

**MEETING MINUTES
VIRTUAL TOWN MEETING
JULY 13, 2020
EMMITSBURG TOWN OFFICE**

Present: *Elected Officials* - Mayor Donald Briggs; Commissioners: Clifford Sweeney, President; Timothy O'Donnell, Treasurer and Vice President; Joseph Ritz III; Frank Davis; and TJ Burns. *Staff Present* - Cathy Willets, Town Manager; Madeline Shaw, Town Clerk; and Zachary Gulden, Town Planner.

I. Call to Order

Commissioners O'Donnell, Ritz III, Burns, Davis and Mr. Gulden joined the meeting via a teleconferencing platform. A quorum being present, Commissioner Clifford Sweeney, President of the Board of Commissioners, called the July 13, 2020 town meeting to order at 7:30 p.m. Pledge of allegiance was recited. Upcoming meetings were announced.

Approval of Minutes

Motion: Commissioner Burns motioned to accept the June 1, 2020 town meeting minutes as presented; second by Commissioner Davis. Yeas – 5; Nays – 0. The president declared the motion passed.

Police Report:

None.

Town Managers Report:

Cathy Willets, Town Manager, presented the Town Manager's Report from May 2020 (exhibit in agenda packet). The Town is encouraging residents to participate in a phase one voluntary water curtailment due to the lack of rain. The Board gave unanimous consent for phase one of the water curtailment.

Town Planners Report:

Zachary Gulden, Town Planner, presented the Town Planner's Report from May 2020 (exhibit in agenda packet). Town staff has created a code enforcement door hanger to use for future code violations. The 2020 Census deadline has been extended to October 31, 2020 due to the COVID-19 virus.

Commissioner Comments:

- Commissioner Burns: He thanked those involved in the Dunkin' ground breaking ceremony. He inquired about the upcoming school year and how to support virtual learning students.
- Commissioner O'Donnell: He has been in contact with a contractor about repairing parts of the multi-user trail damaged during the stand five logging.
- Commissioner Davis: He thanked the Lions Club for organizing Community Heritage Day.
- Commissioner Ritz III: He relayed safety concerns of the Rainbow Lake riprap and over grown shrubs in Town. Town staff will look into the concerns.
- Commissioner Sweeney: He thanked everyone involved in Community Heritage Day.

Mayor's Comments:

Mayor Briggs attended numerous meetings since the June town meeting. The meetings are listed in agenda packet. Mayor Briggs hosted and continues to host a weekly COVID-19 update on channel 99 and YouTube with guests from Catocin High School, Emmitsburg Glass Co., Lions Club, Seton Center and Dr. Kempler-Portier. He held a celebration for the opening of the 2020 pool season on July 3.

Public Comments:

None.

Administrative Business:

- (A). **Renaming Community Park in honor of Gene Myers for consideration:** Commissioner Davis presented the admin item. He is proposing renaming Community Park as “E. Eugene Myers Community Park” in honor of Mr. Myers who helped obtain the land for Community Park. The renaming ceremony is scheduled for September 12, 2020. *Motion:* Commissioner Davis motioned to approve the renaming of Community Park to E. Eugene Myers Community Park; second by Commissioner Burns. Yeas – 5; Nays – 0. The president declared the motion passed.
- (B). **Proclamation making August 4, 2020 National Night Out for consideration:** Item postponed due to the event being rescheduled to October 6, 2020 due to COVID-19.
- (C). **Update on speed and noise along East Main Street:** Ms. Willets presented the item. State Highway Administration temporarily placed a speed trailer on East Main Street and the deputies have agreed to monitor speed on East Main Street more too. Maryland State Law does not prohibit the use of jake brakes but does prohibit vehicles with exhaust systems that make excessive noise. State Highway recommends the Town contact the Maryland State Police Commercial Vehicle Enforcement Division and request enforcement with truck noise.
- (D). **Update on traffic light pattern at the square:** Ms. Willets presented the item. Sam DeLaurence, State Highway Administration, does not recommend a split phase light but instead recommends adding designated left turn lanes on MD140 at the town square; however, if left turn lanes are added, parking spaces would need to be removed at the square to provide space for the lanes. There are two firms the Town can pursue independent traffic studies with but staff recommends waiting due to reduced vehicle traffic from COVID-19. The Board would like the Town to continue to press for change to help reduce traffic.

Consent Agenda:

None.

Treasurer’s Report:

Commissioner O’Donnell presented the Treasurer’s Report for June 2020 (exhibit in agenda packet). The operating balance forward is \$5,099,199. The top 10 check amounts are listed in the agenda packet.

Planning Commission Report:

None. The next quarterly meeting is scheduled for October 2020.

II. Agenda Items

Agenda #1 - Approval of the FY 2021 Frederick County Sheriff’s Office contract for consideration: The Town has not received the contract yet from the Frederick County Sheriff’s Office. The agenda item was postponed.

Agenda #2 - Phase two micro-grant update for discussion and consideration: The agenda item was canceled.

Agenda #3 - Approval of Ordinance 20-03 small cell wireless facility for consideration: Ms. Willets presented the agenda item and reviewed the changes proposed in ordinance 20-03. The town attorney reviewed the Comcast franchise agreement in comparison to the proposed ordinance and has concluded any changes would not be retroactive to the agreement. Comcast was informed about the town meeting but did not sign up for public comment. The Board moved to approve the legislation but would like the legislation to come back to the Board later in the summer to address some technical questions the Board still has. Commissioner O’Donnell and Ritz III stated they will email their questions to the town manager. *Motion:* Commissioner Burns motioned to accept Ordinance 20-03 as presented; second by Commissioner O’Donnell. Yeas – 4; Nays – 1 by Commissioner Ritz III. The president declared the motion passed.

Agenda #4 - Approval of Policy 20-02 small cell wireless facility standards: Ms. Willets presented the agenda item and read Policy 20-02 aloud. The policy would need to be adopted with Ordinance 20-03. The Board moved to approve the legislation but would like the legislation to come back to the Board later in the summer to address a

few more technical questions. Commissioner O'Donnell and Ritz III stated they will email their questions to the town manager. *Motion:* Commissioner O'Donnell motioned to accept Policy 20-02 small cell; second by Commissioner Burns. Yeas – 5; Nays – 0. The president declared the motion passed.

Agenda #5 - Approval of Policy 20-03 updated review fees for consideration *(Board of Appeals, re-zoning, development, annexation, infrastructure): Mr. Gulden presented the agenda item. Ms. Naill and Mr. Gulden reached out to all the municipalities in Frederick County to obtain their fee schedules and created the chart listed in the agenda packet to see how Emmitsburg compares. Town staff recommends the proposed fee schedule that would replace Policy 99-03 from 1999. The new policy would help cover town development expenses and includes items not previously listed in the old policy. *Motion:* Commissioner O'Donnell motioned to accept Policy 20-03 updated fees; second by Commissioner Burns. Yeas – 4; Nays – 1 by Commissioner Ritz III. The president declared the motion passed.

Agenda #6 - Resolution approving loan funding for the water clarifier for consideration: The agenda item was postponed.

Agenda #7 - PNC Bank ADA parking spot conversion request for consideration: The agenda item was canceled due to PNC Bank withdrawing their request for the agenda item.

Agenda #8 - Award Stand 6 forestry bid for consideration: Mr. Gulden presented the agenda item. The Town did not receive any bids by the due date but the Town did receive one bid late by Tipton's Inc. Town staff recommends the approval of Tipton's Inc. for \$37,500. The stand six timber is valued at \$37,285.46. Commissioner O'Donnell requested having a portion of the \$37,285.46 set aside for repairs of any multi-user trails damaged during the logging. *Motion:* Commissioner O'Donnell motioned to allow Tipton Incorporated bid to be accepted in lieu of its tardy submission and for the bid to be accepted for \$37,500 with \$4,500 set aside from the logging revenue for multi-user trail repair. Yeas – 5; Nays – 0. The president declared the motion passed.

Set Agenda Items for August 3, 2020 Town Meeting

1. Approval of 2020 Election Judges for consideration.
2. Approval of the FY2021 Frederick County Sheriff's Office contract for consideration.
3. Implementation of phase two mandatory water restrictions as permitted by Section 13.04.160 of the Town Code for consideration
4. Forward proposed Ordinance 2020-08 (Subdivision amendment) to the Planning Commission for review & comment and set public hearing date for October 5, 2020 for consideration.
5. Forward proposed Ordinance 2020-09 (Zoning amendment) to the Planning Commission for review & comment and set public hearing date for October 5, 2020 for consideration.

Administrative Business:

- A. Update on 2020 elections and COVID-19 restrictions.

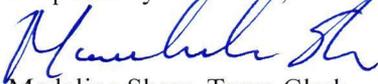
The Board gave unanimous consent for the August 3, 2020 town meeting.

III. Sign Approved Text Amendments and/or Resolutions

IV. Adjournment

With no further business, Commissioner Burns motioned to adjourn the July 13, 2020 town meeting; second by Commissioner O'Donnell. Yeas – 5; Nays - 0. The meeting adjourned at 10:10 p.m.

Respectfully submitted,



Madeline Shaw, Town Clerk

Minutes Approved On: