

MINUTES

CITY OF WESTMINSTER Mayor and Common Council Meeting Monday, February 25, 2019 at 7 pm

CALL TO ORDER

Elected Officials Present: Councilmember Becker, Councilmember Chiavacci, Mayor Dominick, Councilmember Pecoraro, President Wack, and Councilmember Yingling.

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

APPROVAL OF MINUTES

President Wack requested a motion to approve the following minutes:

- Mayor and Common Council Meeting of February 11, 2019
- Special Mayor and Common Council Meeting of February 19, 2019
- Executive Session of February 19, 2019

Councilmember Chiavacci moved, seconded by Councilmember Becker, to approve the minutes, as presented.

VOTE

AYES: President Wack, Councilmember Becker, Councilmember Chiavacci, Councilmember Pecoraro, and Councilmember Yingling.

NAYS: None.

PRESENTATIONS

LGIT Health Claims Reimbursement Check

Tim Ailsworth, Executive Director of the Local Government Insurance Trust, presented Mayor Dominick with a LGIT Health Claims Reimbursement Check in the amount of \$712,947. He noted that this was the largest check that LGIT has presented to a municipality.

Recognition of Retiring Chief of Police Jeffrey Spaulding

Mayor Dominick, President Wack, and Councilmember Chiavacci presented Chief Spaulding with several retirement gifts and a framed copy of Resolution No. 19-07, thanking him for his contributions to the Westminster community and recognizing his many years of public service.

Councilmember Yingling presented a Joint Citation from Senator Justin Ready, Delegate Susan Krebs, Delegate April Rose, and Delegate Haven Shoemaker, thanking Chief Spaulding for his 46 years of law enforcement work in the State of Maryland.

On behalf of the Carroll County Government, Commissioners Dennis Frazier and Stephen Wantz presented a recognition to Chief Spaulding, expressing the County's appreciation for the Chief's many contributions to Carroll County and for his many years of public service.

Bob Miller, on behalf of the Carroll County Human Services Program (HSP) Board and staff, presented a recognition to Chief Spaulding for his 14 years of service on the HSP Board.

Chief Spaulding thanked everyone for their recognitions, adding that it had been a pleasure to serve the Westminster community as Chief of Police.

CONSENT CALENDAR

President Wack requested a motion to approve the Consent Calendar as follows:

- Approval – Departmental Operating Report for January 2019;
- Approval – Special Deputy Sheriff Agreement between the Carroll County Sheriff’s Office and the City of Westminster;
- Approval – Change Order Nos. 1, 2, and 3 to the City’s Contract with Columbia Telecommunications Corporation (CTC) for Design Work for Phases 3 and 4 of the Westminster Fiber Network; and,
- Approval – Modification to a Mixed Use Infill Zone to allow a 10-foot by 14-foot addition at 57 West Main Street.

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

VOTE

AYES: President Wack, Councilmember Becker, Councilmember Chiavacci, Councilmember Pecoraro, and Councilmember Yingling.

NAYS: None.

REPORT FROM THE MAYOR

Mayor Dominick reported that he and Councilmember Chiavacci attended the Downtown Partners meeting on February 25, 2019. There were more than 30 attendees, including local merchants and restaurant owners and representatives from the Carroll Arts Center, McDaniel College, and the Carroll County Public Library.

Mayor Dominick stated that, over time, the meeting has transitioned from a focus on the City’s special events to a merchant-to-merchant discussion. During the February 25, 2019 meeting, participants discussed the following matters:

- McDaniel College representatives shared information on new merchandizing opportunities for local businesses to sell McDaniel-themed items.
- Tiombe Paige, owner of Cultivated, and Judy Morley, Executive Director for the Carroll Arts Center, spoke about a new promotion event called “Peep-out Downtown Westminster” to capitalize on the 25,000 visitors to the Arts Center’s annual PEEPSHOW.
- Meeting participants discussed using rack cards, a passports program, and City-provided window clings to promote the “Peep-out Downtown Westminster” event.
- Downtown Partners will work towards maximizing the synergy of other events occurring in the City during the same time period (Wine Stroll, Egg Hunt, and Walk-a-Mile in Her Shoes).

As both mayor and the owner of a downtown business, Mayor Dominick stated that he was pleased with the direction of the Downtown Partners group.

Councilmember Chiavacci credited Mayor Dominick for the positive shift in the Downtown Partners meetings.

Mayor Dominick stated that the shift would not have been possible without the efforts of Main Street Manager Sandy Anderson, Director of Recreation and Parks Gruber, Director of Community Planning and Development Mackey, and City Administrator Matthews.

REPORTS FROM STANDING COMMITTEES

There were no reports from the following Standing Committees: Arts Council, Economic and Community Development, and Public Safety.

President Wack, on behalf of the Finance Committee, reported that the FY 2020 budget process is underway.

Councilmember Yingling, on behalf of the Public Works Committee, reported that he, Ms. Matthews, Mr. Glass, and Wastewater Treatment Plant staff participated in a webinar on water re-use initiatives, with a focus on community engagement and education. Due to the preferred location for the City's pilot water re-use project and the ENR/Biosolids project schedule, there may be a limited window to get the pilot project up and running. Councilmember Yingling asked Ms. Matthews to provide an update on the City's water re-use initiative. Ms. Matthews responded that the City would be asking the Maryland Department of the Environment (MDE) to comment on the draft scope of work for WATEK, the firm identified by City staff to assist with the water re-use initiative. Once MDE has signed off on the scope of work, City staff would bring forward a contract with WATEK for the Mayor and Common Council's consideration. Ms. Matthews informed the Mayor and Common Council that she had asked the City's lobbyist to provide contact information for firms that could possibly assist the City with the community engagement/education component of the water re-use initiative.

COUNCIL COMMENTS AND DISCUSSION

Councilmember Becker stated that she attended the awards ceremony for MAGIC's Hack-a-Thon for the first time and was impressed with the apps created by the contestants.

President Wack noted that the most recent Hack-a-Thon marked the first time that there were more female than male contestants. He stated that he was particularly impressed by a game-based app for performing household chores.

ORDINANCES & RESOLUTIONS

Resolution No. 19-07

President Wack requested a motion to approve the adoption of Resolution No. 19-07, thanking Chief of Police Jeffrey Spaulding for his contributions to the Westminster community and recognizing his many years of public service. President Wack read the resolution and presented it to Chief Spaulding earlier in the meeting.

Councilmember Chiavacci moved, seconded by Councilmember Pecoraro, to approve the adoption of Resolution No. 19-07.

VOTE

AYES: President Wack, Councilmember Becker, Councilmember Chiavacci, Councilmember Pecoraro, and Councilmember Yingling.

NAYS: None.

Resolution No. 19-08

Mr. Mackey stated that, on December 10, 2018, Westminster Tree Commission Chair Steve Allgeier and the City's Comprehensive Planner Andrew Gray presented the Commission's recommended City Tree Plan to the Mayor and Common Council. Per Chapter 148 of the City Code, the Mayor and Common Council task the Westminster Tree Commission with the preparation of and presentation of a written, comprehensive City Tree Plan.

Mr. Mackey stated that the Tree Commission requested that the Mayor and Common Council amend Chapter 148 of the City Code to address permissible roadside tree species in the Tree Plan, instead of being regulated by the City Code. This would allow changes in preferred species to be more easily updated over time. Mr. Mackey noted that this change, as well as clarifications regarding the Commission's membership and quorum requirements, are the subject of a separate agenda item to be discussed later in the meeting.

Mr. Mackey stated that staff recommended approval of Resolution No. 19-08, adopting a Comprehensive Tree Plan, as presented in the agenda packet.

Councilmember Chiavacci commented on the value of having trees along Main Street. He expressed a desire to plant new trees where some had been removed due to utility line conflicts.

President Wack noted a comment he made at a prior Mayor and Common Council meeting regarding sidewalk damage caused by tree roots. He wanted to clarify that the benefits of having trees downtown outweighs this negative impact. President Wack thanked the Tree Commission and City staff for their work on the Comprehensive Tree Plan.

Councilmember Becker moved, seconded by Councilmember Chiavacci, to approve the adoption of Resolution No. 19-08, adopting a Comprehensive Tree Plan.

VOTE

AYES: President Wack, Councilmember Becker, Councilmember Pecoraro, and Councilmember Yingling.

NAYS: None.

Ordinance No. 908

Mr. Mackey summarized the key features of proposed Ordinance No. 908. He stated that the ordinance would:

- Reduce the number of Tree Commission members from six to five;
- Clarify the appointment of nonvoting staff members;
- Stagger appointments of the five Commissioners;
- Remove a list of permissible roadside tree species, addressing impermissible trees in the City Tree Plan; and,
- Make minor corrections of a grammatical, typographic, or clerical nature.

Because Ordinance No. 908 would not amend Chapter 164, Zoning and Subdivision of Land, of the City Code, no review by the Westminster Planning and Zoning Commission is required.

Mr. Mackey recommended that the Common Council introduce Ordinance No. 908, amending Chapter 148, "Trees", of the Code of the City of Westminster, to amend Section 148-2, "Creation and Composition of Tree Commission," with respect to the number of persons to be appointed to the Tree Commission and to add the Planning Director or his or her designee as a non-voting staff member, to amend Section 148-3, "Term of Office; Vacancies; Removal", to remove Permissible Roadside Tree Species list from the City Code and include a reference to the City Tree Plan regarding Impermissible

Street Trees; and to make other clarifications and minor changes of a grammatical, typographic, or clerical nature.

Councilmember Becker moved, seconded by Councilmember Chiavacci, to introduce Ordinance No. 908, as presented.

VOTE

AYES: President Wack, Councilmember Becker, Councilmember Chiavacci, Councilmember Pecoraro, and Councilmember Yingling.

NAYS: None.

Ordinance No. 909

Mr. Mackey informed the Mayor and Common Council that, in 2018, the Westminster Historic District Commission discussed Section 143-6 of the City Code as part of its annual review and planning session. Section 143-6 of the City Code sets forth a process for providing historic tax credits related to increases in the assessed value of property that has undergone restoration or rehabilitation. Mr. Mackey stated that Director of Finance Palmer indicated that there is no method for determining whether an increase in the assessed value of a property is the result of overall market increases or the result of a property owner's modifications to the property.

As a result, the Historic District Commission recommended that the Mayor and Common Council consider eliminating Section 143-6 of the City Code, since this Section proposes an historic tax credit to the public that the Commission cannot approve.

Because Ordinance No. 909 does not amend Chapter 164 of the City Code, Mr. Mackey noted that no review by the Westminster Planning and Zoning Commission is required.

Mr. Mackey recommended that the Common Council introduce Ordinance No. 909, amending Chapter 143, "Taxation", of the Code of the City of Westminster, to repeal Section 143-6, "Historic tax credit for increase in assessed value due to restoration or rehabilitation of historic properties."

The Mayor and Common Council inquired if the City had ever granted a tax credit under Section 143-6. Mr. Mackey stated that he was unaware of one being granted, adding that the City's local historic district only includes two properties.

The Mayor and Common Council asked City staff to reserve this section of the City Code in the event that, in the future, the City identified other incentives to encourage the improvement of historic properties.

Councilmember Chiavacci moved, seconded by Councilmember Becker, to insert a placeholder for this section of the City Code, to introduce Ordinance No. 909, with the reservation of Section 143-6 as discussed above.

VOTE

AYES: President Wack, Councilmember Becker, Councilmember Chiavacci, Councilmember Pecoraro, and Councilmember Yingling.

NAYS: None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Mayoral Appointment of Chief of Police

Mayor Dominick outlined the recruitment process utilized to identify qualified candidates to serve as the City's next Chief of Police. Based on the results of that process, he had selected Thomas Ledwell, currently Westminster's Deputy Chief of Police, for the position. In accordance with the City Code, the Mayor's appointment was subject to the approval of the Common Council. Mayor Dominick requested the Common Council's confirmation of his appointment of Deputy Chief Ledwell.

The Common Council thanked Mayor Dominick for the extensive and thorough recruitment process used to identify Chief Spaulding's replacement. They expressed support for Mayor Dominick's appointment of Deputy Chief Ledwell, stating that he would build upon the excellent work done by Chief Spaulding during his tenure.

Councilmember Pecoraro moved, seconded by Councilmember Chiavacci, to approve the appointment of Thomas Ledwell to serve as Westminster's Chief of Police.

VOTE

AYES: President Wack, Councilmember Becker, Councilmember Chiavacci, Councilmember Pecoraro, and Councilmember Yingling.

NAYS: None.

Contract for a Feasibility Study for a Stormwater Utility

Ms. Palmer informed the Mayor and Common Council that new regulatory requirements and aging infrastructure had increased the City's cost for stormwater management. As a result, staff would like to explore new ways to fund the City's costs in this area; an increasingly common solution used by local governments was the implementation of a stormwater utility.

Ms. Palmer recommended that the Mayor and Common Council accept the proposal for a Feasibility Study for a Stormwater Utility and to enter into a contract with Municipal and Financial Services Group (MFSG) in an amount not to exceed \$20,000. She stated that MFSG has completed numerous stormwater feasibility studies and has provided implementation services across the United States. The firm has implemented utilities for both city and county governments. Its stormwater utility services include:

- financial and management feasibility;
- stormwater fee determination;
- impervious area determinations;
- billing file development;
- stormwater utility ordinance development;
- credits and incentives;
- public outreach and education; and,
- implementation customer service support.

Councilmember Pecoraro thanked staff for bringing this proposal forward, noting the growing financial burden on the City of meeting its stormwater obligations.

Councilmember Becker moved, seconded by Councilmember Pecoraro, to accept the contract with Municipal and Financial Services Group in an amount not to exceed \$20,000 for the same.

VOTE

AYES: President Wack, Councilmember Becker, Councilmember Chiavacci, Councilmember Pecoraro, and Councilmember Yingling.

NAYS: None.

DEPARTMENTAL REPORTS

Recreation and Parks Department

Ms. Gruber reported that the Celtic Canter was less than two weeks away; approximately 1,000 runners had registered to date. She shared that her department is currently working with a new timing company, and has been testing the new technology.

Ms. Gruber then reported that she and her staff had interviewed potential partners for Fallfest 2019. Pool maintenance for the 2019 swim season was underway.

Public Works Department

Mr. Glass extended his best wishes to Chief Spaulding upon his retirement. He then congratulated Deputy Chief Ledwell for being selected as Westminster's next Chief of Police.

Housing Services Department

Ms. Valenzisi wished Chief Spaulding well and congratulated Deputy Chief Ledwell upon his promotion to Chief of Police.

Community Planning & Development Department

Mr. Mackey congratulated Chief Spaulding and Deputy Chief Ledwell. He then reported that the Board of Zoning Appeals would review a Special Exception application for the sale of firearms. Mr. Mackey also reported that the Historic District Commission would be reviewing the Standards for Renovations at its upcoming meeting.

Mr. Mackey shared that the Westminster Tree Commission would hold its next quarterly meeting on March 13, 2019, at which it would discuss tree species. At its meeting on March 14, 2019, the Planning and Zoning Commission would review the proposed ordinance regarding the phasing out of rooming and boarding houses in the City, the site plan for 45 West Main Street, and the final draft of the 2018 Carroll County Planning Annual Report.

Finance & Administrative Services

Ms. Palmer reported that she and Ms. Matthews held several meetings with department directors related to the development of the FY 2020 budget. They had also met with the Mayor and members of the Common Council's Finance Committee. The Committee would continue its discussion of the budget at its next meeting on February 28, 2019.

Police Department

Chief Spaulding thanked everyone for their well wishes and recognitions. He then congratulated Deputy Chief Ledwell on his new position as Chief of Police.

City Administrator

Ms. Matthews reported that she and staff met with the project architect for the 45 West Main Street renovation project on February 25, 2019. The firm was working to finalize the documents so that it could file for County building permit approval. Items discussed during the February 25 meeting included finishes, such as flooring materials, ceiling tiles, etc.

Councilmember Chiavacci asked Ms. Matthews if there would be a meeting to discuss the renovation project. Ms. Matthews suggested that the Mayor and Common Council hold a special meeting to discuss the matter. The Mayor and Council expressed support for Ms. Matthews' suggestion.

Ms. Matthews concluded her report by congratulating Chief Spaulding on his retirement, stating that it was a privilege to work with him during her tenure at the City.

CITIZEN COMMENTS

Heather Cole, owner of Molli's Café, congratulated Chief Spaulding on his retirement. She then shared her concern about individuals behaving inappropriately in the area of her business. President Wack thanked Ms. Cole for bringing this matter forward and stated that the Westminster Police Department would follow up with her regarding her concern.

ADJOURNMENT

President Wack adjourned the meeting at 8:24 p.m.

Respectfully Submitted,

Shannon Visocsky, City Clerk

Full audio version is available on www.westminstermd.gov