

**MINUTES  
TOWN MEETING  
MAY 2, 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; Julie Scott, Town Clerk; Amy Naill, Code Enforcement Officer; Zachary Gulden, Town Planner; Cole Tabler, Town Accountant; and Madeline Shaw, Grants Administrator. *Others Present* - Deputy Cole Bartholow

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**I. Call to Order**

A quorum being present, Commissioner Timothy O'Donnell, President of the Board of Commissioners, called the May 2, 2022 town meeting to order at 7:30 p.m. Mayor Briggs attended via Zoom. Pledge of Allegiance was recited. Upcoming meetings were announced.

**Approval of Minutes**

Commissioner Ritz III advised that under Public Comments Mr. McKenney's address should be changed from DePaul St. to St. Joseph's Lane. *Motion:* Commissioner Burns motioned to accept the April 4, 2022 town meeting minutes as modified; second by Commissioner Davis. Yeas - 5; Nays - 0. The motion was adopted.

**Police Report:**

Deputy Bartholow presented the police report from March 2022 (exhibit attached). The deputies assisted with property cleanup at Welty Ave. Theft of generators stolen from the Rutter's construction site and the multiple incidents of vandalism at Community Park are under investigation.

**Town Managers Report:**

Cathy Willets, Town Manager, presented the Manager's Report from March 2022 (exhibit in agenda packet). The Board asked for an update on wild water status. The origin, percentage, and planned areas to be reviewed were discussed.

**Town Planners Report:**

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

**Commissioner Comments:**

- Commissioner Burns: He attended a zoom meeting with Frederick County Public Schools and Town Staff. Concerns and future improvements regarding the Emmitsburg Elementary school were discussed. He also reminded residents that water bills are due on May 5, 2022.
- Commissioner Ritz III: He expressed concern about the amount of time provided to review the agenda packet and suggested at least one full week of review time before the meeting. He also advised that Thurmont Elementary School was chosen as the site for the FCPS band event being held on May 18, 2022 @ 7:00 pm. He thanked the Lions Club for their offer to sponsor and this will be considered for future events.
- Commissioner Davis: none
- Commissioner Sweeney: The Citizen's Advisory Committee meeting was held this month where Ms. Esses presented a power point on the Town. He also suggested having this power point presented at an upcoming Town Council Meeting.
- Commissioner O'Donnell: He attended the Maryland Municipal League (MML) chapter meeting on April 28, 2022 where a presentation was provided regarding harm reduction programs that provide a variety of government services that are available for the public. In addition, he was contacted by the local disc golf group who expressed concern regarding the recent vandalism.

### Mayor's Comments:

Mayor Briggs attended numerous meetings in April 2022 (meetings listed in agenda packet). He attended the Zoom meeting with Frederick County Public Schools, Commissioner Burns, and Town Staff. Concerns about the Emmitsburg Elementary School were discussed and progress is being made with getting FCPS attention to those issues. He has lots of upcoming events and meetings planned for this summer. He asked the Board to move the July meeting from July 4 to July 11, 2022 due to the Independence Day holiday. David Trone, Congressman for our district, will be joining him for a podcast on Friday, May 6, 2022.

### Public Comments:

*Don Shorb, DePaul St.* - Mr. Shorb discussed the right of way behind his house and explained how he has been maintaining it for several years. He expressed concern with people driving in that area and asked the Town to modify the blocked off section so the people who live there can access the back of their properties. Commissioner O'Donnell will look into this and consult with Town Staff to review the infrastructure of the water/sewer lines on this town-owned property as well as possible solutions. *Eric Sloane, East Main St.* - Mr. Sloane asked for traffic control measures on Creamery Rd. due to noticeable increase in traffic and speeding. This is a school zone with speed limit of 15 mph. He requested that future development goals be reviewed to ensure this remains under control. *Neil Parrott* - Mr. Parrott is the delegate from Hagerstown, MD running for Congress. He presented an updated map of Maryland and discussed how the recent court approved changes to the county boundaries could impact the next election. He also expressed interest in being on a podcast with the Mayor.

### Administrative Business:

- (A). **Presentation of proposed work to address flooding issue on the E. Eugene Myers Community Park walking path:** Mr. McKenney presented this item. He discussed the results from his research into the ongoing flooding issue on the walking path and his proposed solutions. He has obtained pricing and suggested securing volunteers to get this accomplished at a lower cost to the Town. Concerns regarding the possible sale of Fraley Farm and the effect construction would have to the water table in this area was also reviewed. The Board thanked Mr. McKenney for his time and assistance in researching this issue. They will work with him and Town Staff to set up a plan. No motion was made on the item at this time.
- (B). **Construction of new ¼-mile long section of trail to link the green and yellow trails for consideration:** Commissioner O'Donnell presented this item. He provided a map of the trails and explained the connection would link the high points of green and yellow trails to allow the option of a full circuit. He clarified there is money budgeted for professional trail work as well as a volunteer component to completing maintenance. *Motion:* Commissioner Burns motioned to accept the construction of new ¼-mile long section to link the green and yellow trails; second by Commissioner O'Donnell. Yeas - 5; Nays - 0. The motion was adopted.

### Consent Agenda:

- Re-Appoint Shannon Cool, Glenn Blanchard, Sandy Umbel, Steve Starliper, and Amanda Ryder to the Parks and Recreation Committee with a term of December 3, 2021 through December 3, 2023. The Board gave unanimous consent for the re-appointment of Shannon Cool, Glenn Blanchard, Sandy Umbel, Steve Starliper, and Amanda Ryder to the Parks and Recreation Committee for a 2-year term ending on December 3, 2023.
- Proposal of Trail Volunteer Workdays. Commissioner O'Donnell advised that the goal is to prepare all trails for Community Heritage Day when an increase in riders is anticipated. The proposed dates are May 15, May 22, May 29, June 4 and June 18., 2022. Unanimous consent was given by the Board for all of the proposed the volunteer workdays.

### Treasurer's Report:

Commissioner Burns presented the Treasurer's Report for April 2022 (exhibit in agenda packet). He confirmed that some of the checks listed in the report will be reimbursed by grant money.

### **Planning Commission Report:**

Commissioner Ritz III presented the report. The Planning Commission did not meet in April. The next meeting is scheduled for Tuesday, May 31, 2022 due to the Memorial Day Holiday and he will present a summary at the June 6, 2022 Town Council meeting.

### **II. Agenda Items**

Agenda #1 - Initial presentation of the Fiscal Year 2023 budget: Mayor Briggs presented this item and summarized the FY 2023 budget. He gave an overview on the 8% expected revenue increase over last fiscal year, discussed areas where additional costs are anticipated, and explained where general fund transfers will be allocated. He requested a 5% COLA increase for Town Staff due to recent inflation and staff retention measures in addition to a 1 - 3% merit increase based on individual employee evaluations. Ms. Willets, Town Manager, advised that the water and sewer capital improvement project budget will be included during the formal presentation on May 16, 2022. No motion was made on the item at this time.

Agenda #2 - Review and approval of the St. Euphemia's Wayside Exhibit for consideration: Ms. Shaw, Grants Administrator, presented the item. A map of the Emmitsburg Historic Walking Tour was presented to show the current and anticipated locations of the wayside exhibits. The proposed design, location, and installation date of Exhibit 12 for St. Euphemia's School were reviewed. There are 2 more exhibits as well as a brochure and website remaining to be completed. Thanks were given to the Daughters of Charity and Frederick County Public Libraries Maryland Room for their help with this project. *Motion:* Commissioner Sweeney motioned to approve the St. Euphemia Wayside Exhibit; second by Commissioner Davis. Yeas - 5; Nays - 0. The motion was adopted.

Agenda #3 - Approval of ordinance 2022-01, which will incorporate the Board's findings. Motion and vote will be presented in writing to Board for approval and execution: Mr. Gulden, Town Planner, presented the item. At the last meeting, the Board approved the zoning map amendment for 2 parcels at the entrance of Brookfield on Timbermill Run. The Town Attorney put the findings of fact into formal ordinance form. *Motion:* Commissioner Sweeney motioned to accept ordinance 2022-01; second by Commissioner Ritz III, Yeas - 5; Nays - 0. The motion was adopted.

Agenda #4 - Approval of Policy P22-02, update to parking fees & fines, for consideration: Mr. Gulden presented the item. He explained the proposed changes with gradual implementation in parking fees and fines. The fees for meters, permits, and boots were reviewed. The fees charged in surrounding areas were provided for comparison. The Board will review the policy further and send their proposed recommendations/changes to the Parking Enforcement Department. This item will be voted on at the July 11, 2022 meeting. *Motion:* Commissioner Ritz III motioned to postpone approval of Policy P22-02, update to parking fees & fines; second by Commissioner Burns. Yeas - 5; Nays - 0. The motion was postponed.

Agenda #5 - Approval of Ordinance 2022-02, update to Title 10 – Parking, for consideration: Mr. Gulden presented the item. The update to the ordinance will modernize the current parking plan. It includes measures for upgraded technology and changes to current parking rules. Town Staff researched parking enforcement regulations in nearby areas. The status of the municipal parking lot, funding for parking projects, and the 5-year parking plan were discussed. Since this ordinance includes many changes, the Board requested more time for review and decided to table the vote on the item at this time. *Donald Sonn, Fairfield, PA* - Mr. Sonn provided public comment on the item. He expressed concern that the criteria for booting vehicles is not clearly defined and agreed that additional review of the ordinance should be done. The Board will review the ordinance further and send proposed recommendations/changes to the Parking Enforcement Department. This item will be voted on at the July 11, 2022 meeting. *Motion:* Commissioner Ritz III motioned to postpone approval of Ordinance 2022-02, update to Title 10 Parking; second by Commissioner Burns. Yeas - 5; Nays - 0. The motion was postponed.

~~Agenda #6 Forward proposed Ordinance 2022-03 (zoning text amendment to Chapters 17.04, 17.20, & 17.44) to the Planning Commission and set public hearing for June 6, 2022 for consideration: (POSTPONED) Mr. Gulden advised this item has been postponed and will be presented at a future meeting.~~

**Set Agenda Items for May 16, 2022 Town Meeting**

**Administrative Business:** NONE **Consent Items:** NONE **Agenda Items:** (1.) Approval of the Fiscal Year 2023 Frederick County Sheriff's Office contract for consideration. (2.) Presentation and review of Fiscal Year 2023 Town Budget for consideration. (3.) Approval of Ordinance 2022-06, update to chapter 2.50.30 Salary Structure for Fiscal Year 2023. **Motion:** Commissioner Burns motioned to approve the May 16, 2022 Town Meeting Agenda as presented; second by Commissioner Davis. Yeas - 5; Nays - 0. The motion was adopted.

**Set Agenda Items for June 6, 2022 Town Meeting**


**Administrative Business:** NONE **Consent Items:** NONE **Agenda Items:** (1.) Presentation and review of Fiscal Year 2023 Town Budget for consideration. (2.) Approval of Ordinance 2022-06, update to chapter 2.50.30 Salary Structure for Fiscal Year 2023. (3.) Approval of Policy 2022-03, Public Information Act for proactive disclosure of public records for consideration. (4.) Accept agreement & right-of-way dedication at 500 East Main Street for consideration. (5.) Approval of Resolution 2022-01 (Community Legacy grant authorization) for consideration. (6.) Forward proposed Ordinance 2022-03 (zoning text amendment to Chapters 17.04, 17.20, & 17.44) to the Planning Commission and set public hearing for July 11, 2023 for consideration. (7.) Approval of the street sweeping bid for consideration. **Motion:** Commissioner Burns motioned to approve the June 6, 2022 Town Meeting Agenda as presented; second by Commissioner Davis. Yeas - 5; Nays - 0. The motion was adopted.

**III. Sign Approved Text Amendments and/or Resolutions**

**IV. Adjournment**

With no further business, Commissioner Sweeney motioned to adjourn the May 2, 2022 Town Meeting; second by Commissioner Burns. Yeas - 5; Nays - 0. The meeting adjourned at 9:45 p.m.

Respectfully submitted,



Julie Scott, Town Clerk

Minutes Approved On: 06/06/2022