**Meeting minutes of Town Council on November 7, 2023**

As reviewed, approved, and accepted by the Town Council on December 12, 2023

There being a quorum, Mayor Charles Hendricks called the regular meeting of the Town Council to order at 7:30 p.m. The meeting was held using video conferencing. Council Members Charles Bradsher, Tom Burke, Amy Koval and Christina Pellegrino were present. The Treasurer, Town Clerk, Assistant Clerks, Planning Commission Chair, Historic District Commission Chair, and approximately 10 residents and guests were also present.

Approval of Minutes:

Council Member Burke made a motion to approve both sets of minutes from the Town Council meetings held on October 3, 2023, and October 10, 2023. Council Member Pelligrino seconded the motion. Unanimously approved.

Summary of Closed Session October 10, 2023:

Assistant Clerk Schneider read Summary of Closed Session, October 10, 2023

* There was a closed session on October 10, 2023, from 7:42 p.m. to 9:08 p.m.
* The meeting was held using videoconferencing.
* The purpose of the meeting was to consult with counsel to obtain legal advice relative to possible amendments to the Town’s Zoning Ordinance as authorized by General Provisions Article Section 3-305(b)(7) of the Open Meetings Act.
* Members who voted to meet in closed session: Mayor Hendricks-Yes, Council Member Bradsher-Yes, Council Member Burke-Yes, Council Member Koval-Yes, and Council Member Pellegrino-Yes. No members opposed, and no members abstained.
* Persons attending the closed session: Mayor Hendricks, Council Member Koval, Council Member Bradsher, Council Member Burke, and Council Member Pellegrino, Board of Appeals Chair Jake Cecere, Planning Commission Chair Eric Wenger, Town Clerk Mary Burke, Assistant Clerks James Schneider and Joy Jackson, and Town Counsel Victoria Shearer.
* The meeting was held as authorized by General Provisions Article Section 3-305(b)(7) of the Open Meetings Act.
* The topic discussed was possible amendments to the Town’s Zoning Ordinance.
* Council Member Koval made a motion to adjourn the meeting. Council Member Pellegrino seconded the motion. Unanimously approved.

Respectfully Submitted, James Schneider, Assistant Clerk, Town of Laytonsville

Treasurer’s Report:

Treasurer Hoffman reviewed the September 2023 Treasurer’s Report. She stated that donations totaling $900 were made by various businesses towards the picnic fund. A payment of $5,545 was received from the Highway User Revenue fund. Expenses for September included PEPCO for streetlights in Laytonsville Preserve, payments for the Historic Wayside Signs project, and picnic expenses. She stated that the audit report has been submitted and expects to receive electronic copies soon. Each Council member will receive a copy electronically. Mayor Hendricks asked if there was a surplus or deficit. Treasurer Hoffman responded that there was a surplus and that there were only minor changes. Mayor Hendricks offered to have the auditor attend a Town Council meeting to answer questions. Member Burke thought that having the auditor attend a Town Council meeting was a good idea Mayor Hendricks summarized the Treasurer’s Repost by saying that for the month of September there was a net income of $92,426 and expenses of $50,133 totaling $42,294 profit.

Member Burke made a motion to accept the Treasurer’s Report subject to audit. Member Koval seconded the motion. Unanimously approved.

Historic District Report:

Jennifer Sizemore Historic District Commission (HDC) Chair said the Historic District Work Permit (HDWP) for the Frye Insurance building was approved. The façade will be very similar with the same color but no longer have the saloon fascia. She further stated that the HDC determined that Dan Wolf did not need a HDWP for the barn work at 7101 Brink Road that is currently underway. Chair Sizemore said the HDC will be working on the process of determining when a HDWP is required and clarifying several aspects of the ordinance.

Planning Commission Report :

Eric Wenger, Planning Commission Chair, stated that no new business has been conducted.

**Old Business**

WSSC Community Update Meeting at Laytonsville District Volunteer Fire Department on November 9, 2023, at 6:30 PM:

Mayor Hendricks announced the WSSC community meeting and said that a water safety report has been posted to the town’s website. He summarized a chlorine level report and encouraged all Council Members and residents who use WSSC water to attend the upcoming community meeting.

Review and Approval of Design and Location of Wayside Historical Signs:

Jane Evans of the Laytonsville Historical Center stated that packets of the signs and proposed locations were given to members of the Town Council. Ms. Evans thanked the sign committee members who worked on the project.

Mayor Hendricks suggested that the location of Laytonsville is misplaced on sign #3. He proposed that the map on sign #3 be amended to correct its location.

Council Member Koval agreed that since the town is responsible for this sign, it should be accurate, and we are within the ARPA funding limits to make the change.

Council Member Pellegrino inquired about the placement of sign #1 and Jane Evans and Chair Sizemore responded.

Council Member Bradsher made the motion to approve the signs with the change to sign #3 and to approve their proposed locations. Council Member Pellegrino seconded the motion. Unanimously approved.

Sidewalk repairs: Review and approval of proposal submitted by Precision Concrete Cutting:

Council Member Burke reported that he met with representatives from Precision Concrete and showed them areas of possible tripping hazards. Precision Concrete proposes grinding down concrete as well as lifting in places to make the slopes ADA compliant. The repair estimate is $2,721 for 22 sites.

Council Member Burke said there are two additional places that may require replacement, which Precision Concrete does not do.

Council Member Pellegrino made a motion to approve the proposal as presented. Council Member Koval seconded the motion. Motion adopted unanimously.

Discussion of maintenance of Miller Park–Barberry Lane Trail:

Mayor Hendricks explained that Town Council members received an estimate from Goshen Enterprises for restoring the wood chips on the trail from Barberry Lane to Miller Park. This estimate was prepared at the request of Mr. Sharif Hidayat acting on behalf of the Laytonsville Grove HOA. The estimate proposes covering the entire trail with 3-4 inches of processed woodchips at a cost of $6,890 or $5,750 for standard woodchips. These estimates do not include the low section of the pathway that tends to wash away. He also stated that Town Council members received a survey of the trail prepared by the town’s civil engineering consultant, MHG. This survey suggests areas where the slope of the trail might be reduced, as well as a perkEpave option.

Mayor Hendricks said estimates for paving the trail with asphalt would be $78,000 and perkEpave would be $100,000 for materials and labor would cost an additional $60,000.

Council Member Koval asked if the trail can be paved since it’s within a forest conservation area.

Planning Commission Chair Wenger replied that the forest conservation area belongs to the town of Laytonsville which has full authority over it, and it can be changed.

Council Member Pellegrino said that the county does not woodchip their trails due to the cost; they do build some steps in areas where the slope requires it for safety. She said she would like to see some different options for the low areas that get washed out and that these areas need to be accessible for crews to mow and trim regularly.

Planning Commission Chair Wenger stated that the Barberry Lane end of the trail needs additional weed control due to Bermuda grass.

Mayor Hendricks said the focus should be making the trail attractive to walkers and proposed getting additional estimates for maintenance options, as well as for the lower washout areas.

Sharif Hidayat of Barberry Lane stated he would like woodchips to keep the trail from being an eyesore. He said it is the fiduciary responsibility of the town to maintain the trail. He would like a natural woodchip trail to inhibit motor vehicles from driving on it.

Mr. James Ruspi of Brink Road said that the path around Jones Farm Pond was originally done with woodchips. Since it has been paved with asphalt, maintenance has not been required.

Council Member Pellegrino made a motion to apply up to $5,000 of the cheaper woodchips and work towards a longer-term solution.

Council Member Koval said that she would only approve a lesser cost than $5,000 for woodchips.

Mr. Lucian Romano of Birdie Lane invited Mayor Hendricks to work with him on both a temporary and a long-term solution to both the Barberry Lane and Birdie Lane trails.

Mayor Hendricks asked if there was a second for the motion to authorize expenditure of up to $5,000 for wood chipping the trail from Barberry Lane to Miller Park. There was no second to the motion. Mayor Hendricks promised to work with Mr. Romano on the two trails.

**New Business**

Introduction of ordinance to place a moratorium on commercial development and scheduling a public hearing

Mayor Hendricks introduced a draft ordinance to place a moratorium on commercial development and said he would like to schedule a public hearing to present the proposal to the public.

There was discussion about possible dates and the follow up that would be required.

Council Member Burke made a motion to hold the Public Hearing on December 5, 2023, followed by a Town Council meeting on December 12, 2023.

Council Member Bradsher seconded the motion. Unanimously approved.

**Resident’s Forum**

Joy Jackson, 21617 2nd Street, said that she does not want Town property to be considered any one community’s issue. It is the whole Town’s property, and the more town residents use it, the more hardpacked the trail will become, and thus will not need woodchips.

Sharif Hidayat, 272 Barberry Lane, stated that it looks like ground has been broken on the Hope Builders’ property. He also asked if the bank building has been sold.

Planning Commission Vice Chair Brian Kline said that he would like to understand the Town Council’s view on the moratorium and inquired if the town was prepared for a possible legal challenge.

Mayor Hendricks responded that this is a time for comment, and that the draft of the proposed six-month moratorium will be posted on the town website for public review. He said a moratorium provides time to further study development.

Adjournment

Council Member Burke made a motion to adjourn at 10:27 p.m. Council Member Koval seconded the motion. Unanimously approved.

Respectfully Submitted

James Schneider, Assistant Clerk

Town of Laytonsville