



Town Council Minutes 39 W. Main Street

July 14, 2010
Executive Session – 6:00 p.m.
General Session – 7:00 p.m.

An Executive Session under the Open Meetings Act Law 10-508(a)(7) was held at 6:16 pm to consult with legal counsel. Members present were: Mayor Winslow Burhans, Councilmember's Jake Romanell, Dennis Kimble, David Price, and town attorney, William Wantz. Councilman Rossman and Councilwoman Mueller were absent.

Motion: Councilwoman Romanell made a motion to go into closed session under the Open Meetings Act 10-508(a)(7) to confer with legal counsel.

Second: Councilman Kimble

Vote: *For* – 3 (Romanell, Kimble, Price) *Against* – 0 *Abstain* – 0

The motion passed.

The regular meeting of the Mayor and Council of the Town of New Market was held July 14, 2010 in the Town Hall, 39 West Main Street, New Market, MD, with Mayor Winslow Burhans presiding. Members of the Council present were Jake Romanell, Dennis Kimble, and David Price. Councilman Rossman and Councilwoman Mueller were absent.

CALL TO ORDER: The meeting was called to order at 7:16 p.m.

APPROVAL OF MINUTES –

Decision: Councilmember Romanell made a motion to approve the minutes of June 9, 2010 as written.

Second: Councilmember Kimble

Discussion: Councilman Price advised that he would not be able to vote on the minutes since he was not present at the June meeting, therefore a quorum was not present to vote on this issue.

Vote: None. This item will be postponed until the August meeting.

MAYOR AND LIAISON REPORTS

Mayor's Report:

North/South Alley Repairs and Repaving

The town will piggyback on the county contract for the repairs and partial repaving to North & South Alley. The street budget will need to be increased by \$5976.20 for FY11. These repairs are significant involving repair, SW pipe replacement and some overlay. South Alley involves pothole repair.

Decision: Councilmember Romanell made a motion to increase the street budget for FY11 by \$5976.20.

Second: Councilmember Kimble

Discussion: None

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

The motion passed.

Councilman Romanell:

- During the alley repairs the cars will need to be out of the alley. Notice will be given to the residents.
- MML Convention – Councilman Romanell has contact information for each of the other council members for their area of responsibility. Councilman Romanell also spoke to the number two administrator at SHA about the streetscape project. He will refer it to Dennis German.

Councilman Kimble:

- The Seawright reforestation area has been mowed.
- Members of Planning and Zoning participated in a training class given by Bruce Galloway. The course is required for all Planning & Zoning members by the state. All of the Planning and Zoning members are now certified.

Old Business

1. **East Side Annexation -- Resolution 10-02 (10.2223 acres)** – The annexation petition that was submitted to the town on November 9, 2009 was withdrawn on June 7, 2010 and a revised petition submitted to the town on the same day. The revised petition will be subject to verification. A public hearing will also be scheduled and copies of the revised petition will be sent to the Maryland Department of Planning, the Frederick Department of Planning and the Board of County Commissioners.

Decision: Councilmember Romanell made a motion to accept the petition and introduce Resolution 10-02 for the annexation of 10.2223 acres..

Second: Councilmember Kimble

Discussion:

Howard Edwards, 122 W. Main Street – What structures are currently on the property? *McDonalds, Food Lion and Shell.* What future development areas are available? *There are pad sites by the Food Lion & also by McDonalds. Road and traffic studies were done under the last petition.*

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

The motion passed.

New Business

2. **Marley Square – Request for 30 taps – Brad Tavel, Main Street Developments**

Mr. Tavel said that after evaluation by their engineers they would require 30 water/sewer taps for the Marley Square property. There will be three levels – 1st Level: Professional/Retail, 2nd and 3rd Levels: Residential or mix of professional and residential. The town does not currently have 30 taps available. Under the 3rd Amendment to the Water Service Area Agreement, additional taps will be available when the Bush Creek project has been completed. The expected construction of Marley Square is about 1 ½ to 2 years, which is consistent with the completion of the Bush Creek project

Decision: Councilmember Price made a motion to provide thirty water and sewer taps as follows: fifteen (15) of the taps coming from those currently

available for purchase and fifteen (15) from the 3rd Amendment to the Water Service Area Agreement contingent upon a Multi-Year Tap Agreement. Any unused taps are to come back to the town from the fifteen (15) taps currently available for purchase. Notwithstanding, the applicant must purchase the fifteen (15) taps currently available for purchase within three (3) years starting September 1, 2010.

Second: Councilmember Romanell

Discussion: Does the water classification need to change from W5 to W3? Yes

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

The motion passed.

Decision: Councilmember Romanell made a motion to change the water classification for Marley Square from W5 to W3 and S5 to S3.

Second: Councilmember Price

Discussion: None

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

The motion passed.

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

Second: Councilmember Kimble

Discussion: None.

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

The motion passed.

The meeting adjourned at 8:29 p.m.

Respectfully submitted,

Debra Butler
Clerk to Council