1. Agenda 01 27 20

Documents:

AGENDA 01 27 20.PDF

1.I. City Council Meeting Packet

Documents:

COUNCIL PACKET 01 27 20.PDF

AGENDA

CITY OF WESTMINSTER
Mayor and Common Council Meeting
Monday, January 27, 2020 at 7 pm
Council Chambers of City Hall, 1838 Emerald Hill Lane, Westminster, MD

1. CALL TO ORDER

2. APPROVAL OF MINUTES

A) Closed Meeting of October 28, 2019

B) Closed Meeting of November 9, 2019

C) Mayor and Common Council Meeting of January 13, 2020

3. PRESENTATIONS

A) Quarterly Progress Report – Mid-Atlantic Gigabit Innovation Collaboratory (MAGIC) – Graham Dodge, MAGIC Executive Director

4. CONSENT CALENDAR

A) Approval of December 2019 Departmental Operating Reports

B) Approval – Agreements with MissionTix for Online and Onsite Ticketing and Admission Services for the Westminster Wine Stroll, Westminster BBQ Stroll, and Westminster Oyster Stroll – Ms. Gruber

C) Acceptance of Deeds and Parcels for Bolton Hill Subdivision, Sections 4 and 5 – Mr. Glass

5. REPORT FROM THE MAYOR

6. REPORTS FROM STANDING COMMITTEES

A) Arts Council

B) Economic and Community Development Committee

C) Finance Committee

D) Personnel Committee

E) Public Safety Committee

F) Public Works Committee

7. COUNCIL COMMENTS AND DISCUSSION

8. BIDS

A) Approval – Purchase of Three Replacement Vehicles for Utility Maintenance – Mr. Glass

9. ORDINANCES & RESOLUTIONS

A) Adoption of Ordinance No. 919 – Amending the Adopted Budget for the Fiscal Year Beginning July 1, 2019 and Ending June 30, 2020 (FY 2020 Budget Amendment #1) – Ms. Palmer

10. UNFINISHED BUSINESS

11. NEW BUSINESS

A) Discussion of Proposed Ordinance to Incorporate Changes in State Law with Respect to Local Ethics Ordinances and to Broaden the City's Financial Disclosure Requirements for Elected Officials and Candidates for Elective Office – Ms. Levan

12. DEPARTMENTAL REPORTS

13. CITIZEN COMMENTS

14. ADJOURNMENT

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MINUTES

CITY OF WESTMINSTER
Mayor and Common Council Meeting
Monday, January 13, 2020 at 7 pm

CALL TO ORDER

Elected Officials Present: Councilmember Chiavacci, Councilmember Dayhoff, Mayor Dominick, Councilmember Gilbert, President Pecoraro, and Councilmember Yingling.

Staff Present: Director of Human Resources Childs, Director of Community Planning and Development Depo, Director of Public Works Glass, Police Chief Ledwell, City Attorney Levan, City Administrator Matthews, Director of Finance and Administrative Services Palmer, Director of Housing Services Valenzisi, and City Clerk Visocsky.

Guest Present: Val Giovagnoni, Manager of Ting Internet.

APPROVAL OF MINUTES

President Pecoraro stated that approval of the Closed Meeting minutes of October 28, 2019 would be deferred to the next meeting agenda.

President Pecoraro requested a motion to approve the following minutes:

- Mayor and Common Council Meeting of December 9, 2019; and,
- Special Mayor and Common Council Meeting of December 11, 2019.

Councilmember Dayhoff moved, seconded by Councilmember Gilbert, to approve the minutes as presented.

VOTE

AYES: President Pecoraro, Councilmember Chiavacci, Councilmember Dayhoff, Councilmember Gilbert, and Councilmember Yingling.
NAYS: None.

Ms. Matthews introduced and welcomed Mark Depo, the City's new Director of Community Planning and Development.

PRESENTATION

Westminster Fiber Network

Ms. Matthews stated that the agenda packet for the Mayor and Common Council meeting included a report for the Westminster Fiber Network Project for the quarter ended December 31, 2019. The report included information on the financial aspects of the Project, as well as information on the activities of the in-house Maintenance Team.

With no questions from the Mayor and Common Council, Ms. Matthews requested that Ms. Giovagnoni, Manager of Ting Internet, provide her quarterly update. A copy of Ms. Giovagnoni's presentation is attached to these minutes and incorporated herein by reference.

Ms. Giovagnoni noted that Ting experienced an increase in signups from residents in Phases 2 and 4 during November and December 2019. She added that January 2020 was similarly strong, and looked forward to providing a report to the Mayor and Common Council at the end of the next quarter.

Following the presentation, Councilmember Chiavacci inquired about Ting's progress in connecting with local businesses. Ms. Giovagnoni stated that Ting had made good progress in signing up businesses in downtown Westminster. Connecting with businesses that were part of a larger corporate structure was challenging. Ms. Giovagnoni added that Ting staff does their own verification of which properties are residential and which are commercial for mailing purposes.

Councilmember Dayhoff asked if there was consideration to extend the Fiber Network outside of the City limits. Mayor Dominick replied that he had a meeting with staff earlier in the day at which matter was discussed; further discussions would take place with the Economic and Community Development Committee.

CONSENT CALENDAR

President Pecoraro requested a motion to approve the Consent Calendar, which consisted of the following:

- Departmental Operating Report for November 2019;
- Approval of Drug Task Force Memorandum of Agreement;
- Authorization – Amendment to Lease Agreement with HRI, Inc. for Use of the City-owned Property located at 1117 Old New Windsor Road, Westminster, Maryland;
- Approval – Change Order No. 2 to City's Contract with Standard Pipe Services, LLC for Phase 2 of the Inflow and Infiltration Project; and,
- Approval – Modification #6 to Contract with Gant Brunnette Architects – 45 West Main Renovation Project.

Councilmember Chiavacci moved, seconded by Councilmember Dayhoff, to approve the Consent Calendar as presented.

VOTE

AYES: President Pecoraro, Councilmember Chiavacci, Councilmember Dayhoff, Councilmember Gilbert, and Councilmember Yingling.
NAYS: None.

REPORT FROM THE MAYOR

Mayor Dominick stated that he hoped everyone had a good holiday season. He then thanked the Utility Maintenance Department staff for their quick work in repairing a water main break that occurred on January 11, 2020.

REPORTS FROM STANDING COMMITTEES

There were no reports from the Public Works Committee.

Councilmember Dayhoff, on behalf of the Arts Council, reported that the Carroll Arts Center would be showing several great documentaries. The upcoming Third Wednesday Jazz Series will feature a tribute to Miles Davis, and Carroll Community College was sponsoring a program on January 20, 2020 in observance of the Martin Luther King, Jr. holiday. Councilmember Dayhoff encouraged everyone to go to the Arts Council's website for information on other upcoming events.

Councilmember Yingling, on behalf of the Economic and Community Development Committee, noted that the Common Council would be awarding a consulting contract related to the redevelopment of the property located at 17-25 West Main later in the meeting. He was excited that the process was moving forward.

President Pecoraro, on behalf of the Finance Committee, reported that staff work on the FY 2021 budget was underway.

Councilmember Gilbert, on behalf of the Personnel Committee, reported that the Committee held a meeting earlier in the day.

Councilmember Chiavacci, on behalf of the Public Safety Committee, reported that the Westminster Police Department had four new officers in the academy. He also reported that Chief Ledwell was working on a new patrol schedule that would better align staffing with the Department's operational needs. Councilmember Chiavacci commended Chief Ledwell for his efforts.

Councilmember Dayhoff, on behalf of the Recreation and Parks Committee, thanked the Recreation and Parks Department for their work on the recent holiday events.

COUNCIL COMMENTS AND DISCUSSION

Councilmember Dayhoff stated that, in his capacity with the Westminster Volunteer Fire Department, he had the opportunity to work with many of the Police Department's newer officers, and he was impressed with their approach to policing. He then recognized Councilmember Chiavacci for being one of 75 veterans to present the flag at the recent Ravens playoff game. Councilmember Dayhoff commended Mayor Dominick for his company's donation to pay off school lunch debt for Carroll County Public School students. He also complimented Councilmember Yingling's company for its contribution to the Boys and Girls Club.

Councilmember Gilbert shared that she attended the legislative breakfast, hosted by the Carroll County Chamber of Commerce, on January 10, 2020.

President Pecoraro advised his colleagues that he had worked with Ms. Levan and Councilmember Chiavacci to draft modifications to the City's Ethics Ordinance that would bring it into line with the State Ethics Commission's requirements. He felt it was important to put these modifications into place as the City embarks on new development projects. President Pecoraro then distributed a copy of the proposed ordinance to his colleagues so that they could review it.

Councilmember Chiavacci stated that he served on the Common Council at the time the City's current Ethics Ordinance was put in place, and he had voted for its adoption. Having observed what had occurred in other communities, he felt it was important to have more disclosure and openness than what the current Ethics Ordinance requires.

Councilmember Yingling asked Ms. Levan if the proposed modifications to the City's Ethics Ordinance would make it compliant with all State requirements. Ms. Levan responded affirmatively.

Councilmember Dayhoff suggested that the State Ethics Commission review the proposed ordinance prior to its introduction. President Pecoraro agreed and directed Ms. Levan to forward the ordinance to the State Ethics Commission for review and comment. Councilmember Dayhoff expressed his appreciation to Ms. Levan for her work on the proposed ordinance.

President Pecoraro stated that he was pleased with the Special Mayor and Common Council Meeting of December 11, 2019, and thanked staff for their excellent presentation. He noted the attendance of

two members of the Carroll County Board of Commissioners, the County Administrator, and other members of the County staff. President Pecoraro stated that he felt the Special Meeting accomplished the goal of educating the County and the community about the City's water and sewer capacity issues, and the actions being taken by the City to address them.

BIDS

Westminster Square Garage Parking Deck Repair and Improvements

Mr. Glass stated that the FY 2020 Capital Projects Fund budget included funding in the amount of $80,000 for the repair of the Westminster Square Garage parking deck. He informed the Mayor and Common Council that multiple bids were received, with the lowest, qualified bid submitted by Contracting Specialist Incorporated-DC. Mr. Glass noted that one of the bidders did not provide the required documentation; therefore, its bid was disqualified.

Mr. Glass advised the Mayor and Common Council that the bid specifications inadvertently omitted supplemental requirements related to public works construction projects, which includes a one-year maintenance bond. At the City's request, Contracting Specialists Incorporated-DC provided the additional cost of the maintenance bond for both the base bid scope of work ($657.94) and the five-year optional extended warranty option ($1,157.94). The inclusion of these costs would increase the overall project cost to $48,039.87.

Mr. Glass stated that City staff reviewed and evaluated references and the proposal from Contracting Specialists Incorporated-DC in the total amount of $48,039.87. Mr. Glass noted that this amount included the five-year extended warranty option. Staff found the proposal to be acceptable with regard to the City's needs. He stated that all work would need to be completed in the spring of 2020 to meet the fiscal year end date of June 30.

Mr. Glass recommended that the Mayor and Common Council accept the bid of Contracting Specialists Incorporated-DC in the amount of $48,039.87 for the repair of the Westminster Square Parking Garage parking deck as further detailed in the contract documents, and authorize the Mayor's execution of the associated contract.

President Pecoraro asked Mr. Glass if he anticipated that the work would be done before the end of the FY 2020. Mr. Glass stated that this was dependent upon weather conditions.

Councilmember Chiavacci moved, seconded by Councilmember Yingling, to award the bid to Contracting Specialists Incorporated-DC in the amount of $48,039.87 for the repair of the Westminster Square Parking Garage parking deck.

VOTE

AYES: President Pecoraro, Councilmember Chiavacci, Councilmember Dayhoff, Councilmember Gilbert, and Councilmember Yingling.
NAYS: None.

Consulting Services Associated with Redevelopment of 17-25 West Main Property

Ms. Matthews stated that, on December 3, 2019, the City closed on the property located at 17-25 West Main Street. Staff solicited proposals from consultants to provide technical assistance as the City pursues redevelopment of the property. Ms. Matthews stated that the Mayor and members of the Common Council's Economic and Community Development Committee interviewed two firms on October 31, 2019.

The Mayor, members of the Committee, and the City Administrator recommend that the City retain the services of Partners for Economic Solutions (PES) to assist with the redevelopment of the 17-25 West

Main property. PES has worked extensively with cities, economic development and redevelopment agencies, universities, housing authorities, and non-profits.

Ms. Matthews informed the Mayor and Common Council that the work would be performed in two phases. In Phase 1, PES would meet with the City to define its goals for the property's redevelopment, prepare a preliminary pro forma analysis of the site's potential development, compile site information for inclusion in the developer solicitation, prepare and distribute a developer solicitation brochure, and review developer expressions of interest. The fee for the Phase 1 work is $23,500.

Ms. Matthews stated that, in Phase 2, PES would be available to work with the City to solicit and evaluate actual proposals, including review of the financial aspects and terms of the proposals. Phase 2 fees will be based on the number of developer submissions and the extent of negotiation support desired by the City. The contract with PES will be structured to allow the City, in its discretion, to have PES perform the services identified in Phase 2, at a price to be determined.

Ms. Matthews recommended that the Mayor and Common Council award a contract to Partners for Economic Solutions based on the firm's proposal dated September 6, 2019, and authorize the Mayor's execution of the associated contract.

Councilmember Yingling stated that the Economic and Community Development Committee was impressed with PES during the interview process, and that the firm had the qualifications to meet all of the City's needs. He added that the references contacted by staff spoke highly of the firm, and that he was excited to work with the firm.

President Pecoraro stated that he was also impressed by PES during the interview process. He looked forward to Mr. Depo's input as the work with PES moves forward.

Councilmember Yingling moved, seconded by Councilmember Chiavacci, to award a contract to Partners for Economic Solutions as presented, and to authorize the Mayor's execution of the associated contract.

VOTE
AYES: President Pecoraro, Councilmember Chiavacci, Councilmember Dayhoff, Councilmember Gilbert, and Councilmember Yingling.
NAYS: None.

ORDINANCES & RESOLUTIONS
Ordinance No. 919
Ms. Palmer informed the Mayor and Common Council that Ordinance No. 919 would amend the adopted FY 2020 budget. She noted that a summary of the changes was included in the agenda packet. The most notable change to the adopted budget was the reduction in reserves for the purchase of the property located at 17-25 West Main.

Ms. Palmer recommended introduction of Ordinance No. 919, amending the adopted budget for the Fiscal Year beginning July 1, 2019 and Ending June 30, 2020 (FY 2020 Budget Amendment #1).

Councilmember Chiavacci stated that the City had purchased the 17-25 West Main property using City reserve funds. He then noted that building permit fees had come in higher than anticipated due to the positive economic climate in Westminster. Ms. Palmer affirmed Councilmember Chiavacci's statement, adding that the City had also seen a rise in interest revenue.

Councilmember Chiavacci moved, seconded by Councilmember Gilbert, to introduce Ordinance No. 919.

VOTE
AYES: President Pecoraro, Councilmember Chiavacci, Councilmember Dayhoff, Councilmember Gilbert, and Councilmember Yingling.
NAYS: None.

Ordinance No. 920
Ms. Levan stated that she prepared an ordinance to ban vaping where the smoking of tobacco products was already prohibited by State law, as directed by the Mayor and Common Council on December 9, 2019. The ordinance would permit vaping in vape shops and other shops where the use is lawful, and vaping is the primary intended purpose of the use.

Ms. Levan suggested that the Mayor and Common Council discuss fines for violations. As currently drafted, the ordinance addressed violations as a municipal infraction, which would not require the involvement of the Police Department.

Councilmember Chiavacci commented that most violations would likely occur outside of normal business hours, when the City's code enforcement officer would not be working.

Councilmember Yingling asked for additional time to conduct further research, as well as receive public input. President Pecoraro agreed, stating that a public hearing regarding the proposed ordinance would be scheduled.

Ms. Levan recommended that the Mayor and Common Council introduce Ordinance No. 920 – Amending the Code of the City of Westminster, to Add Section 106-22, "Vaping Prohibited", to Chapter 106, "Peace and Good Order", Article V, "Miscellaneous Offenses", to Prohibit Smoking of Tobacco and Marijuana in Places of Public Accommodation, Except for Vape Shops, Licensed Cannabis Dispensaries and Other Similar Businesses Lawfully Established for the Primary Purpose of Allowing Individuals to Smoke or Vape or to Sample Smoking or Vaping Products.

Councilmember Chiavacci moved, seconded by Councilmember Dayhoff, to introduce Ordinance No. 920.

VOTE
AYES: President Pecoraro, Councilmember Chiavacci, Councilmember Dayhoff, Councilmember Gilbert, and Councilmember Yingling.
NAYS: None.

UNFINISHED BUSINESS
None.

NEW BUSINESS
None.

DEPARTMENTAL REPORTS
City Administrator
Ms. Matthews reported that the 45 West Main Renovation Project was underway, and the first progress meeting would be held on January 14, 2020. She then reported that Katz and Associates, the communications firm assisting the City with public information/education for the Water Reuse Initiative, would be conducting interviews with 25 stakeholders during the week of January 20, 2020 and the first week of February.

Ms. Matthews reminded the Mayor and Common Council that the Plastic Bag Ban, approved on May 13, 2019, would go into effect on July 1, 2020. In preparation for this, she and Executive Assistant Samantha Schlitzer were working together to notify businesses effected by the ban. The goal was to send out information on or around February 1, 2020.

Westminster Volunteer Fire Department
Councilmember Dayhoff noted that the Westminster Volunteer Fire Department (WVFD) had a new president, Daniel Plunkert. He wished former President Jamie Petry the best in her new position with the Carroll County Public Safety Training Center.

On behalf of Mr. Plunkert, Councilmember Dayhoff provided the Mayor and Common Council with the monthly report of the WVFD. He reported that WVFD responded to 491 calls during the month of December, consisting of 55 fire calls and 436 EMS calls. Of these, 236 calls were within the City limits. Year-to-date, WFVD had responded to 950 fire calls and 5,356 EMS calls; this totals 6,306 for the year of 2019.

Councilmember Dayhoff expressed his concern regarding the increase in deaths resulting from the use of opioids, including the high number of deaths attributable to suicide. He also shared WVFD's continued concerns regarding the number of overlapping calls, adding that there were 245 overlapping calls during the month of December. When this occurs, neighboring fire departments respond to the calls that WVFD cannot.

Councilmember Dayhoff concluded his report by informing the Mayor and Common Council that, on January 11, 2020, WVFD responded to a house fire on Spring Meadow Drive caused by an unattended candle. Mayor Dominick asked Councilmember Dayhoff if the home had a sprinkler system. Councilmember Dayhoff replied that it did not, as the house was built prior to the passage of the law requiring sprinkler systems.

Westminster Police Department
Chief Ledwell shared the success of the partnership between the Carroll County Sheriff's Department and the Westminster Police Department in addressing crime in the community. The agencies meet on a weekly basis, at which there is a good exchange of information.

Chief Ledwell noted Councilmember Chiavacci's earlier comments regarding the implementation of a new patrol schedule that will better align staffing with the Department's workload.

Chief Ledwell concluded his report, by informing the Mayor and Common Council that Sergeant Steve Blackwell would be promoted to the rank of Lieutenant. The department would be conducting interviews for the position of Corporal in the coming weeks.

Finance and Administrative Services Department
Ms. Palmer stated that the change in the Police Department's patrol schedule would require changes in the payroll system. She was fully supportive of the schedule change, adding that it would simplify payroll processing the long-run.

Ms. Palmer reported that the budget forms for FY 2021 were distributed to each department and were due in early February 2020.

Ms. Palmer informed the Mayor and Common Council that she and her staff were working on year-end items for 2019, as well as the new tax forms and tables for Calendar Year 2020.

Housing Services Department
Ms. Valenzisi reported that she was reviewing the administrative plan for the Housing Choice Voucher program. She and her staff were also working on implementing a new software module. Ms. Valenzisi concluded her report by informing the Mayor and Common Council that the department would be mailing 1099 forms to landlords who receive housing voucher payments.

Public Works Department
Mr. Glass reported that a water main break occurred on January 11, 2020. He stated that the Utility Maintenance Department was able to isolate the line and repair the break within a short period of time. On January 13, 2020, a main break occurred on Silver Court.

Mr. Glass then provided an update on the Gesell Well extended pump test, which would continue through the end of January. Test results to date were positive.

Human Resources Department
Ms. Childs reported that her department was working on a new drug policy, as well as a new policy for CDL drivers. The new policies would be brought before the Mayor and Common Council in the near future for approval.

Community Planning & Development Department
Mr. Depo reported that the Westminster Board of Zoning Appeals reviewed variance requests for 7 Corporate Center Court on January 7, 2020. The Westminster Historic District Commission met on January 8, 2020 to review five Façade Improvement Tax Credit applications.

Mr. Depo concluded his report by informing the Mayor and Common Council that the Westminster Planning and Zoning Commission recently reviewed a proposed site plan for a proposed Royal Farms at 7 Corporate Center Court.

CITIZEN COMMENTS
Michael Carlson, 738 Mulligan Lane, shared a letter from his neighbor who was unable to attend the meeting. The letter outlined concerns regarding the development of a multifamily apartment building on the Clark Farm property. Mr. Carlson advised the Mayor and Common Council of his personal concerns regarding the development, which included noise and increased traffic on Mulligan Lane. He shared that there was a school bus stop on Mulligan Lane at the entryway to the site. Mr. Carlson stated that the parking lot of the apartment complex would abut his backyard, causing light pollution into his home and decreasing value of his property. He inquired if improvements would be made to address existing drainage issues and whether a traffic study would be required.

The Mayor and Common Council asked Mr. Depo about the status of this project. Mr. Depo replied that the City had not yet received a formal application or site plan.

ADJOURNMENT
President Pecoraro adjourned the meeting at 8:23 pm.

Respectfully Submitted,

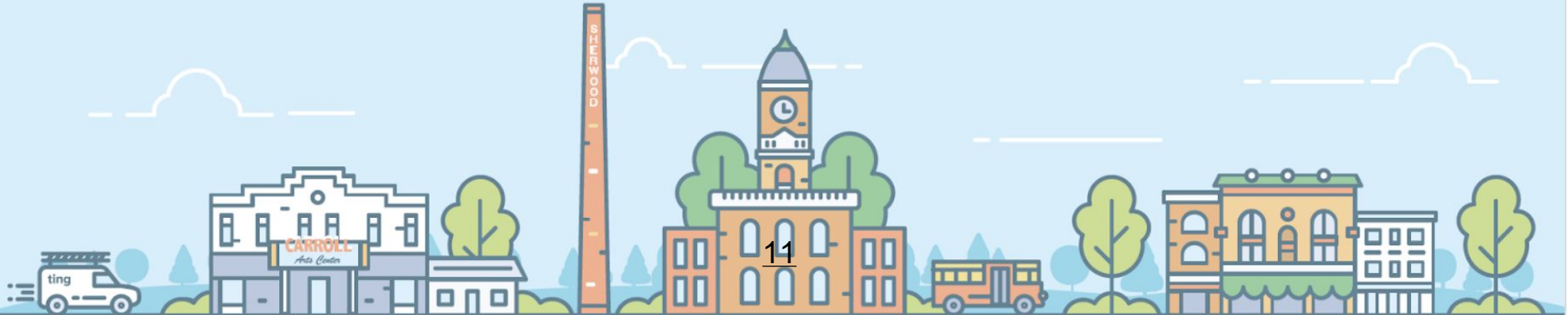
Shannon Visocsky, City Clerk

Full audio version is available on www.westminstermd.gov

ting crazy fast fiber Internet

Westminster Update

October, November, December
2019



Agenda

- Phase Recap
- Marketing Review
- TV Update
- Makerspace Update
- Questions

Phase Recap

Our family continues to grow on the WFN!

	# of Units	# of Passed Premises	# of Subscribers	Take Rate	Anniversary Date
Pilot Phase	272	272	99	36.4%	8/14/2015
Phase One	891	885	303	34.2%	1/27/2017
Phase Two	1,882	1,846	496	26.9%	7/6/2017
Phase Three	1,613	1,607	297	18.5%	6/21/2018
Phase Four	1,409	1,234	154	12.5%	11/26/2018
Total	6,067	5,844	1,349	23.1%	

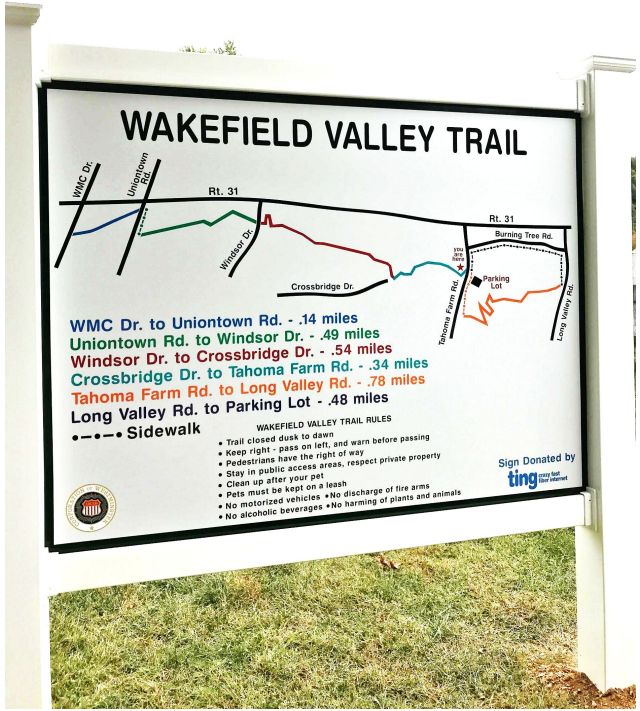
Additional Connections in Single Structures - 47

Numbers as of December 31, 2019

Marketing Review

Community Good Will Partnerships

Trail Sign Fun Run



Community Good Will Partnerships

- Farmers Market Kids' Tent Sponsorship
  - Balloon animals in October
  - Hot Chocolate Bar in November

- Electric Parade Judge

Community Good Will Partnerships

Window Decorating - Best Non-Traditional

Sponsorships

Mall Pop-Ups: Trick or Treating & Breakfast with Santa

Sponsorships

Carroll County REALTORS Trade Show

Sponsorships

Carroll County REALTORS Lunch & Learn

Sponsorships

Together We Own It Bull Roast Sponsor

Sponsorships

Chamber of Commerce Gala Sponsor

Sponsorships

MAGIC CTF 009 - Russ Schauermann, coach!

Offline Advertising

Just ask Westminster Locals Campaign in Carroll County Times

Customer Acquisition in Existing Neighborhoods

Giving Holiday Campaign

We will be making a $720 donation to CCFS!

Latest on TV

TV Timeline

- Ting TV is currently available on a ‘invite only’ basis to customers in Charlottesville, VA and Holly Springs, NC.
- A full fledged launch for Ting TV will happen in Q1 2020 in Holly Springs, NC and Charlottesville, VA
- Shortly after, **Ting TV will be offered in Westminster, MD**, Fuquay Varina & Wake Forest, NC to new and existing Ting Internet customers

Makerspace Update

Ting Makerspace & Exploration Commons Combine

- Ting has partnered with the Carroll County Public Library and will be joining forces to the benefit of Exploration Commons and the growing maker community
- Our makerspace will remain open through the end of this year, and as of 2021 we will support the maker community through our support of Exploration Commons
    - Our Maker Technology Specialist, will become a CCPL employee

Questions

Presentation – MAGIC Quarterly Report

To: Mayor and Common Council

From: Barbara B. Matthews, City Administrator

Date: January 21, 2020

Re: MAGIC Presentation

Background

The FY 2020 budget includes $80,000 in grant funding to support the activities of the Mid-Atlantic Gigabit Innovation Collaboratory (MAGIC). The grant agreement between the City of Westminster and MAGIC outlines the terms and conditions associated with the funding.

Exhibit A of the grant agreement sets forth program measures to keep the City apprised of MAGIC's progress in attaining certain goals related to its mission of promoting a culture of technology in Westminster and Carroll County. The agreement calls for MAGIC to report publicly to the Mayor and Common Council on a quarterly basis on its progress in meeting these program measures.

On January 27, 2020, Graham Dodge, Executive Director for MAGIC, will provide the progress report for the second quarter of FY 2020.

Recommendation

Staff recommends that the Mayor and Common Council receive Mr. Dodge's presentation and ask questions as desired.

Attachment

- FY 2020 Grant Agreement between the City and MAGIC

cc: Tammy M. Palmer, Director of Finance and Administrative Services

CITY OF WESTMINSTER GRANT AGREEMENT
FISCAL YEAR 2020

Grantee:	Mid-Atlantic Gigabit Innovation Laboratory
	P.O. Box 517
	Westminster, Maryland 21158
ATTN:	George Perkins, Treasurer

The Mayor and Council of Westminster, Maryland has authorized a grant of funds to the above-named Grantee for Fiscal Year 2020 in the amount of $80,000.00. This grant (hereinafter the "Grant") is administered by the Westminster City Administrator. Any questions concerning this grant are to be addressed to the City Administrator.

The Grant, and the disbursement of grant funds (hereinafter the "Grant Funds") to Grantee, is subject to the following conditions:

1. Grantee agrees to utilize the grant funds to create and nurture a tech entrepreneur ecosystem in Carroll County; to reach, teach, and train entrepreneurial talent to populate the tech ecosystem; and to accelerate the development of new technologies, particularly involving gigabit broadband (hereinafter the "Grant Services"). The goal of these activities is to develop a culture of technology entrepreneurialism focused on Westminster, and to attract innovators, companies, and investors to a growing pool of tech talent in Westminster and Carroll County. Any changes or modifications to these Grant Services must receive prior written approval from the Westminster City Administrator.

2. The City of Westminster will disburse the Grant Funds to Grantee during Fiscal Year 2020 (July 1, 2019 – June 30, 2020) in an amount not to exceed $80,000.00. The City agrees to make four installment payments in the amount of $20,000.00 each, to be paid in the months of July, October, January, and April.

3. Grantee shall report publicly to the Mayor and Common Council on a quarterly basis, describing progress in meeting the program measures outlined in Exhibit A.

4. Grantee will submit a written final report by August 31, 2020, describing progress in meeting the program measures outlined in Exhibit A.

5. Grantee shall provide the City with a copy of its audited financial statements at the end of the Grantee's current fiscal year. Grantee shall further provide the City with any additional documents and information that the City may request. Grantee shall also make available to the City, upon request, its internal policies, practices, books, and records relating to the provision of the Grant Services and the use of Grant Funds.

6. In its discretion, the City may appoint a member of the Common Council to serve as a non-voting liaison to the Grantee's Board of Directors.

7. Grantee shall perform the Grant Services as an independent contractor and shall not be considered an agent of the City, nor shall any of the employees or agents of Grantee be considered sub-agents of the City.

8. Grantee shall not discriminate against any person in employment or in the provision of the Grant Services because of race, creed, color, sex, national origin, ancestry, marital status, handicap, sexual orientation, or age.

9. Grantee shall, at Grantee's expense, be responsible for obtaining all necessary licenses and/or approvals and for complying with any applicable federal, state, and municipal laws, codes, and regulations in connection with the performance of the Grant Services.

10. Grantee shall not assign or transfer the Grant, Grant Funds, or the obligation to perform the Grant Services, except as expressly authorized by the City Administrator.

11. It is agreed that Grantee shall indemnify and hold harmless the City, its officers, agents, and employees from any and all suits, actions, claims, damages, and costs of every nature and description to which the City many be subjected by reason of injury to person or property resulting from Grantee's conduct or negligence or that of its agents, employees, or subcontractors in the performance of its duties under this Grant. Grantee shall be responsible for all damage to persons or property, which occurs or is a result of its conduct and shall take proper safety and health precautions to protect all employees and members of the general public. Grantee shall be responsible for claims of liability, loss or damage which may be attributable in whole or in part to its negligence or misconduct, excepting however such claims or damages as may be attributable to the direct or willful negligence of the City, its officers, agents, or employees.

12. The City shall have access to and the right to examine any financial records of Grantee. Grantee shall retain records pertaining to the Grant for at least five (5) years or such longer time as may be required by the City and shall contact the City before disposing of the records.

13. Grantee is responsible for insuring that Grant Funds are properly used in connection with the provision of Grant Services. The City reserves the right to demand repayment of any Grant Funds misappropriated to other purposes. If repayment is not made within ten (10) business days of such demand, the City may issue a lien against the Grantee's property and/or take such other actions as permitted by law.

14. All exhibits attached to this Grant are incorporated herein and made a part hereof. This Grant, including the exhibits attached, constitutes the entire agreement between the City and the Grantee, and the parties shall not be bound by any prior negotiation, representations or promises, not contained herein. This Grant is executed in the State of Maryland and shall be governed by Maryland law. The Grantee, by execution of this Grant, consents to the jurisdiction of the Maryland state courts with respect to any dispute arising out of this Agreement and further consents to venue in Carroll County, Maryland. If any provision of this Grant is held illegal or unenforceable in a judicial proceeding, such provision shall be severed and shall be inoperative, and the remainder of this Grant shall remain operative and binding on the parties.

By signing below, Grantee hereby acknowledges, accepts, and agrees to abide by the foregoing grant conditions. The Grant shall automatically be revoked and terminated if any of the foregoing conditions are altered or modified without the express written approval of the City Administrator or her designee.

By: _____ (authorized Grantee representative signature)

GHORCH SHIRVINSHORAN SECRETARY (name and title must be printed under signature)

7/26/19 (date of agreement execution)

By: _____
Barbara B. Matthews, City Administrator

07-30-19 (date of agreement execution)

EXHIBIT A

Mid-Atlantic Gigabit Innovation Collaboratory
Program Measures

Measurement/Activity	Q1	Q2	Q3	Q4	Total
Number of sponsors participating in special events					
Amount of sponsor revenue received					
Number of grant applications submitted					
Number of volunteers from venture capitalists, startups, and tech companies					
Jobs placed/facilitated within the City of Westminster					
Jobs placed/facilitated outside the City of Westminster					
Number of conferences/events attended or hosted					
Number of conferences/business events attended at which the Westminster Fiber Network was promoted					
Coverage in local and regional news publications					

Finance

TREASURY REPORTS AS OF DECEMBER 2019 – UNADJUSTED AND UNAUDITED

GENERAL FUND REVENUES		Budget		Actual YTD	% to Budget
Taxes	$	11,252,854	$	7,438,971	66%
Licenses and Permits		587,200		262,629	45%
Intergovernmental		2,267,199		1,186,654	52%
Charges for Services		987,400		717,128	73%
Fines & Forfeitures		102,500		66,118	65%
Miscellaneous Income		165,400		250,911	152%
Transfers	$	(599,767)	$	-	0%
GENERAL FUND APPROPRIATION BY ACTIVITY					
Community Support	$	37,422	$	12,927	35%
Facilities		301,175		89,078	30%
Finance		163,786		84,678	52%
Executive & Legislative		756,068		323,036	43%
Human Resources		131,540		52,941	40%
Planning, Zoning & Development		1,084,989		134,572	12%
Housing & Preservation Services		112,855		56,914	50%
Public Safety Department		7,157,698		3,730,220	52%
Public Works		3,271,377		1,274,735	39%
Recreation & Parks		1,431,217		774,189	54%
Technology	$	314,662	$	127,266	40%
Total General Fund Revenues	$	14,762,786	$	9,922,412	67%
Total General Fund Appropriations	$	14,762,789	$	6,660,555	45%

CAPITAL FUND REVENUES		Budget		Actual YTD	% to Budget
Taxes	$	2,198,960	$	1,621,978	74%
Intergovernmental		902,529		230,549	26%
Benefit Assessments		289,380		127,922	44%
Transfers		5,517,830		-	0%
CAPITAL FUND APPROPRIATION BY ACTIVITY					
Planning	$	10,000	$	732,304	7323%
Facilities	$	5,825,498	$	109,559	2%
Public Safety Department		302,348		137,126	45%
Public Works		2,770,854		354,953	13%
Technology	$	-	$	-	0%
Total Capital Fund Revenues	$	8,908,699	$	1,980,448	22%
Total Capital Fund Appropriations	$	8,908,700	$	1,333,942	15%

PUBLIC HOUSING FUND REVENUES		Budget		Actual YTD	% to Budget
Housing Assistance Payments	$	2,186,233	$	1,052,493	48%
HAP Equity Reserve Transfer		75,000		-	0%
HUD Administrative Fee Distribution		215,000		105,354	49%
Miscellaneous Income	$	16,000	$	79,562	497%
PUBLIC HOUSING FUND EXPENDITURES					
Salaries & Benefits	$	235,641	$	112,516	48%
Administration		84,900		63,347	75%
Housing Assistance Payments		2,126,118		1,072,279	50%
Facilities	$	45,575	$	22,035	48%
Total PHA Fund Revenues	$	2,492,233	$	1,237,409	50%
Total PHA Fund Appropriations	$	2,492,234	$	1,270,177	51%

UTILITY FUND REVENUES		Budget		Actual YTD	% to Budget
Small Meter - City	$	3,984,382	$	1,806,665	45%
Small Meter - County		3,093,428		1,332,704	43%
Large Meter - City		2,857,459		865,306	30%
Large Meter - County		2,119,490		674,962	32%
Reclaimed - County		25,000		10,645	43%
Charges for Services		882,290		619,040	70%
Benefit Assessment Fees		784,880		347,084	44%
Carroll County Septage Facility		425,000		185,160	44%
Revenue Related to ENR/Biosolids Project		27,091,494		1,104,284	4%
UTILITY FUND APPROPRIATION BY ACTIVITY					
Community Support	$	24,844	$	25,853	104%
Facilities		131,450		52,867	40%
Finance		528,716		246,641	47%
Executive & Legislative		717,523		336,423	47%
Human Resources		320,748		116,741	36%
Planning, Zoning & Development		236,426		70,155	30%
Public Works		438,480		180,790	41%
Technology		1,213,344		265,858	22%
Utilities		1,695,805		660,714	39%
Water		3,577,436		949,939	27%
Wastewater	$	31,688,492	$	8,832,150	28%
Total Utility Fund Revenues	$	41,263,423	$	6,945,849	17%
Total Utility Fund Appropriations	$	40,573,264	$	11,738,131	29%

FIBER FUND OPERATING REVENUES		Budget		Actual YTD	% to Budget
Provider Fees - Units Passed	$	432,576	$	211,644	49%
Provider Fees - Subscriptions		345,994		132,209	0%
Miscellaneous		1,000		-	0%
Loan Proceeds		-		-	0%
General Fund Subsidy	$	617,078	$	-	0%
FIBER FUND OPERATING EXPENDITURES					
Public Works		66,944		31,490	47%
Technology		39,469		20,007	51%
Fiber	$	1,286,286	$	377,543	29%
Total Revenues	$	1,396,648	$	343,853	25%
Total Expenses	$	1,396,649	$	430,903	31%

Disbursements between $10,000 and $25,000 from December 17, 2019 through January 20, 2020:

Vendor Name	Description	Total Amount
ADVANCED DISPOSAL	SLUDGE	$20,099.47
ADVANCED DISPOSAL	SLUDGE	$17,552.61
BALTIMORE GAS & ELECTRIC CO	BGE Electricity Nov	$12,200.26
CARROLL COUNTY COMMISSIONERS	VEHICLE MAINTENANCE AND FUEL	$18,761.25
COMPTROLLER OF MARYLAND	MD STATE TAX: PAYMENT	$16,822.48
COMPTROLLER OF MARYLAND	MD STATE TAX: PAYMENT	$16,795.97
CONTINENTAL TECHNOLOGIES INC	SHIELDRECOVERY EXPRESS	$13,000.00
FUNK AND BOLTON ATTY'S AT LAW	NOVEMBER 2019 LEGAL SERVICES	$11,882.50
GHD INC	CONSTR MGMT/INSPECTIONS ENR	$15,330.50
LGIT HEALTH	FSA CLAIMS	$11,144.59
MD ST RETIREMENT & PENSION SYS	MD STATE RETIREMENT: PAYMENT	$20,277.10
MD ST RETIREMENT & PENSION SYS	MD STATE RETIREMENT: PAYMENT	$21,113.43
MD STATE RETIREMENT & PENSION	MSRA FY20 ADMIN FEES	$24,756.00
MD STATE RETIREMENT & PENSION	MSRA FY20 ADMIN FEES	$24,756.00
MEADVILLE LAND SERVICE INC	DESIGN & CONSTRUCTION LITTLE PIPE CREEK	$24,581.25
MID-ATLANTIC GIGABIT INNOVATIO	FY 2020 GRANT INSTALL #3	$20,000.00
MODERN COMFORT SYSTEMS INC	INSTALL WEIL GAS BROILER	$18,475.00
NATIONWIDE RETIREMENT SOLUTION	ROTH 457(B): PAYMENT	$12,701.96
NATIONWIDE RETIREMENT SOLUTION	ROTH 457(B): PAYMENT	$13,967.46
UNITED HEALTHCARE	DEN/VIS - FEBRUARY 2020	$10,263.40
WINCHESTER WEST LLC	JANUARY 20 RENT 56 W MAIN ST	$14,300.00
WYE RIVER GROUP INC	FINANCIAL ADVISORS	$15,000.00

Operations Highlights

- Finance and Administrative Services Director Tammy Palmer continued to respond to requests from the audit team. She also continued work to reconcile the federal funding for Housing to the general ledger.

- The Finance Department responded to multiple emails and correspondences regarding procurement and disposals.

- The Finance Department trained on and prepared 1099s, W-2s, and 1095s. Changes to the tax forms and laws required testing and communication with Eden Support.

- Ms. Palmer responded to several requests and questions regarding bond releases.

- Ms. Palmer updated, populated, and distributed FY 2021 budget forms. In addition, the Master Budget File was updated with 2021 columns, formulas, and FY 2020 actuals.

- Ms. Palmer prepared a detailed analysis of police scheduling and overtime costs. In addition, she explored required changes in the payroll system to accommodate the proposed new patrol schedule.

- Ms. Palmer prepared a Request for Proposals for Downtown Westminster security cameras, posted a Street Department truck for public surplus, and arranged for disposal of Police Department filing cabinets.

- Ms. Palmer prepared an ordinance and supporting documentation to amend the adopted FY 2020 budget.

- Finance Department staff received training and performed testing on the new Utility Billing Read software.

- Ms. Palmer reviewed and commented on Recreation and Parks program pricing at the request of the City Administrator.

- Ms. Palmer met with SunTrust representatives regarding bank consolidation and merchant services for special events.

- Ms. Palmer responded to three legislative impact requests from the Maryland Department of Legislative Services.

Technology Services

- Total Helpdesk tickets = 104, broken down below by department:
  - Technology Services = 16
  - Westminster Police = 25
  - Public Works = 12
  - Human Resources = 7
  - Finance = 11
  - Office of the City Administrator = 6
  - Public = 18
  - Recreation and Parks = 5
  - Community Planning and Development = 2
  - Housing and Code Enforcement = 2
  - Mayor and Common Council = 0
  - Total emails allowed for December 2019 = 33,769K
  - Total emails sent for December 2019 = 8,468
  - Blocked emails for December 2019 = 71,922K

<u>Projects</u>:
- Replacement of core switching – planning phase
- Phone tree – in progress
- Document management solution – planning phase
- PCI Compliance Policy – in progress
- Computer hard drive encryption – testing
- Mobile device management – in progress
- Single Sign On – planning phase
- Upgrade operating systems from Windows 7 to Windows 10 – in progress
- Multi-Factor authentication – planning phase
- Firewall replacements – in progress
- Eden upgrade – in progress
- Risk and Recovery Assessment – planning phase
- Security awareness training – planning phase

<u>GIS</u>:
- Facilitated GIS meeting with the County and other municipalities to review GIS use in 911 systems with Mission Critical Partners
- Created Market Street water as-builts

- Provided North Ralph Street and Greenwood Avenue drawings to Carroll County Government
- Completed CNA Engineering request for storm drain information
- Performed Maryland Open Data research and uses for automatically updating online maps and data
- Setup applications that read directly from source to better streamline productivity
- Tested SHA Road Closures app to see if it would benefit the City in alerting citizens of road closures
- Downloaded most recent information from Carroll County GIS
- Performed updates and maintenance of Mobile 311 data
- Completed Fiber Drop/Field Check Tickets in Mobile 311 for Public Works Department
- Completed Standard Roadway Construction Details request
- Completed Westminster Station signed plans printout
- Provided CVS and Strip Center Site Plan to Carroll County Government
- Completed 765 Old Manchester Road drawing set printout
- Added Stonegate Sections I and II as-builts and Inflow and Infiltration Rehabilitation Project drawing uploads to Drawings Database
- Added Stonegate Section III Plats to Drawings Database
- Completed Refuse Report from Finance Department
- Provided CLV, Airport, and Hub F Measurements for backbone installation towards Carroll Lutheran Village
- Completed Meadow Branch Snow Route Overview printout

Housing Services

Housing Program

- Housing Assistance Payments (HAP) = $185,041
- Number of vouchers under lease as of the last day of the month = 277
- Wait list total active applicants = 1103
- Total HAP repayments received = $254
- Housing Inspections = 32
- Filing rate in PIC = 99%

Code Enforcement

- 30 cases
- 30 closed

Rental Licensing

- Monthly Licensing fees received $1880
- Total licensing fees received since July 1, 2019 = $44,090

Community Planning & Development

- The Department of Community Planning and Development provided staff support for the Board of Zoning Appeals, Planning and Zoning Commission, and the Historic District Commission. The Tree Commission did not meet in the month of December.

    - Items prepared for the Mayor and Common Council included review and background information for Emergency Ordinance No. 918 to allow as of right, single-family dwellings lawfully existing in the R-10,000 and R-20,000 Residential Zones on or before December 1, 2019, subject to the dimensional requirements contained in the ordinance; review and background information for Annexation No. 70 (Livestock Auction Property); and, review and background information for Annexation No. 71 (EOB, LLC and DASY Corporation).

- Items prepared for the Board of Zoning Appeals included legal advertising and documentation related to a proposed variance from the required minimum landscaped edge width of 30 feet to 10 feet.

- Items prepared for the Planning and Zoning Commission included review and background information for a public hearing related to Emergency Ordinance No. 918 to allow as of right, single-family dwellings lawfully existing in the R-10,000 and R-20,000 Residential Zones on or before December 1, 2019, subject to the dimensional requirements contained in the ordinance; review and background information for a public hearing related to Annexation No. 70 (Livestock Auction Property); review and background information for a public hearing related to Annexation No. 71 (EOB, LLC and DASY Corporation); proposed alteration for previously approved building signage at Heritage Honda; and, proposed amended exterior site improvements for the Westminster Library to replace two street trees.

- Items prepared for the Historic District Commission included review and background information on an Application for Historic Rehabilitation Property Tax Credits TC No. 19-04 for $1,380.

COMMUNITY PLANNING AND DEVELOPMENT PERFORMANCE MEASURES	
	December 2019
Building Permits approved	7
Downtown Businesses Owner inquiries	19
Downtown Businesses visited	46
Historic District Commission items	1
Planning and Zoning Commission items	5
Sign Permits issued	6
Use and Occupancy	4
Zoning Text Amendments approved	1
Zoning inquiries	179

- Seven building permits were reviewed and approved for projects within the City, including one new business. The remainder of approved building permits were for decks and miscellaneous construction projects.

- Ms. Gerhard submitted the spring 2020 Water and Sewer Amendment to Carroll County.

- The Complete County Committee concluded formal meetings, and municipal workgroups are now responsible for informing citizens about the 2020 United States Census. Comprehensive Planner Andrew Gray, who is serving as the Committee's municipal workgroup leader, is in close communications with the other Carroll County municipalities coordinating Census outreach efforts. Mr. Gray also participated in a meeting with County and municipal staff to discuss how the NEXT GEN 911 system will affect governmental communication for select governmental tasks.

- Seventeen businesses participated in this year's Mayor's Cup Storefront and Window Decorating Contest – an increase from prior years. The Best Overall prize went to Flip Yours Fitness & Wellness. Flowers by Evelyn won for Best Kid Friendly design, and LUX Boutique won the prize for Best Business Friendly design. Best Non-Traditional design went to Ting. The storefronts and windows captured the spirit of the holidays and beautified our downtown.

Flip Yours Fitness & Wellness won best overall in the decorating contest

- Finally, DCPD staff members answer hundreds of inquiries every month via email, by phone, and in person. DCPD continues to meet with applicants and their attorneys to discuss annexations, proposed site development plans, building permits, water and sewer allocations, and a variety of City applications and processes. During the month of December, DCPD received over 3,230 emails and sent over 980 emails. Additionally, staff continues to coordinate the review and approval of new development in the City.

Human Resources

Benefits/Wellness

- Received and provided the FY 2021 Maryland State Retirement Agency (MSRA) pension plan rates and submitted the same to the Finance Department to include in the budget
- Verified and approved the MSRA annual FY 2020 invoice for payment
- Verified the MSRA annual invoice and approved for payment
- Verified the MSRA administrative fee invoice and approved for payment
- Coordinated an amendment to the Teladoc service agreement to update the monthly rate per employee effective December 1, 2019
- Wellness Program
  - Held:
    - Lunch and Learn on “How Foods Effect Your Mood” – 13 attendees
  - Prepared and distributed:
    - January lunch and learn flyer on “Staying Fit While You Sit”
    - Winter 19/20 Wellness Newsletter

Employment/Recruitment

- Advertisements:

	Internal Advertisements	External Advertisements	Internal Applications Processed	External Applications Processed
Full-time	3	1	1	5
Part-time	0	0	0	0
Temporary	0	0	0	0
Seasonal	0	1	0	2

- Processed:

	New Hire Documentation	Employee Orientations	Internal Transfers	Promotions
Full-time	8	7	0	1
Part-time	0	0	0	0
Temporary	1	1	0	0
Seasonal	0	0	0	0

- Fingerprinted one temporary/seasonal employee in compliance with child care regulations
- Researched with insurance vendors a possible change to the minimum hours for part-time employees to receive insurance benefits from 20 to 25 hours per week
- Updated the hourly rates in Eden for affected employees to comply with new minimum wage rates effective January 1, 2020

Projects

- Coordinated the annual Service Award ceremony held at the employee holiday luncheon
- Completed the online Employer Disclosure Survey as required by the Disclosing Sexual Harassment in the Workplace Act of 2018
- Coordinated attendance at the annual Employee Holiday Luncheon and Service Award Ceremony; prepared the list of award recipients for award processing by the Finance Department
- Prepared the 2020 employee service anniversary and birthday lists for the City Administrator
- Purchased holiday employee gift cards, prepared them for distribution, provided the list to the Finance Department for tax purposes, and delivered to all City locations for distribution to employees
- Researched secondary employment policies, anti-bullying/civility policies, and holiday leave with various local governments
- Finalized the Supplemental Job Description for Department of Transportation (DOT) Regulated Drivers
- Reviewed all City positions and made a Safety-Sensitive determination for each; prepared the Safety-Sensitive list to include in the Maryland policy
- Updated the new job descriptions with the Safety-Sensitive designation, if applicable

Risk Management

- Insurance Claims Filed

Automobile	Liability	Mobile Equipment	Property	Sewer Back-up	Workers' Compensation
3	1	0	0	1	0

- Prepared the drafts for the new Maryland Drug-Free Workplace Policy and the Department of Transportation (DOT) Controlled Substances and Alcohol Use and Testing Policy for review by the City Attorney
- Processed one CDL driver for random drug testing per DOT regulations
- Updated the workers' compensation packet issued to injured employees
- Held a Safety Committee Meeting
  - Discussed:

    - New alcohol and drug policies and determination of safety-sensitive positions
    - Worker's compensation insurance claims
    - CDL training for new drivers
    - Maryland Occupational Safety and Health consultation and compliance visits
    - Electrical Safety and Confined Space Training with Maryland Center Environmental Training
    - Annual Safety Day event plan for June 25, 2020
  - Performed the annual review of risk management policies
    - Updated the Confined Space policy
    - Accepted the Silica Exposure policy
- Held four sessions to educate Public Works CDL drivers on the new DOT Drug and Alcohol Clearinghouse registration process effective in January 2020
- Researched sample Request for Proposals for workers' compensation insurance services

Training/Meetings
- Human Resources Analyst Brenda Anders and Safety/Risk Coordinator Brian DeMay attended a webinar on FMLA and ADA Implications for Workplace Accidents
- Mr. DeMay attended a Local Government Insurance Trust Underwriting Committee meeting

Police Department

Time Frame	Police Calls For Service	Adult Arrests	Juvenile Arrests	DUI Arrests	Traffic Citations	Foot/Bike/T3 Patrol Hours
December 2019	997	35	6	6	261	333
December 2018	1,059	50	2	4	255	156
2019 YTD Total	13,494	618	63	84	2,532	3,198
2018 YTD Total	13,421	597	63	77	3,530	2,127

Significant Cases in December:

Crime: **Auto Theft**
Date: 12/05/2019
Location: Sector 2
Details: The victim reported that his 1994 Ford Ranger was stolen from the rear of his residence. The victim later advised that a third party saw his truck parked in Baltimore County. Maryland State Police recovered the vehicle.
Status: Open

Crime: **Attempted Auto Theft**
Date: 12/08/2019
Location: Pennsylvania Avenue
Details: Two suspects attempted to steal a 2010 GMC truck that was parked curbside. The vehicle owner heard the suspects and confronted them. One suspect fled on foot and the vehicle owner detained the other. Officers arrested suspect at the scene and charged him.
Arrested/Charged: Jay C. Keene (age 28)

Crime: **Robbery**
Date: 12/09/2019
Location: City Park

Details: The victim reported that he was assaulted and robbed of his cell phone in City Park. Investigators identified several suspects. The victim, however, declined to further assist investigators with the case.
Status: Suspended

Crime: **Theft/Theft Scheme**
Date: 12/12/2019
Location: Walmart – 280 Woodward Road
Details: An investigator noted suspicious transactions captured on the Regional Automated Property Information Database (RAPID). The investigation revealed four suspects were involved in a theft scheme. The suspects would steal merchandise from Walmart, return the merchandise for Walmart gift cards, and then sell those gift cards to a local pawnshop. Two suspects have been identified and charged.
Arrested/Charged: Vickie A. Dell
Walter G. Mitchell

Crime: **Assault**
Date: 12/29/2019
Location: Carroll Hospital Center
Details: The victim checked himself into the Emergency Room with multiple wounds that were indicative of an assault with an edged weapon. The victim was uncooperative with investigators and stated the wounds were self-inflicted. The victim remains uncooperative.
Status: Open

Crime: **Carjacking**
Date: 12/29/2019
Location: Westminster Crossing West – 404 Englar Road
Details: The victim advised that he arranged to buy a pair of shoes from a suspect he met through Snapchat. The suspect entered the victim's vehicle in the parking lot, produced a handgun, and ordered the victim to empty his pockets. The suspect then struck the victim in the face with the handgun and ordered him from the vehicle. The suspect fled the scene in the stolen vehicle. Investigators located the stolen vehicle via GPS tracking off of Hughes Shop Road, Westminster.
Case Status: Open

Significant Activities in December:

- Departmental staff participated in the Catherine's Cause Remembrance Ceremony on December 5.

- Staff interviewed multiple applicants for the Property Management Specialist position. Ms. Misty Budzinski was selected and started in the position on December 17.

- Staff coordinated and participated in the "Holiday Shop with a Cop" event on December 14, which was held at Walmart. The event provided families in need with holiday gifts and allowed our police officers to positively engage local youth.

- A swearing in ceremony was held for Maureen Isakson, a new lateral police officer.

- Four new police recruits were hired in December and will enter the Police Academy on January 6, 2020.

Recreation & Parks

Revenue

Pool	$785
Family Center	$23,187
All Strolls	$0
Programs & Events	$0
Halloween	$0
Miracle on Main Street	$0
Summer Camp	$0
Fallfest	$0
Facility rentals	$1,170
Total Revenue	**$25,142**

Family Fitness Center

- Total gym entries = 3,458 members (3,412) and non-members (46); this number does not include the total childcare entries listed below

- Total childcare entries = 438

- Total facility entries = 3,896

- Total active members as of December 1 = 1,247
  - Membership retention rate = 96%
  - Cancelled memberships during the month of December (individually counted) = 2

- Membership packages sold
  - Child supervision = 2
  - Corporate memberships = 0
  - Family memberships = 10 (individually numbered); 6 city resident, 4 non-resident
  - Individual memberships = 25 – 12 city resident, 13 non-resident
  - Youth/Student memberships = 17 – 12 city resident, 5 non-resident
  - Total new memberships = 54

- Group fitness class participation count:
  - Cardio = 1,001
  - Cycle = 279
  - Yoga = 303
  - Barre = 131
  - Total = 1,714

Public Works

Wastewater Treatment Plant

Total Flow	142.467 MGD
Average Daily Flow	4.596 MGD
Sludge (Integrated Agronomics)	398.63 Wet Tons
Septage Sludge	88.9 Wet Tons

- Replaced aeration piping and diffusers in disinfection tank
- Replaced belts on belt filter press #1
- Replaced magnetic flow meter for belt filter press #2
- Performed 4,000 lab analyses
- Entered and completed Facility Dude maintenance work orders
- Completed safety training
- Transported recyclables to the County landfill
- Performed routine maintenance

Utility Maintenance

- Water leaks
  - 210 Malcolm Drive (private)
  - 550 Lacosta Circle (private)
  - 98 Ralph Street (private)
  - 821 Baltimore Boulevard (service)
  - 23 North Center Street (service)
  - 419 Farm Creek Road (private)
  - 24 Carroll View Avenue (service)

- Sewer blockages
  - 820 Uniontown Road (main)
  - 3 Bell Road (private)
  - 1128 Singer Drive (lateral)
  - 1128 Singer Drive (main)
  - 737 Old Baltimore Road (private)
  - 86 John Street (private)
  - 351 Stacy Lee Drive (lateral)
  - 210 Janice Way (lateral)
  - 289 East Main Street (lateral)
  - 146 Willis Street (private)

Water Loss

Water Main Flushing	0.156MG
Water Leaks	0.003MG
Private Leaks	0.002MG
Sewer Main Flushing	0.010MG
Total Loss	**0.171MG**

- Miscellaneous tasks
  - Completed high water bill inspections, meter investigations, meter Installations, and meter readings
  - Completed water, sewer, and fiber markings
  - Completed water shut offs
  - Performed annual water main flushing
  - Televised 24” sewer main from Gist Road to Spring Mills Road

- Regular maintenance
  - Flushed and cleaned sewer mains
  - Fire hydrants
  - Sewer pumping stations
  - Booster stations and water storage stations

- Leak detection
- Maintaining sewer easements

Street Department

- Grounds Maintenance section performed the following tasks:
  - Assisted with leaf vacuuming and picking up piles of loose leaves
  - Used leaf vac in all City parks
  - Cleaned all City parking lots
  - Cleaned trash and loose leaves at Locust Mall
  - Completed safety training
  - Performed landscape inspection at the new Sheetz
  - Removed snow from all City streets, alleys, and City parking lots
  - Pruned tree on Hidden Stream Court
  - Cleaned trucks from snow removal

- Building Maintenance section performed the following tasks:
  - Collected parking meter money and maintained meters
  - Repaired and replaced high visibility signs on City Streets
  - Performed maintenance at various City buildings
  - Placed new cross walks and stop bars on John Street, Winters Alley, and Longwell Avenue
  - Removed snow from all City streets, alleys, and City parking lots

- Streets and Alleys section
  - Removed brush, metal, yard waste, and bulk trash
  - Transported materials to County landfill:

Street baskets	1.51 tons
Bulk trash	25.25 tons
Brush	8.76 tons
Yard waste	60.04 tons
Paper recycling	0.00 tons
Street sweepings	0.00 tons
Tires	0.25 tons
Metal	3.20 tons

  - Scheduled bulk trash collection
  - Used the leaf vac to pick up piles of loose leaves
  - Removal snow from all City streets, alleys, and City parking lots
  - Cleaned trucks from snow removal
  - Set dumpsters for larger piles of bulk trash

- Streets Maintenance Section
  - Filled potholes on Locust Street, North Street, Charles Street, Winters Alley, and Hersh Avenue
  - Applied bird spikes in parking garages
  - Inspected storm drains throughout the City
  - Removed brush, metal, yard waste, and bulk trash
  - Removed snow from all City streets, alleys, and City parking lots

Engineering

- HRI, Inc. continued work on the Wastewater Treatment Plant denitrification building project construction, specifically the concrete slab and walls. Other work associated with the ENR/Biosolids

Upgrade Project included blowers, electrical buildings, and site electrical conduits, and pipe installation in Reactor #1. The project engineer and HRI continued review of submittals.

- Standard Pipe Services, Inc. substantially completed Phase 2 of the ongoing Inflow and Infiltration Project. The contractor completed repairs on two additional manholes.

- The Little Pipe Creek Restoration and Relocation Project is substantially completed. The contractor worked on the associated Little Pipe Creek monitoring program.

- The contractor for Stonegate Section 3 worked on grading and installation of the storm drain and sewer force main.

- The contractor for Bolton Hill worked on the paving of final course.

- City staff worked with the City Attorney to finalize the contract with C.J. Miller, LLC for the FY 2020 paving project.

- Albrecht Engineering, Inc. worked on the design of repair and reconstruction of the Brick Masonry Wall Diffendal Lot project.

Water Plant

- Cranberry Water System Sources – Raw Water to Plant in Million Gallons (MG)

Raw Meter Total	35.19177 MG
Recycled Water Total	4.20703 MG
Recycled Water Recovered	11.955 %
CIP Wash Water/Membrane Cells	0.17712 MG
Total	**35.01465 MG**

- Raw Water Sources in MG

Cranberry Branch	30.58165 MG
Hull Creek	4.433 MG
Raw Reservoir	0 MG
Other	0 MG
Total	**35.01465 MG**

- Treated in MG

Finished Water Flow Meter	34.8887 MG
Station Water	0.037254 MG
Total Treated	34.85145 MG
Backwash/Recycle Filters	0.1914 MG
Delivered to System	**34.66005 MG**

- Wells in Cranberry System in MG

Well 3	2.897048 MG
Well 4	1.91979 MG
Well 5	4.280102 MG
Well 6	2.37349 MG
Well 7	4.651724 MG

Well 8	3.937581 MG
Wells 9 and 10	3.015291 MG
Well 11	2.696468 MG
Well 12	4.4636688 MG
Total Delivered to System	64.895209 MG
Day of Maximum Usage – 19	2.32463 MG
Well 5 Backwash	0.00361 MG
Well 7 Backwash	0.34327 MG
Well 8 Backwash	0.10178 MG
Well 12 Backwash	0.52048 MG
Daily Average	2.0933938 MG

- Hours operated = 738
- Rainfall = 5.08 inches
- Raw Reservoir level = 25.0 feet
- Wakefield Well System

Well 1	2.3916 MG
Well 2	3.496445 MG
Total Delivered to System	5.888045 MG
Filter Backwash	0.00530 MG
Daily Average	0.1899369 MG
Day of Maximum Usage - 17	0.380365 MG

- Other tasks included:
  - Performed routine maintenance at the wells and Water Treatment Plant
  - Collected 70 distribution compliance samples
  - Performed 310 process control checks at 12 Wells
  - Performed 369 process control checks at the Cranberry Water Treatment Plant
  - Completed monthly operating reports for the Cranberry and Wakefield Systems
  - Completed NPDES operating reports for Koontz Well and the Cranberry Water Treatment Plant

To: Mayor and Common Council

From: Abby Gruber, Director of Recreation & Parks

Date: January 17, 2020

Re: Approval – Agreements with MissionTix for Online and Onsite Ticketing and Admission Services for the Westminster Wine Stroll, Westminster BBQ Stroll, and Westminster Oyster Stroll

Background

After engaging in a successful agreement with MissionTix for the 2019 Stroll season and in the interest of preserving a positive visitor experience, staff would like to enter into agreements with MissionTix for the 2020 Wine Stroll, BBQ Stroll, and Oyster Stroll. Employing services through MissionTix ensures that event guests receive a seamless digital ticketing and box office experience. This process alleviates ticketing and guest processing demands on staff. After researching different digital ticketing platforms, MissionTix was again identified as the most comprehensive, cost effective provider.

Entering into agreements with MissionTix for all three Strolls would be beneficial in several ways, as outlined below.

- MissionTix will provide the City with a digital ticketing solution, minimizing staff time and expenses associated with processing, purchasing, and mailing tickets.

- Guests wanting to attend a Stroll will not have to meet an advance ticket purchase deadline (previously set one week prior to each Stroll date to allow for mailing and receipt of physical tickets); with the implementation of digital ticketing, guests will have more flexibility in ordering advance tickets, up to minutes before the event.

- The MissionTix digital ticketing platform integrates seamlessly with the City's website and Facebook page – the City's most robust marketing tools.

- MissionTix will provide the City with all technology required to run multiple box offices and ticket scanners at each Stroll gate.

- MissionTix will supply the City with staff to cover all gate operations, including identification checkers, ticket scanners, cash/credit handlers, and an onsite manager to train and deploy all MissionTix staff the day of the event.

Financial Implications

There are several components to the proposed arrangement with MissionTix. Those terms are summarized below:

- The City will pay MissionTix $2.25 for each ticket sold online.

- The City will pay $1.50 for each ticket sold onsite.

- MissionTix will credit the City 10% of the total service fees charged, which will be applied to the City's cost for onsite MissionTix staffing.

- MissionTix will provide between 14-25 staff members (depending on the amount deemed most appropriate by Recreation and Parks staff) at a cost to the City of $16.75/hour and $25/hour for one onsite manager. MissionTix will assume the cost of travel pay and mileage for its staff members. Please note that the hourly rate for staff members will increase by $1.75/hour. The $25/hour fee for an onsite manager is a new fee that was waived in the 2019 contractual agreements. MissionTix has agreed to hold these rates through 2023, in the event that the City elects to continue its relationship with the company.

Assuming a Stroll attendance of approximately 2,000, the cost to the City for one Stroll would be approximately $7,683, broken down as follows:

- Service fees paid to MissionTix = $4,500
- Credit card fee (3%) = $1,500
- MissionTix onsite staffing fee (net) = $1,682.50 (18 staff members at $16.75/hour for 5 hours and 1 onsite manager at $25/hour for 7 hours)

Extrapolating this cost to include all three Strolls, the City would pay MissionTix approximately $23,049 on an annual basis.

Recommendation
Staff recommends that the Common Council authorize the Mayor's execution of separate agreements with MissionTix for the 2020 Wine Stroll, 2020 BBQ Stroll, and 2020 Oyster Stroll, in substantially the same form as presented, with the option to enter into comparable agreements for calendar years 2021, 2022, and 2023.

Attachments
- Agreement with MissionTix for the Westminster Wine Stroll
- Agreement with MissionTix for the Westminster BBQ Stroll
- Agreement with MissionTix for the Westminster Oyster Stroll

cc: Barbara B. Matthews, City Administrator
Tammy Palmer, Director of Finance and Administrative Services

MISSIONTIX

City of Westminster
Department of Recreation & Parks
The Westminster Wine Stroll

Prepared On: December 1, 2019
Revised: January 9, 2020

Peter Quinlan
Account Representative
616 Water Street, Suite 225
Baltimore Maryland 21202

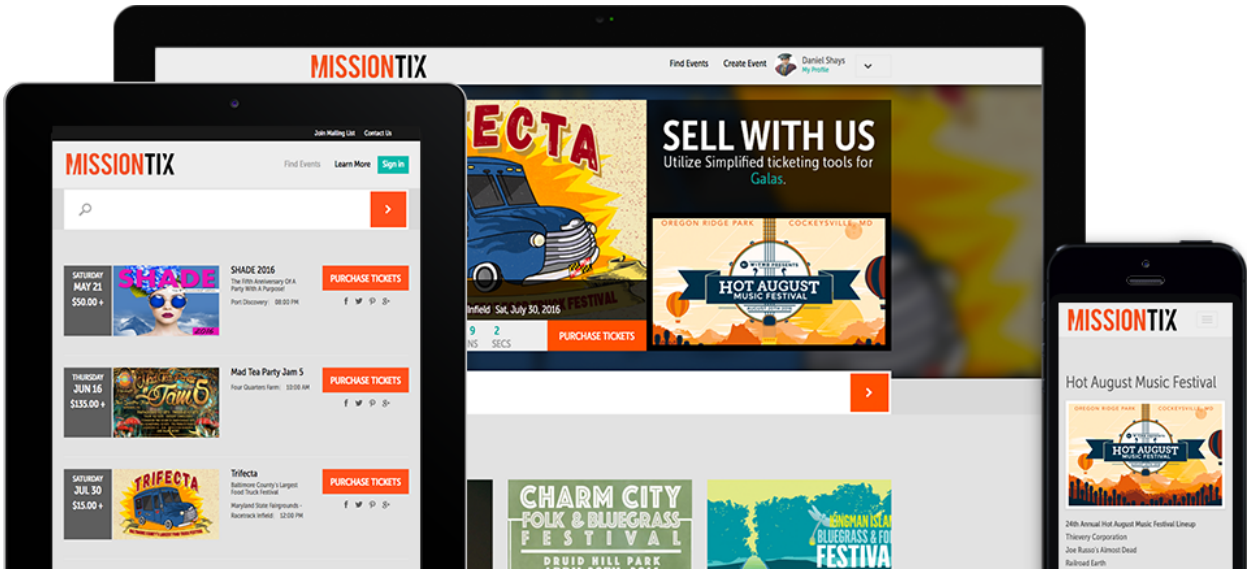
OVERVIEW

MissionTix is excited to present this proposal to the Mayor and Common Council of Westminster (“the City”) for online and onsite for ticketing The Westminster Wine Stroll (“the Event”).

Our goal is to provide professional solutions for the Event that affords a high degree of flexibility, customization, and real-time service. We offer solutions to make the ticketing and event management experience personal and professional for both the City and visitors to the Event.

We look forward to the opportunity to partner with the City to make The Westminster Wine Stroll a resounding success.

THE BASICS



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Ticket Widget
Embed our widget on the City’s Event website. Customers can select tickets on the City’s webpage, and then proceed to MissionTix to securely process payment.

Secure Payment Processing
Protect the City's investments and its customer's data using our fully PCI compliant ticketing software. Fraud detection filters help combat illegal resale and scalping.

Quick Checkout
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Collect additional donations from Event ticket purchasers during checkout.

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Comp tickets for all unpaid orders (Volunteers, Vendors, Sponsors, etc) can be generated by MissionTix and distributed prior to event date to ease day-of operations.

Information Transfer
Within one week of a request from the City, MissionTix will transfer to the City in electronic format any data it has collected (including customer names, emails, addresses, and order history) with respect to or in connection with Westminster Wine Stroll transactions. MissionTix will not sell or transfer any data collected to any third party, and no limitation of liability otherwise applicable to any agreement between the City and MissionTix shall apply to any damages incurred by the City as a consequence of the breach of MissionTix's obligation not to transfer such data.

Sales Support
MissionTix services include a staffed support line to facilitate orders and answer event-specific questions over the phone, and via email and social media.

Help Desk and End-User Support
Premium assistance will be provided to City staff designated by the Director of Recreation and Parks, including thorough training in the use and operation of the MissionTix webpage administrative area, and MissionTix will make available an experienced, dedicated Account Manager to serve as the single point of contact for all requests. The Account Manager for The Westminster Wine Stroll will be_____.

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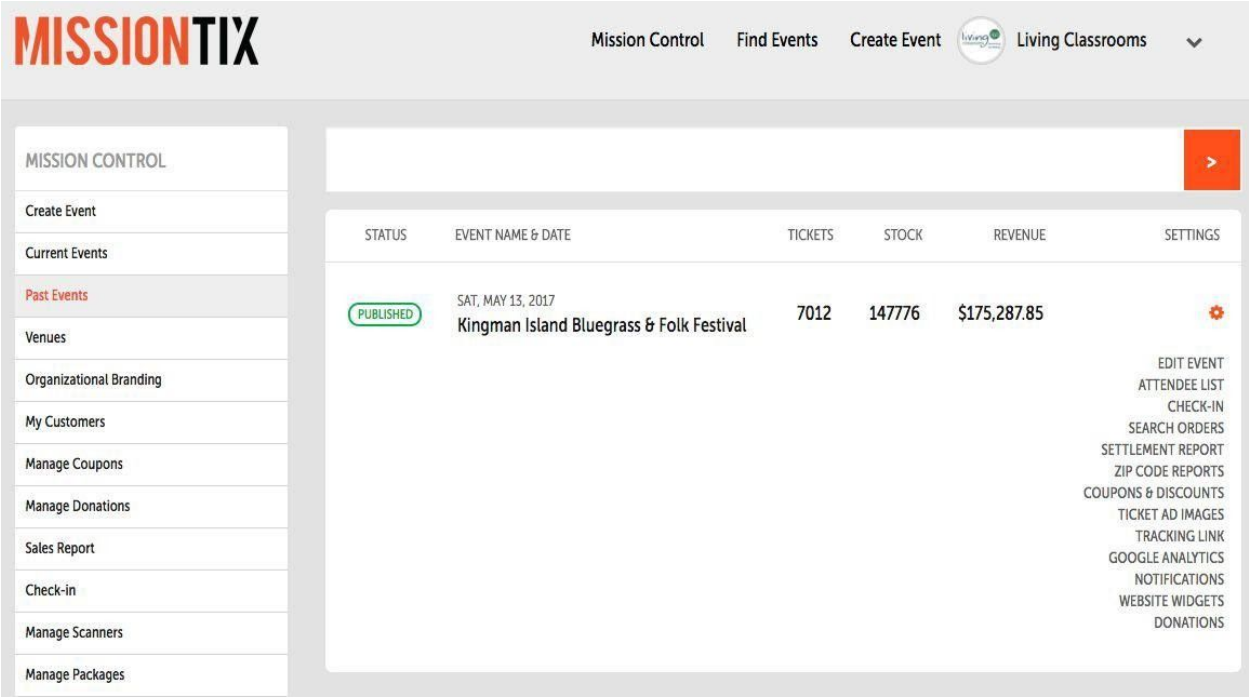

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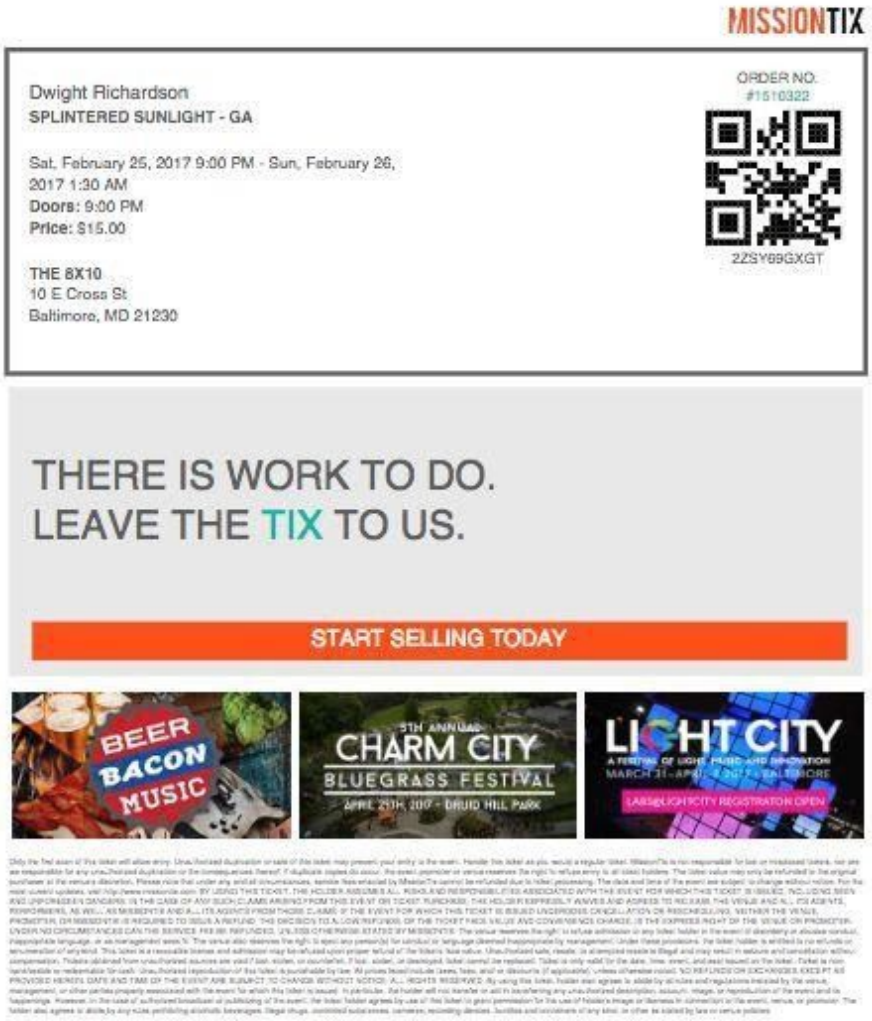

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Customize the text on the confirmation page and receipts to provide Event patrons with additional information after checkout: parking instructions, additional registration notes, simple event FAQs, and more.

Terms and Conditions

Add custom terms and conditions to your event that ticket purchasers must read and agree to prior to checkout. No refunds? Rain or shine? Make sure ticket holders are informed prior to purchase.

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Drop the City's own Google or Facebook Analytic codes into the Event listing.

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Create single coupons or upload in bulk. Limit Event coupons to certain ticket types, uses per order, and total universal uses.

Enhanced Data Collection
Need to collect more information from Wine Stroll patrons than just name and email address? Choose the questions the City needs to be answered, such as ADA accessibility, birth date, gender, company name, traffic and band referral, t-shirt size, and more.

SERVICE, PROCESSING FEES AND ASSOCIATED BENEFITS

The following service and processing fees will be applied to all **online and onsite** paid tickets processed for the Westminster Wine Stroll.

EQUIPMENT

Equipment	Quantity	Rental Rate	Rental Charge
Stand Alone Ticketing Kiosk	1	$1000 for 6 months	No charge
Box Office Computers	6	$200 Per Day	No charge
Ticket Scanners	6	$50 Per Day	No charge

STAFFING

MissionTix will provide a credit to the City in the amount of 10% of online and onsite service fees collected against onsite staffing expenses. MissionTix will provide between fourteen (14) and twenty-five (25) staffers in addition to the onsite manager at a cost to the City of $16.75 per hour for staffers and $25 per hour for the onsite manager. Any staffers needed for duties other than general gate management will be over 21 years of age to assist the City as needed. MissionTix will cover travel pay and mileage for staffers.

----------Amendment----------

Staffing rates listed above will not be subject to change from 2020 through 2023. This applies to staffers and onsite manager.

SERVICE FEES

Online

Event	Ticket Price	Service Fee
Wine Stroll	$25.00	$2.25
Beer & BBQ Stroll	$25.00	$2.25
Oyster Stroll	$25.00	$2.25

Onsite

Event	Ticket Price	Service Fee
Wine Stroll	$25.00	$1.50
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INCLUDED MARKETING SERVICES

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MissionTix, LLC
616 Water Street, Suite 225
Baltimore, MD 21202
TEL. 410.982.0799
WWW.MISSIONTIX.COM

In witness whereof, the parties intending to be legally bound, have executed and delivered this Agreement:

Mayor and Common Council of Westminster

By: _____

_____
Print Name & Title

MISSIONTIX.COM, LLC

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MISSIONTIX

City of Westminster
Department of Recreation & Parks
The Westminster Beer & BBQ Stroll

Prepared On: December 1, 2019
Revised: January 9, 2020

Peter Quinlan
Account Representative
616 Water Street, Suite 225
Baltimore Maryland 21202

OVERVIEW

MissionTix is excited to present this proposal to the Mayor and Common Council of Westminster (“the City”) for online and onsite for ticketing The Westminster Beer & BBQ Stroll (“the Event”).

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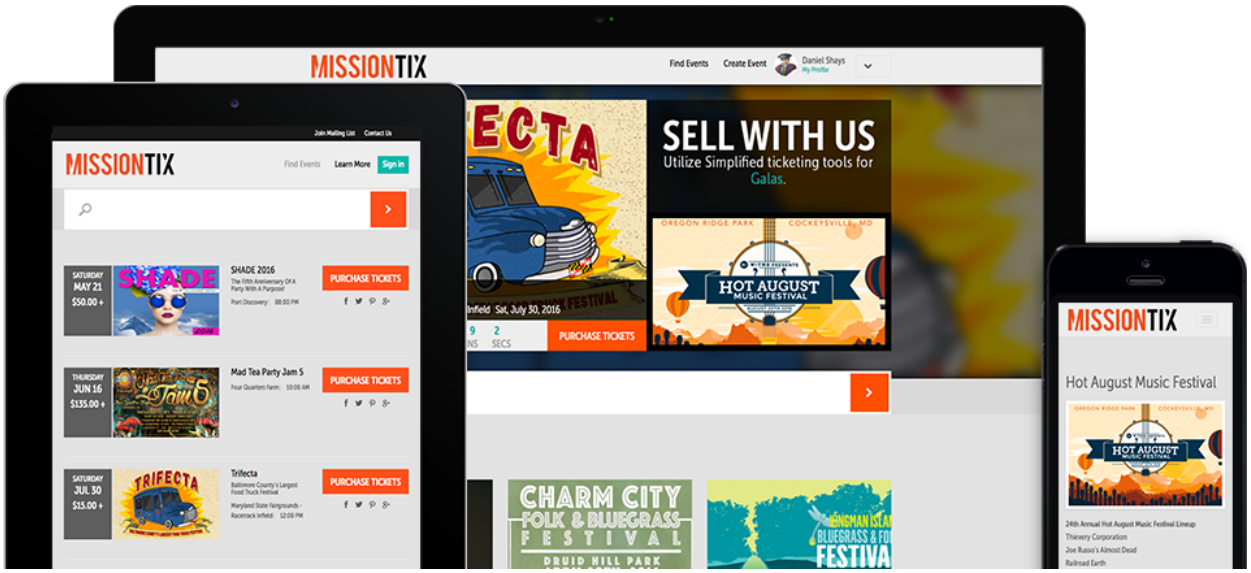

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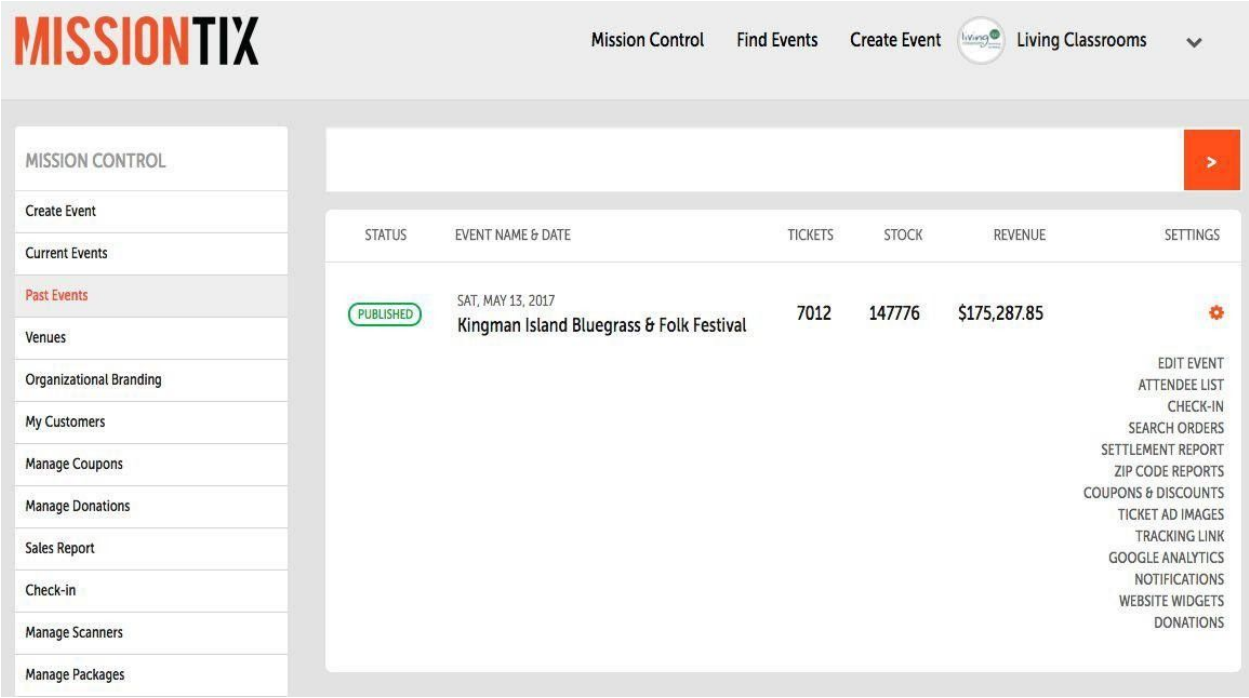

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City of Westminster
Department of Recreation & Parks
The Westminster Oyster Stroll

Prepared On: December 1, 2019
Revised: January 9, 2020

Peter Quinlan
Account Representative
616 Water Street, Suite 225
Baltimore Maryland 21202

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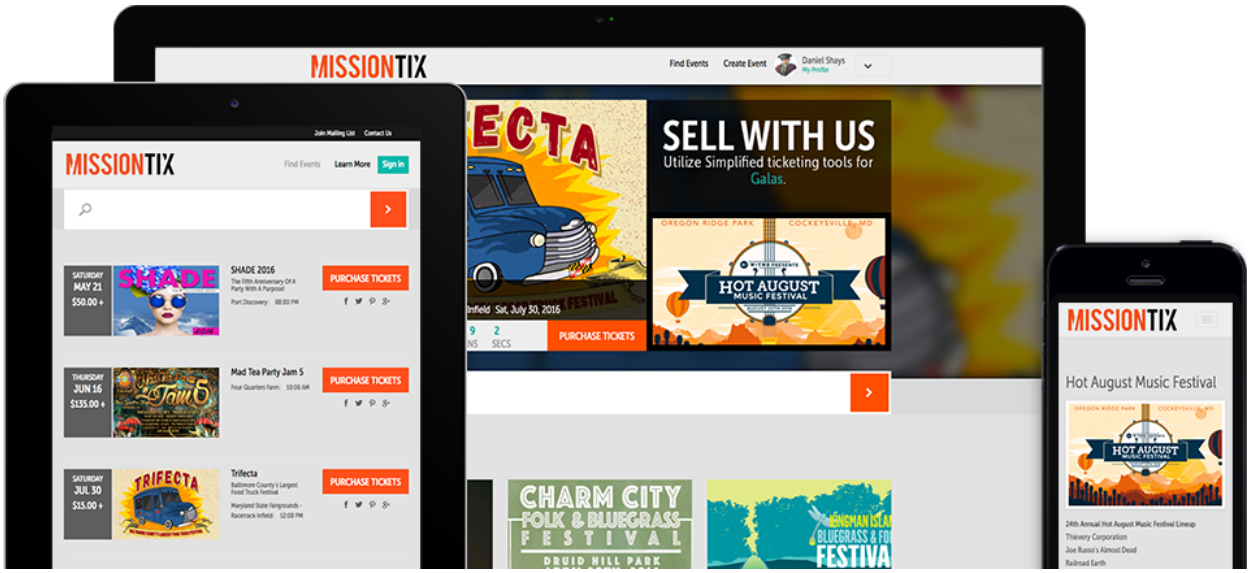

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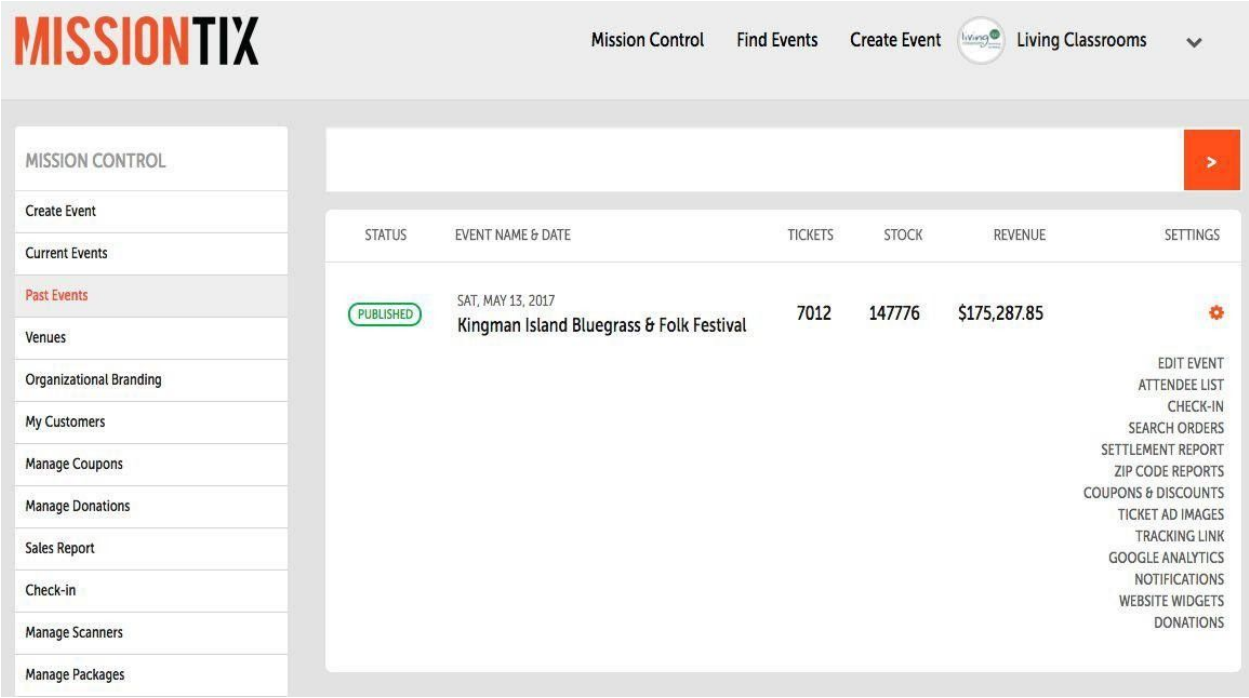

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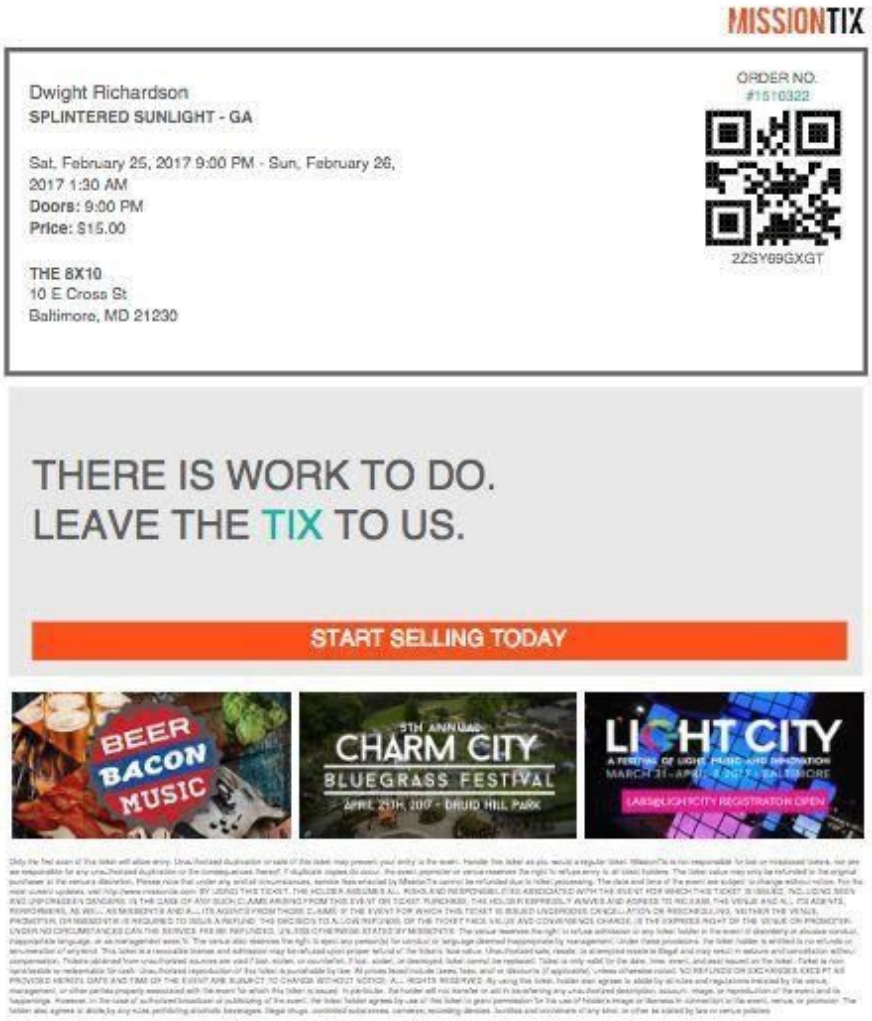

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Customize the text on the confirmation page and receipts to provide Event patrons with additional information after checkout: parking instructions, additional registration notes, simple event FAQs, and more.

Terms and Conditions

Add custom terms and conditions to your event that ticket purchasers must read and agree to prior to checkout. No refunds? Rain or shine? Make sure ticket holders are informed prior to purchase.

TRACK AND MONITOR

Tracking Links
Create custom event links for all traffic sources to monitor clicks and conversions. Use simplified analytics to help the City make real-time, accurate marketing decisions.

Google and Facebook Analytics
Drop the City's own Google or Facebook Analytic codes into the Event listing.

Extensive Coupon and Discount Management
Create single coupons or upload in bulk. Limit Event coupons to certain ticket types, uses per order, and total universal uses.

Enhanced Data Collection
Need to collect more information from Oyster Stroll patrons than just name and email address? Choose the questions the City needs to be answered, such as ADA accessibility, birth date, gender, company name, traffic and band referral, t-shirt size, and more.

SERVICE, PROCESSING FEES AND ASSOCIATED BENEFITS

The following service and processing fees will be applied to all **online and onsite** paid tickets processed for the Westminster Oyster Stroll.

EQUIPMENT

Equipment	Quantity	Rental Rate	Rental Charge
Stand Alone Ticketing Kiosk	1	$1000 for 6 months	No charge
Box Office Computers	6	$200 Per Day	No charge
Ticket Scanners	6	$50 Per Day	No charge

STAFFING

MissionTix will provide a credit to the City in the amount of 10% of online and onsite service fees collected against onsite staffing expenses. MissionTix will provide between fourteen (14) and twenty-five (25) staffers in addition to the onsite manager at a cost to the City of $16.75 per hour for staffers and $25 per hour for the onsite manager. Any staffers needed for duties other than general gate management will be over 21 years of age to assist the City as needed. MissionTix will cover travel pay and mileage for staffers.

----------Amendment----------

Staffing rates listed above will not be subject to change from 2020 through 2023. This applies to staffers and onsite manager.

SERVICE FEES

Online

Event	Ticket Price	Service Fee
Wine Stroll	$25.00	$2.25
Beer & BBQ Stroll	$25.00	$2.25
Oyster Stroll	$25.00	$2.25

Onsite

Event	Ticket Price	Service Fee
Wine Stroll	$25.00	$1.50
Beer & BBQ Stroll	$25.00	$1.50
Oyster Stroll	$25.00	$1.50

INCLUDED MARKETING SERVICES

MissionTix will provide marketing support for The Westminster Oyster Stroll by creating greater awareness and the provision on actionable marketing intelligence. MissionTix will provide the following marketing services at no cost to the City:

"MissionTix Connect" Electronic Newsletter
The Westminster Oyster Stroll will be featured in our "MissionTix Connect" newsletter, delivered twice a month to an email list of over 350,000 consumers who have events in Maryland, DC, Northern Virginia, Delaware and Southern Pennsylvania and have registered to stay informed of local happenings.

Social Media Outreach
The Westminster Oyster Stroll will be promoted on the official MissionTix Facebook and Twitter accounts. The scope and reach of our social networks include a high percentage of MD, DC, and VA residents. These channels are activated through contests, giveaways, and general awareness-building campaigns.

PAYMENT AND DISBURSEMENT

MissionTix will make payments for all cleared ticketing revenue via check. An automatic 10% hold is applied to all disbursements and final payment, to be released 30 business days post-event.

CREDIT CARD DISPUTES

Chargebacks are fought on the client's behalf; full documentation will be provided upon request following any loss of funds.

USER AGREEMENT BY AND BETWEEN the City of Westminster Department of Recreation & Parks AND MISSIONTIX.COM, LLC.

This agreement is subject to all the terms set forth in the most current MissionTix Client User Agreement, which is available online at: www.missiontix.com/sellerTOS

USER AGREEMENT ACCEPTANCE

To evidence your agreement and acceptance of this Agreement and all Terms & Conditions, please sign below:

MissionTix, LLC
616 Water Street, Suite 225
Baltimore, MD 21202
TEL. 410.982.0799
WWW.MISSIONTIX.COM

In witness whereof, the parties intending to be legally bound, have executed and delivered this Agreement:

Mayor and Common Council of Westminster

By: _____

_____
Print Name & Title

MISSIONTIX.COM, LLC

By: _____,

_____
Print Name & Title

To: Mayor and Common Council

From: Jeffery D. Glass, Public Works Director

Date: January 22, 2020

Re: Proposed Acceptance of Deed of Roadways and Parcel for Bolton Hill – Sections 4 and 5

Background
The Planning and Zoning Commission approved the final plat for Section 4 of the Bolton Hill subdivision on April 14, 2016 in order to create lots for single-family residential detached houses. The Commission approved the final plat for Section 5 of the development on January 12, 2017. The applicant and the City have finalized the proposed deeds that convey the related roadways to the City of Westminster.

Request
Bolton Hill Development, LLC proposes to deed the parcels of land for Sections 4 and 5, more fully described in the attached deeds, pursuant to the approved development plans for Bolton Hill. The plats for Sections IV and V are also attached.

The Section 4 parcels are:

- Amherst Lane 1.4857 ± acres of land
- Meadow Creek Drive 0.6598 ± acres of land
- Wilford Court 0.6705 ± acres of land

The Section 5 parcels are:

- Corniche Court 0.7251 ± acres of land
- Meadow Creek Drive 0.6150 ± acres of land
- Wilford Court 1.3051 ± acres of land
- Meadow Branch Road 1.6695 ± acres of land

Recommendation
Staff recommends approval of the Bolton Hill deeds, as presented.

Attachments
- Deeds
- Maryland Form WH-AR
- State of Maryland Land Instrument Intake Sheet
- Bolton Hill Development Plats, Sections 4 and 5

cc: Barbara B. Matthews, City Administrator
Elissa Levan, City Attorney

DEED

THIS DEED, made this _____ day of _____, in the year two thousand and twenty, by and between BOLTON DEVELOPMENT, LLC, a Maryland limited liability company, Grantor, and THE MAYOR AND COMMON COUNCIL OF WESTMINSTER, a municipal corporation of the State of Maryland, Grantee.

WITNESSETH, that in consideration of the sum of ZERO DOLLARS ($0.00), the receipt of which is hereby acknowledged, the said Grantor does grant and convey unto the said Grantee, its successors and assigns, in fee simple, all those lots or parcels of ground situate, lying and being in the Seventh (7th) Election District of Carroll County, State of Maryland, and described as follows, that is to say:

1. All that parcel of land containing 0.7251 acres of land, more or less, known as Corniche Court.

2. All that parcel of land containing 0.6150 of an acre of land, more or less, known as Meadow Creek Drive.

3. All that parcel of land containing 1.3051 of an acre of land, more or less, known as Wilford Court.

4. All that parcel of land containing 1.6695 of an acre of land, more or less, known as Meadow Branch Road

All these parcels being described on a plat entitled Section Five, BOLTON HILL of record among the Land Records of Carroll County, Maryland in Plat Book No. 55, Pages 39 through 48.

BEING part of all that lot or parcel described in a deed of Miriam Eleanor Emmert, Trustee, dated March 17, 2009, and recorded among the Land Records of Carroll County in Liber No. 5738, Folio 219, etc. AND ALSO BEING part of all that lot or parcel described in a deed of The Mayor and Common Council of The City of Westminster, dated August 26, 2009, and recorded among the Land Records of Carroll County in Liber No. 5973, Folio 357, etc

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises above described and mentioned and hereby intended to be conveyed together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper use and benefit of the said Grantee, its successors and/or assigns, forever, in fee simple.

AND THE SAID GRANTOR hereby covenants that it has not done or suffered

to be done any act, matter or thing whatsoever to encumber the property conveyed; that it will warrant specially the property granted and that it will execute such further assurances of the same as may be requisite.

AS WITNESS the due execution hereof by the aforenamed Grantor.

ATTEST: BOLTON DEVELOPMENT, LLC

_____ By: _____
JENNIFER H. BUBCZYK, Member

STATE OF MARYLAND)
) TO WIT:
COUNTY OF CARROLL)

On this, the 18th day of December, 2019, before me, a Notary Public, the undersigned officer, personally appeared JENNIFER H. BUBCZYK, who acknowledged herself to be a Member of BOLTON DEVELOPMENT, LLC, a Maryland limited liability company, and that she, as such Member being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of BOLTON DEVELOPMENT, LLC, by herself as a Member, IN MY PRESENCE.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

_____
Notary Public

JUDY A. BARGER NOTARY PUBLIC CARROLL CO., MD

My Commission expires: May 18, 2022

APPROVED AS TO LEGAL FORM AND SUFFICIENCY, this _____ day of _____, _____.

_____
City Attorney

APPROVED AND ACCEPTED this _____ day of _____, _____.

ATTEST: THE MAYOR AND COMMON COUNCIL OF WESTMINSTER

_____ By: _____(SEAL)
JOE DOMINICK, Mayor

THIS IS TO CERTIFY that the within instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

_____
DANIEL MURPHY

RETURN TO:
Westminster City Hall
Attn: Andrew Gray
56 West Main Street
Westminster, Maryland 21157

C:\SEPT2019\BOLTON.DEED(mj)

MARYLAND FORM
WH-AR

Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate Affidavit of Residence or Principal Residence

2019

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor Bolton Development, LLC

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).
0.7251 acres, Corniche Ct., 0.6150 acres Meadow Creek Dr., 1.3051 acres Wilford Ct.
1.6695 acres Meadow Branch Rd.

3. Reasons for Exemption

Resident Status

[ ] As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.

[x] Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence

[ ] Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Name **Date

Signature

3b. Entity Transferors

Witness/Attest

BOLTON DEVELOPMENT, LLC
Name of Entity

By

JENNIFER H. BUBCZYK 12/18/19
Name **Date

Member
Title

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

19-49

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☑ County: Carroll

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

Space Reserved for Circuit Court Clerk Recording Validation

1 Type(s) of Instruments (☐ Check Box if addendum Intake Form is Attached.)

x Deed / Deed of Trust	☐ Mortgage / Lease	☐ Other _____	☐ Other _____

2 Conveyance Type Check Box

☐ Improved Sale Arms-Length *[1]*	☐ Unimproved Sale Arms-Length *[2]*	☐ Multiple Accounts Arms-Length *[3]*	✓ Not an Arms-Length Sale *[9]*

3 Tax Exemptions (if applicable) Cite or Explain Authority

Recordation	
State Transfer	Conveyance to municipality
County Transfer	

4 Consideration and Tax Calculations

Consideration Amount		Finance Office Use Only Transfer and Recordation Tax Consideration	
Purchase Price/Consideration	$ 0.00	Transfer Tax Consideration	$
Any New Mortgage	$	X ( ) % =	$
Balance of Existing Mortgage	$	Less Exemption Amount −	$
Other:	$	Total Transfer Tax =	$
Other:	$	Recordation Tax Consideration	$
		X ( ) per $500 =	$
Full Cash Value:	$	TOTAL DUE	$

5 Fees

Amount of Fees	Doc. 1	Doc. 2	
Recording Charge	$ 40.00	$	Agent:
Surcharge	$ 20.00	$	Tax Bill:
State Recordation Tax	$	$	
State Transfer Tax	$	$	C.B. Credit:
County Transfer Tax	$	$	
Other	$	$	Ag. Tax/Other:
Other	$	$	

6 Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG
		5783-219			☐ (5)

Subdivision Name	Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	SqFt/Acreage (4)
Bolton Hill				55/39-48	.7251, .6150

Location/Address of Property Being Conveyed (2)

1.3051, 1.6695 Corniche Court, Meadow Creek Drive, Wilford Court, Meadow Branch Road in Bolton Hill

Other Property Identifiers (if applicable) | Water Meter Account No.

Residential ☐ or Non-Residential ✓ | Fee Simple ✓ or Ground Rent ☐ Amount:

Partial Conveyance? ☐ Yes ☐ No | Description/Amt. of SqFt/Acreage Transferred:

If Partial Conveyance, List Improvements Conveyed:

7 Transferred From

Doc. 1 – Grantor(s) Name(s)	Doc. 2 – Grantor(s) Name(s)
Bolton Development LLC	
Doc. 1 – Owner(s) of Record, if Different from Grantor(s)	**Doc. 2 – Owner(s) of Record, if Different from Grantor(s)**

8 Transferred To

Doc. 1 – Grantee(s) Name(s)	Doc. 2 – Grantee(s) Name(s)
The Mayor and Common Council of Westminster	

New Owner's (Grantee) Mailing Address

56 W. Main Street Westminster MD 21157

9 Other Names to Be Indexed

Doc. 1 – Additional Names to be Indexed (Optional)	Doc. 2 – Additional Names to be Indexed (Optional)

10 Contact/Mail Information

Instrument Submitted By or Contact Person

Name: Andrew Gray

Firm City of Westminster

Address: 56 W. Main Street

Westminster MD 21157 Phone: (410) 848-9000

☑ Return to Contact Person

☐ Hold for Pickup

☐ Return Address Provided

11 IMPORTANT: *BOTH* THE ORIGINAL DEED *AND* A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER

Assessment Information

☐ Yes ✓ No Will the property being conveyed be the grantee's principal residence?

☐ Yes ✓ No Does transfer include personal property? If yes, identify: _____

✓ Yes ☐ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).

Space Reserved for County Validation

Assessment Use Only – Do Not Write Below This Line

Terminal Verification Agricultural Verification Whole Part Tran. Process Verification

Transfer Number Date Received: Deed Reference: Assigned Property No.:

Year	20	20	Geo.	Map	Sub	Block
Land			Zoning	Grid	Plat	Lot
Buildings			Use	Parcel	Section	Occ. Cd.
Total			Town Cd.	Ex. St.	Ex. Cd.	

REMARKS:

Distribution: White – Clerk's Office; Pink – Office of Finance; Canary – SDAT; Goldenrod – Preparer

AOC-CC-300 (5/2007)

DEED

THIS DEED, made this _____ day of _____, in the year two thousand and twenty, by and between BOLTON DEVELOPMENT, LLC, a Maryland limited liability company, Grantor, and THE MAYOR AND COMMON COUNCIL OF WESTMINSTER, a municipal corporation of the State of Maryland, Grantee.

WITNESSETH, that in consideration of the sum of ZERO DOLLARS ($0.00), the receipt of which is hereby acknowledged, the said Grantor does grant and convey unto the said Grantee, its successors and assigns, in fee simple, all those lots or parcels of ground situate, lying and being in the Seventh (7th) Election District of Carroll County, State of Maryland, and described as follows, that is to say:

1. All that parcel of land containing 1.4857 acres of land, more or less, known as Amherst Lane.

2. All that parcel of land containing 0.6598 of an acre of land, more or less, known as Meadow Creek Drive.

3. All that parcel of land containing 0.6705 of an acre of land, more or less, known as Wilford Court.

All these parcels being described on a plat entitled Section Four, BOLTON HILL of record among the Land Records of Carroll County, Maryland in Plat Book No. 54, Pages 187 through 193.

BEING part of all that lot or parcel described in a deed of Miriam Eleanor Emmert, Trustee, dated March 17, 2009, and recorded among the Land Records of Carroll County in Liber No. 5738, Folio 219, etc. AND ALSO BEING part of all that lot or parcel described in a deed of The Mayor and Common Council of The City of Westminster, dated August 26, 2009, and recorded among the Land Records of Carroll County in Liber No. 5973, Folio 357, etc

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises above described and mentioned and hereby intended to be conveyed together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper use and benefit of the said Grantee, its successors and/or assigns, forever, in fee simple.

AND THE SAID GRANTOR hereby covenants that it has not done or suffered to be done any act, matter or thing whatsoever to encumber the property conveyed; that it will warrant specially the property granted and that it will execute such further assurances of the

same as may be requisite.

AS WITNESS the due execution hereof by the aforenamed Grantor.

ATTEST: BOLTON DEVELOPMENT, LLC

_____ By: _____
JENNIFER H. BUBCZYK, Member

STATE OF MARYLAND)
) TO WIT:
COUNTY OF CARROLL)

On this, the 18th day of December, 2019, before me, a Notary Public, the undersigned officer, personally appeared JENNIFER H. BUBCZYK, who acknowledged herself to be a Member of BOLTON DEVELOPMENT, LLC, a Maryland limited liability company, and that she, as such Member being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of BOLTON DEVELOPMENT, LLC, by herself as a Member, IN MY PRESENCE.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

_____
Notary Public

JUDY A. BARGER NOTARY PUBLIC CARROLL CO., MD

My Commission expires: May 18, 2022

APPROVED AS TO LEGAL FORM AND SUFFICIENCY, this _____ day of _____, _____.

_____
City Attorney

APPROVED AND ACCEPTED this _____ day of _____, _____.

ATTEST: THE MAYOR AND COMMON COUNCIL OF WESTMINSTER

_____ By: _____(SEAL)
JOE DOMINICK, Mayor

THIS IS TO CERTIFY that the within instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

_____
DANIEL MURPHY

RETURN TO:
Westminster City Hall
Attn: Andrew Gray
56 West Main Street
Westminster, Maryland 21157

C:\SEPT2019\BOLTON.DEED(mj)

MARYLAND FORM
WH-AR

Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate Affidavit of Residence or Principal Residence

2019

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor Bolton Development, LLC

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).
1.4857 acres Amherst Lane, 0.6598 acres Meadow Creek Drive, 0.6705 acres Wilford Court

3. Reasons for Exemption

Resident Status

[ ] As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.

[X] Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence

[ ] Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Name **Date

Signature

3b. Entity Transferors

Witness/Attest

BOLTON DEVELOPMENT, LLC
Name of Entity

By

JENNIFER H.BUBCZYK 12/18/19
Name **Date

Member
Title

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

19-49

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☑ County: Carroll

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

Space Reserved for Circuit Court Clerk Recording Validation

1 Type(s) of Instruments (☐ Check Box if addendum Intake Form is Attached.)

x Deed / Deed of Trust	☐ Mortgage / Lease	☐ Other _____	☐ Other _____

2 Conveyance Type Check Box

☐ Improved Sale Arms-Length /1/	☐ Unimproved Sale Arms-Length /2/	☐ Multiple Accounts Arms-Length /3/	✓ Not an Arms-Length Sale /9/

3 Tax Exemptions (if applicable) Cite or Explain Authority

Recordation	
State Transfer	Conveyance to municipality
County Transfer	

4 Consideration and Tax Calculations

Consideration Amount	
Purchase Price/Consideration	$ 0.00
Any New Mortgage	$
Balance of Existing Mortgage	$
Other:	$
Other:	$
Full Cash Value:	$

Finance Office Use Only Transfer and Recordation Tax Consideration	
Transfer Tax Consideration	$
X ( ) % =	$
Less Exemption Amount −	$
Total Transfer Tax =	$
Recordation Tax Consideration	$
X ( ) per $500 =	$
TOTAL DUE	$

5 Fees

Amount of Fees	Doc. 1	Doc. 2
Recording Charge	$ 40.00	$
Surcharge	$ 20.00	$
State Recordation Tax	$	$
State Transfer Tax	$	$
County Transfer Tax	$	$
Other	$	$
Other	$	$

Agent:

Tax Bill:

C.B. Credit:

Ag. Tax/Other:

6 Description of Property

SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG
		5783-219			☐ (5)

Subdivision Name	Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	SqFt/Acreage (4)
Bolton Hill				54/187-193	1.4857, .6598

Location/Address of Property Being Conveyed (2)

.6705 Amherst Lane, Meadow Creek Drive Wilford Court in Bolton Hill

Other Property Identifiers (if applicable) | Water Meter Account No.

Residential ☐ or Non-Residential ✓ | Fee Simple ✓ or Ground Rent ☐ Amount:

Partial Conveyance? ☐ Yes ☐ No | Description/Amt. of SqFt/Acreage Transferred:

If Partial Conveyance, List Improvements Conveyed:

7 Transferred From

Doc. 1 – Grantor(s) Name(s)	Doc. 2 – Grantor(s) Name(s)
Bolton Development LLC	
Doc. 1 – Owner(s) of Record, if Different from Grantor(s)	**Doc. 2 – Owner(s) of Record, if Different from Grantor(s)**

8 Transferred To

Doc. 1 – Grantee(s) Name(s)	Doc. 2 – Grantee(s) Name(s)
The Mayor and Common Council of Westminster	

New Owner's (Grantee) Mailing Address

56 W. Main Street Westminster MD 21157

9 Other Names to Be Indexed

Doc. 1 – Additional Names to be Indexed (Optional)	Doc. 2 – Additional Names to be Indexed (Optional)

10 Contact/Mail Information

Instrument Submitted By or Contact Person

Name: Andrew Gray

Firm City of Westminster

Address: 56 W. Main Street

Westminster MD 21157 Phone: (410) 848-9000

☑ Return to Contact Person

☐ Hold for Pickup

☐ Return Address Provided

11 IMPORTANT: *BOTH* THE ORIGINAL DEED *AND* A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER

Assessment Information

☐ Yes ✓ No Will the property being conveyed be the grantee's principal residence?

☐ Yes ✓ No Does transfer include personal property? If yes, identify: _____

✓ Yes ☐ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).

Space Reserved for County Validation

Assessment Use Only – Do Not Write Below This Line

Terminal Verification | Agricultural Verification | Whole | Part | Tran. Process Verification

Transfer Number | Date Received: | Deed Reference: | Assigned Property No.:

Year	20	20	Geo.	Map	Sub	Block
Land			Zoning	Grid	Plat	Lot
Buildings			Use	Parcel	Section	Occ. Cd.
Total			Town Cd.	Ex. St.	Ex. Cd.	

REMARKS:

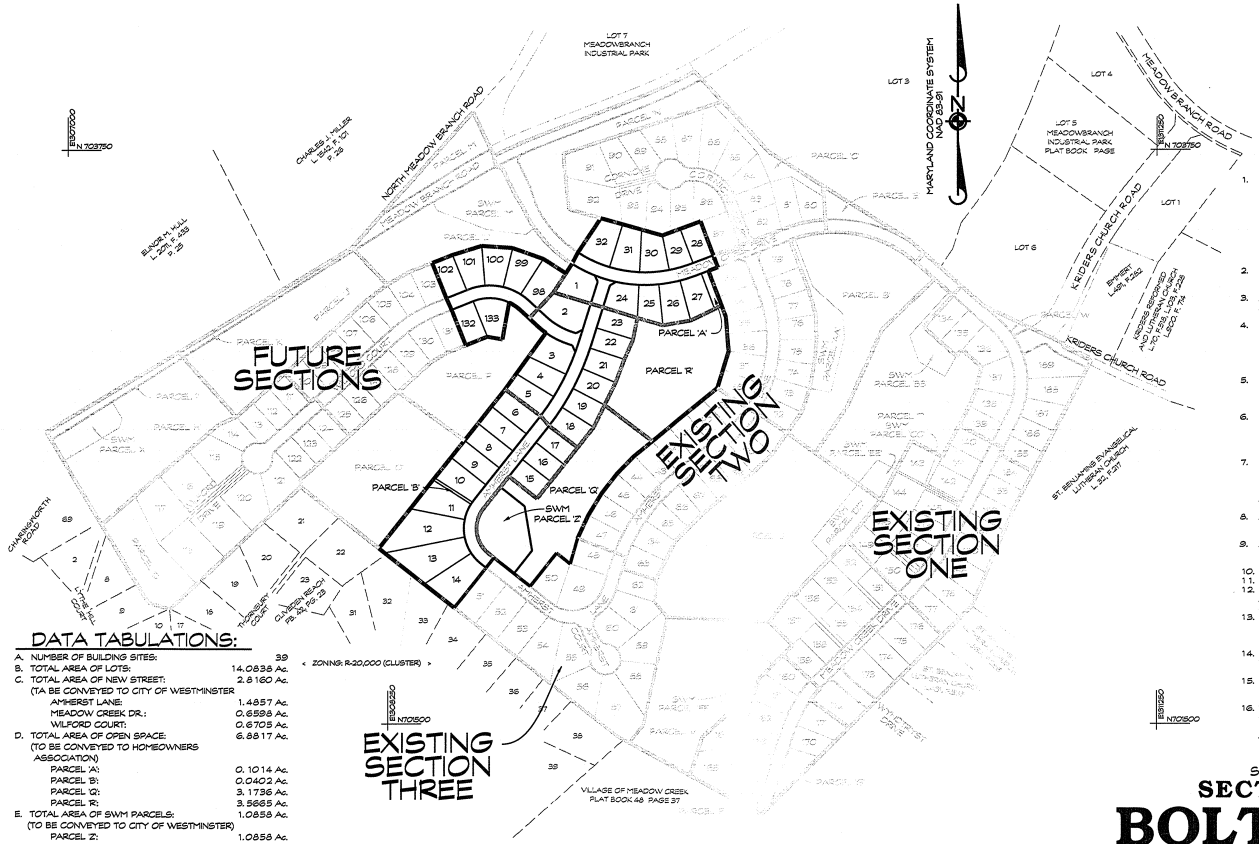
Distribution: White – Clerk's Office; Pink – Office of Finance; Canary – SDAT; Goldenrod – Preparer

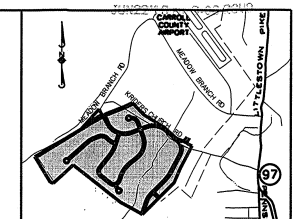
AOC-CC-300 (5/2007)

LR - Plat Fee - 5.00
Subdivision Name: bolton hill
Reference/Control #
Total: 35.00
06/22/2016 03:32 CC06-RC
#6390287 CC0508-
County/CC05.02.02 -
Register 02

JUN22'16 PM 3:06 RCVD

BOLTON HILL





VICINITY MAP SCALE 1" = 2,000'

GENERAL NOTES:

1. CURRENT TITLE REFERENCE:
   OWNER: BOLTON DEVELOPMENT, LLC
   DEED REFERENCE: L. 5738, F. 219
   DATE: MARCH 17, 2009
   GRANTOR: MIRIAM ELEANOR EMMERT TRUSTEE
   OWNER: BOLTON DEVELOPMENT, LLC
   DEED REFERENCE: LIBER 5973, F. 357
   DATE: AUGUST 28, 2009
   GRANTOR: THE MAYOR AND COMMON COUNCIL OF THE CITY OF WESTMINSTER
2. NO GRADING, FILLING, OR CONSTRUCTION SHALL BE PERMITTED WHICH OBSTRUCTS OR INHIBITS THE SURFACE FLOW OF WATER WITHIN DRAINAGE AND UTILITY EASEMENTS AS SHOWN HEREON.
3. ANY MODIFICATION OR PLAT REASSEMBLY SHALL BE SUBJECT TO APPROVAL BY THE CITY OF WESTMINSTER PLANNING AND ZONING COMMISSION.
4. WATER AND SEWERAGE FACILITIES:
   COUNTY MASTER PLAN FOR WATER AND SEWERAGE
   WATER - EXISTING SERVICE AREA
   SEWER - EXISTING SERVICE AREA
   PUBLIC WATER AND SEWER WILL BE AVAILABLE, AND NO INDIVIDUAL WATER OR SEWERAGE SYSTEMS SHALL BE PERMITTED.
5. THE NEW STREETS SHOWN HEREON AS AMHERST LANE, MEADOW CREEK DRIVE AND WILFORD COURT ARE TO BE CONVEYED TO THE CITY OF WESTMINSTER PURSUANT TO A PUBLIC WORKS AGREEMENT ENTERED INTO BETWEEN THE OWNER AND THE CITY OF WESTMINSTER.
6. THE LENGTH OF EACH NEW STREET:
   AMHERST LANE: 1287
   MEADOW CREEK DRIVE: 575
   WILFORD COURT: 576
   THE TOTAL LENGTH OF NEW STREETS: 2438'
7. LOTS 1 THROUGH 32, 98 THROUGH 102, 132 AND 133 CONTAIN PRIVATE STORMWATER MANAGEMENT FACILITIES. A "STORMWATER MANAGEMENT EASEMENT AND MAINTENANCE AGREEMENT" IS TO BE GRANTED TO THE MAYOR AND COMMON COUNCIL OF WESTMINSTER AS AN EASEMENT OF ACCESS TO THE CITY OF WESTMINSTER OR AUTHORIZED REPRESENTATIVES BY A DEED INTENDED TO BE RECORDED SIMULTANEOUSLY HEREWITH.
8. ANY AREA IDENTIFIED AS "STORM DRAIN EASEMENT FOR THE CITY OF WESTMINSTER" IS TO BE GRANTED TO THE CITY OF WESTMINSTER BY DEED INTENDED TO BE RECORDED SIMULTANEOUSLY HEREWITH.
9. ANY AREA IDENTIFIED AS "SEWER EASEMENT FOR THE CITY OF WESTMINSTER" IS TO BE GRANTED TO THE CITY OF WESTMINSTER BY DEED INTENDED TO BE RECORDED SIMULTANEOUSLY HEREWITH.
10. CURRENT ZONING: R-20,000 (CLUSTER)
11. MBL - MINIMUM BUILDING LINE
12. THERE ARE 10' WIDE DRAINAGE AND UTILITY EASEMENTS CENTERED ALONG ALL NON-ROAD FRONTAGE LOT LINES AND OTHER EASEMENTS AS SPECIFICALLY SHOWN HEREON.
13. MINIMUM YARD SETBACK DISTANCES:
    FRONT: 25'
    SIDE: 8'
    REAR: 30'
14. THE AREA SHOWN HEREON AS A FOREST CONSERVATION EASEMENT, WITH A TOTAL ACREAGE OF 1.2032 AC. SHALL BE GRANTED TO THE CARROLL COUNTY COMMISSIONERS BY A DEED TO BE RECORDED SIMULTANEOUSLY HEREWITH.
15. THE FOLLOWING OPEN SPACE PARCELS ARE TO BE CONVEYED TO THE HOMEOWNERS ASSOCIATION: PARCEL 'A': 0.1014 AC., PARCEL 'B': 0.0402 AC., PARCEL 'Q': 3.1736 AC. PARCEL 'R': 3.5665 AC.
16. THE AREA SHOWN HEREON AS SWM PARCEL 'Z', CONTAINING 1.0858 AC. IS TO BE CONVEYED TO THE MAYOR AND COMMON COUNCIL OF THE CITY OF WESTMINSTER PURSUANT TO A PUBLIC WORKS AGREEMENT ENTERED INTO BETWEEN THE OWNER AND THE CITY OF WESTMINSTER UPON ACCEPTANCE OF THE STORMWATER MANAGEMENT FACILITY.

DATA TABULATIONS:

A.	NUMBER OF BUILDING SITES:	39
B.	TOTAL AREA OF LOTS:	14.0838 Ac.
C.	TOTAL AREA OF NEW STREET:	2.8160 Ac.
	(TA BE CONVEYED TO CITY OF WESTMINSTER	
	AMHERST LANE:	1.4857 Ac.
	MEADOW CREEK DR.:	0.6598 Ac.
	WILFORD COURT:	0.6705 Ac.
D.	TOTAL AREA OF OPEN SPACE:	6.8817 Ac.
	(TO BE CONVEYED TO HOMEOWNERS ASSOCATION)	
	PARCEL 'A':	0.1014 Ac.
	PARCEL 'B':	0.0402 Ac.
	PARCEL 'Q':	3.1736 Ac.
	PARCEL 'R':	3.5665 Ac.
E.	TOTAL AREA OF SWM PARCELS:	1.0858 Ac.
	(TO BE CONVEYED TO CITY OF WESTMINSTER)	
	PARCEL 'Z':	1.0858 Ac.
F.	TOTAL AREA OF FOREST CONSERVATION EASEMENT:	1.2032 Ac.
	SHEET 6:	0.6653 Ac.
	SHEET 7:	0.5179 Ac.
G.	TOTAL AREA OF PLAT:	24.8673 Ac.

< ZONING: R-20,000 (CLUSTER) >

OWNER/DEVELOPER

BOLTON DEVELOPMENT, LLC
4175 HANOVER PIKE
MANCHESTER, MARYLAND 21102

SHEET 1 OF 7

SECTION FOUR

BOLTON HILL

(FORMERLY KNOWN AS THE EMMERT PROPERTY)
A CLUSTER SUBDIVISION
CITY OF WESTMINSTER
7th ELECTION DISTRICT * CARROLL COUNTY, MARYLAND

CITY OF WESTMINSTER, MAYOR
MAYOR: DATE: 6/13/16

CITY OF WESTMINSTER PLANNING AND ZONING COMMISSION
APPROVED: DATE: 6/7/16

CITY OF WESTMINSTER, DIRECTOR OF COMMUNITY PLANNING AND DEVELOPMENT
APPROVED: M. A. Mackey DATE: 6-7-2016

CITY OF WESTMINSTER, DIRECTOR OF PUBLIC WORKS
APPROVED: DATE: 5-3-16

PLATBOOK D.B.S. NO. 54 PAGE 187
DATE 6-22-16

CARROLL COUNTY HEALTH DEPARTMENT
APPROVED: DATE: 4/28/16
Community water and/or sewerage systems are in conformance with the Carroll County "Master Plan for water and sewer.

SURVEYOR'S CERTIFICATE
I, DENNIS E. MECKLEY, A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAT PREPARED IN COMPLIANCE WITH SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND (1974) AS AMENDED, PERTAINING TO THE PREPARATION OF RECORD PLATS.
DENNIS E. MECKLEY PROP. L.S. #10844. LICENSE EXPIRES 03/29/18 — DATE 4/18/16

CERTIFICATION
WE, OWNERS OF THE PROPERTY SHOWN HEREON, AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, HEREBY ADOPT THIS PLAN OF THE SUBDIVISION, ESTABLISH THE BUILDING LINES AS SHOWN, AND CERTIFY THAT THE REQUIREMENTS OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND (1974) AS AMENDED PERTAINING TO THE PREPARATION OF RECORD PLATS, AND SUBSEQUENT ACTS, IF ANY, AMENDATORY THERETO AS FAR AS THEY RELATE TO THE PREPARATION OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH. NEW STREETS, ROADS, OPEN SPACES AND THE MENTION THEREOF IN DEEDS, ARE FOR THE PURPOSE OF DESCRIPTION ONLY AND THE LAND SO SHOWN IS EXPRESSLY RESERVED IN THE PRESENT OWNER(S) SHOWN ON THIS PLAT, THEIR SUCCESSORS, HEIRS AND ASSIGNS. NO MORE THAN ONE PRINCIPAL BUILDING SHALL BE PERMITTED ON ANY RESIDENTIAL LOT, AND NO SUCH LOT MAY EVER BE RESUBDIVIDED SO AS TO PRODUCE A BUILDING SITE OF LESS AREA OR WIDTH THAN THE MINIMUM REQUIRED BY APPLICABLE HEALTH, ZONING, OR OTHER REGULATIONS. COMMUNITY WATER AND SEWERAGE FACILITIES WILL BE AVAILABLE TO ALL LOTS OFFERED FOR SALE.

OWNER: JENNIFER H. BUSCZYK, MEMBER, BOLTON DEVELOPMENT, LLC — DATE 4/14/16
WITNESS:

Date	Revision	By

Scale: 1" = 300' (300 0 300)

Engineers • Surveyors — CLSI — Land Planning & Environmental Consultants
www.clsi-civileng.com
439 East Main Street Westminster, MD 21157-5539
(410) 848-1790 FAX (410) 848-1791

Surveyed By: CLSI	Drawn By: BM	Dennis E. Meckley, Property Line Surveyor Reg No. 10844, License Expires 03/29/18
Computed By: JW	Checked By:	Date: FEBRUARY, 2016
		Drawing No.: 2000100
		County File No.: F-16-0024

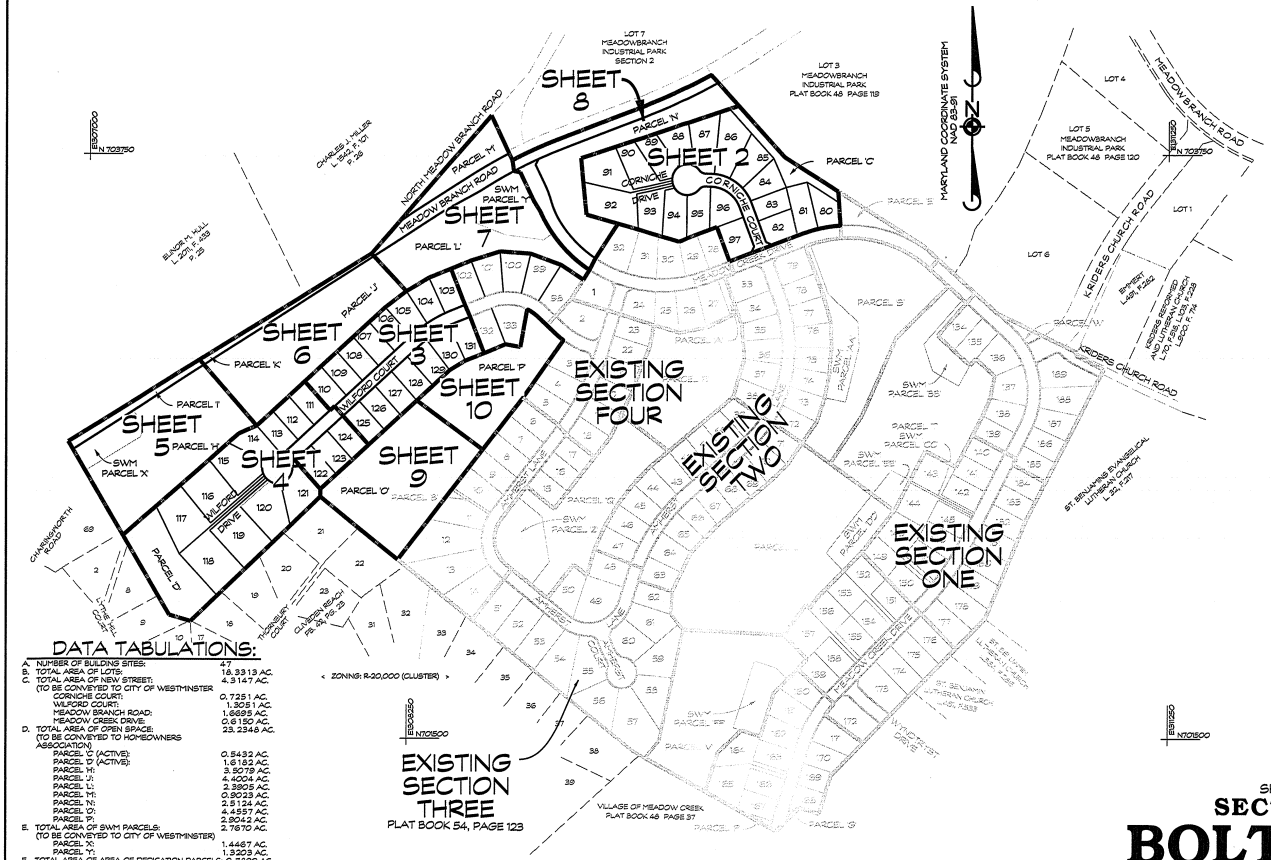
STATE OF MARYLAND — DENNIS EUGENE MECKLEY — No. 10844 — PROPERTY LINE SURVEYOR

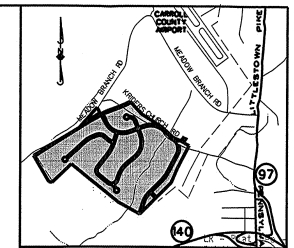
b-4/14/2016-8:00:18 AM-Q:\2000\2000100\dgn\cons0\PLATS_SEC4_20160224v(01)TITLE.dgn

P216282

MSA S1240-7160-1

BOLTON HILL





VICINITY MAP

GENERAL NOTES:

1. CURRENT TITLE REFERENCE:
   OWNER: BOLTON DEVELOPMENT, LLC
   DEED REFERENCE: L. 5736, F. 219
   DATE: MARCH 17, 2003
   GRANTOR: MIRIAM ELEANOR EMMERT TRUSTEE
   OWNER: BOLTON DEVELOPMENT, LLC
   DEED REFERENCE: UBER 5973, F. 357
   DATE: AUGUST 30, 2006
   GRANTOR: THE MAYOR AND COMMON COUNCIL OF THE CITY OF WESTMINSTER
2. NO GRADING, FILLING, OR CONSTRUCTION SHALL BE PERMITTED WHICH OBSTRUCTS OR INHIBITS THE SURFACE FLOW OF WATER WITHIN DRAINAGE AND UTILITY EASEMENTS AS SHOWN HEREON.
3. ANY MODIFICATION OR PLAT REASSEMBLY SHALL BE SUBJECT TO APPROVAL BY THE CITY OF WESTMINSTER PLANNING AND ZONING COMMISSION.
4. WATER AND SEWERAGE FACILITIES.
   COUNTY MASTER PLAN FOR WATER AND SEWERAGE
   WATER - EXISTING SERVICE AREA
   SEWER - EXISTING SERVICE AREA
   PUBLIC WATER AND SEWER WILL BE AVAILABLE, AND NO INDIVIDUAL WATER OR SEWERAGE SYSTEMS SHALL BE PERMITTED.
5. THE NEW STREETS SHOWN HEREON AS CORNICHE COURT, WILFORD COURT AND WILFORD DRIVE ARE TO BE CONVEYED TO THE CITY OF WESTMINSTER PURSUANT TO A PUBLIC WORKS AGREEMENT ENTERED INTO BETWEEN THE OWNER AND THE CITY OF WESTMINSTER.
6. THE LENGTH OF EACH NEW STREET:
   WILFORD COURT: 267
   CORNICHE COURT: 454
   WILFORD DRIVE: 309
   CORNICHE DRIVE: 169
   MEADOW CREEK DRIVE: 513
   MEADOW BRANCH ROAD: 1,576
   THE TOTAL LENGTH OF NEW STREETS: 3,286
7. LOTS 90 THROUGH 89, 94 AND 95, 97 AND 127 THROUGH 131 CONTAIN PRIVATE STORMWATER MANAGEMENT FACILITIES. A "STORMWATER MANAGEMENT EASEMENT AND MAINTENANCE AGREEMENT" IS TO BE GRANTED TO THE MAYOR AND COMMON COUNCIL OF WESTMINSTER AS AN EASEMENT OF ACCESS TO THE CITY OF WESTMINSTER OR AUTHORIZED REPRESENTATIVES BY A DEED INTENDED TO BE RECORDED SIMULTANEOUSLY HEREWITH.
8. ANY AREA IDENTIFIED AS "STORM DRAIN EASEMENT FOR THE CITY OF WESTMINSTER" IS TO BE GRANTED TO THE CITY OF WESTMINSTER BY DEED INTENDED TO BE RECORDED SIMULTANEOUSLY HEREWITH.
9. ANY AREAS IDENTIFIED AS "SEWER EASEMENT FOR THE CITY OF WESTMINSTER" OR "WATERLINE EASEMENT FOR THE CITY OF WESTMINSTER ARE TO BE GRANTED TO THE CITY OF WESTMINSTER BY DEED INTENDED TO BE RECORDED SIMULTANEOUSLY HEREWITH.
10. CURRENT ZONING: R-20,000 (CLUSTER)
11. MBL - MINIMUM BUILDING LINE
12. THERE ARE 10' WIDE DRAINAGE AND UTILITY EASEMENTS CENTERED ALONG ALL NON-ROAD FRONTAGE LOT LINES AND OTHER EASEMENTS AS SPECIFICALLY SHOWN HEREON.
13. MINIMUM YARD SETBACK DISTANCES:
    FRONT: 25'
    SIDE: 8'
    REAR: 30'
14. THE CITY WILL ISSUE NO MORE THAN 40 BUILDING PERMITS FOR DWELLING UNITS DURING ANY CALENDAR YEAR.
15. LOTS 90 THROUGH 93 SHALL UTILIZE THE USE-IN-COMMON DRIVEWAY SHOWN HEREON AS CORNICHE DRIVE. LOTS 116 THROUGH 119 SHALL UTILIZE THE USE-IN-COMMON DRIVEWAY SHOWN HEREON AS WILFORD DRIVE. A DECLARATION OF MAINTENANCE OBLIGATIONS SETTING FORTH THE RESPONSIBILITIES FOR MAINTENANCE OF THE USE-IN-COMMON DRIVEWAYS IS INTENDED TO BE RECORDED SIMULTANEOUSLY HEREWITH.
16. THE AREA SHOWN HEREON AS A FOREST CONSERVATION EASEMENT, WITH A TOTAL ACREAGE OF 18.7774 AC. SHALL BE GRANTED TO THE CARROLL COUNTY COMMISSIONERS BY A DEED TO BE RECORDED SIMULTANEOUSLY HEREWITH.
17. THE FOLLOWING OPEN SPACE PARCELS ARE TO BE CONVEYED TO THE HOMEOWNERS ASSOCIATION: PARCEL 'C': 0.5432 AC., PARCEL 'D': 1.6182 AC., PARCEL 'H': 3.5029 AC., PARCEL 'J': 4.4004 AC., PARCEL 'L': 2.3905 AC., PARCEL 'M': 0.8023 AC., PARCEL 'N': 2.5124 AC., PARCEL 'O': 4.4557 AC., PARCEL 'P': 2.8042 AC.
18. THE AREAS SHOWN HEREON AS SWM PARCEL 'X', CONTAINING 1.4467 AC. AND PARCEL 'Y' CONTAINING 1.3203 AC. ARE TO BE CONVEYED TO THE MAYOR AND COMMON COUNCIL OF THE CITY OF WESTMINSTER PURSUANT TO A PUBLIC WORKS AGREEMENT ENTERED INTO BETWEEN THE OWNER AND THE CITY OF WESTMINSTER UPON ACCEPTANCE OF THE STORMWATER MANAGEMENT FACILITY.
19. THE AREAS SHOWN HEREON AS PARCEL 'T' CONTAINING 0.4309 AC. AND PARCEL 'K' CONTAINING 0.3581 AC., ARE TO BE CONVEYED TO THE CITY OF WESTMINSTER BY A DEED INTENDED TO BE RECORDED SIMULTANEOUSLY HEREWITH FOR ROAD WIDENING.

DATA TABULATIONS:

A.	NUMBER OF BUILDING SITES:	47
B.	TOTAL AREA OF LOTS:	18.3313 AC.
C.	TOTAL AREA OF NEW STREET:	4.3147 AC.
	(TO BE CONVEYED TO CITY OF WESTMINSTER	
	CORNICHE COURT:	0.7251 AC.
	WILFORD COURT:	1.3051 AC.
	MEADOW BRANCH ROAD:	1.6689 AC.
	MEADOW CREEK DRIVE:	0.6150 AC.
D.	TOTAL AREA OF OPEN SPACE:	23.2348 AC.
	(TO BE CONVEYED TO HOMEOWNERS ASSOCIATION)	
	PARCEL 'C' (ACTIVE):	0.5432 AC.
	PARCEL 'D' (ACTIVE):	1.6182 AC.
	PARCEL 'H':	3.5029 AC.
	PARCEL 'J':	4.4004 AC.
	PARCEL 'L':	2.3905 AC.
	PARCEL 'M':	0.8023 AC.
	PARCEL 'N':	2.5124 AC.
	PARCEL 'O':	4.4557 AC.
	PARCEL 'P':	2.8042 AC.
E.	TOTAL AREA OF SWM PARCELS:	2.7670 AC.
	(TO BE CONVEYED TO CITY OF WESTMINSTER)	
	PARCEL 'X':	1.4467 AC.
	PARCEL 'Y':	1.3203 AC.
F.	TOTAL AREA OF AREA OF DEDICATION PARCELS:	0.7890 AC.
	(TO BE CONVEYED TO THE CITY OF WESTMINSTER)	
	PARCEL 'T':	0.4309 AC.
	PARCEL 'K':	0.3581 AC.
G.	TOTAL AREA OF PLAT:	48.4388 AC.
H.	TOTAL AREA OF FOREST CONSERVATION EASEMENT:	18.7774 AC.

OWNER/DEVELOPER

BOLTON DEVELOPMENT, LLC
4175 HANOVER PIKE
MANCHESTER, MARYLAND 21102

SHEET 1 OF 10

SECTION FIVE

BOLTON HILL

(FORMERLY KNOWN AS THE EMMERT PROPERTY)
A CLUSTER SUBDIVISION
CITY OF WESTMINSTER
7th ELECTION DISTRICT · CARROLL COUNTY, MARYLAND

CITY OF WESTMINSTER, MAYOR
MAYOR: _____ DATE: 7/12/17

CITY OF WESTMINSTER, PLANNING AND ZONING COMMISSION
APPROVED: _____ DATE: 7/11/17

CITY OF WESTMINSTER, DIRECTOR OF COMMUNITY PLANNING AND DEVELOPMENT
APPROVED: W. A. Mackey DATE: 7-11-17

CITY OF WESTMINSTER, DIRECTOR OF PUBLIC WORKS
APPROVED: _____ DATE: 7-11-17

PLATBOOK D.B.S. NO. 55 PAGE 39
DATE 8/2/17

CARROLL COUNTY HEALTH DEPARTMENT
APPROVED: _____ DATE: 6/30/17
Community water and/or sewerage systems are in conformance with the Carroll County Master Plan for water and sewer.

SURVEYOR'S CERTIFICATE
I, DENNIS E. MECKLEY, A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAT PREPARED IN COMPLIANCE WITH SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND (1974) AS AMENDED, PERTAINING TO THE PREPARATION OF RECORD PLATS.
DENNIS E. MECKLEY PROP. L.S. #10844. LICENSE EXPIRES 03/29/18 — DATE 5/22/17

CERTIFICATION
WE, OWNERS OF THE PROPERTY SHOWN HEREON, AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, HEREBY ADOPT THIS PLAN OF THE SUBDIVISION, ESTABLISH THE BUILDING LINES AS SHOWN, AND CERTIFY THAT THE REQUIREMENTS OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND (1974) AS AMENDED PERTAINING TO THE PREPARATION OF RECORD PLATS, AND SUBSEQUENT ACTS, IF ANY, AMENDATORY THERETO AS FAR AS THEY RELATE TO THE PREPARATION OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH. NEW STREETS, ROADS, OPEN SPACES AND THE MENTION THEREOF IN DEEDS, ARE FOR THE PURPOSE OF DESCRIPTION ONLY AND THE LAND SO SHOWN IS EXPRESSLY RESERVED IN THE PRESENT OWNER(S) SHOWN ON THIS PLAT, THEIR SUCCESSORS, HEIRS AND ASSIGNS. NO MORE THAN ONE PRINCIPAL BUILDING SHALL BE PERMITTED ON ANY RESIDENTIAL LOT. AND NO SUCH LOT MAY EVER BE RESUBDIVIDED SO AS TO PRODUCE A BUILDING SITE OF LESS AREA OR WIDTH THAN THE MINIMUM REQUIRED BY APPLICABLE HEALTH, ZONING, OR OTHER REGULATIONS. COMMUNITY WATER AND SEWERAGE FACILITIES WILL BE AVAILABLE TO ALL LOTS OFFERED FOR SALE.

OWNER: _____ 5/25/17
JENNIFER H. BUBCZYK, MEMBER
BOLTON DEVELOPMENT, LLC
DATE

WITNESS: _____

Date	Revision	By

Engineers • Surveyors
CLSI
Land Planning & Environmental Consultants
www.clsi-civileng.com
439 East Main Street Westminster, MD 21157-5539
(410) 848-1790 FAX (410) 848-1791

STATE OF MARYLAND — DENNIS EUGENE MECKLEY — PROPERTY LINE SURVEYOR

Dennis E. Meckley
Property Line Surveyor Reg No. 10844
License Expires 03/29/18

Scale: 1" = 300'		Date: SEPTEMBER, 2016	
Surveyed By: CLSI	Drawn By: BM	Drawing No.: 2000100	
Computed By: JW	Checked By:	County File No.: F-16-0080	

P222954

MSA S1240 - 7247 - 1

To: Mayor and Common Council

From: Jeffery D. Glass, Director of Public Works

Date: January 10, 2020

Re: Approval – Purchase of Replacement Utility Maintenance Vehicles

Background

The City's adopted FY 2020 budget allocates funding in the amount of $150,000 for the replacement of three one-ton utility vehicles for the Utility Maintenance Department. Of this amount, $75,000 is budgeted in the Water Fund and $75,000 is budgeted in the Sewer Fund.

The vehicles are available via an existing contract between the State of Maryland (MD BPO #001B0600200) and Criswell Chevrolet Fleet Sales, located at 503 Quince Orchard Road in Gaithersburg, Maryland. The City's procurement code allows the City to piggyback on this competitively awarded contract.

The vehicles being purchased are all 2020 Chevrolet Silverado 3500 HD. Further information is provided in the attached quote and specification sheets. The cost of each vehicle is $43,260, inclusive of selected options.

Recommendation

Staff recommends that the Mayor and Common Council authorize the purchase of three 2020 Chevrolet Silverado 3500 HD utility trucks from Criswell Chevrolet Fleet Sales, located at 503 Quince Orchard Road in Gaithersburg, Maryland, in the total amount of $129,780.

Attachment

- Quote and Specification Sheet for 2020 Chevrolet Silverado 3500 HD

cc: Barbara B. Matthews, City Administrator

Criswell Chevrolet Fleet Sales 503 Quince Orchard Road, Gaithersburg, MD 20878
Phone: (301)948-5460 Fax: (301) 948-1381 Email: fleet-man@msn.com

QUOTE REQUEST

2020 Chevrolet Silverado 3500 HD Pickup Truck

Requested By:
City of Westminster
56 West Main St
Westminster MD 21157
Phone: 4107512262

Contract Price:	$27,991.00
Total with Options:	$43,260.00
Order Total (with Quantity):3	$129,780.00

Code	Option Description	Option Price
L8T	Engine, 6.6L V8 with Direct Injection and Variable Valve Timing, gasoline, (401 hp [299 kW] @ 5200 rpm, 464 lb-ft of torque [629 N-m] @ 4000 rpm) (STD)	$0.00
GAZ	Summit White	$0.00
QQ0	Tires, LT235/80R17E all-season highway, blackwall (Requires dual rear wheels.)	$0.00
PYW	Wheels, 17" painted steel, Silver REQS Dual Rear Wheels	$0.00
PYT	Wheels, 18" Painted Steel (STD)	$0.00
H2G	Jet Black, Vinyl seat trim	$0.00
4WD	Four Wheel Drive	$2,009.00
KEY2	Key equipment, two additional keys for single key system Provides two additional spare keys for a total of (4).	$265.00
5N5	Rear Camera Kit Kit includes camera, fixed position bracket & 19 ft cable with attachment clips. Rear camera radio calibration provided from the factory. See Upfitter Integration Bulletin for installation instructions at www.gmupfitter.com (Requires (ZW9) pickup bed delete.)	$100.00
Hitch	Basic Towing Package on Utility Body - NO BRAKE CONTROLLER	$775.00
CC30953	Extended Cab with Long Bed (2WD)	$0.00
RVQ	Black tubular assist steps, 6" rectangular (Not available with any other assist steps.)	$780.00
696J	Knapheide 696J 8' Open Utility Body w/ Master Locking Provision REQS LONG BED	$5,595.00
LINEX	Linex Spray Bedliner inside Utility Body Open Bed	$800.00
8.0	Boss 8' Straight Blade Snowplow	$4,945.00

To: Mayor and Common Council

From: Tammy Palmer, Director of Finance and Administrative Services

Date: January 14, 2020

Re: FY 2020 Budget Amendment #1 – Adoption of Ordinance No. 919

Background

In accordance with Section §20-8 of the City of Westminster Charter, any transfer of funds between appropriations proposed by the Mayor must be approved by the Common Council before becoming effective.

Summary

Provided below is a summary of the changes addressed by this first amendment to the adopted FY 2020 budget.

General Fund

- Fund revenues will increase by $447,617. The increase is attributable to building permit fees ($2,500); rental housing license fees ($15,430); parking citations ($3,000); donations to the Police Department for K-9 dog ($15,500) and community outreach ($3,000); Fallfest ($44,500); Miracle on Main Parade ($3,253); construction inspection fees ($153,500); Public Housing port-in revenue ($106,934); and, interest ($100,000).

- Fund expenditures will increase by $239,720. The increase is attributable to multi-peril insurance premiums ($11,000); compensation and classification consultant ($10,500); bank fees ($17,000); community outreach ($3,000); temporary employee salary ($20,000); public safety insurance premiums ($6,000); postage ($2,700); K-9 expenses ($15,500); City Hall elevator expenses ($700); Fallfest ($21,600); Oyster Stroll ($8,000); Parks and Recreation Month ($2,720); temporary employee salary for pool ($11,000); and, gas for Public Safety ($8,000). A transfer of $30,000 was made from Legislative Contingency to Planning Studies and Consultants for redevelopment of 17-25 West Main Street.

- The net impact of these changes is a General Fund budget surplus of $206,897. It should be noted that the General Fund will Transfer in from Reserves $718,481 and transfer out to the Capital Fund the same amount for the acquisition of 17-25 West Main Street.

Capital Fund-General

- Fund revenues will increase by $912,359. This amount is comprised of a transfer from the General Fund for the purchase of 17-25 West Main Street ($718,481), a Program Open Space grant ($81,128) and a transfer from reserves for a trash compactor that was budgeted last year but received this year ($56,375).

- Fund expenses will increase by $855,984. Additional expenses include the acquisition of 17-25 West Main Street ($775,134), HVAC work at City Hall ($18,475), a trash compactor budgeted for last year but received this year ($56,375), and a new HVAC unit at 48-52 Charles Street ($6,000).

Sewer Fund

- Fund revenues will increase by $107,500, comprised of $47,500 in rental income from HRI, Inc. and $60,000 in interest revenue.

- Fund expenditures will increase by $25,000. Of this amount, $8,000 represents increased insurance premiums and $17,000 is for bank fees.

- Fund balance will increase by $82,500.

Water Fund

- Fund revenues will increase by $60,000 in interest revenue.

- Fund expenditures will increase by $67,000. The increase is attributable to insurance premiums ($10,000), bank fees ($17,000), and the Gesell Well Stream Rehabilitation Project ($40,000).

- Fund balance will be reduced by $7,000; however, the Water Fund remains in a surplus budget.

Fiber Fund

- There is no revision requested.

Recommendation

Staff recommends adoption of Ordinance 919, amending the FY 2020 adopted budget.

Attachment

- Ordinance No. 919 for adoption

cc: City Administrator Barbara Matthews

ORDINANCE NO. 919

OF THE MAYOR AND COMMON COUNCIL OF WESTMINSTER, MARYLAND AMENDING THE ADOPTED BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020

WHEREAS, in accordance with the requirements of Md. Code Ann., Title 5 of the Local Government Article, and Section 41 of the Charter of the City of Westminster and Chapter 20 of the Code of the City of Westminster, the Mayor and Common Council of Westminster determined that an ordinance should be enacted to budget and appropriate funds for the several programs and purposes for which the City of Westminster was required to provide in the fiscal year beginning July 1, 2019, and ending June 30, 2020 ("Fiscal Year 2020") and to set the property tax rates for the said Fiscal Year 2020; and

WHEREAS, the Mayor, as required by the City Charter, on or before the 15th of June, 2019 prepared and presented to the Common Council a proposed budget outlining the anticipated expenditures and transfers for Fiscal Year 2020, which included the estimated revenues and other financing sources required and establishes the proposed tax rate for all real property taxes; and

WHEREAS, the Common Council held a public hearing on April 24, 2019 and May 13, 2019 after notice thereof in a newspaper having general circulation in Westminster; and

WHEREAS, following said public hearings, the Common Council adopted a budget for FY 2020 by Ordinance No. 912; and

WHEREAS, it has come to the attention of the Mayor and Common Council that the City has received certain revenues not included in the adopted budget for Fiscal Year 2020 and further that the City has incurred or will incur expenses exceeding current appropriations for certain budgeted items and that, therefore, certain additional appropriations are necessary; and

WHEREAS, Md. Code Ann., Local Gov't Art., Section 5-205(b) provides, *inter alia*, with respect to expenditures for safety, health, and general welfare that a municipality may not expend funds that were appropriated at the time of the annual levy for a purpose different from the purpose for which the money

was appropriated or spend money not appropriated at the time of the annual levy unless such expenditures are approved by a two-thirds vote of all the individuals elected to the legislative body.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the City of Westminster:

Section 1: That the budget adopted for Fiscal Year 2020 by Ordinance No. 912 shall be and hereby is amended to provide for the following additional revenues and expenditures.

General Fund Revenues	**Adopted**	**Revision 1**	**Ending Budget**
Taxes	$ 11,252,854		$ 11,252,854
Licenses & Permits	587,200	$ 17,930	605,130
Intergovernmental	4,668,432	106,934	4,775,366
Charges for Services	987,400	204,253	1,191,653
Fines & Forfeitures	102,500		102,500
Miscellaneous Income	101,400	18,500	119,900
Interest Income	80,000	100,000	180,000
Transfers & Other Financing	(524,767)		(524,767)
	$ 17,255,019	$ 447,617	$ 17,702,636
General Fund Expenses			
Executive & Legislative	$ 756,070	$ (8,500)	$ 747,570
Finance	163,784	17,000	180,784
Human Resources	131,539		131,539
Planning, Zoning & Dev.	1,084,988	30,000	1,114,988
Public Safety	7,157,701	55,200	7,212,901
Facilities	301,175	700	301,875
Community Support	37,422		37,422
Public Works	3,271,375		3,271,375
Technology	314,661		314,661
Housing Services	2,605,088	102,000	2,707,088
Recreation and Parks	1,431,216	43,320	1,474,536
	$ 17,255,019	$ 239,720	$ 17,494,739

Capital Fund Revenues	Adopted	Revision 1	Ending Budget
Taxes	$ 2,198,960		$ 2,198,960
Licenses and Permits	289,380		289,380
Intergovernmental	902,529	$ 81,128	983,657
Transfers & Other Financing	5,517,830	831,231	6,349,061
	$ 8,908,700	$ 912,359	$ 9,821,059
Capital Fund Expenses			
Public Safety	$ 302,348		$ 302,348
Facilities	5,825,498	$ 67,305	5,892,803
Public Works	2,770,854	56,375	2,827,229
Planning, Zoning, Development	10,000	732,304	742,304
	$ 8,908,700	$ 855,984	$ 9,764,684

Sewer Revenues	Adopted	Revision 1	Ending Budget
Charges for Services	$ 7,110,464		$ 7,110,464
Other Revenue	10,000	$ 47,500	57,500
Miscellaneous Revenue	-		-
Interest Revenue	80,000	60,000	140,000
Benefit Assessment Fees/Capital Contr	27,550,645		27,550,645
Other Financing-Transfers	-		-
	$ 34,751,109	$ 107,500	$ 34,858,609
Sewer Expenses			
Executive Legislative	$ 317,376	$ 8,000	$ 325,376
Finance	264,357	17,000	281,357
Human Resources	160,065		160,065
Planning, Zoning & Dev.	118,214		118,214
Facilities	65,725		65,725
Community Support	12,422		12,422
Public Works	219,267		219,267
Technology	606,670		606,670
Utilities	881,156		881,156
Wastewater	31,688,491		31,688,491
	$ 34,333,743	$ 25,000	$ 34,358,743

Water Revenues	Adopted	Revision 1	Ending Budget
Charges for Services	$ 5,788,195		$ 5,788,195
Rental Revenue	253,390		253,390
Miscellaneous Revenue	5,000		5,000
Interest Revenue	80,000	$ 60,000	140,000
Benefit Assessment Fees	385,728		385,728
Transfers			
	$ 6,512,313	$ 60,000	$ 6,572,313
Water Expenses			-
Executive Legislative	$ 400,146	$ 10,000	$ 410,146
Finance	264,357	17,000	281,357
Human Resources	160,684		160,684
Planning, Zoning & Dev.	118,214		118,214
Facilities	65,725		65,725
Community Support	12,422		12,422
Public Works	219,213		219,213
Technology	606,672		606,672
Utilities	814,647		814,647
Water	3,577,437	40,000	3,617,437
	$ 6,239,517	$ 67,000	$ 6,306,517

Fiber Revenues	Adopted	Revision 1	Ending Budget
Charges for Services	$ 778,570		$ 778,570
Other Revenue	1,000		
Transfers	617,078		617,078.0
	$ 1,396,648	$ -	$ 1,396,648
Fiber Expenses			
Finance	$ 3,950		$ 3,950
Public Works	66,943		66,943
Technology	39,469		39,469
Utilities	100,550		
Fiber	1,185,735		1,185,735
	$ 1,396,647	$ -	$ 1,396,647

Section 2: Except as set forth in Section 1 hereof, the Fiscal Year 2020 budget adopted by Ordinance No. 912 shall remain in full force and effect, subject to any prior amendments thereto.

Section 3: BE IT FURTHER ORDAINED that this ordinance, if adopted by a two-thirds vote of the entire Common Council, shall become effective ten days after its enactment by the Common Council of the City of Westminster, Maryland.

INTRODUCED this ____ day of _____, 2020.

_____
Shannon Visocsky, City Clerk

ADOPTED this _____day of _____, 2020

_____
Shannon Visocsky, City Clerk

APPROVED this _____day of _____, 2020

_____
Joe Dominick, Mayor

APPROVED AS TO FORM AND SUFFICIENCY this _____day of _____, 2020

_____
Elissa D. Levan, City Attorney

To: Mayor and Common Council

From: Elissa D. Levan, City Attorney

Date: January 23, 2020

Re: Ordinance Amending Public Ethics Chapter of the City Code

Background

The City Attorney was asked to draft an ordinance to revise the City's Ethics Ordinance to conform to the State's view of the statutory requirements for financial disclosures by City elected and appointed officials. The resulting ordinance, a copy of which is attached, is intended to accomplish this objective, and to make other changes that have been mandated by amendments to State law since the date of adoption of the City's current ordinance. Among the new requirements is a provision that restricts the disclosure of the home address as designated by the filer of a financial disclosure statement.

The new ordinance goes further in certain respects, particularly in regard to disclosures required by certain appointed officials; these officials include the City Administrator, the City Attorney, and certain department heads who have responsibilities that are related to public procurements. These changes are designed to promote transparency in the award of contracts, and to ensure impartiality on the part of these key employees.

Recommendation

Staff recommends that the Mayor and Common Council discuss the proposed ordinance and ask questions, as appropriate.

Attachment

- Proposed Ordinance Amending Chapter 16, Code of Ethics

cc: Barbara B. Matthews, City Administrator

ORDINANCE NO. ___

AN ORDINANCE
AMENDING CHAPTER 16, "CODE OF ETHICS", TO INCORPORATE CHANGES IN STATE LAW WITH RESPECT TO LOCAL ETHICS ORDINANCES AND TO BROADEN THE CITY'S FINANCIAL DISCLOSURE REQUIREMENTS FOR ELECTED OFFICIALS AND CANDIDATES FOR ELECTIVE OFFICE

WHEREAS, pursuant to Md. Code Ann., Local Gov't. Article, § 5-202 the Mayor and Common Council of Westminster ("the City") has the authority to pass such ordinances as it deems necessary to assure the good government of the City; protect and preserve the City's rights, property, and privileges; and preserve peace and good order; and

WHEREAS, Md. Code Ann., Gen. Provs. Art., Title 5, the Maryland Public Ethics Law, provides in § 5-807 that, each municipal corporation in the State shall enact provisions to govern the public ethics of local officials relating to conflicts of interest, financial disclosure, and lobbying; and

WHEREAS, the provisions of the Maryland Public Ethics Law require each jurisdiction to create a local Ethics Commission to carry our certain duties with respect to enforcement of the jurisdictions local Public Ethics Law; and

WHEREAS, on or about April 13, 2015, the City enacted an ordinance repealing and re-enacting its Public Ethics Law in order to strengthen its conflict of interest restrictions and financial disclosure requirements, recognizing that the previously adopted provisions are or may be inadequate or obsolete, and in the interests of ensuring the highest integrity of City officials and promoting public confidence in the absence of corruption and conflict of interest in City government; and

WHEREAS, on about _____, the City further amended its Public Ethics Law to provide for an alternate member of the City's Ethics Commission; and

WHEREAS, with the goal of increasing transparency in government and continuing to ensure the highest integrity of City officials and to promote public confidence in the absence of corruption and conflict of interest in City government, the City wishes to make further amendments to the Public Ethics Law to increase the obligations of elected officials and candidates for City elective office with respect to annual financial disclosures and to incorporate changes in State law since the last ordinance was adopted.

Section 1. NOW THEREFORE BE IT ORDAINED AND ENACTED by the Mayor and Common Council of Westminster, that Chapter 16, "Code of Ethics", of the Westminster City Code, § 16-4, "Conflicts of Interest", shall be and hereby is amended as follows:

DRAFT

§ 16-4. Conflicts of Interest

A. Participation restrictions.

(1) Except as permitted by an opinion of the commission, city elected officials, officials appointed to those City boards and commissions identified in § 16-2 and employees of the City shall not:

* * *

(2) A FORMER REGULATED LOBBYIST WHO IS OR BECOMES SUBJECT TO REGULATION UNDER THIS CHAPTER AS A PUBLIC OFFICIAL OR EMPLOYEE MAY NOT PARTICIPATE IN A CASE, CONTRACT, OR OTHER SPECIFIC MATTER IN HIS OR HER CAPACITY AS A PUBLIC OFFICIAL OR EMPLOYEE FOR ONE (1) CALENDAR YEAR AFTER THE TERMINATION OF THE REGISTRATION OF THE FORMER REGULATED LOBBYIST IF THE FORMER REGULATED LOBBYIST PREVIOUSLY ASSISTED OR REPRESENTED ANOTHER PARTY FOR COMPENSATION IN THE MATTER.

~~(2)~~(3) A person who is disqualified from participating under Subsection A(1) of this section shall disclose the nature and circumstances of the conflict and may participate or act if:

* * *

~~(3)~~(4) The prohibitions of Subsection A(1) of this section do not apply if participation is allowed by ~~regulation or~~ opinion of the Commission.

~~(4)~~(5) The prohibitions set forth in this subsection do not apply to:

* * *

C. Post-employment Limitations and Restrictions.

(1) A former official or employee may not assist or represent a party other than the City for compensation in a case, contract, or other specific matter involving the City if that matter is one in which he OR SHE significantly participated as an official or employee

(2) ~~Within one year following termination of City service,~~ FOR A PERIOD OF ONE CALENDAR YEAR AFTER THE DATE AN ELECTED OFFICIAL LEAVES OFFICE, a former City elected official may not assist or represent another party for compensation in a matter that is the subject of legislative action.

* * *

E. Use of the Prestige of Office

(1) An official or employee may not intentionally use the prestige of office or public position for the private gain of that official or employee or the private gain of another.

(2) AN OFFICIAL OR EMPLOYEE MAY NOT INTENTIONALLY USE THE PRESTIGE OF OFFICE OR PUBLIC POSITION TO INFLUENCE THE AWARD OF A STATE OR LOCAL CONTRACT TO A SPECIFIC PERSON.

(3) AN OFFICIAL OR EMPLOYEE MAY NOT DIRECTLY OR INDIRECTLY INITIATE A SOLICITATION FOR A PERSON TO RETAIN THE COMPENSATED SERVICES OF A PARTICULAR REGULATED LOBBYIST OR LOBBYING FIRM.

(4) AN OFFICIAL, OTHER THAN AN ELECTED OFFICIAL, OR EMPLOYEE MAY NOT USE PUBLIC RESOURCES OR THE TITLE OF THE OFFICIAL OR EMPLOYEE TO SOLICIT A CONTRIBUTION AS THAT TERM IS DEFINED IN THE ELECTION LAW ARTICLE.

~~(2)~~(5) This subsection does not prohibit the performance of usual and customary constituent services by an elected official without additional compensation. For purposes of this subsection, the term "usual and customary constituent services" shall include but not be limited to [boosterism] BOOSTING or other activities in support of a business entity that is located in or near the City or contributes significantly to the economic well-being of the City, so long as neither the official without additional compensation.

* * *

Section 2. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Common Council of Westminster, that Chapter 16, "Code of Ethics", of the Westminster City Code, § 16-5, "Financial Disclosure", shall be and hereby is amended as follows:

§ 16-5 Financial disclosure: City elected officials and candidates for City elective officer

A. Financial disclosure statement required.

Financial disclosure statement required.

* * *

(2) Deadlines for filing statements.

(a) An incumbent City elected official shall file a financial disclosure statement annually no later than the close of business on ~~January~~ FEBRUARY 15 of each year for the preceding calendar year, except that if ~~January~~ FEBRUARY 15 falls on day on which City offices are closed, the statement shall be filed by the close of business on the next regular business day~~, except that in calendar year 2015, an incumbent shall file a financial disclosure statement on or before the close of business on April 13~~.

* * *

B. Candidates to be local elected officials.

(1) Except for an ~~official who has filed a financial disclosure statement under another provision of this section for the reporting period~~ INCUMBENT CITY ELECTED OFFICIAL, a candidate for City elective office shall file a financial disclosure statement each year beginning with the year in which the ~~certificate~~ DECLARATION of candidacy is filed and continuing through the year of the election.

(2) A candidate for City elective office shall file a statement required under this section:

(a) In the year in which the ~~certificate of nomination~~DECLARATION OF CANDIDACY is filed, at the time of filing of the ~~certificate of nomination~~DECLARATION OF CANDIDACY;

(b) If the election for which a ~~certificate of nomination~~DECLARATION OF CANDIDACY is filed occurs in a year following the year in which the ~~certificate~~ DECLARATION has been filed, on or before ~~the deadline for filing certificate of nomination~~ FEBRUARY 15.

(3) (A) If a candidate fails to file a statement required by SUBSECTION (2)(A) OF this section on or before ~~the deadline for filing certificates of nomination~~DUE DATE SET FORTH THEREIN, the City

Clerk shall ~~send a notice to the candidate within one week of the deadline advising the candidate that his or her candidacy will be deemed to be withdrawn if the required statement is not filed by the close of business on the Monday that is 15 days before the election~~REFUSE TO ACCEPT THE DECLARATION.

(B) IF A CANDIDATE FAILS TO FILE A STATEMENT REQUIRED BY SUBSECTION (2)(B) OF THIS SECTION OR BEFORE THE DUE DATE SET FORTH THEREIN, THE CITY CLERK SHALL SEND A NOTICE TO THE CANDIDATE ADVISING THE CANDIDATE THAT HIS OR HER CANDIDACY WILL BE DEEMED WITHDRAWN IF THE REQUIRED STATEMENT IS NOT FILED BY THE CLOSE OF BUSINESS ON THE FIFTH BUSINESS DAY FOLLOWING THE DATE OF THE NOTICE.

* * *

C. Public Record.

* * *

(5) THE CITY CLERK MAY NOT PROVIDE PUBLIC ACCESS TO A PORTION OF A STATEMENT THAT IS FILED AFTER JANUARY 1, 2019, AND THAT INCLUDES AN ADDRESS THAT THE INDIVIDUAL HAS IDENTIFIED AS THE INDIVIDUAL'S HOME ADDRESS.

* * *

E. Contents of statement.

(1) Interests in real property.

(a) A statement filed under this section shall include a schedule of all interests in real property WHEREVER located ~~in the City or located elsewhere if acquired from or in conjunction with a person or entity that is regulated by the City or does business with the City or has done business with the City during the preceding five years~~.

(b) For each interest in real property, the schedule shall include:

~~[1] The location by street address, mailing address, or legal description of the property;~~

~~[2] Whether the property is used for residential or commetical purposes;~~

~~[3] Whether the property is held solely by the individual reporting and, if not, the extent of the reporting person's interest in the property;~~

~~[4] Whether there are any encumbrances on the interest and, if so, a description of each such encumbrance;~~

~~[5] The date on which the interest was acquired;~~

~~[6] The identity of the person from whom the interest was acquired;~~

~~[7] The nature and amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired;~~

~~[8] If any interest was transferred, in whole or in part, at any time during the reporting period, the nature of the interest transferred, the identity of the person to whom the interest was transferred, and if the transferee is a person or business entity that is regulated by or is doing business with the City or has done business with the City in the preceding five years, the amount of the consideration received for the interest (including the value of any nonmonetary consideration received); and~~

~~[9] The identity of any other person or entity with an interest in the property and the extent of such interest, if such person or business entity is regulated by or is doing business with the City or has done business with the City in the preceding five years.~~

[1] THE NATURE OF THE PROPERTY AND THE LOCATION BY STREET ADDRESS, MAILING ADDRESS, OR LEGAL DESCRIPTION OF THE PROPERTY;

[2] THE NATURE AND EXTENT OF THE INTEREST HELD, INCLUDING ANY CONDITIONS AND ENCUMBRANCES ON THE INTEREST;

[3} THE DATE WHEN, THE MANNER IN WHICH, AND THE IDENTITY OF THE PERSON FROM WHOM THE INTEREST WAS ACQUIRED;

[4] THE NATURE AND AMOUNT OF THE CONSIDERATION GIVEN IN EXCHANGE FOR THE INTEREST OR, IF ACQUIRED OTHER THAN BY PURCHASE, THE FAIR MARKET VALUE OF THE INTEREST AT THE TIME ACQUIRED;

[5] IF ANY INTEREST WAS TRANSFERRED, IN WHOLE OR IN PART, AT ANY TIME DURING THE REPORTING PERIOD, A DESCRIPTION OF THE INTEREST TRANSFERRED, THE NATURE AND AMOUNT OF THE CONSIDERATION RECEIVED FOR THE INTEREST, AND THE IDENTITY OF THE PERSON TO WHOM THE INTEREST WAS TRANSFERRED; AND

[6] THE IDENTITY OF ANY OTHER PERSON WITH AN INTEREST IN THE PROPERTY.

(2) INTERESTS IN CORPORATIONS AND PARTNERSHIPS.

(A) A STATEMENT FILED UNDER THIS SECTION SHALL INCLUDE A SCHEDULE OF ALL INTERESTS IN ANY CORPORATION, PARTNERSHIP, LIMITED LIABILITY PARTNERSHIP, OR LIMITED LIABILITY CORPORATION, REGARDLESS OF WHETHER THE CORPORATION OR PARTNERSHIP DOES BUSINESS WITH THE CITY.

(B) FOR EACH INTEREST REPORTED UNDER THIS PARAGRAPH, THE SCHEDULE SHALL INCLUDE:

[1] THE NAME AND ADDRESS OF THE PRINCIPAL OFFICE OF THE CORPORATION, PARTNERSHIP, LIMITED LIABILITY PARTNERSHIP, OR LIMITED LIABILITY CORPORATION;

[2] THE NATURE AND AMOUNT OF THE INTEREST HELD, INCLUDING ANY CONDITIONS AND ENCUMBRANCES ON THE INTEREST;

[3] WITH RESPECT TO ANY INTEREST TRANSFERRED, IN WHOLE OR IN PART, AT ANY TIME DURING THE REPORTING PERIOD, A DESCRIPTION OF THE INTEREST TRANSFERRED, THE NATURE AND AMOUNT OF THE CONSIDERATION RECEIVED FOR THE INTEREST, AND, IF KNOWN, THE IDENTITY OF THE PERSON TO WHOM THE INTEREST WAS TRANSFERRED; AND

[4] WITH RESPECT TO ANY INTEREST ACQUIRED DURING THE REPORTING PERIOD:

1. THE DATE WHEN, THE MANNER IN WHICH, AND THE IDENTITY OF THE PERSON FROM WHOM THE INTEREST WAS ACQUIRED; AND

2. THE NATURE AND THE AMOUNT OF THE CONSIDERATION GIVEN IN EXCHANGE FOR THE INTEREST OR, IF ACQUIRED OTHER THAN BY PURCHASE, THE FAIR MARKET VALUE OF THE INTEREST AT THE TIME ACQUIRED.

(C) AN INDIVIDUAL MAY SATISFY THE REQUIREMENT TO REPORT THE AMOUNT OF THE INTEREST HELD UNDER SUBSECTION E.2(B)(2) OF THIS SECTION BY REPORTING, INSTEAD OF A DOLLAR AMOUNT:

[1] FOR AN EQUITY INTEREST IN A CORPORATION, THE NUMBER OF SHARES HELD AND, UNLESS THE CORPORATION'S STOCK IS PUBLICLY TRADED, THE PERCENTAGE OF EQUITY INTEREST HELD; OR

[2] FOR AN EQUITY INTEREST IN A PARTNERSHIP, THE PERCENTAGE OF EQUITY INTEREST HELD.

(D) FOR PURPOSES OF THIS SECTION, "INTEREST" DOES NOT INCLUDE A MUTUAL FUND OR EXCHANGE-TRADED FUND THAT IS PUBLICLY TRADED ON A NATIONAL SCALE UNLESS THE MUTUAL FUND OR EXCHANGE-TRADED FUND IS COMPOSED PRIMARILY OF HOLDINGS OF STICKS AND INTERESTS IN A SPECIFIC AREA THAT IS REGULATED BY THE CITY.

~~(2)~~(3) Interests in business entities DOING BUSINESS WITH CITY.

(a) A statement filed under this Section shall include a schedule of ~~any interest in any business entity that is regulated by the City or doing business with the City or has done business with the City in the preceding five years~~ ALL INTERESTS IN ANY BUSINESS ENTITY THAT DOES BUSINESS WITH THE CITY, OTHER THAN INTERESTS REPORTED UNDER SUBSECTION E.2. OF THIS SUBSECTION.

(b) For each interest reported under this paragraph, the schedule shall include:

[1] The name and address of the principal office of the business entity;

[2] The nature and amount of the interest held, including any conditions to and encumbrances on the interest;

[3] ~~With respect to any interest transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received in exchange for the interest, and, if known, the identity of the person to whom the interest was transferred~~IF ANY INTEREST WAS TRANSFERRED, IN WHOLE OR IN PART, AT ANY TIME DURING THE REPORTING PERIOD, THE NATURE OF THE INTEREST TRANSFERRED, THE IDENTITY OF THE PERSON TO WHOM THE INTEREST WAS TRANSFERRED, AND IF THE TRANSFEREE IS A PERSON OR BUSINESS ENTITY THAT IS REGULATED BY OR IS DOING BUSINESS WITH THE CITY OR HAS DONE BUSINESS WITH THE CITY IN THE PRECEDING FIVE YEARS, THE AMOUNT OF THE CONSIDERATION RECEIVED FOR THE INTEREST (INCLUDING THE VALUE OF ANY NONMONETARY CONSIDERATION RECEIVED); and

[4] With respect to any interest acquired during the reporting period:

* * *

~~(3)~~(4) Gifts.

(a) An official or employee may not solicit any gift for himself or herself or for another person.

(b) An official or employee may not facilitate the solicitation of a gift, on behalf of another person, from a lobbyist.

(c) An official or employee may not knowingly accept a gift, directly or indirectly, from a person that the official or employee knows or has reason to know:

(1) Is doing business with or seeking to do business with the City;

(2) Has financial interests that may be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of the official duties of the official or employee;

(3) Is engaged in an activity regulated or controlled by the City; or

(4) Is a lobbyist.

* * *

~~(4)~~(5) Employment with or interests in entities doing business with City.

* * *

~~(5)~~(6) Indebtedness to entities doing business with or regulated by the City.

* * *

~~(6)~~(7) ~~Family members.~~EMPLOYMENT WITH THE CITY.

* * *

~~(7)~~(8) Sources of earned income.

* * *

(C) FOR A STATEMENT FILED ON OR AFTER JANUARY 1, 2019, IF THE INDIVIDUAL'S SPOUSE IS A LOBBYIST REGULATED BY THE CITY, THE INDIVIDUAL SHALL DISCLOSE THE ENTITY THAT HAS ENGAGED THE SPOUSE FOR LOBBYING PURPOSES.

~~(8)~~(9) A statement filed under this section may also include a schedule of additional interests or information that the individual making the statement wishes to disclose.

* * *

Section 3. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Common Council of Westminster, that Chapter 16, "Code of Ethics", of the Westminster City Code, § 16-6, "Financial disclosure: employees and appointed officials", shall be and hereby is amended as follows:

§ 16-6 Financial disclosure: employees and appointed officials

A. This section only applies to the following appointed officials and employees:
~~(1)~~ The City Administrator, the City Clerk, the City Attorney, the City Treasurer, the Director of Community Planning and Development, the Director of Public Works, the Director of Recreation and Parks, the Director of Finance and the Chief of Police~~, members of the Planning and Zoning Commission, members of the Board of Zoning Appeals, and members of the City Ethics Commission~~.

* * *

C. On or before the close of business on ~~the second Monday in April~~ FEBRUARY 15 of each year during which an official or employee holds office, an official or employee shall file a statement disclosing:
(1) Gifts received during the preceding calendar year from any person that contracts with or is regulated by the City, including the name of the donor of the gift and the approximate retail value at the time or receipt; and
(2) Employment and interests that raise conflicts of interest or potential conflicts of interest in connection with a specific proposed action by the employee or official sufficiently in advance of the action to provide adequate disclosure to the public.
(3) THE IDENTITY OF ANY ENTITY DOING BUSINESS WITH THE CITY WITH WHICH THE OFFICIAL OR EMPLOYEE HAS DONE BUSINESS OR FROM WHICH HE OR SHE HAS RECEIVED ANY THING OF VALUE IN THE PRECEDING FIVE (5) YEARS.

(4) THE IDENTITY OF ANY PERSON DOING BUSINESS WITH THE CITY OR WHOM THE OFFICIAL OR EMPLOYEE KNOW OR HAS REASON TO KNOW HAS RECEIVED ANYTHING OF VALUE FROM A PERSON OR ENTITY DOING BUSINESS WITH THE CITY WITH WHOM THE OFFICIAL OR EMPLOYEE HAS A PERSONAL RELATIONSHIP INVOLVING TWO OR MORE PRIVATE SOCIAL ENGAGEMENTS IN THE PRECEDING YEAR. THE OFFICIAL OR EMPLOYEE NEED NOT DISCLOSE THE NATURE OF THE PERSONAL RELATIONSHIP.
(5) THE IDENTIFY OF ANY BUSINESS ENTITY LOCATED IN THE CITY FROM WHICH THE OFFICIAL OR EMPLOYEE RECEIVES EARNED INCOME.

D. The City Clerk shall maintain all disclosure statements filed under this section as public records available for public inspection and copying as provided in Subsections C and D of § 16-5 of this chapter. The City Clerk shall retain such statements for four years from the date of receipt. THE CITY CLERK MAY NOT PROVIDE PUBLIC ACCESS TO A PORTION OF A STATEMENT THAT IS FILED AFTER JANUARY 1, 2019, AND THAT INCLUDES AN INDIVIDUAL'S HOME ADDRESS THAT THE INDIVIDUAL HAS IDENTIFIED AS THE INDIVIDUAL'S HOME ADDRESS.

Section 4. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Common Council of Westminster, that Chapter 16, "Code of Ethics", of the Westminster City Code, § 16-6.1, "Financial disclosure: members of boards and commission", shall be and hereby is enacted as follows:

§ 16-6.1 FINANCIAL DISCLOSURE: MEMBERS OF BOARDS AND COMMISSIONS.

A. THIS SECTION ONLY APPLIES TO MEMBERS OF THE PLANNING AND ZONING COMMISSION, MEMBERS OF THE BOARD OF ZONING APPEALS, AND MEMBERS OF THE CITY ETHICS COMMISSION.

B. A STATEMENT FILED UNDER THIS SECTION SHALL BE FILED WITH THE CITY CLERK UNDER OATH OR AFFIRMATION ON FORMS PROVIDED BY THE COMMISSION. THE CITY CLERK SHALL PROMPTLY TRANSMIT STATEMENTS FILED UNDER THIS SECTION TO THE COMMISSION, WHICH SHALL REVIEW SUCH STATEMENTS FOR COMPLIANCE WITH THIS CHAPTER. FOLLOWING THE COMMISSION'S REVIEW AND APPROVAL, THE CITY CLERK SHALL MAINTAIN ALL SUCH FORMS.

C. ON OR BEFORE THE CLOSE OF BUSINESS ON THE SECOND MONDAY IN APRIL OF EACH YEAR DURING WHICH AN OFFICIAL OR EMPLOYEE HOLDS OFFICE, AN OFFICIAL OR EMPLOYEE SHALL FILE A STATEMENT DISCLOSING:

(1) GIFTS RECEIVED DURING THE PRECEDING CALENDAR YEAR FROM ANY PERSON THAT CONTRACTS WITH OR IS REGULATED BY THE CITY, INCLUDING THE NAME OF THE DONOR OF THE GIFT AND THE APPROXIMATE RETAIL VALUE AT THE TIME OR RECEIPT; AND

(2) EMPLOYMENT AND INTERESTS THAT RAISE CONFLICTS OF INTEREST OR POTENTIAL CONFLICTS OF INTEREST IN CONNECTION WITH A SPECIFIC PROPOSED ACTION BY THE EMPLOYEE OR OFFICIAL SUFFICIENTLY IN ADVANCE OF THE ACTION TO PROVIDE ADEQUATE DISCLOSURE TO THE PUBLIC.

D. THE CITY CLERK SHALL MAINTAIN ALL DISCLOSURE STATEMENTS FILED UNDER THIS SECTION AS PUBLIC RECORDS AVAILABLE FOR PUBLIC INSPECTION AND COPYING AS PROVIDED IN SUBSECTIONS C AND D OF § 16-5 OF THIS CHAPTER. THE CITY CLERK SHALL RETAIN SUCH

STATEMENTS FOR FOUR YEARS FROM THE DATE OF RECEIPT. THE CITY CLERK MAY NOT PROVIDE PUBLIC ACCESS TO A PORTION OF A STATEMENT THAT IS FILED AFTER JANUARY 1, 2019, AND THAT INCLUDES AN INDIVIDUAL'S HOME ADDRESS THAT THE INDIVIDUAL HAS IDENTIFIED AS THE INDIVIDUAL'S HOME ADDRESS.

Section 4. BE IT FURTHER ORDAINED BY THE MAYOR AND COMMON COUNCIL OF WESTMINSTER that this Ordinance shall. take effect ten (10) days after the date of its passage and approval, unless it is returned unsigned by the Mayor at the next meeting of The Mayor and Common Council together with the Mayor's reasons for withholding his signature therefrom, and is not passed thereafter by the votes of four-fifths of the members of the Common Council, and further provided that it is posted after adoption for not less than two weeks in some conspicuous location in the City Hall and recorded in a book provided for that purpose.

.

INTRODUCED this _____ day of _____, 2020

_____
Shannon Visocsky, City Clerk

ADOPTED this _____ day of _____, 2020

_____
Shannon Visocsky, City Clerk

APPROVED this _____ day of _____, 2020

_____
Joe Dominick, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
this ____ day of _____, 2020:

_____
Elissa D. Levan, City Attorney