

MINUTES
WALKERSVILLE BURGESS & COMMISSIONERS TOWN MEETING
July 10, 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, Michael Bailey and John Zimmerman, Planning and Zoning Administrator Susan Hauver, Public Works Director Bob DePaola, TFC Michael Meyers, and 14 citizens and Ken Kellar from the Walkersville Woodsboro Times. Town Manager Gloria Long Rollins was absent due to vacation.

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 26, 2019. The motion passed by a vote of 4-0-1 (Michael Bailey abstained).

Burgess Chad Weddle read a statement on the closed meeting, in compliance with the Open Meetings Act. Commissioners met in closed session Wednesday, June 26, 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 Annotated Code of Maryland, State Government Article: §10-508(a)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto; and §10-508(a)(10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans.

2. REQUESTS FOR WATER BILL REDUCTIONS

Ms. Maan Amer, owner of 8819 Whimsey Court, requested a reduction in her water bill due to an irresponsible tenant. She did not think it was fair for her to be responsible for her tenant's bill. There were leaks in the house that they were not informed about. The Commissioners responded that she needs to use the court system to address the problems with her tenant; the Commissioners can only approve a reduction in the water rate. Burgess Weddle explained the industrial rate, advised Ms. Amer to contact Diane at the Town office to confirm the reduced amount is \$288.20. The Commissioners also agreed to apply the industrial rate to the original amount of \$1,103.86.

Ms. Jennifer Bishun, 8823 Revelation Avenue, spoke on behalf of her landlord Stephen Green, noting that they had had a water leak. She was also advised to contact Diane to confirm the reduced amount of \$701.69 on her water bill.

Tenant from 106 Dunsford Court was also approved by common consent to pay the reduced amount of \$508.17, to be confirmed by Diane in the office.

3. SENIOR CITIZEN UPDATE—LINDA SPEARS

Ms. Spears, president of the Walkersville Senior Citizen group, gave the Burgess and Commissioners an update on the group. They have 25 members. Attendance has fallen dramatically in the last year due to the age of the participants (majority 85 and older). Several members have passed away in the last year and others have moved to assisted living facilities. Health issues, transportation issues, and conflicts with other activities are also impediments to participation. Ms. Spears promotes the group in a number of ways, through the newsletter, invitations, and flyers posted at Safeway, the Post Office, library and town hall. They plan special entertainment and speakers several times a year to boost the interest in the group.

Commissioner Brodie-Ennis asked about the suitability of the building as a meeting place. Ms. Spears responded that it is a difficult walk from the parking lot to the front door. Accessibility is an issue.

Commissioner Brodie-Ennis asked how the Town could help the group, suggesting that the group's meetings could be advertised on the Town Facebook page and on Channel 99. She also suggested that Ms. Spears submit an article to the Woodsboro-Walkersville newspaper. Burgess Weddle offered to write an article with Ms. Spears' help. He also said that he would look into restricting more parking spaces on Frederick Street on Tuesday to create more available parking for the seniors' use.

Commissioners also discussed the meeting frequency with Ms. Spears, wondering if they should meet only once a week all year round. Ms. Spears feels that meeting twice a week is better for the seniors, physically as well as socially, emotionally and psychologically. She would like to see the membership increase.

Burgess Weddle suggested Ms. Spears get in touch with the County Office of Aging. Ms. Spears noted that the Frederick and Urbana senior centers are holding their own or growing.

Ms. Spears also thought that perhaps exercise classes would draw some younger seniors to the meetings. In response to a question from the Burgess, she said that all members are satisfied with the price of the meals.

Commissioner Gilbert noted that younger seniors would use email and notice announcements on Facebook and websites, and suggested that the group be advertised that way.

4. REQUEST FOR REDUCTION OF LETTER OF CREDIT – SPRING VIEW ESTATES

Ms. Hauver presented the request for a reduction in the letter of credit being held for public improvements in Phase 1 of Spring View Estates.

Commissioner Michael McNiesh asked for an update on whether the real estate sales signs in the development are in compliance with the Town Code.

Commissioner Tom Gilbert made a motion, seconded by Commissioner John Zimmerman, to reduce the letter of credit by \$992,054.55 as recommended by staff. The motion passed by a vote of 5-0.

5. REQUEST FOR REDUCTION OF LETTER OF CREDIT – PARKSIDE

Ms. Hauver noted that Public Works Director Bob DePaola continues to be dissatisfied with the status of the infrastructure improvements in the Parkside development and is scheduled to meet with developer Tom Poss next week. She recommended that consideration of the letter of credit be continued to the next meeting.

6. REQUEST FOR REDUCTION OF LETTER OF CREDIT – RUTTERS

Burgess Weddle noted that Rutter's had asked that consideration of their request be postponed.

7. REQUEST FOR RELEASE OF FUNDS HELD IN ESCROW – WALKERSVILLE SELF STORAGE

Commissioners discussed whether the developers should be required to attend the meeting to present their requests for reductions in letters of credit in person. It was noted that reductions do not represent requests for forgiveness of a debt but are requests for return of funds that are put on deposit until the infrastructure improvements are completed satisfactorily.

Ms. Hauver said that the Town held funds for sediment and erosion control for the expansion of the Walkersville Self Storage facility. County inspectors were satisfied with the project and recommended release of the funds.

Commissioner Michael McNiesh made a motion, seconded by Commissioner Michael Bailey, to release the \$23,083.00 held in escrow for the expansion of the Walkersville Self Storage facility. The motion passed on vote of 5-0.

8. REQUEST FOR REDUCTION OF LETTER OF CREDIT – MILL RUN

Ms. Hauver presented the request for a reduction in the letter of credit being held for public improvements in Mill Run. County inspectors have signed off on funds held for sediment and erosion control.

Commissioner Brodie-Ennis asked if resident concerns about flooding had been resolved. Ms. Hauver said that the staff was not aware of any ongoing issues.

Commissioner Michael Bailey made a motion, seconded by Commissioner Michael McNiesh, to reduce the letter of credit by \$31,243.46 as recommended by staff. The motion passed by a vote of 5-0.

9. APPROVAL OF WTP CHANGE ORDER #4

Commissioners reviewed a memo from Town accountant Yunellis Morales-Matias regarding Change Order #4 for construction of the water treatment plan. The question is whether to pay the \$7,500.82 out of local funds or out of the loan funds. Commissioners discussed the merits of each option.

Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner Tom Gilbert to pay the \$7,500.82 out of local funds (reserves of water fund) and not the loan funds. The motion passed by a vote of 5-0.

10. MISCELLANEOUS ITEMS—BURGESS WEDDLE

Burgess Weddle said that he reviewed the ARRO engineering contract for the Heritage Farm Park building and did not recommend that the Town take action. He will send the Commissioners a memo to that effect.

Burgess Weddle also noted that he had drafted a letter to the editor of the Frederick News-Post to highlight projects completed and projects planned in the budget. He included the Welcome to Walkersville signs, the Heritage Farm Park barn renovation and the upgrade to the water lines and repaving of the roads in Glade Village. He wants the Commissioners to review the letter to make sure he didn't miss anything. His point to the Frederick News-Post is that they failed to provide the coverage of Walkersville's budget proposals as they provided for the other towns in Frederick County.

11. REVIEW OF POLICY DOCUMENT FOR REQUESTS FOR RECALCULATION OF WATER BILLS

Commissioner Michael Bailey reviewed his proposal to allow requests for recalculation of water bills to be handled in the office instead of at public meetings. He feels the process is humiliating to the applicants.

The Commissioners discussed the proposal noting that the details need to be refined with the staff's assistance. The policy needs to be consistent and clear. Commissioner Mary Ann Brodie-Ennis said that she was not in favor of the change. She does not think the process is humiliating, since it is not related to income status or ability to pay the bill. Commissioner McNiesh asked if they would accept requests from both tenants and property owners. Burgess Weddle thought that whoever the bill is being sent to could make the request.

Burgess Weddle suggested that someone make a motion to see if the majority of the Commissioners support the policy in concept to determine whether Commissioner Bailey should continue to pursue it.

Commissioner Michael Bailey made a motion, seconded by Commissioner Michael McNiesh, to allow individuals requesting recalculation of their water bills at an industrial rate, to make the request without attending a town meeting. The requests would be subject to a procedure to be developed in consultation with staff. The motion passed by a vote of 3-2 (Commissioners Bailey, McNiesh, and Gilbert in favor, and Commissioners Brodie-Ennis and Zimmerman opposed).

Commissioner Michael Bailey will work with Ms. Diane Fauble of the town water department to develop the procedure and bring it back to the Commissioners.

12. RETIREMENT INCENTIVE PROPOSAL/POLICY

Commissioner Tom Gilbert reviewed his proposal to offer a financial incentive for employees to give the Town advance notice of their retirement plans. Employees who notify the Town at least one year in advance would be compensated \$800 and those who notify the Town between six months and one year in advance would be compensated \$500. Supervisors would receive an additional \$500 to those amounts. Mr. Gilbert said that he would be open to shorter time frames, like 3 months/6 months or 6 months/nine months. Hopefully the advance notice would allow an employee's successor to be hired and trained before the employee's retirement. Commissioners also suggested changing the amounts for supervisors to \$750 and \$1,300.

Commissioner Brodie-Ennis asked what would happen if a person gives notice but then changes their plans due to unforeseen circumstances. If their replacement is already hired, what happens then? It was suggested that some personnel would be replaced by people already on the staff, so it might not be an issue. Plus, there are funds available and plans for additional office staff. Commissioner Brodie-Ennis was asked to find out what FCPS would do in that circumstance. Commissioner Gilbert will check with his former employer as well.

Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner Michael McNiesh, to adopt the proposed policy for a Succession and Retirement Agreement, with the change that supervisors would receive \$750 for six months' notice and \$1,300 for one year's notice. The motion passed on a vote of 5-0.

13. REPORT ON BULK TRASH, SHRED, PICK UP DAY—JUNE 8, 2019

Burgess Chad Weddle reviewed the report, which noted that 101.49 tons of bulk trash were picked up.

14. ACCOUNTS PAYABLE

Commissioner Tom Gilbert made a motion, seconded by Commissioner Mary Ann Brodie Ennis, to pay the bills. The motion passed on a vote of 5-0.

15. COMMISSIONERS' CONCERNS

Commissioner Michael McNiesh read a memo to the Park Committee from Commissioners McNeish, Bailey, Gilbert, and Zimmerman, that said, "Recognizing that our Parks are one of our Town's greatest resources, we the undersigned are requesting that you do the following in your discussions in regards to improvements and new playground equipment at Community Park. It is our desire that your committee not be inhibited in executing your mission due to your current budget. Our Town is equipped to invest in our parks. We will commit to reviewing reasonable requests about the amount currently allocated to your commission. In doing this, we hope that our parks will continue to be a great asset to our town and will WOW residents and visitors."

Commissioner Bailey noted that when he phoned into the last meeting that he was not able to hear the proceedings. He would like to get a speaker to place next to the phone and reminded all the Commissioners to speak directly into their microphones.

Commissioner Bailey also commented on the security cameras at the parks and said the Town should not pay for them if they don't work. He suggested terminating the agreement with the current operator. Other commissioners noted that the Town is contacting other companies to get proposals.

Commissioner John Zimmerman thanked those who helped at the Carnival. He noted that Town staff members Gloria Long Rollins, Diane Fauble and Sherrie Kline all helped. He said that this was their third best year ever in terms of proceeds. He said the State Troopers did a great job.

Commissioner Zimmerman noted that the trusses for the water plant had been delivered to the site through the carnival grounds. Town will replace the fence if it needs to come down.

Commissioner Gilbert noted that Loys Station, Libertytown and Fountain Rock Parks were recommended to him by his daughter to check out when planning for new play equipment.

Commissioner Gilbert asked Public Works Director the schedule for repaving the roads in Glade Village. Mr. DePaola thought the work would be done by the end of August.

Commissioner Brodie-Ennis said that she spoke to representative of GVAA about his proposal for building a press box at the football field at Heritage Farm Park. He would like to stack two shipping containers and fit it out. She is not in love with his idea. Any plans would be subject to the Parks Committee's approval.

Commissioner Brodie-Ennis is working on the State Highway Administration application to place Welcome to Walkersville signs in the right-of-way. She reviewed the proposed locations.

Commissioner Brodie-Ennis said that she would like to see permit fees raised. They have not changed for a long time.

Public Works Director DePaola said that he spoke to Jamie Remsburg about getting a cost to fix sidewalks on one street and for all of Old Town. He also updated the Commissioners on the progress of construction of the water treatment plant.

Commissioner Bailey thanked public works staff for fixing the Devilbiss Bridge Rd street sign that was misspelled.

Burgess Weddle announced that National Night Out sponsored by the State Troopers was scheduled for Tuesday, August 6th, 6:00 – 9:00 p.m., at the Walkersville Fire Hall. He reviewed the upcoming meeting schedule, noting that the next Town meeting will be August 14, 2019.

12. CITIZENS' QUESTIONS AND CONCERNS

Ms. Suzanne Kopannen, 210 Zinnia Terrace, spoke on behalf the residents of the new Parkside development. They have some concerns about items for which the developer is responsible to complete. She will contact Mr. DePaola to set up a meeting with him and Mr. Tom Poss of Verdant Development.

Commissioner Michael McNeish made a motion, seconded by Commissioner Mary Ann Brodie-Ennis, to hold a closed legal meeting to discuss legal issues with regard to a home owners association, acquisition of property regarding a business/industry wishing to locate in Town, and security regarding State Troopers. The motion passed by a vote of 5-0.

Meeting adjourned at 9:25 p.m.

Respectfully submitted,

Susan J. Hauver
Planning and Zoning Administrator