Town of Upper Marlboro
REGULAR TOWN MEETING
November 20, 2018
Approved Minutes

Call to Order

The meeting was called to order at 7:30 p.m.

Roll Call: Tonga Turner, President of the Board of Town Commissioners;
Wanda Leonard, Commissioner; Linda Pennoyer, Commissioner/Treasurer

Staff present: M. David Williams, Town Clerk/Administrator; Kevin J. Best, Esq./Town Attorney; William Morgan/Financial Director; Kyle Snyder/Chief-of-Staff

Also present: EC Chair Jeremy Gunnoe; TUMHC Archivist Brian Callicott and various citizens and interested parties.

Pledge of Allegiance

Approval of Meeting Minutes & Financial Reports

President Turner asked for consent to the Agenda. Approval was granted by all Commissioners present. The Town Meeting minutes from October 9, 2018, and, the Work Session minutes from October 23, 2018 were acknowledged by the Board as reviewed. Commissioner Pennoyer motioned to approve both sets of minutes, Commissioner Leonard seconded. All minutes from October's Town Meeting and Work Session were unanimously approved.

President Turner then handed the floor to Financial Director William Morgan, to review the new financial report format and address some internal accounting issues and changes, such as: 1.) Created separate Disbursement Account; 2.) Quickbooks software program reconciliation; 3.) Unbalanced Budget Amendment; 4.) Implementing Purchase Order procurement procedures; 5.) Auditors will be checking Town financials regularly.

The President gave a reply to recent "baseless" statements that propose the Town is overspending its Budget, noting that the October Financial Report shows the Town is under budget in all Departments.

A resident asked, how is the new format more transparent than the old itemized format. Mr. Morgan explained that the line items did not necessarily explain the different components that make it up, where it comes from and where it goes to (i.e.; Fines & Licenses.) The President reiterated that those with specific questions can obtain more detailed information by direct request to Mr. Morgan during normal work hours.

Reports

Staff/Committees: This line item was moved to the "General Administration" section of the Agenda.

Commissioner Leonard: Reported that she participated in the last MVFD monthly meeting, and also attended the October and November meetings of the PGCMA, and the MML/HEPAC meeting. She added that she has just completed the last 2 courses required in order to earn her Fellowship through the MML/UMD Academy of Excellence program. She noted the CERT had 18 members at their last meeting and had 2 members recently graduate from the "Train the Trainer" program, bringing the total number of qualified trainers in the UM/CERT to four, plus one member is now certified by the State as an Emergency Manager. She added more members are continuing their training to also earn certifications.

Commissioner Pennoyer: Reported on the PGCMA Legislative Priorities for 2018-2019: 1.) Art in Public Places/community beautification & involvement; 2.) Secure measures for Public Safety Body-Cam video storage; 3.) Growing Municipal Revenues—regulating Internet Sales taxes & online Sports-Betting. She noted the MML's Legislative Priorities have yet to be released. On another note, she added that the Sustainable Communities application for renewal should be submitted by next week.

President Turner: Delivered updates on the following topics: 1.) Submitted to State Delegation $600K Bond Bill for the Old Stone Building at 14500 Church Street; 2.) A grant request for $250K to install a playground has been co-signed by State Delegates; 3.) Submitted a $500K Federal grant request co-

signed by Congressman Anthony Brown with consent from Congressman Steny Hoyer, for Downtown Streetscape Improvement Projects; 4.) Working with President David Harrington of the PGC Chamber of Commerce (CoC) to help with the Town's Economic Development program—The PGC/CoC is working to open a Branch in Upper Marlboro—UM/CoC Advisory Board membership to have Town business representation; 5.) Town Hall-day Party postcard invitations have been mailed out.

The President noted that she had asked the Town Attorney to attend tonight's meeting, then read aloud a prepared statement to be put into the record. The statement addressed a breach of confidentiality among the Board members.

Mr. Best noted municipalities are subject to the Open Meetings Act and the Maryland Public Information Act, and the Town has its own Ethics Ordinance enacted in 2016. He added that every public record preserves confidentiality until classified to release, and citizens have several avenues to obtain public records upon request. Mr. Best noted a Court made law called the Doctrine to Fiduciary Duty, to hold confidentiality, and gave several examples of the consequences of disclosure of confidential information. Civic violations, closed sessions, Roberts Rules of Order and disciplinary actions were then discussed. The President added she is withholding the offender's name out of respect, but would like to deal with this situation swiftly.

Business

Ordinance 2018-08: Classify Real Property (Board vote): The ordinance introduction title was read aloud by the President and confirmed by the Town Attorney as a safeguard to enable leverage and different tax rates. No public comment had been received to change the draft ordinance to date. Commissioner Leonard motioned to approve the ordinance as presented, Commissioner Pennoyer seconded. Ordinance 2018-08 to Classify Real Property was unanimously approved.

Resolution 2018-06: Town Parking Meter Rates: The resolution was reviewed by the President who explained the new rate would now be more in sync with other municipality's parking rates. She noted more meters will also be installed in newly designated parking zones to provide citizens visiting the courthouse with safer and more convenient options to park. Some concerns were then expressed by attending residents about the new rates and hours, and the President announced that the Resolution will be posted for Public Comment for 30-days, and scheduled for introduction and passage at a later date.

Ordinance 2018-09: Surplus Real Property (introduction): The ordinance was officially introduced by the President who explained that the 4K square-foot old water tower site was land-locked and not large enough for development. She added that the owners of the adjoining lot had been mowing and weeding the property for years, without compensation, and are now requesting an opportunity to acquire the property as their own. A Board vote will be conducted at the next Town Meeting.

Special Event Application: The Board reviewed an application from the DC Running Club to hold an event on January 1, 2019. It was noted that approval will be contingent on receipt of a Communication Plan due by December 15, 2018 at the latest, so as, Town businesses effected can be notified of the event. Commissioner Leonard motioned to approve the application as presented and amended, Commissioner Pennoyer seconded. The Special Event application was unanimously approved.

Proclamation: A proclamation for the 2018 MML/Municipal Government Works! Month (MGW) was reviewed by the Clerk and read aloud by the President. Commissioner Leonard motioned to approve the proclamation, Commissioner Pennoyer seconded. The MGW Proclamation was unanimously approved.

General/Administration issues: A motion was made by Commissioner Pennoyer to accept the October 2018 Treasurer's Report, Commissioner Leonard seconded. With all in favor, the October 2018 Treasurer's Report was accepted unanimously.

Chief-of-Staff Snyder noted Town Offices would be closed on Thanksgiving Day, noting recycling will be picked-up the day after on Friday.

TUMHC Archivist Brian Callicott reported that the Darnall's Chance's Halloween Campfire event went very well, and that the next TUMHC Quarterly meeting will be on November 15 (no Archiving Session is planned for their December meeting) and, they will be participating at the Town Hall-iday Party. He acknowledged they had 735 Facebook followers, and he added a thank-you to Donald Strine for forwarding historical documents from the MVFD for the Town Archives.

EC Chair Jeremy Gunnoe reported that the Trunk-or-Treat event downtown on Halloween went better than expected, and the Town Hall-iday Party is still on track for December 15th. He added there will be a

Poetry Slam event on the 18th, and he noted that all events to date have come in under budget. He added that the new Town Banners recently put up around Town look great, and the President asked all to submit their event ideas for upcoming 2020 events.

Closing of the Meeting: President Turner asked for a motion to close the open Work Session, under statutory authority to close session General Provisions Article §3-305(b)(1) in order to seek legal counsel on certain matters with the Town Attorney and preserve attorney-client privilege, as well as, to discuss contractual agreements between the Town and other entities. A motion was made by Commissioner Leonard to close the open session for the previously stated reasons, and was seconded by Commissioner Pennoyer. With all in favor, the meeting moved into closed session at 8:57 p.m.

Re-opening of Work Session: The closed session was adjourned at 9:46 p.m. by unanimous vote of the Board after a motion by Commissioner Leonard and a second by Commissioner Pennoyer. The President then reopened the Work Session at 9:47 p.m. and noted that all 3 Commissioners in attendance adhered to the topics of discussion as outlined at the closing of the Work Session on Appendix C.

The President also noted that Chief-of-Staff Kyle Snyder and Town Attorney Kevin Best were also in attendance for the duration of the closed session, along with the full roster of Board members.

Public Comment

There was no additional Public Comment at this time.

Adjournment

Commissioner Pennoyer made a motion to adjourn, Commissioner Leonard seconded the motion. With all in favor, the meeting was adjourned at 9:50 p.m.

Respectfully submitted,

M. David Williams
Town Clerk/Administrator