

DRAFT**OFFICIAL MINUTES OF NOVEMBER 29, 2016 REGULAR COUNCIL MEETING**
NO. 16-18

The Council meeting of the Town of Sykesville was held on Tuesday, November 29, 2016. 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
Evelyn Sweet, Town Treasurer
Dennis Hoover, Town Attorney
Sergeant Shawn Kilgore
Julie Della-Maria, Main Street Coordinator

PUBLIC CONCERNS: None

WELCOME: Reverend Becca Crane from Springfield Presbyterian Church

MINUTES: November 14

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

The motion carried unanimously.

PUBLIC SAFETY

REPORT: Sergeant Kilgore presented the Public Safety Report for the period of November 9 through November 22. There were a total of 380 reports including 53 Calls for Service. The Council requested that Sergeant Kilgore see if a breakdown of the warnings and citations issued during Traffic Enforcement Initiatives can be provided, as it was in the past.

COUNCIL COMMITTEE**REPORTS:**

- Historic District Commission (HDC) – Commissioner Link provided a written update from Jack White, the Curator of the Gatehouse Museum. The next HDC meeting is December 6 at 6 P.M.
- Sykesville Parks and Recreation (SPARC) – Commissioner Carter announced that SPARC is working on planning the next season. There is no SPARC meeting in December.

COUNCIL MEETING MINUTES

November 29, 2016

Cont.

- Warfield Development Committee – The Mayor announced that the next meeting is on December 7.
- Main Street Association (MSA) – Council President Keenan announced that there is a Promotions Committee meeting on December 1 at 7 P.M.
- Planning Commission – Council Member Betz announced that the Planning Commission has reviewed the Warfield Pattern Book version 3.0 and affirmed their desire to limit the type of business to 37% medical offices because of water and sewer allocations. If the Mayor and Town Council or Developer would like to pursue adjusting the water and sewer service areas within the Town to increase the total allocation for Warfield, the Planning Commission is open to considering a proposal. The Planning Commission's next meeting is on December 5.

ANNOUNCEMENTS:

- Recycling will be picked up on November 28 instead of on November 24 and December 1.
- 12 Hours of Christmas, December 2, 10 A.M. to 10 P.M.
- Santa's Arrival, December 3, 6 P.M. to 9 P.M.
- An Old-Fashioned Christmas at the Sykesville Historic Colored Schoolhouse, December 4, 2 P.M. to 4 P.M.
- Cookies on Main Street, December 9, all day inside the shops
- Merry Main Street, Dec 10, 12 P.M. to 4 P.M.
- Holiday Decorating Contest, December 13

OPEN SESSION:

Consent Agenda:

- 1. Approval to surplus Public Works equipment**
- 2. Approval of FY 2016 Assigned and Restricted Fund Balances**

MOTION: Council Member True motioned and Council Member Link seconded to approve the items on the Consent Agenda with the removal of item 1 for further discussion.

The motion carried unanimously.

1. Approval to surplus Public Works equipment

Council Member True requested more information about the EZ-Go Cart. There was concerns that this was a golf cart style machine that still works. After checking with Ron Esworthy, Public Works Director, this item was added to the list of surplus items accidentally. It should be removed from the list and not be surplusd.

MOTION: Council Member True motioned and Mayor Shaw seconded to surplus the 1998 Chevrolet Pickup truck.

The motion carried unanimously.

3. Consideration of Resolution NO. 2016-12 allowing alcohol to be sold at Main Street Events

The Main Street Association (MSA) operates under the Community Foundation's liquor license, which is why the MSA cannot apply for a permanent liquor license.

COUNCIL MEETING MINUTES

November 29, 2016

Cont.

There are concerns that having alcohol at the Farmers' Markets would make it less family friendly than it is now. Julie Della-Maria, the Main Street Coordinator, explained that she was not planning on having alcohol at every Farmers' Market. She does not know which markets she will have alcohol at, but it will possibly be aligned with cooking demonstrations or the Farm to Table dinners that happen monthly.

MOTION: Council Member True motioned and Council Member Link seconded to approve Resolution NO. 2016-12 allowing alcohol to be sold at 2017 Main Street Events.

The motion carried unanimously.

Council Member True asked some questions of Julie that were not related to the Resolution. These included:

Did the French Twist rope off the sidewalk when they redid the front of their building? The front is not a sidewalk and is their patio area. The access ramp is accessible from the other side of the building, so no one has to walk in the street to enter the building.

Is the moon bounce that is used by the MSA covered by insurance? It is not under the Town's insurance, as it is not the Town's moon bounce. Julie will check to make sure it is covered under the Carroll Community Foundation's insurance.

Julie brought up the idea of new Christmas decorations for the Town. Previously, this was a project of the MSA Design Committee.

4. Warfield Development – Stormwater facility and park improvements negotiations and forest conservation easement.

Sean Davis was in attendance to present this to the Council. There is a channelized stream through Parcel A/B and non-tidal wetlands in Parcel C that will have to be filled in to allow the proposed development. This is a total area of less than half an acre of low quality waters and wetlands. The developer is proposing to take part of the unnamed tributary that flows into Piney Run and fixing the erosion that is happening. The attached map has in pink all possible areas where wetlands mitigation could occur. The developer would propose to create a wetlands area to replace the non-tidal wetlands in Parcel C. This is in addition to the proposed \$200,000 for the park master plan and the improvements. The Planning Commission expressed interest in having the mitigations be done by improving the current manmade pond in Warfield Park to make it look more natural.

The proposed stormwater maintenance facility for Parcels E/F is proposed to be placed on Town property in an area that is currently under a forest conservation easement. The developers would mitigate this by planting on a one-to-one basis for the trees that they remove, buying into a forest conservation bank somewhere else, or a combination of the two. The Planning Commission expressed an interest in both as long as what is planted on the property won't affect any developing of the park in the future. The developer would also provide funds for a park master plan and improvements. They proposed a total of \$200,000 for both, however the Mayor would like this amount to be \$250,000. An agreed upon amount has not yet been reached.

The general consensus from the Mayor and Town Council is that this route is okay to pursue.

5. Introduction of new Historic District sandwich board and street furniture guidelines.

The HDC has spent a great deal of time discussing sandwich boards and the guidelines for them. They have not had guidelines for sandwich board signs that are currently being used in the Town. These guidelines would allow the HDC to unify the aesthetic of the Town. Council Member Betz asked for clarification of the street furniture guidelines, as the fifth bullet point seemed contradictory with itself. It was explained that there are some synthetic materials that are acceptable to the HDC, but not all are. The fifth bullet point will be condensed and clarified so as to not cause confusion. She also noticed that the word “or” should be put in the first Not Recommended bullet point between “benches” and “similar street furniture”. There is more discussion needed about the process for the applications and if there will be a fee associated with the street furniture and sandwich board sign applications. Some options include having the Business Use of Sidewalks permit be the application or having all the merchants who wish to have street furniture or sandwich boards submit a standard HDC application. Mayor Shaw wondered if this should be added to the Warfield guidelines. This will be discussed at the next HDC meeting. Once these guidelines get approved, there will be a grace period until April 1, 2017 for merchants to remove noncompliant sandwich board signs and street furniture. The proposed guidelines will be sent to the merchants in advance of the Mayor and Town Council approval.

6. Approval of Resolution NO. 2016-10 setting the sidewalk clearance width to 3’

MOTION: Council Member True motioned and Council Member Blead seconded to amend Resolution NO. 2016-10 to say “three feet and six inches from the street side of the curb.”

The rationale behind this amendment was that the Americans with Disabilities Act requires 36 inches of clearance for passing. Council Member True believes that this distance should not include the curb because the curb is a buffer to prevent people from falling into the street.

Council Member Link countered with the following information: a power wheelchair on average is 24 inches wide, and a manual wheelchair on average is 26.5 inches wide. Requiring 36 inches including the curb gives enough clearance to have a wheelchair safely navigate the sidewalks without coming near the curb.

The motion failed in a 3-4 vote. Those in favor were Mayor Shaw and Council Members True and Betz. Those opposed were Council President Keenan, and Council Members Link, Carter, and Blead.

MOTION: Council President Keenan motioned and Council Member Link seconded to approve Resolution 2016-10 as it was written.

The motion passed in a 5-2 vote. Those in favor were Mayor Shaw, Council President Keenan, and Council Members Link, Carter, and Blead. Those opposed were Council Members True and Betz.

7. Review of the Town’s Commercial Refuse Collection Service

COUNCIL MEETING MINUTES

November 29, 2016

Cont.

Evelyn Sweet, Town Treasurer, was present to discuss this topic. Carroll County has recently increased their tipping fees at the landfills by 3% and will continue increasing their fees by 3% each year for the next four years. Including labor costs, the Town is losing about \$2,000 a year on the commercial refuse collection service. In order to breakeven this year, the price of the service would need to be raised by 8%, however, further evaluation of the Town's billing methodology is necessary.

MOTION: Council Member Carter motioned and Council Member Betz seconded to increase the Town's Commercial Refuse Collection Service fees by 8% effective January 1, 2017.

The motion carried unanimously.

MOTION: Council Member Link motioned and Council Member Betz seconded to take a five minute recess at 9:20 P.M.

The motion carried unanimously.

MOTION: Council Member Link motioned and Council Member True seconded to go back into open session at 9:28 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 and (7) to consult with counsel to obtain legal advice on a legal matter.

MOTION: Council Member Link motioned and Council Member Carter seconded to go into closed session at 9:29 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 Town Treasurer Evelyn Sweet.

Items discussed were:

- Consult with Legal Counsel – trash collection responsibilities -
- Personnel – Staffing update – confidential personal information -

MOTION: Council Member Link motioned and Council Member True seconded to go back into open session at 10:23 P.M.

The motion carried unanimously.

COUNCIL MEETING MINUTES

November 29, 2016

Cont.

ADJOURN: There being no further business to come before the Council, Council Member Link motioned and Council Member Bleam seconded to adjourn the meeting at 10:24 P.M.

The motion carried unanimously.

Respectfully submitted
Town Clerk Kerry Chaney