-Ennis, McNiesh, and Zimmerman), and there was nothing negotiable regarding the terms of the closure. Some of the problems noted were the illegal dumping by landscaping contractors and other users, the loader used by the County is very expensive and needs to be replaced, and the market for mulch is nonexistent. The County requested that the information be made public after their signs were placed at the pile.

Commissioners were concerned about people continuing to dump their yard waste after it is closed, since the existing mulch will still be there. Commissioner Brodie-Ennis noted that it took time for people to stop depositing recyclables at the Mount Pleasant satellite drop-off facility after it closed. Burgess Weddle discussed the raising of the real estate tax rate in order to cover the costs of curbside pickup of yard waste materials. More information needs to be sought from the trash haulers as to what will be acceptable for pickup at curbside. Discussion ensued regarding the need for additional fencing and camera placement in order to prosecute illegal dumpers.

10. ACCOUNTS PAYABLE

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

11. COMMISSIONERS' CONCERNS

Commissioner Michael Bailey reported a meeting with agricultural specialist in the Frederick County Economic Development office to be scheduled the second week in November. Discussion ensued regarding placement of the market; West Frederick Street in the Fire Company parking lot was suggested. Mike Pue of 68 West Frederick Street, has offered to manage the market. Commissioner Zimmerman noted that it was approved there previously. Burgess Weddle will bring this up at the October 20th board meeting of the fire company.

Commissioner Michael McNiesh congratulated everyone for surviving the 1st year of their term and noted that tonight is the 1st meeting of the 2nd year. He noted that he cannot hear himself on the meeting recording and would like to go out to bid for a new microphone and recording system.

Commissioner Michael McNiesh made a motion, seconded by Commissioner Michael Bailey, to rescind the decision to send a letter to developer Tom Poss. The motion passed by a vote of 4-1, with Commissioner John Zimmerman in opposition. Burgess Weddle explained that the street needs to be fixed but there is no violation of the Letter of Credit.

Commissioner Mary Ann Brodie-Ennis announced the Town Tree Lighting will take place on December 4th at 7:30 p.m. at Creamery Park. The Friends of the Walkersville Library will have a program from 6:00 - 7:30. The Tree Lighting will feature church choirs, WHS band, hot chocolate and cookies, and fire barrels.

Commissioner Brodie-Ennis reported that GVAA Softball will be soliciting donations, possibly through sponsoring a brick, in order to build dugouts on the softball fields at Heritage Farm Park.

Commissioner Brodie-Ennis is attempting to get interested contractors to propose options for stabilizing the bank barn. She also reported that Town staff Kelly Woods repaired the floor boards of the HFP bridge.

Commissioner Brodie-Ennis reported that the Christkindlmarket will be held December 7th at 12:00 – 6:00 p.m. There will be crafts and snacks for sale and the committee is proposing a Festival of Lights. They will request residents to turn on all their holiday lights and displays at a certain time.

Commissioner John Zimmerman asked for an update on the HFP building noting that there is nothing going on. Apparently the contractor is running into some snags with obtaining the building permits.

Commissioner Tom Gilbert asked if the press box being built by GVAA is subject to Frederick County inspections, i.e. signage requirements regarding # of people allowed.

Commissioner Gilbert noted that the illegal signage at Mill Run, stating "NO TRESPASSING", is still up. Commissioner Michael Bailey reported that he has not reached out as yet to the homeowners of Mill Run regarding the illegality of their signs.

Question regarding hole in Pennsylvania Avenue with orange cones around it? Mr. DePaola reported there is French drain under the hole and will look into if the hole can be filled with concrete.

Ms. Hauver reported on the upcoming Planning Commission meeting.

Mr. DePaola reported that Glade Village repaving will commence in 2 days. Well pump #3 has been installed as a 10 horsepower versus the previous 40 horsepower. The remaining 2 pumps will be installed in March 2020. A tour of the new water plant for the Burgess & Commissioners is scheduled for November 13th before the Town meeting, at 6:45 p.m. at the new plant.

Burgess Weddle read the announcements:

- Tues., Oct. 22, 7:30 – Planning Meeting
- Weds., Oct. 23, 7:30 – Town Meeting
- Tues., Nov. 5, 7:30 – Board of Appeals (if needed)
- Weds., Nov. 6, 7:30 – Parks Meeting
- Sat., Nov. 9 – Bulk Trash Pickup
- Sun., Nov. 10, 1:00 – Veterans' Day Ceremony
- Mon., Nov. 11 – Veterans' Day Holiday – Office Closed
- Tues., Nov. 12, 7:30 – Planning Meeting
- Weds., Nov. 13, 7:30 – Town Meeting
- Tues., Nov. 26, 7:30 – Planning Meeting
- Thurs., Nov. 28-29 – Thanksgiving Holiday – Office Closed
- Weds., Dec. 4, 7:30 – Town Holiday Tree Lighting – Creamery Park
- Weds., Dec. 11, 7:30 – Town Meeting

12. PUBLIC COMMENTS

Gundars Osvalds, 108 Challedon Drive, reviewed his concerns regarding the Rock Creek School to be built in Walkersville. He is concerned about stormwater, and the problem being thrown back on the Town. He noted that the site cannot accommodate a 100 year storm and reviewed the rainfall numbers of the past few years. He noted house basement floods on Maryland Avenue. He noted the school will be blamed for the next flood and that water will be stagnating in the pond. He questioned the depth allowed and whether it will be fenced. He recommends tanks be made bigger and is concerned that the school has no agreement with Mill Run subdivision. He noted that the railroad culvert pipes are clogged. He questioned who owns and controls this area.

Ann Moldenhauer, Deer Run Drive, suggested the town be pro-active regarding the closing of the yard waste site and notify Frederick and Woodsboro residents. She also suggested reusable bins for curbside pickup of yard waste rather than the paper bags.

Lamar Estridge, 106 Ports Circle, reported that Mill Run has a speed issue and requested the speed limit in the neighborhood be lowered to 15 mph. He requested that the special circumstances, i.e. that Mill Run backs up to the school so therefore could be considered a school zone, be considered. Discussion ensued regarding school zones and the speed limits allowed on Rt. 194. Commissioner McNeish wondered why the speed was not reduced in front of Walkersville High School.

Earl Matlock of the Frederick County Student Trades Association thanked commissioners for waiving the water tap fee.

Andrea Estridge asked commissioners to consider creating a dog park, possibly in the spot where the yard waste site is closing. Commissioner Brodie-Ennis encouraged her to round up other citizens interested in a dog park, that so far the Parks Committee has only had one person request this.

Commissioner Michael McNiesh made a motion, seconded by Commissioner Mary Ann Brodie-Ennis, to hold a closed legal meeting. The motion passed on a vote of 4-1, with Commissioner Michael Bailey in opposition.

The next Town meeting will be held Wednesday, October, 23, 2019 at 7:30 p.m.

Meeting adjourned at 10:30 p.m.

Respectfully submitted,

Gloria Long Rollins
Town Manager