

Minutes for April 3, 2006

The Town Meeting was held on Monday, April 3, 2006 at 7:00 pm at the Ridgely House. Chuck Hunter, President; Linda Epperly-Glover, Commissioner; Nancy Gearhart, Commissioner; Joe Mangini, Town Manager; Robin Eaton, Director of Public Works; David Crist, Supt. of Water/Wastewater; Lt. Chuck Creason, Police Dept.; and Carol Balderson, Town Clerk; were present.

The following persons were also present: Clay Owens-Times Record, Arlene Hege, David Hege, Joyce Faulkner, Melvin Faulkner, John Balderson, Shirley Ringgold, Elsie Ebling, Marlene Eicher, Steve Horne, Rick Schwab, Cathy Schwab, Sarah Maldonado, Michele Wasson, Mark Kottwitz, Joe O'Connell, and Valerie O'Connell.

The meeting was called to order with the Pledge of Allegiance.

President Hunter thanked everyone for coming, and reminded folks of the upcoming election on April 24.

Approval of the Minutes – President Hunter made a motion to accept the minutes of March 6, 2006 as written, seconded by Commissioner Epperly-Glover. Passed.

Treasurer's Report – Treasurer reported a General Fund balance of \$120,781.23, Sewer Fund balance of \$176,590.92, and a Water Fund balance of \$54,486.90.

Police Report – Lt. Creason – Skatepark signs are completed, waiver form is ready, rules and regulations are being rewritten and are about 90% complete. He read the Martin Sutton Skateboard Park Rules and Regulations as follows: 1) All skaters must be registered (\$10.00 yearly fee) and carry their registration card and display their sticker on their helmet. 2) All skaters and observers must wear their helmet while inside the fenced area. 3) No bicycles, alcohol, drugs or underage smoking permitted. 4) No food or beverages allowed inside fenced area. 5) Extreme recklessness will not be tolerated. 6) No destroying or defacing of property. 7) Park open during daylight hours only. 8) All violations subject to a **\$50.00 fine**. 9) Park closure at the discretion of the Ridgely Police Department.

Lt. Creason reported that the combined Denton-Ridgely SWAT emergency response team was called out to the Kent Island area the beginning of the month. During the operation they hit 5 separate places. The one that Ridgely was involved with recovered a number of stolen handguns and over 8 lbs. of marijuana.

Last Wednesday they were called out to provide support for the Drug Task Force in the Denton area.

The K-9 has been deployed 4 times with one arrest for drug paraphernalia. Marley sustained an injury this month by jumping about 12 feet. He is okay.

Lt. Creason reviewed the monthly report. Criminal arrests are down to 17 from 32 this time last year. The Department no longer serves summons. The county hired someone to do that. It saves a lot of man hours, so far this year it has saved us about \$500.

Lt. Creason reported that the Chief is in Ocean City with the Highway Safety Office this week. The Chief has been honored by being invited to appear before the senate to discuss security cameras.

Commissioner Gearhart said the Chief had given her some information about a program when you stop someone for a traffic violation and they are under the age of 18.

Lt. Creason said the State Police started that program and Ridgely Police Dept. liked it so much they decided to adopt it themselves. When a driver between the ages of 16 and 18 is stopped for a violation of the motor vehicle code, they not only get a citation or warning. They also call the parents. The Ridgely Police Dept. is not large enough to do it the same way, but will modify it. They will call the parents, and if they are not available, they will initiate a letter. Parents need to be involved.

Joe presented a Proclamation for the 2006 Chiefs' Challenge Campaign. He explained that a proclamation is an edict from the town which sets the stage for the program that is going to begin.

President Hunter read the proclamation. Copy attached.

Public Works Report – Robin reported on his department's activities, projects, and meetings for the

month. Working on the I & I study. Lacking in slope for the current standard. Met with URS on the stormwater study. 123 drains in town.

The Third St. project is being revamped somewhat to cut expenses. This is a priority.

Joe reported the original study that came in ranged in cost from \$180,000 to \$300,000 to do that street.

Robin reported on the progress of the skatepark renovations. Gary is working hard. The wind has created some problems. Looking at completion at the end of May. Grand Opening when? Has some fence people coming in to look at the fencing, and looking into some privacy fence to separate from baseball.

Robin reported that Lister Estates has 9 lots that are untouched right now. There are 4 that have not been sold yet.

Robin said they have been doing some work at the Martin Sutton Park. They redid some of the roofing area in the bathroom and have the security lights to be installed inside the pavilion.

Robin said there is a new landscaper in town, Bridgetown Farms, replaces Greenscenes.

President Hunter said the Strawberry Festival might be a good time to register some skateboarders and talk about helmets, etc.

Water/Sewer Report – David said we have 118 days of holding capacity right now. He reported on his activities for the month. No stream discharge now.

Other Board/Commission/Committee Reports – Joe reported: a) Board of Appeals – will be scheduling a hearing in a couple of weeks for a rear yard setback variance. b) Economic Development Commission – should be scheduling a meeting in the next couple of weeks.

c) Parks/Recreation Committee – no meeting. d) Planning /Zoning Commission – met on March 22.

Review of building permit fees – budgeted \$15,000, received \$26,386; water development fees – budgeted \$85,350, received \$105,294; sewer development fees – budgeted \$77,800, received \$86,352. Received \$500 for Public Safety so far.

Have received Sewer Allocation Reservation Fees for Lister House Subdivision and 128 Walnut St. Subdivision totaling \$14,250.

Joe said there is a MOU that still needs to be worked out with Caroline Co. Doesn't think any of the other towns have worked it out yet.

Joe reported the Wastewater Treatment Plant Capacity Management Plan is updated monthly.

New development fees and increases were brought up and discussed. There was an approval for a concept plan for Ridgely Park. The annexation and accompanying ordinances are on the agenda for tonight. That was for 400 units. The Cow Barn property received concept plan approval for 36 units (6 to be senior units). The Roger Weese property on W. Fourth St. received concept plan approval for a townhouse development of 7 units.

Joe reported that the annexation request for Ridgely Park is on the agenda tonight for introduction only. Annexations for the wastewater treatment plant and Chuck Emerson's property will probably be introduced in May.

There were 5 building permits approved. There is a minor subdivision for Catherine Sebasco that is on the additional agenda for the Commissioners tonight.

President Hunter said interested residents can attend the Planning & Zoning meetings.

The Commissioners have a Workshop meeting the third Monday of the month which is also open to the public. There are plenty of opportunities to come in and listen and keep up with what is going on.

Commissioner Gearhart said the Workshop meeting on April 17 will be dedicated to a public information meeting on the proposed developments. The second meeting will be held on Saturday, May 6 at 10:00 am.

Tree Commission – Commissioner Gearhart reported that they will be celebrating Arbor Day on Saturday, April 29. This will be the third year the Tree Commission has done this. They will be planting trees with Boy Scouts, Girl Scouts, and 4-H members. 30 trees have been ordered. If anyone has a spot in the town's right of way where they would like to have a tree planted they should call the town office or let Nancy know. This will begin at Martin Sutton Park at 10:00 am. There are grants to purchase these trees.

Town Manager's Report – Joe read his report, “Year for Community, Housing, and Economic Development”. (attached)

Old Business – President Hunter reported there are 3 ordinances up for adoption. All 3 deal with fees for new development to protect our town from any override in our paying for services new development brings in.

Ordinance #286 – “An Ordinance of the Commissioners of Ridgely Revising the Schedule of System Development Fees”.

Joe read this ordinance which increases the System Development Fee for water to \$3,000 and the System Development Fee for sewer to \$5,000.

President Hunter made a motion to adopt Ord. #286, seconded by Commissioner Gearhart. Passed.

Ordinance #287 – “An Ordinance of the Commissioners of Ridgely to Amend Ordinance #279 Establishing a Public Safety Impact Fee”.

Joe read this ordinance which increases the Pulic Safety Impact Fee from \$500 to \$1,000.

President Hunter made a motion to adopt Ord. #287, seconded by Commissioner Epperly-Glover. Passed.

Ordinance #288 – “An Ordinance of the Commissioners of Ridgely to Establish a Parks and Recreation/Open Space Development and Maintenance Fee”.

Joe read this ordinance which assesses a fee of \$1,000 per new dwelling unit to be used for the acquisition, development, and maintenance of recreation areas.

President Hunter made a motion to adopt Ord. #288, seconded by Commissioner Gearhart. Passed.

New Business – President Hunter said there is a Petition for Annexation and Resolution R-4-06 and 5 ordinances all for introduction only.

Joe introduced Mr. Joe Stevens, Attorney for the applicant.

Joe said Mr. Jack Hall, Town Attorney, was unable to be here tonight.

Mr. Stevens reviewed the documents with changes which have been reviewed by Mr. Hall.

Joe explained the annexation process as follows: There is a petition for annexation and resolution. The next step will be a public notice of a proposed annexation in the newspaper 4 times (at least weekly). There has to be a public hearing that cannot be scheduled within 15 days of the last advertisement. The annexation resolution would then be on the agenda for the Commissioners to adopt (probably June). Once the annexation resolution is passed by the Commissioners, it has to sit for 45 days before it becomes effective to enable anyone who wants to petition it to referendum to do so. In order to petition to referendum, there needs to be a minimum of 20% of the qualified registered voters of the town. If there is a referendum there would have to be an election. If there is not, after the 45 days, it becomes annexed.

Joe said Ord. #289 “An Ordinance of the Commissioners of Ridgely to Establish the Procedures and Requirements for the Consideration and Execution of Development Rights and Responsibilities Agreements As Authorized by the Maryland Annotated Code, Article 66B, Section 13.01”. This ordinance would enable the town to enter into development rights and responsibilities agreements with a developer (any developer).

Ord. #290 – “An Ordinance of the Commissioners of Ridgely Amending the Provisions of the Zoning Ordinance That Relate to the Single Family/Agricultural District, R-3 by Permitting R-Cluster and Traditional Neighborhood Design Cluster Subdivisions in the R-3 Zone”.

Ord. #291 – “An Ordinance of the Commissioners of Ridgely Amending the Subdivision Regulations of the Town of Ridgely To Impose Controls Which Will Govern Traditional Cluster Subdivision By Imposing Additional Required Improvements and Facilities As Well As Requiring Design Review and Approval”.

Ord. #292 – “An Ordinance of the Commissioners of Ridgely Assigning Districts Within A Newly Annexed Area”.

Ord. #293 – “An Ordinance of the Commissioners of Ridgely to Adopt Text Amendments to the Town of Ridgely's Zoning Ordinance”.

Joe said these ordinances will probably be on the meeting agenda for June. He said he would be available to discuss any questions regarding these ordinances.

Joe said this will all have to go to the Planning & Zoning Commission for them to make a recommendation to the Commissioners.

President Hunter said we have learned from the mistakes of others, and that is why these ordinances have been proposed, to protect the community. He said we are lucky to have an exceptional Town Manager, and a very dedicated planning and zoning group who are taking a slow look at this before it happens.

Joe said a lot of the towns are watching us. We are actually the only ones implementing the Adequate Public Facilities. He has received several calls from state officials.

One of the things that has occurred because of the proactiveness of the town is that on the Sunrise Ave. Pump Station Project the town was granted a \$90,000 loan that has to be paid back, and a \$175,000 grant (no payback). Because of our diligence, they are going to let us take the grant first, whatever is left over will be loan. The payback will be around \$50,000, not \$90,000.

Use and Maintenance Agreement for Municipal Bucket Truck – Robin said Ridgely, Greensboro, Denton, and Preston are going to share in the use of a bucket truck. Commissioner Gearhart had attended a class where they had a purchase agreement with some towns on the Western Shore. Ridgely initiated the bucket truck idea, Greensboro found one at Choptank Electric which was soon to go to auction, Denton bought it and had it inspected, tagged, insured, etc. It is sitting in Denton ready to go. No one is licensed yet to operate the bucket. Training is scheduled for April 27. That's why they are pushing for this agreement. The purchase agreement that was originally out there won't work because it has already been purchased by Denton, so they came up with a Use and Maintenance Agreement. There will be a log book in the truck, and a meter for the bucket. Denton will administer it and pay for expenses over a 12-month period. At the end of the year bills and receipts will be sent out. The towns will pay proportionately by the hours they used the truck.

President Hunter made a motion to enter into the Use and Maintenance Agreement for Municipal Bucket Truck, seconded by Linda. Passed.

This will be an annual agreement.

Commissioner Gearhart said the towns she had talked to on the Western Shore had bought a street sweeper together, which is quite an expensive piece of equipment. This is a trial run.

Joe congratulated Commissioner Gearhart and Robin for their efforts.

Catherine Sebasco Minor Subdivision (Sunrise Ave. & W. 4th St. – 1) Sewer line relocation, 2) Upgrade, if needed, of W. 4th St. – Joe reported that normally this would not come before the Commissioners, however, the Planning/Zoning Commission has recommended approval. The problem is one of the lots would be a 65-foot wide lot (75 ft. is minimum although it is 9,000 sq. ft.). She needs approval from the Commissioners for that. Because of the Growth Management Team for Public Facilities, Robin went out and looked at it. There is an existing house on the lot already. The lot to be created will be in the back near the water tower. The sewer line for the first house is going right across the property, so that needs to be addressed between the parties, or the sewer line needs to be relocated. Robin would like to see 4th St. upgraded to some standard. If they approve, these conditions would have to be attached. Tabled.

Appointment of Judges for April 24, 2006 Election – President Hunter made a motion to appoint Elsie Ebling, Linda Ross, and John Balderson as election officials, seconded by Commissioner Glover. Passed.

Rails to Trails Grant Agreement – Joe reported that the reason this is on the agenda is that we have been in negotiations talking with the state. Sometime ago he and Commissioner Gearhart attended a function and were handed a check for \$200,000. They were told it was for Ridgely. The project is a 4 phase project and the first phase is the Town of Ridgely; the second phase is Caroline Co., the third phase is DNR, and the fourth phase is Adkins Arboretum. The \$200,000 grant fund is to do a 30% engineering assessment of this trail. This is for all phases. The Town of Ridgely would be the managing partner to see that this was carried out efficiently. He asked the consultants for an amount of just the Ridgely portion of the trail, which came to \$1.7 million. We've been told that the money is going to be there but he doesn't have anything concrete that says that. They are going to have a meeting with all players present to make sure everyone understands.

Joe said if we do a project for the betterment of this community, we want to make sure it is for the betterment of this community and it's done at the least cost to this community.

We haven't had to pay anything yet. Tabled.

Payment of Bills – President Hunter made a motion to pay the March bills, seconded by Linda. Passed.

Town Commissioners Comments – Commissioner Gearhart reported that Community Together will be having a meeting on Thursday at 7:00. The Tree Commission will be meeting at 6:00.

The Town Talk newsletter will, hopefully, be in the mail Saturday.

Commissioner Gearhart said when a developer comes to the Planning Commission with a proposal it goes through conceptual approval, preliminary approval, and final approval. Some other towns have a checklist of items for each of these approvals. We don't have that list in the Zoning Ord. There are agreements, etc. There needs to be a lot more detail and order. She recommended that at this point in time, any development that has not had at least a conceptual approval, or has not done a water and sewer allocation, be put on hold until the books are straight. Need to get someone to come in and help Joe. He has too much on his plate right now. There are a couple of professional planners who are right here locally that have worked with some of the other towns. They could come in and help out.

Commissioner Epperly-Glover asked Joe if he needed this help.

Joe said he doesn't like the idea of having a town grants person or a town planner. You bring them in on the payroll, pay them benefits, and there would be friction. If they approach that, he would prefer it to be on a consultant basis. That is expensive. We could take a look at that. He is biased against that because he has dealt with it before. They come in and you spend \$50,000 for this consultant and he gives you the same product your own town staff and town manager can do.

Joe said he would like to hire another person to help the clerk-treasurer and assistant clerk-treasurer so they could help him more. We might need more people in public works and in the police department.

Arlene Hege said she is not comfortable on Planning and Zoning with projects coming at them so fast.

Commissioner Gearhart made a motion to pursue, at least, someone coming in on a contractual basis to assist with updating the Planning and Zoning books.

President Hunter said he would not second the motion without talking with the Town Manager more.

Commissioner Epperly-Glover agreed.

Commissioner Gearhart made a motion to pursue having someone work on a per grant agreement arrangement to assist with some grant searching for some different projects.

President Hunter said he would not second the motion without further discussion and Commissioner Epperly-Glover agreed.

Public Comments – 304 Maryland Ave. – Joe Mangini explained that loan approval was given to the property owners (Urban Renewal). We need to have the proper paperwork signed and settlement to occur. They want to get started as soon as possible.

Joe O'Connell said it should be torn down, it leans 6 to 8 inches. Doesn't feel the town should loan them money for that.

President Hunter said he made a motion that the house be posted for demolition. His motion was not seconded. Commissioner Epperly-Glover suggested they give them 90 days to bring the outside up.

Commissioner Gearhart abstained.

The Town Manager said if they posted the property for demolition, that gives them 60 days. Any time during that period they could go to court. That's 1 year or more in court. He felt this was the best option that the town has. It will be monitored and inspected by the town. They will have 90 days from the date of settlement.

Joe explained that the Urban Renewal Line of Credit is for derelict properties.

President Hunter said if you hear things call up here or come up here and talk to someone to get the answers.

There was some discussion on annexations, etc.

Arlene Hege asked if there was anything that could be done to reduce water/sewer bills for senior citizens.

Joe said he is going to look at that this year.

Meeting adjourned at 9:25 pm.

Respectfully submitted,
Carol A. Balderson, Clerk-Treasurer