

The Town of New Market



Town Council Minutes
40 South Alley, New Market, MD. 21774
Virtual Meeting
General Session
January 13, 2022 – 7:00 p.m.

The meeting of the Mayor and Council of the Town of New Market was held virtually via Zoom on Thursday, January 13, 2022, with Mayor Winslow Burhans presiding. Council members present: Shane Rossman, Dennis Kimble, Matt Chance, Chris Weatherly, and Michael Wright. Also in attendance were Pat Faux, Zoning Administrator/Town Planner, Bryan Dusza, Town Engineer, and Steve Pippin.

CALL TO ORDER: The meeting was called to order at 7:01 p.m.

APPROVAL OF MINUTES

Motion: Councilman Rossman made a Motion to approve the minutes of the November 10, 2021, meeting as written to include the amendment made by Councilman Kimble

Second: Councilman Wright

Discussion: None

Public Comment: None

Vote: For – 4 (Rossman, Kimble, Weatherly, Wright)
Against – 0
Abstain – 1 (Chance)
Absent – 0

The Motion passed.

Motion: Councilman Rossman made a Motion to approve the minutes of the December 9, 2021, meeting as written

Second: Councilman Wright

Discussion: None

Public Comment: None

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Vote: For – 4 (Rossman, Kimble, Chance, Wright)

Against – 0

Abstain – 1 (Weatherly)

Absent – 0

The Motion passed.

Motion: Councilman Rossman made a Motion to approve the minutes of the December 14, 2021, meeting as written

Second: Councilman Wright

Discussion: None

Public Comment: None

Vote: For – 4 (Rossman, Kimble, Chance, Wright)

Against – 0

Abstain – 1 (Weatherly)

Absent – 0

The Motion passed.

Motion: Councilman Kimble made a Motion to approve the Executive Session minutes of the December 14, 2021, meeting as written

Second: Councilman Wright

Discussion: None

Public Comment: None

Vote: For – 4 (Rossman, Kimble, Chance, Wright)

Against – 0

Abstain – 1 (Weatherly)

Absent – 0

The Motion passed.

NEW BUSINESS


North Alley Drainage Improvement Phases III & IV Bid Award

Councilman Rossman and Town Engineer Dusza announced that one bid was received. ECM was the company that completed Phase II. Matter tabled to January 20, 2022, for Wilson T. Ballard to review the bid for compliance and provide information for a possible grant opportunity that has a deadline of January 31, 2022.

Water/Wastewater Tap Fee Grant Program Applications

Steve Pippin, New Market Civic Partnership, Inc., presented two applications for financial assistance from the Town of New Market Main Street Business Water/Wastewater Tap Fee

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Grant. Both establishments will make substantial contributions to the business activity on Main Street, including the hiring of local staff.

- 1) Vintage, LLC, 8 West Main Street. The Water and Sewer Utilities Department of Frederick County calculated the water capacity fees of \$72,261.34. Vintage's application did not request that a specific percentage of the County fees be covered. It is recommended that the program provide the maximum allowable, i.e., 50% for a total of \$36,130.67.
- 2) Prospect Pantry, 1 West Main Street. The Water and Sewer Utilities Department of Frederick County calculated the water capacity fees of \$14,977.05. Prospect Pantry made a down payment of \$4,539.99. They requested 50% for a total of \$7,488.53. Mayor Burhans said his understanding was that this amount would be a direct disbursement to the County.

Motion: Councilman Weatherly made a Motion to award the \$36,130.67 based on the contingency of filing the appropriate permits with the County and the Water and Sewer plan amendment application.

Second: Councilman Rossman

Discussion: None

Public Comment: None

Vote: For – 4 (Rossman, Kimble, Chance, Weatherly)

Against – 0

Abstain – 1 (Wright)

Absent – 0

The Motion passed.

Motion: Councilman Chance made a Motion to approve the application in the amount of \$7,488.53

Second: Councilman Kimble

Discussion: None

Public Comment: None

Vote: For – 4 (Rossman, Kimble, Chance, Weatherly)

Against – 0

Abstain – 1 (Wright)

Absent – 0

The Motion passed.

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Introduction of Ordinance 2022-01: Administrative Review of Decisions of the Historic District Commission

Mayor Burhans introduced Ordinance 2022-01. The matter will be presented at the next Planning and Zoning Commission meeting and set in for a Public Hearing at the next Town Council meeting.

Motion: Councilman Chance made a Motion to Introduce Ordinance 2022-01
Second: Councilman Kimble
Discussion: None
Public Comment: None
Vote: For – 5 (Rossman, Kimble, Chance, Weatherly, Wright)
Against – 0
Abstain – 0
Absent – 0
The Motion passed.

Appointment of Michael Davies to Board of Appeals – Term ending February 2023

Mayor Burhans appointed Michael Davies to the Board of Appeals due to the resignation of Christopher Berry.

Motion: Councilman Kimble made a Motion to Accept the appointment of Michael Davies to the Board of Appeals with a term ending February 2023
Second: Councilman Wright
Discussion: None
Public Comment: None
Vote: For – 5 (Rossman, Kimble, Chance, Weatherly, Wright)
Against – 0
Abstain – 0
Absent – 0
The Motion passed.

OLD BUSINESS

Memorandum of Understanding between the Town of New Market and the City of Frederick – Speed Enforcement Program

Mayor Burhans presented the Memorandum of Understanding (MOU) between the Town of New Market and the City of Frederick. The MOU was approved at the January 6, 2022, meeting of the Frederick City Mayor and the Board of Alderman. The MOU sets forth the respective

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rights and responsibilities of The City of Frederick and the Town of New Market concerning operational support required to administer an automated speed enforcement program for the Town of New Market. The remaining task is to hire a Program Administrator, and the Mayor has forwarded information on a potential candidate to the Council for review. Councilman Rossman thanked the Mayor for all his hard work getting this done.

Motion: Councilman Weatherly made a Motion for the Mayor to sign the MOU
Second: Councilman Rossman
Discussion: None
Public Comment: None
Vote: For – 5 (Rossman, Kimble, Chance, Weatherly, Wright)
Against – 0
Abstain – 0
Absent – 0
The Motion passed.

LIAISON REPORTS

Mayor Burhans reported that he has yet to hear back from the County Executive regarding the draft Town-County Agreements (Parkway Agreement and Water and Sewer Service Area Agreement) that were submitted on January 26, 2021. They were reviewed by County staff and sent to the County Executive on July 19, 2021. He announced that a new business on Main Street is opened. Laurie Mills has opened 5 West Café. He wanted to remind everyone that there is parking in the back and that the hours are 7:30 a.m. – 3:00 p.m. According to our branding study, this was something that residents said they wanted, and it seems to be well received.

Councilman Rossman reported that there has been heavy traffic around the 3:00 hour on Main Street due to the parents picking their students up at the New Market Elementary School, and at times the line has backed up to Prospect Pantry. The principal is aware of the situation and has strategically placed parents within the loop and requested that the parents pick their students up in the nearby communities and cul-de-sacs adjacent to the school. In the Fall, Councilman Rossman met with the principal and the sheriff to discuss a proposal that would take parents up through our new North Alley and potentially create a gated road that would go up in front of the elementary school and out to Main Street. The access from North Alley would keep parents off of Main Street and allow traffic to flow through and keep everyone safe on North Alley. This project is needed for the safety of our Town, and he met with Pat Faux and Bryan Dusza this morning to discuss the possibility of obtaining grant funds for this project. The discussion of grant funds for this project was tabled to the January 20, 2022, meeting.

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Councilman Rossman reported that he is aware that some of the pedestrian lights are out; however, the last batch of bulbs received were not the right ones. The Mayor reported that the correct bulbs were received, and once it gets warmer, they will get out and replace them. It was also noted that the lights in front of Prospect Pantry and 17 East Main were not working and will need to be repaired.

Councilman Kimble reported that flags for Town Hall were ordered and should be in sometime in February. The garage doors were repaired with new bearings and hinges. The motion detector on the deck is not working, and he will arrange for repair. He reported that the new gutters and downspouts were installed. Councilman Wright said that the new gutters looked good. Councilman Kimble reported that the chimney was completed; however, he was not sure it was sealed properly and asked if someone could look to make sure that it had been waterproofed. Regarding the foundation he believes the replacement of the new gutters will help with the overflow of water and that there is no need to have someone come out and look at the foundation. Councilman Kimble also requested that Paige Sinclair be invited to make a presentation at the February Town Council meeting regarding the "Lunch out of Landfill" project.

Councilman Wright asked if Councilman Rossman would use his drone to take pictures of the roof. He needs to work with Councilman Kimble to finalize the plans for the door to the basement. He reported that the heat was on at Old Town Hall and that the downstairs toilet is turned off. He reported that at the HDC/ARC meeting on January 11, 2022, the Commission met the introduction of Ordinance 2022-01 favorably. There were two applications on the agenda: 1) a standalone garage to be demolished and rebuilt and 2) window replacement.

Councilman Weatherly reported that they assigned two chairs and a treasurer at the Green Team meeting last night. They need to appoint a secretary. The Green Team decided to apply for Sustainable Maryland certification, and they went through the scorecard spreadsheet and assigned tasks based on the team's skillset. Michael Hunnighake, Program Manager, Sustainable Maryland, has been invited to attend the next meeting for a Q&A session. Councilman Weatherly confirmed that there will be six dates for the Farmer's Market, two each in June, July, and August. He was asked by several constituents when the public restrooms can be opened. Councilman Kimble will go by tomorrow to unlock them.

Councilman Chance reported that Planning and Zoning Commission did not meet this month.

ADJOURNMENT

<i>Decision:</i>	Councilman Rossman made a motion to adjourn the meeting.
<i>Second:</i>	Councilman Kimble
<i>Vote:</i>	For – 4 (Rossman, Kimble, Weatherly, Wright)
	Against – 0

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Abstain – 0
Absent – 1 (Chance)

Meeting adjourned at 8:13 p.m.

Respectfully submitted,

Michelle Mitchell
Clerk to Mayor and Town Council

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