

APPROVED**OFFICIAL MINUTES OF DECEMBER 14, 2015 REGULAR COUNCIL MEETING
NO. 15-21**

The Council meeting of the Town of Sykesville was held on Monday, December 14, 2015. Mayor Shaw called the meeting to order at 7:00 P.M. in the Council Meeting Room at the Town House. Mayor Shaw led the Pledge of Allegiance to the flag and a moment of silence.

PRESENT: Mayor Ian Shaw, and Council Members Julia Betz, William "Chip" Bleam, Anna Carter, Christopher True, and Stacy Link.

ABSENT: Council President Leo Keenan

STAFF: Dawn Ashbacher, Town Manager
Michael Spaulding, Chief of Police
Janice Perrault, Town Clerk
Linda Joyce, Town Treasurer
Steven Colella, Director of Economic Development

PUBLIC CONCERNS: A resident brought up a concern about storage containers parked in driveways for an extended period of time (PODS).

WELCOME: Linda Joyce, Town Treasurer presented a brief overview of the annual audit process. Ms. Joyce introduced Wanda Lynn, Partner from Rager, Lehman & Houck to present the audit for the year ending June 30, 2015. Ms. Lynn gave a presentation to the Mayor and Town Council.

MOTION: Council Member Link motioned and Council Member Carter seconded to approve the restricted fund balance classification at year ending June 30, 2015 for the Gatehouse Museum Donation in the amount of \$150,000.

The motion carried unanimously.

The assigned fund balances at year ending June 30, 2015 are as follows:

Capital Reserve	214,881
P.D. Shed Purchase	3,000
Capital TH Website	7,012
Hawk Ridge Linear Trail Grant Match	4,000
Gate House Museum	43,270
Historic District Commission	1,938
Historic Schoolhouse	17,109

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Impact Fees	183,665
Little Sykes Railroad	9,401
Parks and Recreation	8,703
Police Auxiliary	3,700
Street Patching	3,500
Storm Water Infrastructure	21,988
Unemployment Reserve	18,448
Warfield Complex	68,000
Springfield Ave. Sidewalk	6,341
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	\$614,956

MOTION: Council Member Link motioned and Council Member True seconded to approve the assigned fund balances listed above for a total of \$614,956.

The motion carried unanimously.

MINUTES: November 23, 2015

MOTION: Council Member Betz motioned and Council Member True seconded to approve the November 23 minutes as written.

The motion carried unanimously.

PUBLIC SAFETY REPORT:

Chief Spaulding presented the Public Safety Report on the period from November 19, 2015 through December 9, 2015. There were a total of 471 calls for service, and 14 assists to other police agencies/departments outside the Town.

TREASURERS REPORT:

October 2015

MOTION: Council Member Betz motioned and Council Member Carter seconded to approve the October 2015 Treasurers Report as written.

The motion carried unanimously.

COUNCIL COMMITTEE REPORTS:

- **Historic District Commission** – Council Member Link announced the next meeting is scheduled for December 22. The Town has received 3 applications for the Curator position at the Gate House Museum.
- **Parks and Recreation** – Council Member Carter announced that the Committee will meet on December 17. On December 6, when Santa

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came to Town, the Committee participated by showing the Charlie Brown Christmas movie.

- **Warfield Development Corporation (WDC)** – Mayor Shaw announced that he is working on negotiations with The Warfield Collaborative.
- **Planning Commission** – Council Member Betz announced that if anyone on the Town Council is interested in knowing more about the County's fiber network, please let her know because we could invite Mark Ripper from the County to discuss it with us. The Commission also discussed the zoning ordinance amendments change to allow for an establishment with a Class D liquor license and for outdoor seating. The next meeting is scheduled for January 4 at the Town House.
- **Streetscape** – Council Members True and Bleam announced the next meeting for the Task Force will be held on December 15. The concept from Oasis was shared. The Mayor and Town Council agreed that the Task Force should make the final decision on the concept plan.
- **Main Street Association** – Steven Colella, Economic Development Director was present to provide an update for the Main Street Association. He presented information about how the Ice Fest could be setup should the Council and staff agree.

ANNOUNCEMENTS:

- On November 23, the Mayor and Town Council approved the appointment of Shane Hower as a temporary part time Public Works employee on a month to month basis.
- Decorating Contest, December 16
- Town offices will be closed December 24 and 25, ½ day on December 31 and all day on January 1
- On Saturday, January 9 at 9:00 am, Mayor Shaw will host the second annual volunteer appreciation breakfast at the Town House

NEW BUSINESS:

1. **Sick Leave Payout Personnel Policy Change** – Linda Joyce, Town Treasurer, presented the Mayor and Town Council with information and a request to change the sick leave policy when employees separate from the Town. This change takes into account the Town's entrance into the Maryland State Retirement System. The proposed change is for sick leave accrual for those who retire when separating from the Town to be counted towards service credit for the employee, which will increase their retirement benefit. These employees will not receive a sick leave payout from the Town.

MOTION:

Council Member Link motioned and Council Member True seconded to approve changing the sick leave policy in The Town of Sykesville Personnel Manual Section 8-5, by adding #3 If an employee retires directly through the Maryland State Retirement System, upon terminating

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employment, unused sick leave hours will be added to the service time used to calculate retirement pay, up to the maximum allowed, as provided by state law. Since creditable service determines the amount of the benefit for retirement, unused sick leave can increase the amount of the benefit. It does not, however, affect when the employee is eligible to retire. Employees should refer to their Retirement or Pension Benefits Handbook for the terms and conditions of this benefit.

For all other employees, sick leave will be paid to the employee at .20 the employee's then current pay rate and will only be paid out for a maximum of 45 days. For example, if the employee makes \$12.00 per hour, regularly works an eight-hour day and has accumulated 45 days (the maximum) of sick leave, upon termination that employee will receive a payment of \$864.00 (45 days x 8 hours = 360 hours x \$2.40 = \$864.00).

The motion carried unanimously.

- 2. Introduction Ordinance NO. 294 – Maintenance of Roadside Vegetation** – Mayor Shaw presented Ordinance No. 294 and requested comments. Discussion took place about the height limit of trees within the Town. It was suggested that the height over roads must be at least 13'6" and over sidewalks be at least 10'. It was requested to correct §61-4 A 1) by adding "d" to issue and §61A-2: "Civil Enforcement - B" get changed to the same language in §61A-2: "Civil Enforcement – A". Mayor Shaw announced that this ordinance will get introduced at the next Council meeting on January 11, 2016 and a Public Hearing will be held on January 25.
- 3. 2016 Mayor and Town Council meeting schedule and Holidays** – Dawn Ashbacher, Town Manager presented the meeting schedule and indicated there is only one meeting that needs to change from Monday to Tuesday. She asked everyone to review the meeting on November 28 as this is the Monday after Thanksgiving.

MOTION: Council Member True motioned and Council Member Betz seconded to approve the 2016 meeting schedule by changing the meeting date from October 10 to October 11 and changing the meeting date from November 28 to November 29.

The motion carried unanimously.

MOTION: Mayor Shaw motioned and Council Member Carter seconded to approve the Holiday Schedule for 2016.

The motion carried unanimously.

- 4. Resolution NO. 2015-10** - This resolution will be provided to the buyer and to the title company conducting title and insuring title to the property

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conveyed to the buyer to provide confirmation that the Mayor has been duly authorized to sign closing-related documents and otherwise act on behalf of the Town (Seller) in connection with the sale of the Warfield Property. Specifically, the Resolution ratifies actions already taken by the Mayor and authorizes the Mayor to take all further actions necessary to close the transaction.

MOTION: Council Member Link motioned and Council Member Carter seconded to approve Resolution NO. 2015-10 to authorize Mayor Shaw to sign documents for the sale of the Warfield complex.

The motion carried with Mayor Shaw abstaining.

- 5. Resolution NO. 2010-09** – On October 26, the Mayor and Town Council passed an ordinance allowing the Town to agree to a Payment in Lieu of Taxes (PILOT) to incentivize the development of the historic buildings in the Planned Employment Center District. This resolution is to establish a PILOT agreement between the Town and the Warfield Collaborative, LLC for Parcel D, which includes land condominium units, on the Warfield Complex. The empty buildings on the Warfield complex are currently not taxed since the Town owns them. In addition since they are empty they are not generating any revenue. This resolution provides an incentive to rehabilitate the buildings by abating the taxes for up to 10 years. Once a building is approved for use and occupancy, the PILOT will end. In addition, an escrow of \$2.35 million will be received from the buyer for restoration of the historic buildings.

MOTION: Council Member True motioned and Council Member Link seconded to approve Resolution NO 2015-09 - Warfield Payment in Lieu of Taxes.

The motion carried unanimously.

- 6. Storage containers – PODS** – A resident of the Town came to the meeting requesting the Mayor and Town Council look into parking storage containers (PODS) for an extended period of time on their property. He requested they only be allowed for 30-60 days as they are storage units. Council Member Betz indicated she will do some research into other municipalities to find out how they handle storage containers parked long term.

MOTION: Council Member Betz motioned and Council Member Link seconded to take a five minute recess at 9:35 p.m.

The motion carried unanimously.

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MOTION: Council Member Link motioned and Council Member True seconded to go back into open session at 9:41 p.m.

The motion carried unanimously.

CLOSED SESSION:

Council Member Betz motioned and Council Member True seconded to go into closed session at 9:42 p.m.

The motion carried unanimously.

CLOSED SESSION:

The meeting is proposed to be closed pursuant to the General Provisions of the Annotated Code of Maryland, Section 3-305(b): (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or any other personnel matter that affects one or more specific individuals. (3) to consider the acquisition of real property for a public purpose and matters directly related to the acquisition, and (7) to consult with counsel to obtain legal advice.

Those in attendance were: Mayor Shaw, Council Members Betz, Bleam, Carter, Link, True, Town Attorney Dennis Hoover, Town Manager Dawn Ashbacher and Director of Economic Development Steven Colella (for the first item only).

ABSENT: Council President Keenan

Items discussed were:

- **Property Acquisition** - No Action
- **Personnel** – Staffing updates – confidential personal information –Action

MOTION: Council Member True motioned and Council Member Bleam seconded to go back into open session at 11:38 p.m.

The motion carried unanimously.

ADJOURN: There being no further business to come before the Council, Council Member True motioned and Council Member Betz seconded to adjourn meeting at 11:39 p.m.

The motion carried unanimously.

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Respectfully submitted

Janice Perrault

Town Clerk