

**MEETING MINUTES
OCTOBER 5, 2020
VIRTUAL TOWN MEETING
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. *Others Present* – Deputy Ben Whitehouse.

I. Call to Order

Commissioners O'Donnell, Burns, Davis and Town Planner Zachary Gulden joined the meeting via the Zoom teleconferencing platform. A quorum being present, Commissioner Clifford Sweeney, President of the Board of Commissioners, called the October 5, 2020 town meeting to order at 7:30 p.m. Pledge of Allegiance was recited. Upcoming meetings were announced. Mayor Briggs read a statement regarding the status of COVID-19.

Approval of Minutes

Motion: Commissioner O'Donnell motioned to accept the September 8, 2020 virtual town meeting minutes as presented; second by Commissioner Davis. Yeas – 5; Nays - 0. The president declared the motion passed.

Motion: Commissioner Burns motioned to accept the September 14, 2020 virtual town meeting minutes as presented; second by Commissioner Ritz III. Yeas – 5; Nays - 0. The president declared the motion passed.

Police Report:

Deputy Ben Whitehouse presented the police report from September 2020 (exhibit attached). Residents were encouraged to contact the deputies if there are any questions about potential online scams.

Town Managers Report:

Cathy Willets, Town Manager, presented the Town Manager's Report from August 2020 (exhibit in agenda packet). Due to Rainbow Lake levels continuing to decrease and no significant upcoming rain events, town staff and Mayor Briggs recommends the passing of a phase two water curtailment. Violators would receive a warning first, then fines if the water curtailment continued to be ignored. The Board gave consent for the water curtailment with Commissioner Ritz III not in favor.

Town Planners Report:

Zachary Gulden, Town Planner, presented the Town Planner's Report from August 2020 (exhibit in agenda packet). The Dunkin grand opening will occur on Sunday, October 18, 2020.

Commissioner Comments:

- Commissioner Ritz III: He thanked all those who voted for him at the September 29, 2020 election.
- Commissioner Burns: He would like to work with Mayor Briggs on getting funding from the County to improve Emmitsburg Elementary School.
- Commissioner O'Donnell: The multi-user trail event on October 4, 2020 was a success with about 100 attendees and 46 participants.
- Commissioner Davis: The Town's baseball fields are being used again this year and he anticipates field usage growing even more next year and possibly the Babe Ruth team returning to Emmitsburg.
- Commissioner Sweeney: The Lions Club had success running the concession stand in Memorial Park during baseball tournaments the first weekend of October and raised about \$1,000.

Mayor's Comments:

Mayor Briggs attended numerous meetings in September 2020 (meetings listed in agenda packet). Mayor Briggs hosted Dr. Timothy Trainor, Mount St. Mary's University, and Maryland Secretary of Commerce, Kelly Shultz, for the weekly COVID-19 update on channel 99 and Facebook.

Public Comments:

None.

Administrative Business:

- (A). **Draw census winner of i-pad.** Due to the census being extended, the item has been postponed.
- (B). **Proclamation congratulating W.F. Delauter and Sons for 65 years of business for consideration:** Mayor Briggs read the proclamation aloud. Kirby Delauter, owner of W.F. Delauter and Son was presented with the proclamation. A photo was taken.
- (C). **Proclamation declaring October 6, 2020 as National Night Out for consideration:** The event was originally scheduled to occur in August 2020 but was postponed to October 6, 2020 due to COVID-19. Mayor Briggs read the proclamation aloud. The event will take place from 5:00 p.m. to 7:00 p.m. in Community Park with police vehicles, fire trucks, complimentary food, games and more.
- (D). **Proclamation thanking FredRock Disc Golf for their service in constructing the Emmitsburg Disc Golf course for consideration:** Commissioner Ritz III read the proclamation aloud. The ribbon cutting ceremony will occur on October 24, 2020 at 10:00 a.m.

Consent Agenda:

Motion: Commissioner O'Donnell motioned to appointment Wayne Slaughter to the Board of Appeals for a term of September 9, 2020 to September 9, 2023; second by Commissioner Davis. Yeas – 5; Nays – 0. The president declared the motion passed.

Treasurer's Report:

Commissioner O'Donnell presented the Treasurer's Report for September 2020 (exhibit in agenda packet). The operating balance forward is \$5,318,139.

Planning Commission Report:

Commissioner Ritz III stated the next meeting is scheduled for October 26, 2020 to approve the Brookfield Improvement Plat, specifically the Irishtown Road Improvement Plan.

II. Agenda Items

Agenda #1 - Swearing in of new elected officials: Sandra Dalton, Clerk of Circuit Court for Frederick County, swore in re-elected Mayor Donald N. Briggs, then Mayor Briggs swore in re-elected Commissioner Joseph Ritz III, the winners of the September 29, 2020 town election. Pictures were taken and the elected officials signed their oath of office. Mayor Briggs and Commissioner Ritz III gave brief remarks on their new terms.

Agenda #2 - Mayor's recommendation for reorganization of the Board of Commissioners for consideration: Mayor Briggs recommended Timothy O'Donnell as president, Clifford Sweeney as Vice President, T.J. Burns as Treasurer, Joseph Ritz III as Planning Commission liaison, Frank Davis as the Parks Commission liaison, and Clifford Sweeney as the Citizen's Advisory Committee liaison. If accepted, reorganization would begin at the November 2, 2020 town meeting. The Board gave unanimous consent for the Mayor's recommendation.

Agenda #3 - For consideration, distribution of the remaining Small Business Grant monies: Ms. Willets presented the agenda item. As the Board requested at the September 8, 2020 town meeting, staff requested the Emmitsburg Business and Professionals Organization (EBPA) give a plan of what donated town money would be spent on but the response from the EBPA was vague. As a result, Mayor Briggs recommends leaving the \$17,000 in fund two and opening another round of grant funding to Emmitsburg businesses. Commissioner Burns stated his intent to abstain due to potential conflict of interest. *Motion:* Commissioner Ritz III motioned to accept Mayor Briggs and town staff's recommendation to leave the remaining \$17,000 in fund two and to open another round of grant funding; second by Commissioner Davis. Yeas – 4; Nays – 0; Abstain – 1 (Commissioner Burns). The president declared the motion passed.

Agenda #4 - Approval of bid to complete a preliminary engineering report and environmental report on the water system for consideration: The agenda item was postponed to the November town meeting.

Agenda #5 - Hold public hearing and adoption of proposed Ordinance 2020-08 (Subdivision Amendment) for consideration: Commissioner Sweeney declared the public hearing in session. Mr. Gulden presented the agenda item and stated how the hearing was advertised. The Planning Commission reviewed the ordinance on August 31, 2020 with two comments: to see playgrounds and/or recreation areas provided by the developer on all future residential subdivisions and the fees set forth in Town Code section 16.16.100 removed and set by policy. Staff will bring a recommendation regarding recreation area guidelines and the fee policy back to the Board in December 2020. There was no public comment. *Motion:* Commissioner Burns motioned to close the public hearing portion; second by Commissioner Ritz III. Yeas – 5; Nays – 0. The president declared the public hearing closed. *Motion:* Commissioner Ritz III motioned to accept ordinance 20 - 08 as written and excluding the two recommendations of the planning commission as the items will be addressed at a later date; second by Commissioner Burns. Yeas – 5; Nays – 0. The president declared the motion passed.

Agenda #6 - Hold public hearing and adoption of proposed Ordinance 2020-09 (Zoning Amendment) for consideration: Commissioner Sweeney declared the public hearing in session. Mr. Gulden presented the agenda item and stated how the hearing was advertised to the public. The Planning Commission reviewed the ordinance on August 31, 2020 with two comments: requiring street light fixtures, when required for safety, to be controlled by photocells for dusk to dawn (section 17.08.230), and replacing language in section 17.20.030 with neighborhood commercial (B-1) as stated in the October 5, 2020 agenda packet. Commissioner Ritz III stated he abstained from voting on these items at the August 31, 2020 Planning Commission meeting so he would not double vote on the item. There was no public comment. *Motion:* Commissioner O'Donnell motioned to close the public hearing; second by Commissioner Burns. Yeas – 5; Nays – 0. The president declared the public hearing closed. *Motion:* Commissioner Ritz III motioned to accept ordinance 20-09 as presented; second by Commissioner Burns. Yeas – 5; Nays – 0. The president declared the motion passed.

Set Agenda for October 19, 2020 Virtual Special Meeting

1. Compensation study analysis workshop for discussion.

Set Agenda Items for November 2, 2020 Virtual Town Meeting

1. SHA presentation on the traffic congestion at the town square.
2. Approval of bid to complete a preliminary engineering report and environmental report on the water system for consideration.
3. Ordinances related to the financing of the Creamery Road Pump Station for consideration.
4. Hold WWTP annexation public hearing and adoption of Resolution 2020-11R (Annexation of WWTP) for consideration.
5. Salary compensation analysis for consideration.

Administrative Business:

- A. Draw census 2020 winner of the i-pad
- B. Proclamation declaring November 2020 as MML Municipal Governments Works Month.


The Board gave unanimous consent for the November 2, 2020 town meeting agenda as presented.

III. Sign Approved Text Amendments and/or Resolutions

IV. Adjournment

With no further business, Commissioner Burns motioned to adjourn the October 5, 2020 town meeting; second by Commissioner Ritz III. Yeas – 5; Nays – 0. The meeting adjourned at 9:34 p.m.

Respectfully submitted,



Madeline Shaw, Town Clerk

Minutes Approved On: November 2, 2020