

**MINUTES
TOWN MEETING
JUNE 3, 2019
EMMITSBURG TOWN OFFICE**

Present: *Elected Officials* - Mayor Donald Briggs; Commissioners: Joseph Ritz III; Timothy O'Donnell, Treasurer; and Glenn Blanchard, Vice President. *Staff Present* - Cathy Willets, Town Manager; Madeline Shaw, Town Clerk; Amy Naill, Code Enforcement Officer; and Zachary Gulden, Town Planner. *Others Present* - Deputy Ben Whitehouse.
Absent: Commissioner Clifford Sweeney and Commissioner Elizabeth Buckman.

I. Call to Order

Commissioner Glenn Blanchard, Vice President of the Board of Commissioners, called the June 3, 2019 town meeting to order at 7:30 p.m. Pledge of Allegiance was recited. Upcoming meetings were announced. Commissioner Sweeney and Commissioner Buckman are absent with prior notice.

Approval of Minutes:

Motion: To accept the May 6, 2019 town meeting minutes as presented. Motion by Commissioner Ritz III, second by Commissioner O'Donnell. Vote: Motion carries 3-0 in favor with Commissioners Sweeney and Buckman absent.

Police Report:

Deputy Whitehouse presented the police report from May 2019 (exhibit attached). Deputy Whitehouse mentioned the biggest events were the Mother Seton Carnival and Family Fun Festival. The death on the west end of Town was a prescription drug overdose. The Board requested the deputies' presence at the Community Pool and Community Heritage Day.

Town Managers Report:

Cathy Willets, Town Manager, presented the Town Manager's Report from April 2019 (exhibit attached). Ms. Willets mentioned a contractor was hired to add two new sections of sidewalk along Creamery Road. Since the LG Sonic Algae Control System was installed at the beginning of April the water has become more clear. 4.8-inches of precipitation was received during the month and the Town continues to have a surplus of 12.03-inches. 66.8% of the wastewater treated was wild water, which has decreased by 10.7% since March 2019. The Town gave a tour of the Town's sustainability efforts to graduate students from the University of Maryland in April. The 16th annual farmer's market will start on June 21. Ms. Willets stated only one vendor has signed up so far despite town staff efforts. She requested the Board reach out to anyone who might be interested in selling baked goods, vegetables, meats or crafts.

Town Planners Report:

Zachary Gulden, Town Planner, presented the Town Planner's Report from April 2019 (exhibit attached). Mr. Gulden was awarded a \$5,000 Keep Maryland Beautiful grant to purchase six recycling bins, which were installed in the parks. He applied for another \$5,000 Walmart Foundation grant to purchase additional bins. The Town is also considering a rain barrel program as part of MS-4 permit requirements.

Commissioner Comments:

- Commissioner O'Donnell: He represented the Town at the Catocin High School graduation, the Mother Seton Carnival, and the Up and Out Foundation graduation at the Seton Center. He explained Community Heritage Day will occur on June 29 and will feature breakfast, games, music, fireworks, a bike rodeo, and more.
- Commissioner Ritz III: He explained the May 2019 Parks and Recreation meeting was moved to June 18 due to scheduling conflicts. The first summer concert of the season will be Friday June 7 in Community Park.
- Commissioner Blanchard: He encourage students to attend the parks and pool during their summer vacation.

Mayor's Comments:

Mayor Briggs attended numerous meetings in May 2019 (meetings listed in agenda packet). Mayor Briggs explained the Town sponsored an Emmitsburg Business and Professionals Association breakfast, which featured County Executive Jan Gardner as a guest speaker. After the breakfast there was a ribbon cutting ceremony for the electric vehicle charging stations where Ms. Gardner announced the Emmitsburg Community Center, which houses the town office, will be added to the Frederick County solar array. He also attended the funeral for Joe Lopherz, who worked for Mount St. Mary's University.

Public Comments:

Kelsey Wailes, 2055 Pembroke Court - Ms. Wailes requested the installation of turtle crossing signs in the Pembroke and Brookfield neighborhoods for the box turtles. Commissioner O'Donnell requested town staff add a sign on Timbermill Run, Brookfield Drive and Irishtown Road. The Town will put notice online and request input from the Green Team. Commissioner O'Donnell requested input on the Town's sustainability efforts from the graduate program mentioned under the town managers' report.

Administrative Business:

None.

Consent Agenda:

1. Re-appointment of Carolyn Miller and Martin Millers to the Parks Committee. Term: 03/15/2019 to 03/15/2021.
Motion: To accept the reappointment by Commissioner O'Donnell, second by Commissioner Ritz III. Vote: Motion carries 3-0 in favor with Commissioners Sweeney and Buckman absent.
2. **Motion:** To continue the tradition of having the pool free on Community Heritage Day on June 29, 2019 from opening to close at the Emmitsburg community pool. Motion by Commissioner O'Donnell, second by Commissioner Ritz III. Vote: Motion carries 3-0 in favor with Commissioners Sweeney and Buckman absent.

Treasurer's Report:

Commissioner O'Donnell presented the Treasurer's Report for May 2019 (exhibit in agenda packet). The operating balance forward is \$5,437,660. There is a million dollar check for two CD deposits for \$500,000 each.

Planning Commission Report:

Commissioner Blanchard explained there was a Planning Commission meeting on Monday May 28. The Commission tentatively approved the Rutter's site plan for the Board of Commissioners to review. Commissioner O'Donnell requested the aesthetics of the gas station have a durable and visually pleasing design since the building will be visible from the highway. Commissioner Blanchard agreed.

II. Agenda Items

Agenda #1- Approval of the 2020 Community Legacy Resolution in Support of the Façade Grants for Consideration:

Mr. Gulden explained \$820,491 has been invested in the Town's façade through the Community Legacy program since 2013. He explained the Town applied for \$75,000 in FY 2020 but stated it is standard for the State to give each municipality \$50,000 instead. The Board and Mayor Briggs commended town staff on the grant efforts and Main Street work.

Motion: To approve resolution 19-01R the 2020 Community Legacy resolution in support of the façade grants. Motion by Commissioner Ritz III, second by Commissioner O'Donnell. Vote: Motion carries 3-0 in favor with Commissioners Sweeney and Buckman absent.

Agenda #2 - Final staff presentation on the proposed sign code amendment. Forward the proposed amendment to the Planning Commission for a 30-day review and comment period for consideration: Ms. Willets explained the Board will need to determine if the ordinance can be sent to the Planning Commission for review after the presentation; the Board is not voting on ordinance approval at this time. Commissioner Sweeney is not in attendance but spoke with town staff and stated he does not have any changes on the ordinance. Mr. Gulden explained the Town has held four public meetings with each zoning district (Village Zone; Inst.; R-1, R-2, R-3; B-1, B-2, IP, ORI) regarding the ordinance and possible changes. Announcement of public meetings were made by distributing 65 flyers to businesses and advertising the meetings in the water bills, on Facebook and on the town website. Commissioner O'Donnell stated he would not like to allow internally illuminated signs in the Village Zone due to possible light pollution for nearby residents. Mr. Gulden explained neon signs would be considered an internally illuminated signs and the town agreed to allow businesses one neon sign. The Board agreed to let the Planning Commission review the ordinance before making a modification to internally illuminated signs. Town staff did not receive any feedback from residents, only businesses, during the public outreach meetings. Mr. Gulden gave a presentation regarding which temporary signs, portable signs and street pole banners would be allowed/prohibited in the new sign ordinance. Mr. Gulden also reviewed the removal of unsafe signs, the sign permitting process, nonconforming signs, signs on legally nonconforming uses, substitution clause and violation procedures. If the Board chooses to send the ordinance to the Planning Commission, the Commission would have 30-days to review and must choose to either recommend (1) approval as is, (2) approval with changes or (3) rejection.

Motion: To send the proposed sign ordinance to the Planning Commission for their 30-day review period.

Motion by Commissioner Ritz III, second by Commissioner O'Donnell. No vote taken. Motion withdrawn.

Motion: To accept the ordinance to amend title 17 of the Code of Emmitsburg entitled zoning related to the sign code 17.38 with modification as discussed in the June 3 town meeting and forwarding the same to the Planning Commission. Motion by Commissioner O'Donnell, second by Commissioner Ritz III. Vote: Motion carries 3-0 in favor with Commissioners Sweeney and Buckman absent.

Set Agenda Items for July 1, 2019 Town Meeting:

1. Approval of Bid to Purchase New Mini Dump for Consideration
2. Approval of Forestry Bid for Stand Five Select Harvesting for Consideration
3. Approval of the Bid for the Cross Connection Control Contractor for Consideration

Ms. Willets suggested having the Firewood Access Policy as a July town meeting item. The Board requested the postponement of the Firewood Access Policy for Discussion and Possible Consideration until August 2019.

Motion: To accept the agenda as presented for July 1, 2019.

Motion by Commissioner Ritz III, second by Commissioner O'Donnell. Vote: Motion carries 3-0 in favor with Commissioners Sweeney and Buckman absent.

Motion: To adjourn the meeting.

Motion by Commissioner O'Donnell, second by Commissioner Ritz III. Vote: Motion carries 3-0 in favor with Commissioners Sweeney and Buckman absent.

III. Sign Approved Text Amendments and/or Resolutions

IV. Adjournment

With no further business, the June 3, 2019 town meeting was adjourned at 9:05 p.m.

Respectfully submitted,



Madeline Shaw, Town Clerk

Approved On: July 1, 2019