

MINUTES

BOARD OF TOWN COMMISSIONERS

March 19, 2018

The regular meeting of the Board of Town Commissioners was called to order on Monday, March 19, 2018 at 7:30 p.m. at Town Hall, 39 N. Hickory Avenue, Bel Air, Maryland.

MEMBERS PRESENT: Susan U. Burdette, Chair
Amy G. Chmielewski
Philip L. Einhorn
Brendan P. Hopkins
Patrick T. Richards

STAFF MEMBERS PRESENT:

L. Jesse Bane, Town Administrator
Trish Heidenreich, Director of Economic Development
Stephen Kline, Director of Public Works
Michael Krantz, Director of Administration
Lisa Moody, Director of Finance
Charles Moore, Chief of Police
Kevin Small, Director of Planning
Charles Keenan, Town Counsel
Joan Suitt, Recording Secretary

APPROVAL OF AGENDA:

Chair Burdette called for approval of the Agenda.

Commissioner Richards moved and Commissioner Einhorn seconded the motion to approve the Agenda as written. The motion carried.

APPROVAL OF MINUTES:

Commissioner Richards moved and Commissioner Einhorn seconded the motion that the minutes of the Bel Air Board of Commissioners' meeting held on March 5, 2018 and March 13, 2018 be approved as submitted.

Ayes: Commissioners Chmielewski, Einhorn, Hopkins, Richards and Burdette

Nays: None

The motion carried.

PUBLIC HEARINGS:

Ordinance No. 783-18 - Development Regulation Amendments

Mr. Small, Director of Planning, reported in April, 2017 the Town passed Ordinance No. 780-17 that made substantial amendments to the text of the development regulations. This was done as part of the Comprehensive Plan process and reflected the intent of the Town regarding the future growth of Bel Air. The Planning Department anticipated a possible update to the text based on the nature and complexity of the modifications in order to address clarifications and errors found over the past eight months. The Planning Commission undertook review of the regulations starting in November, 2017, and several meetings were held through the winter. These meetings were advertised to the public in the local paper and on the Town

website. The Planning Commission held a public hearing on February 1, 2018, to make final recommendations for amendments to the zoning, sign and subdivision regulations.

Mr. Small stated several of the recommendations include:

- Design of parking lots and clarification of parking ratios
- Time restrictions for servicing of refuse/recycling containers and loading/unloading areas
- Basis for permitting communication antennae in Town
- Regulation of outdoor dining and outdoor promotional events
- Limitations on temporary storage containers
- Height, area and location of temporary signs in both residential and commercial districts
- Height, area and location of permanent signs in residential and commercial districts
- Clarification of prohibited and exempted signs
- Clarification of panhandle lot area calculation
- Changes to regulation of Group Homes and Community Shelters
- Changes to Industrial District setbacks

Mr. Small informed the complete text changes are included with the attached Ordinance as Exhibit A and advertised on the Town's website. The staff anticipates no further changes to the development regulations until the next comprehensive plan update.

Mr. Small advised included are administrative recommendations for amendments:

1. When changes were recommended by the Planning Commission to the refuse/recycling and loading/unloading, staff researched the rest of the code and realized that conflicted with other portions of the code and are recommending those portions be stricken to have one section that rules how it will be treated.
2. When the Planning Commission looked at Industrial setbacks there was a clerical error and should be 10' reduction for 1 story building; 15' reduction for 2 story and 20' reduction for 3 story to match the rest of the setbacks in the Industrial district.
3. In April, 2017 there were changes to the code that allowed the Zoning Administrator to approve a plat that consolidated parcels together on a new lot line but overlooked who could sign the plat.

Chair Burdette called for public comments.

Mr. Jason Rice, Operations Manager for Waste Industries, 3634 Conowingo Road, Street, Maryland advised their primary focus is on safety. Mr. Rice traveled around the Town of Bel Air with Mr. Small looking at the challenges Waste Industries will incur with the change and how it impacts local businesses. Mr. Rice is concerned about backing out onto major roadways or across sidewalks with no vision and servicing customers hours later when small parking lots are filled with vehicles. Mr. Rice advised Waste Industries can currently address problems at an address/location accordingly and the new regulation paints a brush having to deal with everything the same way.

Commissioner Richards wanted to know if the time change is the significant concern.

Mr. Rice agreed stating it will mix among all the haulers putting 6-8 large trash trucks at 6:30 a.m., different days of the week throughout Town, in alleys and schools.

Commissioner Hopkins wanted to know more about the impact especially around the mall/shopping centers and businesses.

Mr. Rice explained when arriving later a business could be receiving a delivery and block access to the dumpsters.

Mr. Bob McNutt, 117 McCormick Street, has been a resident for 30 years and awakened several times by the banging of a dumpster at 3:10 a.m. Mr. McNutt believes the noise came from a nearby church and understands the challenges of the haulers.

Commissioner Hopkins recommended contacting the Town about the noise as that is covered under the current ordinance.

Ms. Christine McPherson, Executive Director of the Bel Air Downtown Alliance, 37 N. Main Street, informed the trash service code changes have been brought to the attention of the Downtown Alliance by businesses. There is a growing concern of impact and being looked at as not friendly for businesses in the downtown corridor. Ms. McPherson mentioned the possibility of rate changes due to being more of a challenge for haulers. Ms. McPherson is concerned with safety for students walking to the high school at 6:30 a.m. and parking lots being filled with vehicles by 7:30 a.m. Ms. McPherson encouraged to keep the distance requirement for the residential area.

Chair Burdette called for Commissioner comments. As there were none, the Public Hearing was closed.

Resolution No. 1103-18 - Budgetary Amendment - Fiscal Year 2018

Ms. Moody, Director of Finance advised each year the staff performs a mid-year budget review and after the review a number of adjustments were necessary.

The total of the recommended adjustments in this year's proposed mid-year budget amendment increases the fiscal year 2018 general fund budget by \$812,300.

While most of our revenue projections are still reasonable, several require adjustment and the significant changes are as follows:

- Real Property Taxes - \$19,442 decrease based on a higher assessment estimate from SDAT last February
- Public Utilities - \$31,000 increase based on actual assessments received to date
- Income Taxes - \$100,000 decrease based on distribution received
- Highway User - \$21,000 increase based on higher one-time grant already received
- Interest on Investments - \$30,000 increase based on higher rates in the MLGIP
- Bond Proceeds, JCI Energy Project - \$873,238 new account based on amount borrowed to fund the energy efficient project
- Red Light Camera - \$35,000 decrease based on fewer violations to date, mainly due to period when the cameras were off-line for construction to bring in higher technology and cameras

Ms. Moody advised the net effect is \$812,300.

Adjustments to expenditures are proposed as well and the significant changes are as follows:

- Town Buildings - \$887,826 increase mainly due to the JCI energy project
- Finance - \$22,000 decrease due to personnel changes
- Benefits - \$75,500 decrease in social security, medical insurance, and pension due to personnel vacancies
- Police - \$28,935 increase due to an increase in overtime and three major vehicle maintenance repairs

The net effect is \$812,300.

Ms. Moody advised the attached 7-page budget reflects all the mid-year adjustments to revenues and expenditures as proposed by the staff.

Chair Burdette called for public comments. There were none.

Chair Burdette called for Commissioner comments. As there were no further comments, the Public Hearing was closed.

UNFINISHED BUSINESS:

Ordinance No. 783-18 - Development Regulation Amendments

Commissioner Richards moved and Commissioner Hopkins seconded the motion to postpone Ordinance No. 783-18 to provide additional time for research and discussion by the Bel Air Board of Town Commissioners based on the testimony heard.

Commissioner Richards stated the intent was to simplify the refuse/recycling regulation and to protect residential areas. These concerns need to be discussed and will come before the Board for a vote in the near future.

Commissioner Hopkins feels this can be reviewed during the next Work Session and brought to a vote at the next meeting.

Ayes: Commissioners Chmielewski, Einhorn, Hopkins, Richards and Burdette

Nays: None

The motion carried.

Resolution No. 1103-18 - Budgetary Amendment - Fiscal Year 2018

Commissioner Richards moved and Commissioner Hopkins seconded the motion that Resolution No. 1103-18, amending the budget for fiscal year 2018 for additional appropriations, monetary adjustments, and transfers between departments, be approved by the Bel Air Board of Town Commissioners.

Ayes: Commissioners Chmielewski, Einhorn, Hopkins, Richards and Burdette

Nays: None

The motion carried.

NEW BUSINESS:

Award of Contract - Police Station and Town Hall Facility

Commissioner Hopkins moved and Commissioner Richards seconded the motion that the proposal of Crabtree, Rohrbaugh & Associates Architects for \$43,290 to perform architectural and engineering feasibility study services to be approved by the Bel Air Board of Town Commissioners.

Commissioner Hopkins thanked staff for moving this forward and looks forward to seeing the next stage of the process.

Ayes: Commissioners Chmielewski, Einhorn, Hopkins, Richards and Burdette

Nays: None

The motion carried.

Sidewalk and Handicap Ramp Installations

Commissioner Hopkins moved and Commissioner Richards seconded the motion that the lump sum and unit price bids submitted by Santos Construction Co., Inc., 5711 Woodcliff Road, Bowie, Maryland 20720, under Town of Bel Air Contract No. 18022-DPW, be used to formulate a contract price to install handicap ramps and perform other related concrete projects in accordance with contract specifications for an amount not to exceed \$70,000.00 be accepted by the Bel Air Board of Town Commissioners.

Ayes: Commissioners Chmielewski, Einhorn, Hopkins, Richards and Burdette

Nays: None

The motion carried.

Award of Contract - #18023-DPW - Gardening Services for the Town of Bel Air

Commissioner Hopkins moved and Commissioner Richards seconded the motion that the bid of Buddy Boy, Inc., 3821 Ady Road, Street, Maryland, to provide gardening services for the Town of Bel Air in the amount of \$36,120.00 for the period of one year ending December 31, 2018, with the option for four (4) additional one (1) year renewals, be accepted by the Bel Air Board of Town Commissioners.

Chair Burdette commented last year's entrance to Town Hall was the most beautiful ever seen.

Ayes: Commissioners Chmielewski, Einhorn, Hopkins, Richards and Burdette

Nays: None

The motion carried.

Road Improvement Right-of-Way Deed

Commissioner Hopkins moved and Commissioner Richards seconded the motion that the Road Improvement Right-of-Way Deed for Burns Alley, between 29 South Main, LLC. and the Town of Bel Air, Maryland be approved by the Bel Air Board of Town Commissioners.

Ayes: Commissioners Chmielewski, Einhorn, Hopkins, Richards and Burdette

Nays: None

The motion carried.

Re-Appointment - Board of Appeals

Commissioner Chmielewski moved and Commissioner Hopkins seconded the motion that the re-appointment of Diann Stumpf and Philip Hosmer to the Board of Appeals, for a term of three years, effective immediately, be approved by the Bel Air Board of Town Commissioners.

Commissioner Chmielewski advised being the liaison to the Board of Appeals and thanked Ms. Stump and Mr. Hosmer for volunteering and their outstanding service.

Ayes: Commissioners Chmielewski, Einhorn, Hopkins, Richards and Burdette

Nays: None

The motion carried.

PUBLIC COMMENTS:

Ms. Carole Bowen, 3144 Hidden Ridge Terrace, Abingdon, Maryland advised there is talk around Town of closing some blocks on Main Street to become a walkable community. Ms. Bowen stated the National Association of Realtors have completed studies on walkable communities where people can walk to retail stores, restaurants and parks. Ms. Bowen advised the walkable communities have become a huge economic boom and increased property values.

Ms. Bowen informed the NAR has been offering grants to local communities to study and improve walkability. Ms. Bowen notified many cities have had success in establishing walkable zones and others are beginning workshops to study and explore. Ms. Bowen offered to help explore the walkable community for the Town and distributed information to the Commissioners.

COMMISSIONER COMMENTS:

Chair Burdette presented a Proclamation to Emanuel Episcopal Church, located at the corner of Main and Broadway, who celebrated 150 years of service. Chair Burdette shared "the church with the open doors" was started by thirteen Bel Air families and helps the community with food, thrift shop and many programs. Chair Burdette congratulated and thanked Emanuel Episcopal Church for being a big support to the Town of Bel Air.

Commissioner Einhorn attended the Irish Chorale that was well attended and sponsored by the Cultural Arts Commission.

Commissioner Chmielewski attended the St. Baldrick's event at Looney's Pub on March 10th that is a fundraiser for cancer research for children. Commissioner Chmielewski informed a friend, Donna Dickey, is a cancer survivor who shaved her head and received the most donations.

ADJOURNMENT:

The meeting was adjourned at 8:11 p.m.

Signature on File
Susan U. Burdette, Chair

Signature on File
Michael L. Krantz, Town Clerk