

MINUTES

CITY OF WESTMINSTER
Mayor and Common Council Meeting
November 14, 2022, at 7:00 p.m.
1838 Emerald Hill Lane, Westminster, MD 21157
[YouTube Channel Link](#)

CALL TO ORDER

Elected Officials Present: Mayor Becker, Councilmember Chiavacci, Councilmember Dayhoff, Councilmember Gilbert, and Council President Pecoraro.

Absent: Councilmember Hoff

Staff Present: City Clerk Barber, Director of Housing Services Brown, Director of Community Planning and Development Depo, Deputy Director of Public Works Dick, Director of Recreation Gruber, City Administrator Imhulse, City Attorney Levan, Chief of Police Ledwell, Director of Human Resources McCullough.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

Council President Pecoraro led the Pledge of Allegiance and a moment of silence.

STATEMENTS FOR THE RECORD

STATEMENT FOR THE RECORD – CLOSED MEETING OF MONDAY, OCTOBER 24, 2022:

Council President Pecoraro noted the following: In accordance with the General Provisions Article, Section 3-306(c)(2) of the Annotated Code of Maryland, and without objection it is noted that the minutes of tonight’s meeting reflect that Common Council met in a Closed Meeting on Monday, October 24, 2022, at 8:15 p.m. pursuant to General Provision Art., Section 3-305(b)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto: and (b)(7) to consult with counsel to obtain legal advice.

Motion – Dayhoff/Hoff

Vote to Close Meeting:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mr. Chiavacci	Yes			
Mr. Dayhoff	Yes			
Mr. Hoff	Yes			
Ms. Gilbert	Yes			
Mr. Pecoraro				
Mayor Becker				

The following staff members were in attendance: City Clerk Barber, City Administrator Imhulse, and City Attorney Levan. The Common Council took no official action during the meeting. The Closed Meeting adjourned at 8:52 p.m.

UPDATE FROM MCDANIEL COLLEGE

Chief of Staff Erin Benevento from McDaniel College provided an update on the college initiatives, events and activities taking place at the college.

APPROVAL OF MINUTES

Councilmember Dayhoff motioned, seconded by Councilmember Gilbert, to approve the Mayor and Common Council Special Meeting minutes of October 20, 2022, Mayor and Common Council Closed Meeting minutes of October 20, 2022, and Mayor and Common Council Closed Meeting minutes of October 24, 2022.

VOTE

AYES: Councilmember Chiavacci, Councilmember Dayhoff, and Councilmember Gilbert.

NAYS: None.

REPORT FROM MAYOR

Mayor Becker noted and highlighted the many meetings and events she participated in during the month of November 2022 to date. Mayor Becker thanked all involved in getting the lights placed along Main Street and noted the many positive comments she has received since they have been lite. Mayor Becker closed her comments by thanking the City staff for their work and dedication in keeping the City beautiful.

REPORTS FROM STANDING COMMITTEES

Councilmember Dayhoff, on behalf of the Arts Council, noted the upcoming screening of the movie Julia on Friday, November 25, 2022, at 1:00 p.m. and 7:30 p.m. at the Carroll Arts Center. Councilmember Dayhoff encouraged everyone to visit the Carroll County Arts Center's website for additional information and details on all the upcoming programs and events being held and scheduled at the Arts Center.

Councilmember Chiavacci, on behalf of the Public Safety Committee, noted that the Westminster Police Department had a recent arrest based on a criminal arrest warrant. Councilmember Chiavacci noted the new addition to the City of Westminster Police Department, Officer Heath Acosta.

Councilmember Chiavacci, on behalf of the Public Works Committee, noted the upcoming holiday schedule for leaf collection and regular trash collection. Councilmember Chiavacci noted that the 2022 leaf collection would end on Friday, December 9, 2022.

Councilmember Dayhoff, on behalf of the Recreation and Parks Committee, noted that a Recreation and Parks Committee meeting date will be forthcoming.

Council President Pecoraro, on behalf of the Technology Committee, noted their next meeting would be held on Tuesday, November 29, 2022, at 3:00 p.m.

COUNCIL COMMENTS AND DISCUSSION

Councilmember Chiavacci noted the Mayor and Common Council's Strategic Planning Session held on Thursday, November 10, 2022, and thanked the City staff for their work on addressing the many of the City's long-term goals. Councilmember Chiavacci noted and thanked City Administrator Imhulse for her leadership and running the day-to day operations so smoothly.

Councilmember Dayhoff thanked Director of Recreation and Parks Gruber and her staff on preparing the armory building for the Veterans Day ceremonies.

Councilmember Gilbert congratulated all the newly elected officials. Councilmember Gilbert closed by echoing sentiments stated earlier by other Councilmembers regarding the Mayor and Council's Strategic Planning Session.

ORDINANCES AND RESOLUTIONS

Adoption of Ordinance 945 – Amending Chapter 16 Ethics of the Code of the City of Westminster to incorporate changes required by State Law with respect to Conflict of Interest and Financial Disclosure Provisions

Councilmember Gilbert motioned, seconded by Councilmember Chiavacci to adopt Ordinance 945, an Ordinance of the Mayor and Common Council of Westminster amending Chapter 16, Ethics of the Code of the City of Westminster to incorporate changes required by State Law with respect to Conflict of Interest and Financial Disclosure Provisions. City Administrator Imhulse provided the staff report on the item. There was no discussion.

VOTE

AYES: Councilmember Chiavacci, Councilmember Dayhoff, and Councilmember Gilbert.

NAYS: None.

Adoption of Ordinance 946 – Amending Chapter 36 “Procurement and Contracts” of the Code of the City of Westminster to provide that the Mayor and Common Council may Waive Various Requirements relating to Competitive Procurements for Good Cause.

Councilmember Dayhoff motioned, seconded by Councilmember Chiavacci to adopt Ordinance 946, an Ordinance of the Mayor and Common Council of Westminster amending Chapter 36, “Procurement and Contracts” of the Code of the City of Westminster to provide that the Mayor and Common Council may Waive Various Requirements relating to Competitive Procurements for Good Cause. City Administrator Imhulse provided the staff report on the item. There was no discussion.

VOTE

AYES: Councilmember Chiavacci, Councilmember Dayhoff, and Councilmember Gilbert.

NAYS: None.

Introduction of Ordinance 947 – Amending Chapter 14 “Elections, Section 14.1.1, Board of Elections,” to alter the composition of the Board of Elections by reducing the size of the Board from six members to three.

Councilmember Chiavacci motioned, seconded by Councilmember Gilbert to introduce Ordinance 947, an Ordinance of the Mayor and Common Council of Westminster amending Chapter 14, “Elections, Section 14.1.1., Board of Elections,” to alter the composition of the Board of Elections by reducing the size of the Board from six members to three. There was no discussion.

VOTE

AYES: Councilmember Chiavacci, Councilmember Dayhoff, and Councilmember Gilbert.

NAYS: None.

BIDS

Award of Contract for Clock Tower Rehabilitation Project to Concrete Protection & Restoration Inc., from Baltimore, Maryland in the amount of \$1,046,400.00

Councilmember Gilbert motioned, seconded by Councilmember Dayhoff to award the contract with Concrete Protection & Restoration Inc., from Baltimore, Maryland for the Clock Tower Rehabilitation Project in the amount of \$1,046,400.00. Deputy Director of Public Works Dick provided the staff report on the item. City Administrator Imhulse and Deputy Director of Public Works responded to questions of clarification given by the Common Council on the item. The Common Council discussed the issue at length.

VOTE

AYES: Councilmember Chiavacci, Councilmember Dayhoff, and Councilmember Gilbert.

NAYS: None.

Award of Contract for Police Emergency Generator Replacement to Eastern Sales and Engineering from Baltimore, Maryland in the amount of \$289,500.00

Councilmember Dayhoff motioned, seconded by Councilmember Gilbert to award the contract with Eastern Sales and Engineering from Baltimore, Maryland for the Police Emergency Generator Replacement in the amount of \$289,500. Deputy Director of Public Works Dick provided the staff report on the item. City Administrator Imhulse and Deputy Director of Public Works responded to questions of clarification given by the Common Council on the item. The Common Council discussed the issue at length. Council President Pecoraro requested that more discussion on the item is needed and requested that item be placed on the next Mayor and Common Council Meeting agenda.

Award of Contract for the City Road Striping Project to Alpha Space Control Company, Inc., of Chambersburg, Pennsylvania in the amount of \$36,776.88

Councilmember Chiavacci motioned, seconded by Councilmember Gilbert to award the contract with Alpha Space Control Company, Inc. of Chambersburg, Pennsylvania for the City Road Striping Project in the amount of \$36,776.88. Deputy Director of Public Works Dick provided the staff report on the item. Deputy Director of Public Works responded to questions of clarification given by the Common Council on the item.

VOTE

AYES: Councilmember Chiavacci, Councilmember Dayhoff, and Councilmember Gilbert.

NAYS: None.

UNFINISHED BUSINESS

There was no unfinished business to be discussed by the Mayor and Common Council.

NEW BUSINESS

Approval of FY23 CDL Training Program with Advantage C, in the amount of \$5,500 per employee, not to exceed \$100,000

Councilmember Gilbert motioned, seconded by Councilmember Chiavacci to authorize the approval of FY 23 CDL Training Program with Advantage C , in the amount of \$5,500 per employee, not to exceed \$100,000. Director of Human Resources McCullough provided the staff report on the item. Director McCullough and City Administrator Imhulse responded to questions given by the Common Council on the item.

VOTE

AYES: Councilmember Chiavacci, Councilmember Dayhoff, and Councilmember Gilbert.

NAYS: None.

Approval of HRI, Inc., Contract Change Order No. 6

Councilmember Gilbert motioned, seconded by Councilmember Chiavacci to approve, and authorize the Mayor to execute Change Order No. 6 in the amount of \$264,418.42 to the City's contract with HRI, Inc. Deputy Director of Public Works Dick provided the staff report on the item. Deputy Director of Public Works Dick and City Administrator Imhulse responded to questions given by the Common Council on the item.

VOTE

AYES: Councilmember Chiavacci, Councilmember Dayhoff, and Councilmember Gilbert.

NAYS: None.

Waiver of Procurement Process and Award of Contract with Continental Technologies, Inc., for Replacement and Installation of New Server Infrastructure

Councilmember Chiavacci motioned, seconded by Councilmember Gilbert to waive the procurement process and award the contract to Continental Technologies, Inc., for the replacement and installation of new server infrastructure in the amount of \$291,509.99. Deputy Director of Public Works Dick provided the staff report on the item. There was no discussion.

VOTE

AYES: Councilmember Chiavacci, Councilmember Dayhoff, and Councilmember Gilbert.

NAYS: None.

Vote to go into a Closed Meeting

Councilmember Chiavacci motioned, seconded by Councilmember Gilbert that the Common Council adjourn into a Closed Meeting at the conclusion of the Mayor and Common Council Work Session Meeting of Monday, November 14, 2022, in accordance with the General Provisions Article of the Annotated Code of Maryland, §3-305 (b)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals.

VOTE

AYES: Councilmember Chiavacci, Councilmember Dayhoff, and Councilmember Gilbert.

NAYS: None.

DEPARTMENTAL REPORTS

Community Planning and Development

Director Depo reported that on November 1, 2022, the Board of Zoning Appeals approved Case 22-10 to allow a "Contractor's equipment and storage yard" Special Exception use (SDAT# 07-155972) along with a Variance from the 300 feet setback from a lot in a residential zone at the undeveloped property located southwest of the Magna Way/Old Bachman Valley Road intersection. Director Depo also reported that the Planning and Zoning Commission is scheduled to review Site Development Plan S-21-11 to construct a 40,000 square foot medical center at 404 Malcolm Drive, Westminster, Maryland. Director Depo noted that the Farmer's Market is open Saturdays through November 19th and the Holiday Market will be open November 26th, December 3rd, December 10th, and December 17th, from 9:00 a.m. until 1:00 p.m. Director Depo closed his report by providing information on the Miracle on Main Street Small Business Saturday Passport Project and the Mayor's Cup Decorating Contest.

Human Resources

Director McCullough reported that the department is currently focusing on recruitment for open positions across all departments. Director McCullough advised that anyone interested in working for the City of Westminster should go to the City's website for current job openings

Public Safety Department

Chief Ledwell reported that on November 9, 2022, PFC. Juan Rojas was recognized for exemplary performance in 2022 at the Salute to Service Luncheon held at the American Legion, in Westminster, Maryland.

Housing Services

Director Brown noted and welcomed the City's new Code Enforcement Officer Mr. Ryan McGuirk.

Public Works

Deputy Director Dick reported that the winter season is upon us and that the Department of Public Works is prepared and ready for any anticipated winter weather.

Recreation and Parks Department

Director Gruber provided an in-depth overview of the Miracle of Main Street event scheduled for Saturday, November 26, 2022.

City Administrator

City Administrator Imhulse thanked all the employees involved for their work in all the preparation for all City events. City Administrator Imhulse thanked the Mayor and Common Council for their inclusion in the FY 23 Budget the lighting of the trees along areas of Main Street. City Administrator closed her report by noting that the City offices will be closed on Thursday, November 24, 2022, and Friday, November 25, 2022, for the Thanksgiving holiday.

Westminster Volunteer Fire Department

Councilmember Dayhoff reported that for the month of October, there were 599 total calls; 488 EMS and 111 fire. Of those calls, 320 were inside City limits and 218 were outside, with (58%) overlapping.

CITIZEN COMMENTS

Council President Pecoraro advised that residents may submit any comments to the following email address: comments@westminstermd.gov. He noted that all emails received would be shared with the Mayor and Common Council.

Ms. Lyndi McNulty, 195 West Main Street, addressed the Mayor and Common Council regarding an antique license plate cover she found that was from the City of Westminster.

Mr. James Howser, 5 Center Street, addressed the Mayor and Common Council with concerns on how the closure of streets occur during events.

ADJOURNMENT TO MAYOR AND COMMON COUNCIL WORK SESSION

Council President Pecoraro announced that the next meeting would be on November 14th, and the meeting will begin at 7:00 p.m. He adjourned the meeting at 8:48 p.m.

Respectfully Submitted,



Douglass A. Barber, MMC
City Clerk

Full audio version is available on www.westminstermd.gov

Adopted by the City of Westminster Common Council on November 28, 2022.