



## Town Council Minutes 39 W. Main Street

January 11, 2012 – 7:00 p.m.

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The regular meeting of the Mayor and Council of the Town of New Market was held January 11, 2012, in the Town Hall, 39 West Main Street, New Market, Maryland, with Mayor Winslow Burhans presiding. Members of the Council present were: Shane Rossman, David Price, Dennis Kimble, and Rita Mueller, and Town Engineer, Shawn Burnett. Councilmember Jake Romanell arrived during the meeting (see below).

**CALL TO ORDER:** The meeting was called to order at 7:04 p.m.

### **Mayor & Liaison Reports:**

**Mayor Burhans:** Mealey's has been sold to an investor. The property went to settlement in mid-December. They are looking for an experienced operator and hope to open late spring/summer.

**Councilman Rossman:** Thank you to Rita Mueller for taking down all of the Christmas roping and to Bud Rossig for the decorating/undecorating of the Christmas tree in the park.

### **Councilman Price:**

- Carl Miller, local resident, recently donated \$1million to the Hospice of Frederick. He remembers how Mealey's used to be...a neighborhood tradition. There were patrons that came back year after year. Mr. Miller hopes to open the restaurant as soon as possible. Mr. Miller wants to keep the name and a traditional look. Mr. Miller is in the process of hiring a professional, restaurateur to run it.

The reason that this property sold was due to the involvement of the Mayor and members of the Council. The Mayor continued to stay on top of this property and was instrumental in putting the investor and the property together. There had been the potential for the property to end up as something completely different.

- Councilman Price has contacted Urbana Elementary & New Market Elementary and will contact Deer Crossing & Oakdale Elementary this week about walking tours for the 2, 3, & 4 grades. He has been in touch with Harry Hanna (sp?) about making this a permanent part of the social studies curriculum. This will mimic the plan that is being used for the Civil War Museum. The Civil War Museum currently has a plan that includes the middle and high schools. The tours bring the children (and the parents) into the town. During the loss of Mealey's any growth in the town has been community oriented. Blue Ribbon schools, ball fields, restaurants, and possible annexation of commercial properties, these all serve to attract residents to New Market.

### **Councilwoman Mueller:**

- The storage shed behind town hall needs some storage shelves to store the New Market Days & Christmas in New Market supplies, such as lights, bows, etc.

- Councilwoman Mueller toured the Adventure Park light show. It was quite impressive and highly recommends it.
- The fountain has started to rust after being powder coated this summer. The company is out of business and no way to contact the former owners.
- Mr. Miller has put in a drain on his property (Mealey's) but there continues to be a problem of water running across 8<sup>th</sup> Alley.

**Councilman Kimble:** Seawright was released from the LOC's for the water & sewer taps for Phase II as Miller & Smith has put up their own LOC's for the taps. The mylars for Phase II for Royal Oaks were approved.

***Councilman Jake Romanell arrived at 7:30***

**Councilman Romanell:** For the water problem at 8<sup>th</sup> & South Alley the problem will require further study to see the complete problem, i.e. where the water originates and who is responsible.

The Mayor will contact Mr. Miller and the other property owners and then set up a meeting for all of the property owners and the town to meet with Shawn Burnett.

**Bid Opening – South Alley Drainage Improvements**

<b>Bidder</b>	<b>Phase 1</b>	<b>Phase 2</b>	<b>TOTAL</b>
<b>JCS Inc.</b>	<b>\$4,200.00</b>	<b>\$3,600.00</b>	<b>\$7,800.00</b>
<b>JHG Contractors</b>	<b>\$11,629.85</b>	<b>\$3,700.00</b>	<b>\$15,329.85</b>
<b>Frederick Landscaping</b>	<b>\$4,575.00</b>	<b>\$1,972.00</b>	<b>\$6,547.00</b>
<b>Musselman Excavating</b>	<b>\$7,434.27</b>	<b>\$2,185.75</b>	<b>\$9,620.02</b>

**Decision:** Councilmember Price made a motion to accept the bid from JCS, Inc. subject to the conditions that Shawn Burnett approves the payment schedule; confirm that the scope is complete and that a Wilson T Ballard inspector will be on-site.

**Second:** Councilmember Rossman

**Discussion:** *Councilman Romanell: Would like to go with the lowest bidder.*

*Councilman Kimble: Town pays for the inspection.*

**Vote: For** – 4 (Rossman, Mueller, Price, Kimble) **Against** – 1 (Romanell). **Abstain** – 0

**New Business**

1. **New Market Elementary School 5K Run** - The 5K will be held on April 14<sup>th</sup> this year. The roads need to be closed from 8:45 to 9:15.

**Decision:** Councilmember Rossman made a motion to approve the New Market Elementary School 5K run plan.

**Second:** Councilmember Price

**Discussion:** None

**Vote: For** – 5 (Rossman, Price, Mueller, Kimble, Romanell) **Against** – 0.

**Abstain** – 0

**APPROVAL OF MINUTES**

**Decision:** Councilmember Rossman made a motion to approve the minutes of December 14, 2011 as written.

**Second:** Councilmember Mueller

**Discussion:** None

**Vote:** *For* – 3 (Rossman, Mueller, Romanell) *Against* – 0. *Abstain* – 2 (Kimble, Price)

2. **Royal Oaks Mylars Approval by Planning & Zoning** - The mylars that were approved at the January 5, 2012 Planning & Zoning meeting were requested to be held by Sandy Pucciarelli (member of P&Z) and not released to the builder. Ms. Pucciarelli was concerned that they were not consistent with the Developer Rights and Responsibilities Agreement (DRRA) of a 40' right of way. The right of way is a 40' right of way that will be at the end of Isaac Russell Street.

**Public Comment:**

**Chris Pucciarelli, 303 Poultney Place**

**Sandy Pucciarelli, 303 Poultney Place**

**Joe Oliverio, 208 Quaker Way**

**Howard Edwards, 122 W. Main Street**

**Decision:** Councilmember Mueller made a motion to release the signed mylars that were approved by the Planning & Zoning Committee on January 5, 2012, to Kevin Rogers.

**Second:** Councilmember Kimble

**Discussion:** Town Engineer, Shawn Burnett: A professional engineer has signed the mylars, originally in 2002 and again in 2011. A staff report is prepared and given to the Chairman of the Planning and Zoning Committee and the Mayor. Revision blocks are on the plans that explain what was changed from the previous submission.

**Vote:** *For* – 5 (Rossman, Mueller, Price, Kimble, Romanell) *Against* – 0.

*Abstain* – 0

**ADJOURNMENT:** Motion made by Councilmember Price to adjourn the meeting.

**Second:** Councilmember Romanell

**Discussion:** None.

**Vote:** *For* – 5 (Mueller, Rossman, Price, Romanell, Kimble) *Against* – 0. *Abstain* – 0.

The motion passed.

**The meeting adjourned at 9:20 p.m.**

Respectfully submitted,

Debra Butler  
Clerk to Council