



Town of Sykesville

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Town House

Stacy Link, Mayor

Joseph Cosentini, Town Manager

Craig Weaver, Town Treasurer

Kerry G. Kavaloski, Town Clerk

OFFICIAL MINUTES OF NOVEMBER 14, 2022 REGULAR COUNCIL MEETING **NO. 22-20**

The Council meeting of the Town of Sykesville was held on Monday, November 14, 2022. Mayor Link called the meeting to order at 7:00 P.M. in the Town House Council Chambers. Mayor Link led the Pledge of Allegiance and a moment of silence.

PRESENT: Mayor Stacy Link, Council President Anna Carter, and Council Members Alan Grasley, Elizabeth Guroff, Mark Dyer, Leo Keenan, and Jeremiah Schofield.

STAFF: Joseph Cosentini, Town Manager
Police Chief Michael Spaulding
Kerry Kavaloski, Town Clerk
Craig Weaver, Town Treasurer

PUBLIC COMMENTS:

There were no general public comments.

CONSENT AGENDA:

- I. Minutes from October 24, 2022
- II. Minutes from November 8, 2022
- III. Reappointment of Al McEvoy to the BZA for a 3-year term expiring August 2025
- IV. Appointment of Judy Walters to the BZA to fill a 2-year term expiring November 2024

MOTION: Council Member Schofield motioned to approve the items on the Consent Agenda. Council President Carter seconded the motion.

The motion carried unanimously.

UNFINISHED BUSINESS:

- V. Public Hearing and to Consider/Discuss/Act on the adoption of Ordinance NO. 2022-05 – AN ORDINANCE OF THE COUNCIL OF THE TOWN OF SYKESVILLE DELETING CHAPTER 35, "VOTING", OF THE CODE OF THE TOWN OF SYKESVILLE AND TO ENACT A NEW CHAPTER 10, "ELECTIONS", ESTABLISHING STANDARDS BY WHICH TOWN ELECTIONS ARE ADMINISTERED

Joe Cosentini, Town Manager, explained that all changes made at the last meeting, when this ordinance was introduced, have all been incorporated into the ordinance before the Council. There was also one additional dangling “and” removed.

Council Member Grasley announced that he made a public video explaining his position regarding the limit to the designated agents.

MOTION: Council Member Schofield motioned to open the public hearing for Ordinance NO. 2022-05 at 7:07 P.M. Council President Carter seconded the motion.

The motion carried unanimously.

There were public comments received via email prior to the meeting. All addresses are Sykesville, MD unless otherwise noted.

Joni Palko, 7429 Second Avenue, provided a public comment against the ordinance.

Mike Miller, 7518 Patterson Court, provided a public comment against the ordinance.

Joe Kirschensteiner, 7255 Norris Avenue, provided a public comment against the ordinance.

Ian Shaw, 7594 Boulder Drive, provided a public comment against the ordinance. Mr. Shaw exceeded the time limit provided for public comments.

MOTION: Council Member Schofield motioned to allow Ian Shaw to continue his public comments beyond the time limit. Council Member Grasley seconded the motion.

The motion carried unanimously.

Connor Armstrong, 7311 First Avenue, provided a public comment in favor of the ordinance.

Julie Della-Maria, 7411 Second Avenue, provided a public comment in favor of the ordinance.

Joanna Schofield, 401 Oklahoma Avenue, provided a public comment in favor of the ordinance.

MOTION: Council Member Keenan motioned to close the public hearing at 7:34 P.M. Council Member Schofield seconded the motion.

The motion carried unanimously.

Council Member Grasley explained that he was not prepared for the limit on Designated agents to be removed from the ordinance. He is against the limit being removed.

Council Member Keenan explained that he would like the wording in the ordinance regarding the designated agents to match what is in the State Code with regards to signing the designated agent forms and delivering the ballots under penalty of perjury. He also explained that if this ordinance is not passed, then the Town would defer to what is in the State Code, which is no limit on designated agents. He also explained that he would not trust sending a ballot through the current USPS mail system.

Council Member Guroff made a comparison of voter turnout and attending therapy. She explained that once the virtual option was offered, more people attended therapy. She sees the designated agent process as just another option for voters to utilize. She also noted that the federal election is a day off for many people, however the Sykesville election is not a day off.

Council President Carter explained that she agrees with increasing community engagement. There are failsafes in place to prevent against fraud. She further explained that she would like the ordinance to state that a designated agent cannot be the significant other of a candidate.

Council Member Schofield appreciated the voter participation during the 2021 election, and he is a proponent for inclusivity.

Council Member Dyer explained that he doesn't see proof of any malfeasance, and his ultimate goal is to allow as many people as possible to vote.

MOTION: Council Member Dyer motioned to adopt Ordinance NO. 2022-05 – AN ORDINANCE OF THE COUNCIL OF THE TOWN OF SYKESVILLE DELETING CHAPTER 35, “VOTING”, OF THE CODE OF THE TOWN OF SYKESVILLE AND TO ENACT A NEW CHAPTER 10, “ELECTIONS”, ESTABLISHING STANDARDS BY WHICH TOWN ELECTIONS ARE ADMINISTERED with the amendment of adding the same language from the State of Maryland Code, section 9-307 (b) 3 and 4, regarding the penalty of perjury for designated agents and to add language regarding the forms being prescribed by the Town Board of Election Supervisors. Council Member Guroff seconded the motion.

Council President Carter motioned to amend the original motion to include wording regarding designated agents not being the significant others of candidates. Council Member Grasley seconded the motion to amend.

This motion to amend failed 3-4 with Council President Carter and Council Members Grasley and Keenan voting in favor and Mayor Link and Council Members Dyer, Guroff, and Schofield voting against.

The primary motion for the adoption of the ordinance passed 6-1 with Mayor Link, Council President Carter, and Council Members Dyer, Guroff, Keenan, and Schofield voting for the adoption and Council Member Grasley voting against the motion.

NEW BUSINESS:

VI. Consider/Discuss/Act on the introduction of Ordinance NO. 2022-06 – AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF SYKESVILLE AMENDING THE CODE OF THE TOWN OF SYKESVILLE, CHAPTER 180 – ZONING, ARTICLE XIV – SPECIAL PROVISIONS, § 180-89 – SIGNS

Mayor Link announced that the Planning Commission reviewed this ordinance at their meetings in September, October, and November, and their recommendations are included in the current version of the ordinance.

There was discussion regarding the word and definition of “obscene” in section C-8. Mayor Link explained that obscene was defined by the US Supreme Court. There is legal backing to the word obscene that makes it clearer than using the word “offensive”.

Council President Carter asked if there are places where sandwich board signs would not be able to be placed due to the lack of clearance. There are narrow places along the sidewalks. She also asked if there is a limit on the number of temporary signs allowed to be on a property. Mr. Cosentini explained that an administrator would look at all the temporary signs as one sign and would have to comply with the size requirements.

Mayor Link asked about murals and if they are considered signs. Mr. Cosentini explained that if they are commercial, they are considered signs. She also asked if feather flag signs would be prohibited; they would be under this ordinance. D-2 (b) and D-2 (C) are repeats of the Historic District Commission Guidelines. She requested the word “clearance” be added to the height requirement. She also requested the use of “his or her” in D-6 to be changed to “their”.

MOTION: Council President Carter motioned to introduce Ordinance NO. 2022-06 – AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF SYKESVILLE AMENDING THE CODE OF THE TOWN OF SYKESVILLE, CHAPTER 180 – ZONING, ARTICLE XIV – SPECIAL PROVISIONS, § 180-89 – SIGNS. Council Member Keenan seconded the motion.

The motion carried unanimously.

VII. Consider/Discuss/Act on the introduction of Ordinance NO. 2022-07 – AN ORDINANCE OF THE COUNCIL OF THE TOWN OF SYKESVILLE AMENDING CHAPTER 12 “ETHICS”, OF THE CODE OF THE TOWN OF SYKESVILLE TO INCORPORATE CHANGES REQUIRED BY THE STATE LAW REGARDING CONFLICT OF INTEREST AND FINANCIAL DISCLOSURE PROVISIONS AND CHANGES TO REFER TO THE TOWN GENERALLY RATHER THAN ITS AGENCIES, BOARDS, AND COMMISSIONS

Mr. Cosentini explained that changes to the State Ethics Code have been made, and all local ordinances are required to closely mimic the State Code, so the Town Code needs to be updated in order for compliance.

There was discussion by the Council, however any changes made to the ordinance would most likely not allow the Town to be in compliance with State Ethics Code. Mr. Cosentini will confirm that with the Town's legal counsel.

MOTION: Council Member Grasley motioned to introduce Ordinance NO. 2022-07 – AN ORDINANCE OF THE COUNCIL OF THE TOWN OF SYKESVILLE AMENDING CHAPTER 12 “ETHICS”, OF THE CODE OF THE TOWN OF SYKESVILLE TO INCORPORATE CHANGES REQUIRED BY THE STATE LAW REGARDING CONFLICT OF INTEREST AND FINANCIAL DISCLOSURE PROVISIONS AND CHANGES TO REFER TO THE TOWN GENERALLY RATHER THAN ITS AGENCIES, BOARDS, AND COMMISSIONS. Council Member Dyer seconded the motion.

The motion carried unanimously.

ANNOUNCEMENTS/REPORTS

- The next meeting is Monday, November 28, 2022
 - We have volunteer opportunities available on the Historic District Commission and Police Auxiliary. Email town@sykesville.net for more information about volunteering with the Town.
 - Staff Updates
 - Treasurer's Report
- Craig Weaver, Town Treasurer, presented the October 2022 Treasurer's Report. He explained that revenues are on pace. The audit is not yet done, but it is progressing smoothly.

Council Member Schofield asked if the \$14,600 under the legal line item was for the entire year. Mr. Weaver explained that it is year-to-date, and \$25,000 has been budgeted for the entire year.

- Public Safety Report
- Chief Spaulding presented the Public Safety Report for the period of October 17 through November 6. There was a total of 772 reports, including 21 assist other agencies, 13 community policing events, 49 foot patrols, 20 incident reports, 375 patrol checks, and 60 traffic enforcement initiatives. Chief Spaulding explained that there has been some new definitions established to ensure things are reported correctly. Community policing events include community interactions, and foot patrols occur without community interactions.

Chief Spaulding explained that seven youths have been identified in the malicious destruction of property at Millard Cooper Park cases. They will be contacted and charged, or they will be held monetarily responsible for the damages.

Chief Spaulding explained that the marijuana law will be in effect beginning July 2023. The State's Attorney has already told the Police not to charge people for small amounts currently. The Police have been seizing marijuana that is found.

Chief Spaulding also explained that he will be monitoring requests for the Sykesville female officers to do searches for other departments.

Council President Carter thanked Officer Young for her thoughtfulness during Halloween. Mayor Link also thanked Officer Pichardo for his patrolling on Halloween and playing the Ghostbusters theme song from his cruiser.

- Joe Cosentini announced that CSX will be closing the Main Street Crossing. There is not a date for the closure yet, but the Town will advertise it when it is known.
- Council/Committee Reports
 - Council Member Dyer announced that the G4 channel is going off of Comcast.
 - Council Member Schofield announced that Planning Commission will meet again on December 5. He also announced that he will not be at the December 12 Council meeting.
 - Council Member Guroff announced that the Visit with Santa will be on December 3.
 - Council Member Keenan announced that Trick-or-Treat on Main Street was successful. The Beer Festival was sold out and well attended; there was an issue with some pets and strollers at the event. The Coolest Mile is on November 19 at 10 A.M. And donations for the 7th annual Happy-Thon are being accepted now. He also announced that he will not be at the December 12 meeting, but he can participate via Zoom.
 - Mayor Link announced that Secretary Holt of the Department of Housing and Community Development stated that the Town did not receive any funding through the Strategic Demolition grant because the Town did not change the zoning for the Warfield development. Mayor Link expressed her disgust that the State would try to interfere with local zoning control, and she will be calling the Governor.

ADJOURN: There being no further business to come before the Council, Council Member Grasley motioned and Council Member Schofield seconded to adjourn meeting at 9:10 P.M.

The motion carried unanimously.

Respectfully submitted
Town Clerk Kerry Kavaloski