

# Town of Upper Marlboro

## REGULAR TOWN MEETING

October 11, 2016

Approved Minutes

### Call to Order

The meeting was called to order at 7:34 p.m.

Roll Call: James Storey, President of the Board of Town Commissioners  
Nancy Clagett, Commissioner / Treasurer  
Linda Pennoyer, Commissioner

Staff present: M. David Williams, Town Clerk/Administrator

Also present: John Meils/UMD Intern; Chief Gonnella/UMPD and various citizens and interested parties.

### Pledge of Allegiance

### Approval of Meeting Minutes & Financial Reports

President Storey asked for consent to the Agenda. Approval was granted by all Commissioners present. The Town Meeting minutes from September 13, 2016 and the Work Session minutes from September 27, 2016 were acknowledged by the Board as reviewed. Commissioner Pennoyer objected to the Adjournment portion of the September 13 Unapproved Town Meeting minutes. She clarified that she first voted "no" to adjourning the September Town Meeting, then proceeded to ask those in attendance if anyone else had anything to say, but then voted "yes" on the recount of the Board votes to adjourn. She requested those actions be put into the minutes since the meeting continued until the revote. The Clerk answered that there was no audible reply to the Chair's request for a second to the motion, plus, no additional public comment was brought forth upon her query to the floor. The Clerk noted that the President then announced that anyone with any issues could see him after the meeting, whereas Commissioner Pennoyer seconded and the meeting was adjourned. The Clerk stated he would not alter the minutes given there was no revote or any new business causing the meeting to continue. He added that the meeting recording was also available for review as a public record. Commissioner Clagett motioned to approve both sets of minutes and President Storey seconded. All minutes from September's Town Meeting and Work Session were approved by majority vote of the Board.

Commissioner Clagett reviewed highlights of the Treasurer's Report as of September 30, 2016. Total operational revenues and general government expenses were acknowledged as within an acceptable range of the 25% benchmark for 3 months into FY2017. She noted Income line items 6260 and 6101 as high due to early payments, Expense line items 8100 and 8115 as high due to computer software issues; Public Safety line items 8283 and 8300.04 as high due to repairs and insurance; and, Public Works line items 8375 and 8383 as high due to uniforms and vehicle insurance. She added that 2 CDs will be up for renewal at SONA Bank on October 23 and 26 that will yield a higher rate of return. President Storey motioned to approve the Treasurer's Report, Commissioner Pennoyer seconded the motion. The Treasurer's Report as of September 30, 2016 was unanimously approved.

### Reports

Staff/Committees: The SCW Chair, Steve Sonnett announced that their monthly meeting date has been changed to occur on the same day as the monthly Town Meetings, and that they had already held their October meeting this morning. He reported they discussed tracking grant recipient's progress, and also timing issues concerning the acceptance of new applications. He noted the status of the Town's FY2017 grant request will not come from the State until May. He added that a well-known property owner had submitted a letter of support for moving the Water Street Bus Stop, and that the SCW is currently collecting additional pictures, plus letters from other business and property owners, to maximize the

Town's case. He noted business owner, Susan Spangler, has stepped-up as the Local Business Group Chair and will be brought into the loop on this and other downtown and business related issues.

TUMHC Chair, Patti Skews, reported past-resident Cindy Heller visited their Archiving Session last month to share a lot of photos and 2 yearbooks from the 1950 and 1953. Another guest, author Dennis Campbell, announced his book on Francis Bowie was almost ready for distribution, and has since donated a copy to the TUMHC Chair and will do the same for the Town. A book-signing is currently being planned. Ms. Skews then announced that the TUMHC has been asked to assist Darnall's Chance with their Jack O' Lantern event, adding the next Archiving Session will be held on October 15th at 10 a.m.

The Clerk announced the new procedures for public comment, indicating the place where speakers will need to stand in order to be recognized and heard by the Board and recording Clerk.

Commissioner Clagett: Reported that she attended the County Council (PZED Committee) Hearing on October 5 that concerned the zoning issue at 14503 Main Street, adding that the Town's testimony against the Use-Table exception and request to return the property to R-80 (residential) zoning status was unfortunately unsuccessful. SCW Chair noted the County's Sub-Region 6 Master Plan for the Town stated residential properties should remain so zoned, so as not to have commercial encroachment into the residential area, but rather to encourage the occupancy of vacant office space(s) in the downtown area. Commissioner Clagett will be attending the MML Fall Conference in Solomons later this month.

Commissioner Pennoyer: Reported that Susan Spangler, has stepped-up as the Chair for the Local Business Group, and has also recently been named the Southern Prince George's Business and Professional 2016 Woman of Achievement. The Clerk said the Town will post the announcement.

President Storey: President Storey delivered updates on the following topics: 1.) Resolution 2016-09 was passed at the last Work Session due to time-critical deadlines; 2.) Town currently drafting an Ethics Ordinance; 3.) Structural designs for the THR&A project have been formulated and submitted into the 60-day Mandatory Referral cycle; 4.) Two telephone poles will be repositioned back within right-of-way to allow ADA sidewalks, speed bumps and repaving of Elm Street. County to provide \$49K towards costs; 5.) SHA started safety upgrades to the Main Street Pedestrian Crosswalk/also agreed to relocation of Water Street Crosswalk; 6.) HB-217 effective Oct. 1, 2016 requires the advanced posting of agendas for all meetings of Town Boards and Committees; and, 7.) FoxNews has agreed to allow the Town free access to the "Must-See" segment of the July 29 broadcast.

## **Business**

Ordinance 2016-03: Residential Property Standards: The President reviewed the ordinance that was introduced at the September Town Meeting. Drafts were available indicating changes/additions incurred since its introduction. Concerns from residents included: 1.) Section 6: Town's 10" grass height limit versus County's 12" standard; 2.) Conflict of Interest on Appeals process; 3.) Section 8: unauthorized entrance upon private property without warrant (ref: 1990 Santa Ana, CA case law); 4.) Preference for Code Enforcement to respond to complaints only (as opposed to routine inspection by Code Enforcement); and, 5.) Public Safety policy for enforcement procedures.

Commissioner Clagett motioned to approve the ordinance, as amended to relegate to the County's standard for grass height, President Storey seconded the motion. With 2 affirmative votes and one against, Ordinance 2016-03 was adopted by majority vote of the Board.

Historical Committee Appointments: Pursuant to Town Ordinance 2012-02, Commissioner Storey made a motion to appoint the following individuals to the Town of Upper Marlboro Historical Committee for a 2-year term starting November 1, 2016: Patricia Skews (Chair), Linda Pennoyer (Vice-Chair), Brian Callicott, Patrick Clagett, Joseph Hourclé, William "Rusty" Pennoyer and Dierdre Walsh. Commissioner Clagett motioned to approve the appointments, Commissioner Pennoyer seconded the motion. With no one opposed, the appointments were unanimously approved.

Town Holiday Party: The Board chose to hold the event on Sunday, December 11 at 5:00 p.m.

**Public Comment**

The Board was asked if there was a cost projection yet for the Town Hall Addition & Renovation, the President replied the Project Manager may have that ready in time for the November Town Meeting. An inquiry was also made about the water and sewer hook-up project for the Public Works Facility. The President explained that the project is on a hold until the Town Hall Addition & Renovation Project and the Elm Street Repaving Project were well underway, but, did explain that the Facility does have a restroom with hot & cold water, heat and A/C provided by the "UltraLav" trailer unit currently housed within the Facility building.

**Adjournment**

Commissioner Clagett made a motion to adjourn, Commissioner Pennoyer seconded the motion. The meeting was adjourned at 8:46 p.m.

Respectfully submitted,



M. David Williams  
Town Clerk/Administrator

