



Town Council Minutes 39 W. Main Street

November 14, 2013 – 7:00 p.m.

The meeting of the Mayor and Council of the Town of New Market was held November 14, 2013 in the Town Hall, 39 West Main Street, New Market, MD, with Mayor Winslow Burhans presiding. Members of the Council present were Jake Romanell, Michael Davies, Dennis Kimble, and Shane Rossman. Councilwoman Mueller arrived at 7:04.

CALL TO ORDER: The meeting was called to order at 6:59 p.m.

APPROVAL OF MINUTES

Decision: Councilmember Rossman made a motion to approve the minutes of October 10, 2013 as written.

Second: Councilmember Romanell

Discussion: None

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

The motion passed.

Mayor & Liaison Reports:

Mayor Burhans: The audit has been completed and will be posted once we receive a PDF version of the written report.

Councilman Rossman: The Fall Clean-up date went very well with the assistance from students from Linganore High School. They collected about 40 bags of leaves. Certificates of Appreciation have been prepared and will be distributed to the students that came out on November 2.

A representative from State Highway Administration will come to the December Town Council meeting to give everyone an update on the status and timeline for the Streetscape project.

Councilman Romanell: Delegate Schultz and the Drug Awareness Task Force are continuing work on getting the information out to parents to let them know what county/state services are available for drug addiction issues. Walkersville has proposed a proclamation to the Board of Education that encourages distribution of materials by all methods to parents/students.

Decision: Councilmember Romanell made a motion to adopt the proclamation as written.

Second: Councilmember Rossman

Discussion: None

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

The motion passed.

The MML Annual Dinner will be held December 6, 2013 at 6:30 pm at the Cozy in Thurmont.

Councilman Kimble: The Planning & Zoning Committee heard a proposal to expand the number of chickens allowed from 4 to 12. P&Z also is reviewing hill in Brinkley Manor. According to the original plat the hill area was supposed to be level. Shawn Burnett is reviewing to see if it allowable to leave it as it is or if it needs to be leveled as per the original plat. DR Horton does not care either way.

Del. Kathy Afzali

Del. Afzali gave an update on some changes that are coming with regards to the borders of District 4A. She will be part of the new district 4 that will have three delegates. The new district 4 will have 10 municipalities. The Rain Tax will be revisited in the new session and some of the bills that she is working on include the areas of hunting, agriculture, election law and reducing taxes for businesses. She asked that the residents and town officials contact both her and Del. Schultz with any issues or concerns and allow them to work as an advocate. They are in Annapolis from mid January to mid April but they are always accessible and able to assist you with getting through the quagmire of bureaucracy. Del. Afzali also answered questions on a proposed mileage tax. She is concerned with the gas taxes since 90% of the gas money goes to mass transit (such as the Metro Purple line) and not to the roads and highways. Del. Afzali is also opposed to the tolls proposed for 270.

Old Business

1. **Bid Opening – Mowing Contract.** There were three bids received (All the Trimmings, Frederick Landscaping, and ValleyCrest) and opened at the meeting. The contract was awarded to ValleyCrest (low bidder and the contractor we have had for the past four years).

Decision: Councilmember Kimble made a motion to accept the bid from ValleyCrest for the next three years for a total of \$21,504.

Second: Councilmember Davies

Discussion: None

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

Abstain – 0

The motion passed.

New Business

2. **Release of Escrow Funds, Steve Seawright, The Orchard** – Steve Seawright is requesting a partial amount of \$6600 from the Forest Conservation escrow fund. He has fulfilled his requirement for the Main Street lot plantings, but the lot at the community park will require some replanting. He would like to release the funds to the town and any remaining funds (after the replanting) would return to him. The Boy Scouts are interested in doing the actual planting. Councilman Rossman has been in touch with them. The Community Park area might require a different type of tree than was originally planted.

Decision: Councilmember Kimble made a motion to accept the agreement as proposed by Steve Seawright to the extent it complies with the Forest Conservation Ordinance.

Second: Councilmember Mueller

Discussion: None

Vote: For – 5 (Rossman, Romanell, Davies, Kimble) **Against** – 0. **Abstain** – 0
The motion passed.

3. Proposed Change to Land Development Ordinance – Article IV, Section 1.11.12 – Poultry as Pets and Beekeeping

Katherine Berkhausen presented information to the board about increasing the number of chickens allowed from four to twelve. There are currently three or four families that have chickens. A one-time common occurrence, it has gained in popularity in cities and town across the country. Many of the concerns (noise, disease, odor) were addressed. No roosters are allowed under the ordinance and the noise is minimal (60 dB). The owners must practice best sanitation practices but they are no greater public hazard threat than a dog or cat. A laying hen lives about two or three years and currently most places have a minimum number of chicks that you can buy at one time (5 is usually the smallest number). Ms. Berkhausen had statutes from nearby municipalities that allowed chickens as well as large metropolitan areas such as Denver and Seattle.

Decision: Councilmember Rossman made a motion to introduce Ordinance 2013-03 to amend the Land Development Ordinance to increase the number of domestic fowl allowed from four to twelve

Second: Councilmember Kimble

Discussion: None

Vote: For – 5 (Rossman, Romanell, Davies, Kimble, Mueller) **Against** – 0. **Abstain** – 0
The motion passed.

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

Second: Councilmember Mueller

Discussion: None.

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

The motion passed.

Respectfully submitted,

Debra Butler
Clerk to Council