

QUEENSTOWN COMMISSIONERS
October 25, 2017

PRESENT: President Thomas B. Willis, Jr., Commissioner Holger Schuster, Commissioner George Plumbo, Acting Town Manager Mike Howell, and Town Attorney Brynja Booth

President Willis called the meeting to order at 6:12 p.m. and motioned to enter into a Closed Session for the purpose of discussing a personnel matter and obtaining legal advice from the Town Attorney. Motion seconded by Commissioner Schuster. Vote: 3-aye, 0-nay

President Willis motioned to adjourn the Closed Session at 6:37 p.m. Motion seconded by Commissioner Plumbo. Vote: 3-aye, 0-nay

PUBLIC HEARING CALLED TO ORDER AT 7:00 P.M.

Proposed Ordinance 17-05 – An Ordinance of the Commissioners of Queenstown to amend the Queenstown Town Code to add Chapter 7 titled “Residential Rental Housing License and Inspection” to establish a licensing and inspection program for residential rental dwelling units within the Town of Queenstown.

Proposed Ordinance 17-07 – An Ordinance of the Commissioners of Queenstown to amend the Queenstown Town Code to add Chapter 27 titled “Short Term Rentals” to incorporate into the Town Code certain minimum standards for short term rentals within the Town of Queenstown.

Ordinance 17-05 -

Perry Stutman, Second Ave – personally opposed to 17-05. He is perplexed as to how it came about. Feels it is really nothing more than a rehash of the neighborhood maintenance ordinance (Property Maintenance Code). Ordinance doesn't address nefarious actions of renters and wonders why the ordinance is being contemplated.

Richard Potter, owner of two properties in town – lived in County all his life and owns two rental properties in Town. Not sure what the ordinance is for. He has never had any problems with tenants and would like to know if town has experienced problems with his tenants.

Stefanie Takacs, Maryland Ave. -- asked if the town has a sense of number of rentals in Town and is there any thought of keeping a percentage of non-rental properties vs. rental properties.

Pat Howell, Second Ave. – in review of rentals, there are many multi-unit buildings. Each unit would get inspected, per the ordinance. Does it require an inspection after each tenant? Ordinance 17-07 requires taxes be paid and water/sewer kept current. Not specified in this ordinance. Feels some definitions could be tightened up.

There being no further comments on proposed Ordinance 17-05, President Willis motioned to close portion of hearing and proceed to Ordinance 17-07. Motion seconded by Commissioner Plumbo. Vote: 3-aye, 0-nay

Ordinance 17-07

Perry Stutman, Second Ave. – where and why is \$500,000 liability insurance required?

Pat Howell, Second Ave. – Definitions, Page 4, C., Town may deny... mentions town police (this was a typo as drafted from another jurisdiction). There is also a requirement of liability insurance on one Ordinance but not the other. The risk is identical.

President Willis motioned to close the hearing on Ordinance 17-07. Motion seconded by Commissioner Plumbo. Vote: 3-aye, 0-nay

Ms. Booth clarified some concerns with the Ordinances:

Ordinance 17-05 –

- Draft has been around for about 1 ½ years
- Covers all rental properties, including those converted to multi-family
- Not complaint based
- Way for town to make sure properly metered and property up to code
- Town can revoke license if not in compliance and they would not be able to rent property
- As for definitions – Unit means each separate unit – not just the building. One small administrative fee and pass through inspection fee from MDIA.
- Simple ordinance that has been found to work in other jurisdictions
- No reinspection required when a tenant leaves

Ordinance 17-07 –

- More people renting homes out for profit – this is an area that should be regulated
- By requiring a license, town can pull if problem with property and renters
- Town can get rid of insurance requirement in both ordinances or require in both – up to the Commissioners
- Town can require that water, sewer and taxes are current
- Once adopted, Town would give time for property owners to bring up to code

Commissioners will hold the record open for written comment until November 10th. Next Commissioners meeting will be November 15th due to Thanksgiving holiday.

REGULAR MEETING CALLED TO ORDER

PUBLIC WORKS – Lane Cole

- Thought there was a water leak at Maryland & Steamboat Avenues – appears fire hydrant was not shut all the way off
- Lower decant valve bad – for the sludge holding tank – price to replace is \$5,688.79. Need to find out if warranted. Mr. Cole to check with GMB Engineers.

PLANNING – No one present

- Clerk advised that Planning Commission will hold a public hearing on the draft Comprehensive Plan on November 1st at 7:00 p.m.

FINANCE COMMITTEE – Pat Howell

- Working on a survey/report for MML.
- Tower Consultant working on negotiations with T-Mobile regarding additional equipment they wish to install.

ACTING TOWN MANAGER – Mike Howell

- In summary, advised that his position as Acting Town Manager has come to an end. Believes it is time to move ahead with permanent management.
- Recommends the Commissioners promote Town Clerk Amy Moore to a retitled position of Town Manager/Town Clerk moving forward.
- He’s aware of qualifications of other Town Managers and believes Ms. Moore’s 30 years of experience with the Town more than qualifies her for the new position. He also believes it would be a tragedy for the Town to lose her experience and knowledge.
- Mr. Howell advised he has the frameworks done, as he was instructed to compile when appointed, and believes now is the time to start transition.
- Increase in salary to take place January 1, 2018, which will be determined at a later date.

President Willis motioned to retitle the position of Town Clerk to Town Manager/Town Clerk. Motion seconded by Commissioner Plumbo. Vote: 3-aye, 0-nay

Commissioner Schuster motioned to appoint Amy Moore to the retitled position Town Manager/Town Clerk effective this date. Motion seconded by Commissioner Plumbo. Vote: 2-aye, 0-nay. President Willis recused himself from the vote.

Mr. Howell advised he would be happy to assist Ms. Moore during this transition.

TOWN CLERK

Treasurer’s Report -

General Fund checking	\$289,760.03
Water/Sewer Fund checking	\$154,108.52
WWTP Project checking	\$277,433.58

Correspondence/Other –

- Due to upcoming holidays, regular meeting dates conflict. Commissioners changed the meeting dates to: November 15th and December 20th
- Christmas Open House – to be held on December 13th – location to be determined
- Yard Sale Cost/Breakdown:

18 spaces @ \$10 ea	\$180.00
Donations	\$110.00
Total Revenue	\$290.00

Advertising costs	\$74.03
Total Expenses	\$74.03
Total donation to QVFD	\$215.97

Pat and Mike Bowell donated their proceeds from the yard sale, in the amount of \$159, to the QVFD as well.

Minutes –

President Willis motioned to accept the September 27, 2017 minutes as written. Motion seconded by Commissioner Schuster. Vote: 3-aye, 0-nay

ATTORNEY UPDATES – Brynja Booth

- Critical Area Commission to consider Growth Allocation request on November 1st
- Court of Appeals argument went very well – waiting on response

PUBLIC COMMENT

- Joe Kelkowski, Aker Rd. – Town removed a trash can from Aker Rd. that had been there for years. He was told it was due to the property owner on the corner complained that birds were getting into it and making a mess on his property. Would like to see it replaced, as people are throwing trash on the ground. Lane Cole advised that Mr. Kelkowski was correct, and a new can with a lid will be put there next day.
- Loretta Hohmann, Steamboat Ave. – Thanked Lane Cole for having the white lines put down at stop signs. Also thanked Mike Bowell for volunteering as Town Manager.
- President Willis also wanted to thank Mike Bowell for serving as Acting Town Manager for almost one year on a volunteer basis.
- Perry Stutman, Second Ave. – people parking on Second Ave at corner of Steamboat Ave along the wooden fence. Makes it hard to get by. Suggest that area be designated no parking. Town will look into it.
- Lori Sharer, First Ave. – thanked the Town Commissioners for letting the group use the Town Office for wreath making. They had a great turn out and everyone had a great time.

There being no further business at this time, President Willis motioned to adjourn the meeting at 7:59 p.m. Motion seconded by Commissioner Plumbo. Vote: 3-aye, 0-nay

Respectfully submitted,



Amy W. Moore
Town Clerk

TOWN OF QUEENSTOWN

CLOSED MEETING/EXECUTIVE SESSION RECORD

A public body that meets in closed session may not discuss or act on any matter not permitted under the Maryland Statute summarized below. The public meeting law does not apply to executive functions, quasi judicial functions, or chance encounters or social meetings.

- (1) DATE AND TIME OF PROPOSED CLOSED MEETING OR EXECUTIVE SESSION:

Date: 10/25/17 Time: 6:12 PM

- (2) LEGAL AUTHORITY FOR CLOSING PUBLIC MEETING OR GOING INTO EXECUTIVE SESSION (circle the section of the law which authorizes the closed session):

Open Meetings Act, Maryland Code Annotated, General Provisions Article, § 3-305(b) (2014)

- (1) discuss:

(i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or

(ii) any other personnel matter that affects 1 or more specific individuals;

- (2) protect the privacy or reputation of individuals with respect to a matter that is not related to public business;
- (3) consider the acquisition of real property for a public purpose and matters directly related thereto;
- (4) consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- (5) consider the investment of public funds;
- (6) consider the marketing of public securities;

- (7) consult with counsel to obtain legal advice;
- (8) consult with staff, or other individuals about pending or potential litigation;
- (9) conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- (10) discuss public security, if the public body determines that public discussion would constitute a risk to the public or to the public security, including:
 - (i) the deployment of fire and police services and staff; and
 - (ii) the development and implementation of emergency plans;
- (11) prepare, administer, or grade a scholastic, licensing, or qualifying examination;
- (12) conduct or discuss an investigative proceeding on actual or possible criminal conduct;
- (13) comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; or
- (14) before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

(3) TOWN BOARD, AGENCY, OR COMMISSION PROPOSING CLOSED OR EXECUTIVE SESSION:

Commissioners of Greenstair
 (Name of Board, Agency, Commission, or Committee)

(4) IDENTIFY TOPIC(S) PROPOSED FOR DISCUSSION IN CLOSED SESSION:

Discuss personnel matter and obtain legal advice

(8) PLACE CLOSED OR EXECUTIVE SESSION HELD:

Town Office

(9) PURPOSE OF AND TOPICS DISCUSSED AT CLOSED SESSION:

Discuss personnel matter (appointments, retirements) local advice regarding same; discussion about a specific individual which would be inappropriate for open session

(10) SUMMARY OF ACTIONS TAKEN AT CLOSED SESSION, IF ANY:

No action - discussion only

CERTIFICATE OF PRESIDING OFFICER

I hereby certify that I am the presiding officer of Commissioners of Queenstown public board, agency, commission, committee, or other public body of the Town of Queenstown, Maryland. I further certify that by a majority vote on the 15th day of October, 2017, the aforesaid agency, board, committee, or commission voted to hold a closed meeting for the purposes, and to discuss the topics, set forth above, and that no other topics were discussed, and that the foregoing is a true record of the closed

meeting described herein. The Clerk is directed to maintain this document as a public record of the Town of Queenstown, and to append the same to the minutes of the next public meeting of the aforesaid agency, board, committee, or commission.

10/25/17
Date

Thomas B. Willis
Signature

Thomas B. Willis, Jr
Printed Name

Mayor
Title

