

**MINUTES
TOWN MEETING
JUNE 6, 2022
TOWN OFFICE – 300A SOUTH SETON AVENUE**

Present: *Elected Officials* - Mayor Donald Briggs; Commissioners: Timothy O'Donnell, President; Clifford Sweeney, Vice President; T.J. Burns, Treasurer, Joseph Ritz III; and Frank Davis. *Staff Present* - Cathy Willets, Town Manager; Madeline Shaw, Grants Administrator and Recording Secretary; Amy Naill, Code Enforcement Officer; and Zachary Gulden, Town Planner. *Others Present* – Deputy Jason Ahalt.

I. Call to Order

A quorum being present, Commissioner Timothy O'Donnell, President of the Board of Commissioners, called the June 6, 2022 town meeting to order at 7:30 p.m. Pledge of Allegiance was recited. Upcoming meetings were announced. The next town meeting will occur July 11, 2022 due to the July 4 holiday.

Approval of Minutes

Motion: Commissioner Sweeney motioned to approve the May 2, 2022 minutes as modified; second by Commissioner Burns. Yeas – 5; Nays – 0. The motion passed.

Motion: Commissioner Ritz III motioned to approve the May 16, 2022 minutes as presented; second by Commissioner Davis. Yeas – 5; Nays – 0. The motion passed.

Police Report:

Deputy Jason Ahalt presented the police report from May 2022 (exhibit attached). Deputy Ahalt explained crime is rising in Emmitsburg and recommended having another deputy to cover the late evening shift.

Three election candidates were present and the Board invited the candidates to introduce themselves. *William Valentine, Taneytown, Maryland* – Mr. Valentine introduced himself as a republican candidate running for the Maryland House of Delegates 2A district. He gave a brief history on himself. *Seth Wilson, Hagerstown, Maryland* – Mr. Wilson is a republican candidate running for Maryland House of Delegates 2A district. He gave a brief history on himself. *Delegate William Wivell, Smithsburg, Maryland* – Mr. Wivell is a republican candidate running for Maryland House of Delegates 2A district and is currently a state delegate. He gave a brief history on himself.

Town Managers Report:

Cathy Willets, Town Manager, presented the Manager's Report from April 2022 (exhibit in agenda packet).

Town Planners Report:

Zachary Gulden, Town Planner, presented the Planner's Report from April 2022 (exhibit in agenda packet).

Commissioner Comments:

- Commissioner Ritz III: He congratulated the Emmitsburg teachers and students on the completion of another school year. He would like the Town to pursue a future agenda item on water shutoff policy and reconnection fees. He proposed temporarily amending grass height requirements due to rising gasoline costs and the financial burden filling gas mowers may place on residents.
- Commissioner Davis: He thanked the property owners in Town for making their yards look nice. He is also working on getting a storybook reading trail for E. Eugene Myers Community Park.
- Commissioner Sweeney: He thanked the Town for putting up the military veteran's streetlight banners.
- Commissioner Burns: He thanked Commissioner Davis for bringing baseball back to Emmitsburg.
- Commissioner O'Donnell: He attended several meetings to include the Frederick County MML Chapter meeting and the Program Open Space meeting with Mayor Briggs. He also met with members of the community about water shutoff concerns.

Mayor's Comments:

Mayor Briggs attended numerous meetings in May 2022 (meetings listed in agenda packet). He thanked the Silver Fancy Garden Club for cleaning the tree wells on West Main Street. The Town received \$84,250 in Program Open Space grant money for FY2023. He met with the Mount St. Mary's President Trainor regarding use of the Daughters of Charity property in Town for graduate students.

Public Comments:

Eric Sloane, East Main Street – Mr. Sloane requested the Town have a five to 10-year plan to address crime and other challenges as the Town continues to grow. *Kevin Hagan Huntley Circle* – Mr. Hagan requested the Town mark restricted or no parking areas in the Brookfield and Pembroke neighborhoods.

Administrative Business:

- (A). **Approval of free pool day on Community Heritage Day 2022 for consideration:** Ms. Willets presented the item. Each year the Town approves a free pool admission day in celebration of the annual Community Heritage Day festival. Town staff is requesting a free pool admission day for the public on Saturday, June 25, 2022. The Board gave unanimous consent.

Treasurer's Report:

Commissioner Burns presented the report. The operating balance forward is \$7,475,839. The top 10 check amounts are listed in the agenda packet. Five of the checks are grant funded projects.

Planning Commission Report:

Commissioner Ritz III presented the report. The Commission last met on May 31, 2022 where the site plan for Federal Stone and right-of-way plat for 500 East Main Street were conditionally approved. The next scheduled meeting for the Planning Commission is June 27, 2022.

II. Agenda Items

Agenda #1 - Approval of Policy 2022-03, Public Information Act for proactive disclosure of public records for consideration: Ms. Willets presented the item. New State legislation requires the Town have a formal policy in place by July 1, 2022 supporting the Maryland Public Information Act (PIA) by clarifying the Town's custodian of records, expenses for records, what records are readily available to the public and response timeframe, then posting the information on the Town website. This policy formalizes the PIA procedures the Town already uses. Ms. Willets read the policy aloud. *Motion:* Commissioner Davis motioned to accept policy 2022-03 as presented; second by Commissioner Burns. Yeas – 5; Nays – 0. The motion passed.

Agenda #2 - Accept agreement & right-of-way dedication at 500 East Main Street for consideration: Mr. Gulden presented the item. The Town would like to extend the Town's sidewalk network along Creamery Road at the property owned by Eric Sloane at 500 East Main Street. Mr. Sloan's property is a corner lot. Mr. Sloane has agreed to give the Town a right-of-way for the sidewalk in exchange for the town installing a 4-foot high fence at the edge of the property that runs along Creamery Road. *Motion:* Commissioner motioned to Burns; second by Commissioner Sweeney. Yeas – 5; Nays – 0. The motion passed.

Agenda #3 - Approval of Resolution 2022-01 (Community Legacy grant authorization) for façade for consideration: Mr. Gulden presented the item. The resolution is required to submit a grant request to the Maryland's Department of Housing and Community Development (DHCD) for the Community Legacy grant program for \$75,000.00. If approved, the grant funds would be used to continue the Town's annual façade and restoration program that provides 50% matching grants for exterior facade and other improvements in the Town's Sustainable Communities area, and the property owner pays the other 50%. *Motion:* Commissioner Ritz III motioned to approve Resolution 2022-01R as presented; second by Commissioner Davis. Yeas – 5; Nays – 0. The motion passed.

Agenda #4 - Approval of Resolution 2022-02 (Community Legacy grant authorization) for Street Light Replacement Project for consideration: Ms. Willets presented the item. Ms. Shaw will be submitting a DHCD Community Legacy grant for \$252,500 to replace the existing streetlights along Main Street and South Seton Avenue with new dimmable LED cutoff lights. The Town plans to submit additional grant requests in the future to fund the replacement of the streetlights in the developments. The resolution is required for the DHCD grant application. *Motion:* Commissioner Sweeney motioned to approve Resolution 2022-02R as presented; second by Commissioner Burns. Yeas – 5; Nays – 0. The motion passed.

Agenda #5 - Approval of the street sweeping bid for consideration: Agenda item postponed.

Agenda #6 - Forward proposed Ordinance 22-07, zoning text amendment application to Sections 17.04.020 – Definitions & 17.20.030 – Commercial Districts, to the Planning Commission and set public hearing for July 14, 2022 for consideration: Mr. Gulden presented the item. Pradeep Saini requested the zoning text amendment in Ordinance 22-07 that will add a definition for “hostel / inn.” *Pradeep Saini, Urbana, Maryland* – Mr. Saini explained there has been no change in the site plan or intent of the proposed building at 201 Silo Hill Parkway but a definition change is needed in the Town Code to meet loan requirements by the bank funding the project. The Board discussed modifying the proposed definition to add language requiring the lodging facility have a 24/7 monitoring desk on site. The modification was not pursued. The public hearing for the ordinance will occur on July 11, 2022, not on July 14. *Motion:* Commissioner Sweeney motioned to send Ordinance 22-07 to the Planning Commission as written; second by Commissioner Burns. Yeas – 5; Nays – 0. The motion passed.

Agenda #7 - Consideration of a sewer & water connection fee payment plan waiver application for 201 Silo Hill Parkway, Village Liquors & Plaza Inn, in the amount of \$29,484.00: Ms. Willets presented the item. The Board approved Resolution 2020-04R, which was a 5-year water and sewer connection fee payment plan that allows the Board to approve a connection fee waiver up to 10% of the total sewer and water connection fees if deemed appropriate. Pradeep and Gopi Saini, owners of the proposed Village Liquors and Plaza Inn, are requesting a 10% waiver in water and sewer connection fees, which equates to a \$29,484.00 fee reduction with total connection fees for the project costing \$294,840.00. The project consists of a liquor store and 20-unit hostel. In water connection fees, a 10% waiver is \$14,924 or 18.2 equivalent residential units (ERU) and in sewer a 10% connection fee waiver is \$14,560 or 18.2 ERUs. There is no staff opposition in approving the 10% waiver for sewer connection fees; however, there is staff concern for granting a 10% waiver for the water connection fees due to the multi-million-dollar water infrastructure projects currently needed on the water system and the lower number of water taps available. *Motion:* Commissioner Burns motioned to approve the water sewer connection fee payment plan waiver application for 201 Silo Hill Parkway in the amount of \$29,484.00 at 10%; second by Commissioner Davis. Yeas – 5; Nays – 0. The motion passed.

Set Agenda Items for the Monday, July 11, 2022 Town Meeting:

Agenda Items: (1) Public hearing and consideration of proposed Ordinance 22-07, zoning text amendment application. (2) Review and approval of the St. Joseph College and Emmitsburg High School Wayside Exhibits for consideration. (3) Approval of Resolution 2022-03R, bond reduction request for the Irishtown Road project, for consideration. (4) Approval of Policy P22-02, update to parking fees and fines for consideration. (5) Approval of Ordinance 2022-02, update to Title 10 – Parking for consideration. (6) Approval of Ordinance 2022-04, collection of municipal charges for consideration. (7) Approval of deed of easement for the Emmitsburg East Industrial Park II for consideration. **Administrative Business:** None. **Consent Items:** (I.) Appointment of Kevin Hagan as a regular member of the Planning Commission with a term of July 11, 2022 - July 11, 2027 for consideration. (II.) Appointment of ___ as an Alternate to the Board of Appeals with a term of July 11, 2022 - July 11, 2025 for consideration. *Motion:* Commissioner Sweeney motioned to approve the July 11, 2022 town meeting agenda as presented; second by Commissioner Burns. Yeas – 5; Nays – 0. The motion passed.

III. Sign Approved Text Amendments and/or Resolutions

IV. Adjournment

With no further business, Commissioner Ritz III motioned to adjourn the June 6, 2022 town meeting at 9:45 p.m.; second by Commissioner Burns. Yeas – 5; Nays – 0. The motion passed.

Respectfully submitted,



Madeline Shaw, Recording Secretary
Minutes Approved On: July 11, 2022