

MINUTES
WALKERSVILLE BURGESS & COMMISSIONERS TOWN MEETING
February 26, 2020

The Town meeting of the Walkersville Burgess & Commissioners was called to order on Wednesday, February 26, 2020, at 7:30 p.m. Those in attendance included Burgess Chad Weddle, Commissioners Michael Bailey, Mary Ann Brodie-Ennis, Tom Gilbert, Michael McNiesh, and John Zimmerman, Planning and Zoning Administrator Susan Hauver, Public Works Director Bob DePaola, Town Manager Gloria Long Rollins, and 11 citizens.

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

1. MINUTES

Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner Michael McNiesh, to approve the Town meeting minutes of February 12, 2020. The motion passed by a vote of 5-0.

2. PUBLIC HEARING ON ORDINANCE 2020-01 – AMENDMENTS TO CHAPTER 26, CODE OF ETHICS

Summary of proposed changes: must be 18 years of age, a resident of the Town of Walkersville, 3 members and 1 alternate, 2 year term or until the appointment of successor.

There were no public comments on the ordinance. Commissioner Bailey will present amendments to the ordinance and changes will be advertised and another public hearing will be held.

3. PUBLIC HEARING ON ORDINANCE 2020-02 – AMENDMENTS TO CHAPTER 43, PARKS COMMITTEE

Summary of proposed changes: must be 18 years of age, a resident of the Town of Walkersville, 7 members with 1 Town Commissioner serving as ex officio, 3 year term or until the appointment of successor, total of 5 consecutive terms allowed, and removal from office rules added.

There were no public comments on the ordinance. Commissioner Bailey will present amendments to the ordinance and changes will be advertised and another public hearing will be held.

4. PUBLIC HEARING ON ORDINANCE 2020-03 – AMENDMENTS TO CHAPTER 51, PLANNING COMMISSION

The proposed ordinance was reviewed by the Planning Commission and amended in accordance with their comments and the State Land Use Article. Additional revisions were proposed by the Town attorney.

Summary of proposed changes: must be 18 years of age, a resident of the Town of Walkersville, 7 members with 1 Town Commissioner serving as ex officio, 5 year term or until the appointment of successor, total of 3 consecutive terms allowed, and removal of office rules added in compliance with provisions set forth in Section 2-102(D)(1) and (D)(2) of the Land Use Article, Annotated Code of Maryland.

There were no public comments on the ordinance. Commissioner Bailey will present amendments to the ordinances, in the format presented by the Town Attorney, and changes will be advertised and another public hearing will be held.

5. PUBLIC HEARING ON ZONING TEXT AMENDMENT – SHOPPING CENTER IDENTIFICATION SIGN – RECOMMENDATION BY PLANNING COMMISSION

Ms. Hauver presented zoning text amendment for Town Code sign code. The recommended language to insert in §88-14 is:

If located along a Major Arterial, the sign area may be increased one square foot for each 321 square feet of gross floor area over 73,500 square feet. In no case shall a Shopping Center sign exceed 229 square feet in area per face and 29 feet 8 inches in overall height.

Identification signs: Shopping center floor area = 0 – 73,500 sf: 100 sf sign size; 25 ft maximum height. Shopping center floor area > 73,500 sf: 1sf of sign per 321 sf of floor area, up to 229 sf in size; 29 feet, 8 inches maximum height.

Mr. Ron Thomas, of Strickler Signs, Inc., representing the applicant Tomarchio Enterprises, owners of the Walkers Village Shopping Center, presented an outline image of the new sign overlaying a sketch the existing sign, showing the size difference.

Gundars Osvalds, 108 Challedon Drive, likes the sign and asks that shrubs be placed under the sign for safety. He also wondered how the size calculation of the sign affects the allowed portable, temporary signs, i.e. flags displayed by businesses in the shopping center.

Ron Layman, 24 W. Frederick Street, approves of the sign, says it looks better than the old sign, and is colorful and appropriate.

Commissioner Tom Gilbert, commented on the hard work that has gone into getting to this sign, as it has gone through two boards of Commissioners, the Board of Appeals, and the Planning Commission. The text amendment has been worked on for 2 years. He noted that the 13 x 25 square foot sign is squatty and unattractive and a waste. He noted that despite the amendment being for one particular situation, it demonstrates our desire to work with business. Commissioner Gilbert supports the text amendment.

Commissioner Tom Gilbert made a motion, seconded by Commissioner Michael Bailey, to approve the text amendment as written. The motion passed by a vote of 5-0.

Planner Hauver noted that the approved text amendment will be presented in Ordinance form at the next meeting for adoption in March.

6. RUTTER’S REQUEST FOR RELEASE OF LETTER OF CREDIT

Ms. Hauver reviewed the letter of credit being held for site work and road improvements for work done at Rutter’s in the amount of \$ 53,197.00. The improvements have been in place for over a year so the warranty period is over. Staff recommends the remaining \$ 53,197.00 on the letter of credit be released.

Commissioner Michael Bailey made a motion, seconded by Commissioner Michael McNiesh, to release the remaining \$ 53,197.00 of the Rutter’s letter of credit. The motion passed by a vote of 5-0.

7. CHANGE ORDER FOR BARN STABILIZATION PROJECT

A change order was received from Fitzgerald’s Heavy Timber Construction in the amount of \$ 11,183.81 to install wood blocking and wire mesh in the upper level of the barn to block access to birds. At the 2/12/2020 town meeting Fitzgerald’s Heavy Timber Construction was awarded the barn stabilization project in the amount of \$ 169,811.89 so now the total project cost will be \$ 180,995.70.

Commissioner Michael McNiesh made a motion, seconded by Commissioner Mary Ann Brodie-Ennis, to approve the change order for the barn stabilization project in the amount of \$ 11,183.81 for a total project of \$ 180,995.70. The motion passed by a vote of 4-1, with Commissioner John Zimmerman in opposition.

8. PARKS COMMITTEE - APPOINTMENTS

The Town continued to advertise for Parks Committee members through February 17, 2020. Six applicants have expressed interest in being appointed to the Parks Committee. Burgess Weddle asks that the Parks Committee review the applicants, interview them if necessary, and recommend appointments to Burgess Weddle. Members will be appointed at an upcoming Town meeting.

9. SOLAR POWER PURCHASE AGREEMENT

Commissioner Mary Ann Brodie-Ennis and Mr. Bob DePaola met with a company who provided a proposal to install solar panels to operate the new water plant. Mr. DePaola notified them that the

proposed location for the 2.5-3 acres of panels needed is not going to work. More information will be gathered.

10. ACCOUNTS PAYABLE

Commissioner Michael Bailey made a motion, seconded by Commissioner Mary Ann Brodie-Ennis, to pay the attached bills. The motion passed by a vote of 5-0.

11. COMMISSIONERS' CONCERNS

Commissioner Michael Bailey reported that the Glade Valley Food Bank does distribute fresh produce. He noted that the upcoming Farmers' Market will accept food stamps so there is no need at the present for the Town to become involved in a voucher system. He will attend the Walkersville Fire Company Board meeting for permission to hold the Farmers' Market on their premises. The meeting is the third Sunday in March at 7:00 p.m.

Commissioner Michael McNiesh wants the printed instructions for signing up for The Walkersville Wire to be mailed in a mailing separate from the May 1 water billing. *Commissioner Michael McNiesh made a motion, seconded by Commissioner Mary Ann Brodie-Ennis, to send instructions and encouragement for signing up for The Walkersville Wire to the entire water customer list. The motion passed by a vote of 5-0.*

Commissioner Tom Gilbert would like a survey prepared for receipt of public input on the Planning Commission Comprehensive Plan. The survey can be prepared and issued using the Forms module of The Walkersville Wire.

Ms. Hauver reported that letters of interest for serving on the Board of Appeals as a regular member and on the Planning Commission as a regular member will be accepted until March 20, 2020. This is also the due date for submitting a letter of interest to serve as the Alternate member of the Ethics Commission.

Commissioner Mary Ann Brodie-Ennis reported that she has discussed wider paths and a path to Pavilion 3 at Community Park with Mr. DePaola and Kelly Woods.

Burgess Weddle offered his congratulations to the WHS Academic Team on winning the regional championship.

Burgess Weddle offered his condolences to the David Forney family.

Burgess Weddle instructed citizens to take care of themselves in preventing exposure to the coronavirus. He directed everyone to the website www.cdc.gov.

Burgess Weddle reported that the Board of Education, at their 3:30 p.m. meeting today, denied the Town of Walkersville's request to change the name of the Rock Creek School to Fountain Rock School.

Burgess Weddle scheduled a budget workshop for Wednesday, April 29, 2020 at 7:30 p.m.

Burgess Weddle distributed his rough draft of Social Media Guidelines for discussion and use on the Town's Facebook page.

Burgess Weddle reported that the FY 2021 Tax Equity allocation to the Town from Frederick County is \$946,661, up \$ 20,315 from FY 2020.

Burgess Weddle reported that the State of Maryland Transportation priorities ranks the widening/dualization of Rt. 194 5 out of the 38 priorities. He noted that the project will probably occur 10-20 years from now.

Commissioner Tom Gilbert would like a Yard Waste pickup reminder for in-town residents to be placed in with the mailing for The Walkersville Wire. The first pickup is scheduled for March 3, 2020.

Burgess Weddle reported that Trooper Keith Preston has transferred to the Cumberland barrack and will be replaced with Trooper Brad Zimmerman. He also reminded everyone that the Annual Meeting with the Resident Troopers has been rescheduled to the March 11, 2020 meeting, along with the 2020 Census presentation.

Ms. Hauver reported that the Special Exception Application for the Boy Scouts to operate a camp ground at the Walkersville watershed has been submitted. There is an \$889 fee due to Frederick County required before the application is processed and consensus was that the Town would pay the fee.

Ms. Hauver is finalizing the date for the Board of Appeals hearing on the Dollar General requested variance. Tentatively March 31, 2020.

Mr. Bob DePaola reported that Park Court paving should be completed by Thursday or Friday due to some hold ups with bad weather.

Mr. DePaola reported that MDE will inspect the water plant as it is now 90% complete.

Mr. DePaola reported that a MS4 status meeting will be held tomorrow, Thursday, 2/27/2020. The sign for the rain garden on the Town's property at 25 West Frederick Street has been installed. Photos will be taken and posted as part of the MS4 permit outreach section.

Burgess Weddle read the following announcements:

- Weds., Mar. 4, 7:30 - Parks Committee
- Tues., Mar. 10, 7:30 – Planning Commission Workshop
- Weds., Mar. 11, 7:30 – Town Meeting
- Friday, Mar. 20, 4:30 – Applications due for Alternate Ethics Commission member, Board of Appeals member, and Planning Commission member.
- Tues., Mar. 24, 7:30 – Planning Commission
- Weds., Mar. 25, 7:30 – Town Meeting
- Tues., Mar. 31, 7:30 – Tentative Board of Appeals Hearing on Dollar General variance request

12. PUBLIC COMMENTS

Gundars Osvalds, 108 Challedon Drive, offered 3 comments – 1) Thanked the commissioners for initiating the stormwater study, 2) asked if it would be appropriate for solar panels to be placed in the area behind the bowling alley (he was told this is floodplain property owned by Ausherman Builders, not the Town of Walkersville), 3) he proposed that the Town should update and enforce its sign ordinance.

The next Town meeting will be Wednesday, March 11, 2020 at 7:30 p.m.

Meeting adjourned at 9:00 p.m.

Gloria Long Rollins, Town Manager