

OFFICIAL MINUTES OF JANUARY 9, 2017 REGULAR COUNCIL MEETING
NO. 17-01

The Council meeting of the Town of Sykesville was held on Monday, January 9, 2017. 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 and a moment of silence.

PRESENT: Mayor Ian Shaw, Council President Leo Keenan, and Council Members Julia Betz, Anna Carter, William "Chip" Blean, Chris True, and Stacy Link.

STAFF: Dawn Ashbacher, Town Manager
Kerry Chaney, Town Clerk
Dennis Hoover, Town Attorney
Police Chief Spaulding
Julie Della-Maria, Main Street Coordinator

PUBLIC CONCERNS: None

MINUTES: December 12, 2016

MOTION: Council Member Betz motioned and Council Member True seconded to approve the minutes with the revisions provided.

The motion carried unanimously.

PUBLIC SAFETY

REPORT: Police Chief Spaulding presented the Public Safety Report for the period of December 8, 2016 through January 4, 2017. There were a total of 746 reports including 64 Traffic Enforcement Initiatives. During the Traffic Enforcement Initiatives, there were 18 citations, 80 warnings, and 20 SEROs issued. Overall, there were 152 stops resulting in 215 violations.

Chief Spaulding announced that January 9, 2017 was Law Enforcement Officer Appreciation Day. In 2016 there were 135 Law Enforcement Officer Duty Deaths, 64 of those deaths were shooting incidents, a 56% increase from 2015, and 21 of the shooting incidents were ambush attacks. Council Member True expressed his appreciation for the Sykesville Police and the important job they do in the community.

Chief Spaulding also announced that the speed trailer is almost ready for use. He is waiting for a time when there is no inclement weather in the forecast to deploy it.

COUNCIL COMMITTEE

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REPORTS:

- **Historic District Commission (HDC)** – Council Member Link announced that the HDC has not met since the last Mayor and Town Council meeting. Their next meeting is on January 24 at 7 P.M., and there will be a public discussion on the proposed sandwich board sign and street furniture guidelines at this meeting.
- **Sykesville Parks and Recreation (SPARC)** – Council Member Carter announced that the next SPARC meeting will be on January 26 at 7 P.M. at the Town House.
- **Warfield Development Committee (WDC)** – Mayor Shaw announced that the WDC met on January 4 to discuss the sixth amendment to the contract of sale.
- **Main Street Association (MSA)** – Council President Keenan announced that the MSA is working on the Ice Festival, which is on February 4, and the Art and Wine Festival, which is in May. The MSA Board will be meeting on January 10, 2017 at 7 P.M.

Julie Della-Maria, Main Street Coordinator, presented a plan to the Mayor and Town Council for the ice sculptures after the Ice Festival is over. There will be movers after the Ice Festival to move any sculptures that are in the way of the accessibility of the sidewalks and on the streets. They will be kept in sculpture garden areas in the Pocket Park, the Fountain Park, and in the courtyard of St. Paul's United Methodist Church, as well as in front of stores where there is enough room on the sidewalks. It will be the responsibility of the merchants to remove their ice sculpture if it is on the sidewalks; Julie will recruit volunteers to help her remove the sculptures on Monday. There will be about 42 ice sculptures this year.

MOTION:

Council Member True motioned and Council Member Link seconded to approve the plan for the day after the Ice Festival sculpture locations on Town property including the use of four parking spaces in the Pocket Park.

The motion carried unanimously.

Ron Esworthy, Public Works Director, talked with Julie and is open to the idea of using the 22 parking spaces at the Public Works shop for merchant parking. This will allow spaces downtown to be used for "permit" parking for the service businesses that will still be open, such as Hair by Samsara or any of the physical therapy businesses.

Julie announced that the MSA will be working with two high school interns for promotions, marketing, and graphic design. One will be helping with the Facebook page, Twitter, the MSA website, and the other will help with the graphic display at the window of State Farm.

Julie also announced that the MSA was awarded a \$1,000 grant from Walmart for the Farmers' Market. She would now like to apply for a grant from the United States Department of Agriculture (USDA). It is a Value Grant for Producers and is only available for Farmers' Markets that can prove they are sustainable and are generating a profit. The grant can be awarded for amounts from \$2500 to \$25,000 with no matching contribution.

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MOTION: Council Member True motioned and Council Member Carter seconded to authorize the Main Street Association to apply for the USDA Grant for the Farmers' Markets.

The motion carried unanimously.

- **Planning Commission** – Council Member Betz announced that the Planning Commission met on January 3 and discussed the update to the County Master Plan for Sewer and Water, the second bike trail survey that was distributed, and they reviewed the newest Warfield Pattern Book with some minor revisions. The Planning Commission will next meet on February 6 at 7 P.M.
- **Compensation Review** – Council Members Bleam and True announced that they are in the process of trying to schedule a meeting for mid-January.

ANNOUNCEMENTS:

- Town Offices will be closed on January 16 in observance of Dr. Martin Luther King, Jr. Day
- Warming Hearts and Hands, First Friday, February 3
- Ice Fest, February 4, 1 P.M. – 6 P.M.

OPEN SESSION:

1. Raincliffe Home Owners' Association (HOA) trash removal rebate

Council Member True announced that this is a discussion that has been taking place for many months now between the Town and the Raincliffe HOA. There will be a formal proposal to the HOA by January 24. The percentage would be a fixed percentage for the term of the Memorandum of Understanding (MOU). The MOU must be clear as to what the formula is for the calculations. The HOA would prefer to receive one lump sum instead of multiple payments over the year. They start their budget in January and start preparation of their budget in October. The amount of the lump sum can be supplied to the HOA in October with the payment in January.

MOTION: Council Member True motioned and Council Member Bleam seconded to authorize the Town Attorney, Dennis Hoover, to draft a Memorandum of Understanding between the Town and the Raincliffe Home Owners' Association to establish an annual rebate amount in lieu of the Town providing trash collection services to the Raincliffe community.

The motion carried unanimously.

2. Raincliffe Subdivision - Letter of Credit Reduction Request

The developer of the Raincliffe subdivision supplied the Town with a Letter of Credit (LOC) amounting to \$4,510,000 in case they did not complete the work to which they agreed. Over the years, they have requested a reduction in their LOC as they have completed work. This is their fifth reduction request, and the remaining LOC would cover a trail, street lights on Raincliffe Road, and a 15% contingency. The developer, Town, and HOA have been in discussions about the trail. It was deemed unnecessary. Instead, the developer proposes to give \$15,000 to the HOA for the construction of a gazebo/pavilion structure. Dennis Hoover, Town Attorney, asked to clarify if the Planning Commission had reviewed and approved these plans and if the

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trail was on the land plat. He would prefer if there was a record of the process, written in the Planning Commission minutes and a letter from the HOA explaining their intent to accept payment instead of a trail. The plat will need to be amended if the trail is shown on it.

The developer was also supposed to have the portion of Raincliffe Road that the Town maintains transferred to the Town. They have been in contact with the State Highway Administration (SHA), and the SHA believes the road is a County road, so the SHA cannot transfer it to the Town. The County believes that they only have a maintenance obligation and that they do not own the road. This is a situation that is still to be resolved. Dennis Hoover, Town Attorney, would like to speak to Dawn Ashbacher, Town Manager about the road transfer before the Mayor and Town Council makes any motion regarding it. It will not affect the requested LOC release today.

MOTION: Council Member Betz motioned and Mayor Shaw seconded to reduce the Letter of Credit by \$308,529 to \$34,592.

The motion carried unanimously.

3. Circuit Rider Program

Dawn Ashbacher, Town Manager, presented this at the last Mayor and Town Council meeting. It was announced then that the Maryland Rural Development Corporation would sponsor the Carroll County Circuit Rider. If the application can be submitted soon, the money is there and the Circuit Rider employee can begin immediately. The cost to the Town would be \$5,000 which would come out of the Fund Balance. The proposed workload for the Circuit Rider includes grant writing, supporting the redevelopment process for 714 Sandosky, completing renewal in 2017 of our Sustainable Communities Designation, assisting with the completion of the 5-Year Report that provides a narrative on our Master Plan's implementation status, and developing a Town sidewalk maintenance program. The Maryland Rural Development Corporation would provide a laptop for this worker, but additional resources are at the cost of the Town.

MOTION: Council Member Link motioned and Council Member Betz seconded to authorize the Town Manager to submit an application to the Circuit Rider Program and spend \$5,000 as a match.

The motion carried unanimously.

4. Proposed 2017 Farmers' Market location

Julie Della-Maria, Main Street Coordinator, presented this to the Mayor and Town Council. She proposed using the parking lot and building at 714 Sandosky Road for the location of the 2017 Farmers' Market. This would allow for ample storage space, eliminate the need for a road closure, alleviate the parking issues for the church, allow for a possible indoor market in bad weather, and move the market physically closer to the Little Sykes Railway. The Main Street shops wouldn't be affected by the change in location, because the McElroy parking lot would be open for parking, causing people to walk across and through Main Street in order to get to the Farmers' Market.

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The only thing Julie Della-Maria would have to figure out before the Farmers' Markets begin, is the need for an ADA accessible bathroom. She indicated that she can get an ADA accessible port-a-pot but would need advanced notice to do so. The Mayor and Town Council will consider this proposal and any other development ideas that are presented to them for this location.

It was brought to the Mayor and Town Council's attention that Scott Beck has offered to stripe the 714 Sandosky Road parking lot at no cost to the Town. He would use a heat striping technology that can be pressure washed away if needed. The Council asked that Mark Onheiser, Special Projects Coordinator, help map out the spaces because he did a good job on the Baldwin's parking lot. Public Works can help clean up the parking lot before the striping occurs.

MOTION: Council President Keenan motioned and Council Member Carter seconded to authorize the Town Manager to write a letter to Scott Beck indicating the Town would like him to stripe the parking lot at 714 Sandosky Road at no cost to the Town and working with Mark Onheiser for the layout.

The motion carried unanimously.

MOTION: Council Member Betz motioned and Council Member Link seconded to take a five minute recess at 8:07 P.M.

The motion carried unanimously.

MOTION: Council Member Betz motioned and Mayor Shaw seconded to go back into open session at 8:20 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 (7) to consult with counsel to obtain legal advice on a legal matter.

MOTION: Council Member Betz motioned and Council Member True seconded to go into closed session at 8:21 P.M.

The motion carried unanimously.

Those in attendance were: Mayor Shaw, Council President Keenan, Council Members Betz, Bleam, Carter, Link and True, Town Attorney Dennis Hoover, Town Manager Dawn Ashbacher, and Dennis Boyle of Lee and Associates (for the first item pertaining to the disposition of 714 Sandosky Road).

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Items discussed were:

- Consult with legal counsel – disposition of 714 Sandosky Road – no action
- Consult with legal counsel – Maryland Historical Trust Easement and Memorandum of Understanding – no action
- Consult with legal counsel – Warfield Contract Negotiations – no action
- Personnel—Main Street Program Coordinator—confidential personal information – no action

MOTION: Council Member Betz motioned and Mayor Shaw seconded to go back into open session at 10:37 P.M.

The motion carried unanimously.

The Mayor and Town Council agreed to the concept of having the location of the 2017 Farmers' Market be 714 Sandosky Road. They asked that the Town Staff look into what would be needed to make the location workable for the Farmers' Market.

ADJOURN: There being no further business to come before the Council, Council Member Betz motioned and Council Member Bleam seconded to adjourn meeting at 10:40 P.M.

The motion carried unanimously.

**Respectfully submitted
Town Clerk Kerry Chaney**