

MINUTES
WALKERSVILLE BURGESS & COMMISSIONERS TOWN MEETING
December 11, 2019

The Town meeting of the Walkersville Burgess & Commissioners was called to order on Wednesday, December 11, 2019, at 7:30 p.m. Those in attendance included Burgess Chad Weddle, Commissioners Michel Bailey, Mary Ann Brodie-Ennis, Tom Gilbert, Michael McNiesh (arrived 7:55 p.m.), and John Zimmerman, Planning and Zoning Administrator Susan Hauver, Public Works Director Bob DePaola, Town Manager Gloria Long Rollins, and 13 citizens.

The meeting was called to order with the Pledge of Allegiance, a moment of silence on the death of Andy Dewese, former Town Code Enforcement Officer, and a prayer.

1. MINUTES

Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner Michael Bailey, to approve both the Closed Legal Personnel Security minutes and the Town meeting minutes of November 13, 2019. The motion passed by a vote of 4-0.

Burgess Weddle reported that a closed legal personnel security meeting (under §10-508(a)(1) and 10-508(a)(10) of the State Government Article) was held on November 13, 2019 and that those in attendance were Burgess Chad Weddle, Commissioners Michel Bailey, Mary Ann Brodie-Ennis, Tom Gilbert, Michael McNiesh, and John Zimmerman, Planning and Zoning Administrator Susan Hauver, and Town Manager Gloria Long Rollins. Two motions were made regarding personnel issues and the meeting adjourned at 9:45 p.m.

2. RUTTERS LETTER OF CREDIT REDUCTION REQUEST

Ms. Hauver reviewed the letters of credit held by the Town in regards to the Rutters project, noting there are two letters of credit for infrastructure constructed in association with the development of the Rutters store and gas station. The larger of the two, in the amount of \$976,125.52 is for stormwater management and sediment and erosion control (including underground storage structures). The smaller is \$134,775.28 for public improvements including water lines, site work, road improvements and miscellaneous improvements (fencing, etc.). Rutters requests the release or reduction of the letters of credit. The large one cannot be reduced until the County inspectors do their final sign off, currently in process. The small one can be reduced for all the improvements while retaining the contingency funds as follows:

Site work: \$ 40,501.00
Street construction: \$ 19,700.00
Miscellaneous: \$ 8,610.00
Engineering and inspection: \$ 12,767.28
Total reduction: \$ 81,578.28

The Town would continue to hold the \$53,197.00 contingency until the one year warranty period is over in early 2020.

Commissioner Tom Gilbert made a motion, seconded by Commissioner John Zimmerman, to release the Rutters letter of credit by \$ 81,578.28 and continue to hold the contingency funds in the amount of \$53,197.00. The motion passed by a vote of 4-0.

3. PARKSIDE FRO LETTER OF CREDIT REDUCTION REQUEST

The developer of Parkside requested the release of the letter of credit being held for planting required by the Forest Resource Ordinance. Frederick County administers that code for the Town and has recommended that the funds be released as follows: \$ 36,575.87 Parkside Verdant Development, Project Parkside Sec 1 Lots 1-24 – FRO.

Commissioner Tom Gilbert made a motion, seconded by Commissioner Mary Ann Brodie-Ennis, to release the entire letter of credit for Parkside FRO in the amount of \$ 36,575.87. The motion passed by a vote of 4-0.

4. OSPREY TRANSFER OF VICTORIA PARK

The Town received notice that the consent of the Burgess and Commissioners is needed in order to transfer membership interest and change management of Victoria Park at Walkersville. PNC Preservation Housing has entered into an agreement to acquire the membership interest of VP Walkersville LLC and Maryland Department of Housing and Community Development has granted conditional approval of the transfer pending the approval of the Burgess and Commissioners.

Commissioner Michael Bailey made a motion, seconded by Commissioner Mary Ann Brodie-Ennis, to approve the transfer and change of management as requested by the Maryland Department of Housing and Community Development and VP Walkersville, LLC. The motion passed by a vote of 4-0.

5. SANDSTONE DRIVE AND RT. 194 INTERSECTION - DISCUSSION

Ms. Hauver reviewed minutes from the Planning Commission and the Town meeting of August 27th and 28th, respectively. The Planning Commission reviewed the site plan for the Dunkin' Donuts in front of Victoria Park and recommended that the Burgess and Commissioners consider closing the left turn out of Sandstone Drive onto Rt. 194. They would still allow drivers from Rt. 194 to turn left onto Sandstone Drive. The Planning Commission requests direction from the Burgess and Commissioners as they review the site improvement plans. Although there are a low number of accidents at the intersection, with the development of the Dunkin' Donuts, there will be a queuing problem on Sandstone Drive during peak hours. The backup of traffic may cause drivers on Sandstone to become impatient and drive out into traffic dangerously to accomplish their left hand turns. Discussion ensued regarding the usage of the roadway through Rutters that directs traffic towards the light signal on Rt. 194. The comprehensive plan has always planned for this roadway to be utilized to direct drivers left turning on Rt. 194 to the light. Burgess Weddle explained that drivers cutting through properties to avoid a traffic signal are subject to ticketing by police for this illegal action. Cutting through Rutters to a signaled light is not illegal, as it is not avoiding a traffic signal but is going to a safer, traffic signal. This item will be placed on future agendas for a decision and direction to the Planning Commission.

6. PROPOSAL FOR STUDY OF STORM DRAIN SYSTEM AND EFFECTS ON MD AVENUE – WILSON T. BALLARD

Burgess Weddle reminded everyone of the direction received by staff, at the November 13, 2019 town meeting, to obtain a proposal from the Town Engineer for a study on the flooding complaints regarding Maryland Avenue. Commissioner Tom Gilbert expressed his concern that the Town establish a baseline before the start of the Rock Creek School construction in the Walkersville Middle School back fields. A proposal was presented from Wilson T. Ballard in the amount of \$126,000, to study the stormwater flow, amounts, and effects on the property. A budget amendment is recommended to include the study in the current fiscal year.

Commissioner Michael McNiesh made a motion, seconded by Commissioner Mary Ann Brodie-Ennis, to approve the proposal by Wilson T. Ballard in the amount of \$126,000 to perform a study of the stormwater system prior to the construction of the Rock Creek School. The motion passed by a vote of 5-0.

7. SHOPPING CENTER SIGN TEXT AMENDMENT DISCUSSION

Ms. Hauver reviewed the Planning Commission's discussion of the proposed signage at the Walkers Village Shopping Center. The proposed size is much larger than the Town Code allows, and thus, a text amendment will be presented with a public hearing by the Burgess and Commissioners in February 2020.

8. HERITAGE FARM PARK MULCH SITE FENCING PRICE QUOTES

Burgess Weddle presented prices and options for fencing at the HFP mulch site, which closed on November 29, 2019. Frederick County is in the process of clearing the site of ground mulch and the Town will put up fencing to discourage people from dumping their loads illegally, as the site is closed. Burgess Weddle is recommending a temporary fence that includes a barbed wire topper at a cost of \$25,990.24. The County has agreed to reimburse the Town for the fencing or 50% of the fencing.

Commissioner Tom Gilbert made a motion, seconded by Commissioner Michael Bailey, to approve the temporary fencing with barbed wire by Long Fence, at a cost of \$25,990.24 to be installed as soon as possible. The motion passed by a vote of 5-0.

Discussion ensued after the motion as to the fencing of the public gardens, with the plans to be revised so the gardens are still accessible to the gardeners.

9. SPECIFICS ABOUT RELATRIX – (THE) WALKERSVILLE WIRE

Commissioner Michael McNiesh reported on his phone meeting with representatives from Relatrix and the need for decisions on the following:

- Name of the Town's EZ Communicator – The Walkersville Wire or Walkersville Wire
- Appoint levels of administrators
- Design for our logo – contact WHS art department.
- Organizations to be pre-loaded
- News groups on the site

The plan is to go live with the application on February 1, 2020 and feedback from citizens is welcome.

10. REPORT ON CHRISTKINDLMARKET

Commissioner Mary Ann Brodie-Ennis reported on the Christkindlmarket held throughout the Town the past weekend. Six locations, including A'Bloom, Glade United Church of Christ, St. Paul's Evangelical Lutheran Church, Walkersville United Methodist Church, Walkersville Branch of the Frederick County Public Library, and the Walkersville Feed Company. The committee was very pleased with the attendance and will advertise for next year with photos of this year's events.

11. REPORT ON TOY SHOPPE

Commissioner Mary Ann Brodie-Ennis reported that the Glade Valley Toy Shoppe, held on the 2nd floor of the Town Hall, handed out Christmas toys to 73 families in need on December 4th.

12. UPDATE ON HFP BUILDING PROGRESS

Ms. Rollins reported that Kim Dillman of the Frederick County Health Department and Carl Thomas of B&R Design stopped by to inspect the building site. They then notified us that the previously approved perk test had been approved in the flood plain and was therefore invalid. The perk test will have to be performed and approved again in order to get the building underway.

13. REPORT OF ANNUAL TREE LIGHTING

Commissioner Mary Ann Brodie-Ennis reported on the annual tree lighting held at Creamery Park on December 4th, 2019, 7:30 p.m. She thanked Town staff and the Parks Committee for organizing the event, purchasing the cookies and supplies, and designing the program. Both trees were lit; the larger one in colored lights and the small one in white lights. The WHS Band played, along with the choir, several church choirs, and a bell choir. There were also explanations for the lighting of the Menorah and the Kinara, celebrating Hanukkah and Kwanzaa, along with Christmas.

14. ACCOUNTS PAYABLE AND NOVEMBER 2019 FINANCIAL STATEMENTS

Commissioner Tom Gilbert made a motion, seconded by Commissioner Michael Bailey, to pay the attached bills and approve the November 2019 financial statements. The motion passed by a vote of 5-0.

15. COMMISSIONERS' CONCERNS

Commissioner Michael Bailey thanked Parks Committee and town staff for the tree lighting.

Commissioner Michael Bailey referred to an email from Commissioner Tom Gilbert about the path from Mill Run to the middle school being blocked by the construction of the Rock Creek School. Citizens from the Mill Run development are concerned with the path their children now have to walk to school, as they

now are in the vicinity of Tier 3 sex offenders. He would like the Town to push for a solution. Ms. Hauver will forward all emails regarding this to Commissioner Bailey.

Commissioner Bailey noted that any dumpers that continue to dump their yard waste at the now-closed site should be charged by the MD State Police resident troopers. There is no longer any excuse for the illegal dumping; everyone knows the site is closed.

Commissioner Michael McNiesh asked if specs could be changed on the yard waste collection bid – no.

Commissioner Michael McNiesh proposed an employee wellness initiative whereby the Town will pay the corporate rate for gym memberships for employees @\$34.99 per month. Employees can add family members at the corporate rate and pay for it themselves. Cost is approximately \$420 per employee per year, for a total budget of \$5,400. This will be added to the next meeting agenda.

Commissioner Michael Bailey made a motion to put this item on the 1/8/2020 agenda and hold a public hearing. There was no second to the motion.

Commissioner Mary Ann Brodie-Ennis remembered to thank the Walkersville Fire Company for transporting Santa to the tree lighting on their fire truck.

Commissioner John Zimmerman reported that the Santa Parade would commence through the Town on Sunday, December 15th at 1:30 p.m.

Commissioner Zimmerman asked Mr. DePaola to find out when the drains in Parkside will be opened up.

Commissioner Tom Gilbert asked that Town staff insure that tabs are kept on the \$1.5 million forgiveness on the Water Fund loan.

Burgess Weddle read the following announcements:

- Weds., Dec. 25 – Merry Christmas – OFFICE CLOSED
- Weds., Jan. 1 – Happy New Year – OFFICE CLOSED
- Thurs., Jan. 2 – Parks Meeting (Note date change)
- Tues., Jan. 7, 7:30 – Board of Appeals (if needed)
- Weds., Jan. 8, 7:30 – Town Meeting
- Tues., Jan. 14, 7:30 – Planning Workshop
- Weds., Jan. 22, 7:30 – Town Meeting
- Tues., Jan. 28, 7:30 – Planning Meeting

16. PUBLIC COMMENTS

Caleb Miley, a Scout from Troop #1011, introduced himself, and noted he is working on his Citizenship merit badge.

Michele Vincent, 217 Braeburn Drive, reported she had come for an update on the Heritage Farm Park building. She is the commissioner of GVAA wrestling and they are in need of facilities in which to hold wrestling practice. They have issues with holding practice at the high school as it interferes with boys' basketball games. There are about 50 kids in training for wrestling with GVAA.

Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner Tom Gilbert, to hold a closed personnel and legal meeting. The motion passed by a vote of 3-1-1, with Commissioner Michael Bailey in opposition and Commissioner Michael McNiesh abstaining.

The next Town meeting will be Wednesday, January 8, 2020 at 7:30 p.m.
Meeting adjourned at 9:00 p.m.

Gloria Long Rollins, Town Manager