

**MINUTES  
TOWN MEETING  
SEPTEMBER 12, 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; Zachary Gulden, Town Planner; and Sabrina King, Town Clerk. *Others Present* – Deputy Jason Ahalt and 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 September 12, 2022 town meeting to order at 7:30 p.m. Pledge of Allegiance was recited. Upcoming meetings were announced.

**Approval of Minutes**

*Motion:* Commissioner Ritz III motioned to accept the August 1, 2022 town meeting minutes as presented; second by Commissioner Davis. Yeas – 5; Nays – 0. The motion was adopted.

**Police Report:**

Deputy Ahalt presented the police report from August 2022 (exhibit attached).

**Town Managers Report:**

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

**Town Planners Report:**

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

**Commissioner Comments:**

- Commissioner Ritz III: He attended the Thurmont and Emmitsburg Community Show and MS-4 training at the town office. He also toured the water treatment plant with Jared Brantner. He encouraged the public to vote at the upcoming town election.
- Commissioner Davis: He would like to send sympathy to the family of Tom Hoke. The Parks and Recreation Committee met on August 20, 2022 with six members.
- Commissioner Sweeney: He requested the public watch for children near the baseball fields during the fall baseball season. The Lions Club will be holding their annual Halloween celebration in October.
- Commissioner O'Donnell: He met with the assistant city manager of laurel Maryland to show the Town parks. He also mentioned three requests for future agenda items regarding parking, trails and ordinance revisions based on discussions had with the public.
- Commissioner Burns: He stated he will not be running for commissioner again due to the recent birth of his fourth child. He also encouraged the public to be more sympathetic with traffic in the fire hall area during fund raising events. He thanked everyone for their support the last few years as commissioner.

**Mayor's Comments:**

Mayor Briggs attended numerous meetings in August 2022 (meetings listed in agenda packet) to include National Night Out, a tour of the National Fallen Fire Fighters Memorial with Congressman Trone, a ribbon cutting for the St. Euphemia wayside exhibit, a ribbon cutting for Frederick Health Urgent Care Facility, and a zoom meeting with sister city Lutsk Ukraine Mayor among others.

**Public Comments:**

*Ray Buchheister, Emmitsburg* – Mr. Buchheister would like to know the procedure for being more involved in parking regulations for the Town. He would also like to improve parking for small businesses downtown. *Kevin Hagan, Emmitsburg* – Mr. Hagan would like to see the Town revise procedures for putting a lien on a property that has high grass/weeds. *Scott Frager, Emmitsburg* – Mr. Frager lives in Brookfield and is concerned with the safety of Irishtown Road. He is also concerned with the disregard for stop signs on Timbermill Run, Irishtown Road and Brookfield Drive. He would like the town deputies to enforce traffic laws more in these areas. *Amy Boehman-Pollitt, Emmitsburg* – Ms. Boehman-Pollitt is running as a candidate for commissioner in the town elections. She gave a background on herself to include where she is from and why she is running. *Austin Steo, Emmitsburg* – Mr. Steo lives in Northgate and is concerned with the destruction and impassability of the multi-user trails to include portions of the red trail, connector trail and orange trail. *Ken Altadonne, Emmitsburg* – Mr. Altadonne is concerned with speeding on Brookfield Drive and would like speed bumps to be added to the road. *Michael Turnquist, Emmitsburg* – Mr. Turnquist is concerned with speeding on Brookfield Drive since Irishtown Road has opened and is requesting speedbumps on Brookfield Drive. *Phillip Smith, Emmitsburg* – Mr. Smith is concerned with speeding on Brookfield Drive and the safety of the neighborhood children. *Mark Long, Emmitsburg* – Mr. Long is running as a candidate for commissioner in the town elections. He gave a background on himself to include public committees he has served on in the past and why he is running. *Dianne Walbrecker, Emmitsburg* – Ms. Walbrecker expressed her support for declaring Lutsk, Ukraine a sister city with the Town. *Natakyo Raymond, Gettysburg* – Ms. Raymond is from Ukraine and speaks Ukrainian. She thanked the town for pursuing Lutsk, Ukraine as a sister city and sang a Ukrainian song with a Ukrainian headdress.

**Administrative Business:**

None.

**Consent Agenda:**

*Motion:* Commissioner Davis motioned to accept the resignation of Terri Ray as an alternate on the Planning Commission; second by Commissioner Burns. Yeas – 5; Nays – 0. The motion was adopted. *Motion:* Commissioner Ritz III motioned to appoint Brian McKenney as an alternate to the Board of Appeals for a term of September 12, 2022 to September 12, 2025; second by Commissioner Sweeney. Yeas – 5; Nays – 0. The motion was adopted.

**Treasurer’s Report:**

Commissioner Burns presented the Treasurer’s Report for August 2022 (exhibit in agenda packet). Ms. Willets mentioned the Town received approximately \$1.5 million as part of the second payment of the American Rescue Plan money.

**Planning Commission Report:**

Commissioner Ritz III presented the report. The Commission did not meet in August and the next meeting is scheduled for September 26, 2022.

**II. Agenda Items**

Agenda #1 - Proclamation celebrating the 100-year founding anniversary of Emmitsburg High School for consideration: Mayor Briggs read the proclamation aloud. The Emmitsburg Library will be holding a celebration on Saturday, September 17, 2022 to celebrate the centennial of the Emmitsburg High School building that existed at 300 South Seton Avenue from 1922 to 1968. The building hosted the local elementary, middle and high school students before Catoctin High School opened. The ceremony is open to the public and will feature refreshments. At the start of the ceremony the town will be cutting the ribbon of the Emmitsburg High School wayside exhibit. *Motion:* Commissioner Davis motioned to accept the proclamation as presented; second by Commissioner Burns. Yeas – 5; Nays – 0. The motion was adopted.

Agenda #2 - Proclamation declaring Lutsk, Ukraine a Sister City to the Town of Emmitsburg for consideration: Mayor Briggs presented the agenda item. Mayor Briggs read the proclamation aloud. Commissioner Ritz III requested the exchange of town/city flags. *Motion:* Commissioner Sweeney motioned to accept the proclamation as presented; second by Commissioner Burns. Yeas – 5; Nays – 0. The motion was adopted.

Agenda #3 - Approval of Ordinance 22-09, update to Town Code 8.12.040 –Removal of grass & weeds for consideration: Ms. Willets presented the agenda item. The item is being pursued in an effort to resolve high grass complaints quicker. Currently town staff place door hangers on a front door for grass over 8-inches high informing the home owner of the violation. 127 door hangers have been issued in 2022 and only three did not comply with the notice and cut their grass. Ms. Willets summarized the current procedures for enforcing the mowing code. The process is long and tedious and can take up to 10 months to get the property owner to mow the grass in extreme situations, which results in increased health and safety concerns as the grass continues to grow higher during this time period. The proposed changes in ordinance 22-09 are being recommended based on discussions with other municipalities and would give the Town the ability to mow the grass and charge the property owner if the violation continues to be outstanding after the door hanger notice. The expense would be chargeable to the property owner as a lien against the property and collectible in accordance with Town Code Title 1. The town manager or Mayor would have to approve the mowing and lien before the town can take actions. *Motion:* Commissioner Burns motioned to approve Ordinance 22-09 as presented; second by Commissioner Davis. Yeas – 5; Nays – 0. The motion was adopted.

Agenda #4 - Approval of Silo Hill basin retrofit project change order request in the amount of \$42,555.00 for consideration: Mr. Gulden presented the agenda item. The proposed change order PCO #001 with Bearing Construction, Inc. is part of the Silo Hill Basin Retrofitting. The change order is needed because of Frederick County permitting office requiring these changes as part of the permitting process and includes adding concrete collars, project redesign for geotechnical constraints, and removing trees on the rear bank of the basin among other items. The total change order is \$42,555. The Town received \$121,000 and \$34,000 in grant funding for the project. The project is worth 7.96 Municipal Separate Storm Sewer Systems (MS-4) credits. *Motion:* Commissioner Davis motioned to accept change order one; second by Commissioner Sweeney. Yeas – 4; Nays – 1 (Ritz III). The motion was adopted.

Agenda #5 - Review, consider and approve Ordinance 22-05 authorizing the implementation of a stormwater management utility fee based on the recommendations and study results of the Environmental Finance Center of the University of Maryland: Mr. Gulden presented the agenda item. The purpose of this ordinance is to authorize the charge of an annual fee of \$20.00 Equivalent Residential Unit (ERU) based on the amount of impervious surface on publically and privately owned property in Town. The fee will be used to fund stormwater management projects to help the town comply with State and Federal MS-4 mandates. The fee would be added as a new line item on the quarterly water and sewer bills. This is expected to generate approximately \$34,500.00 per year and will be deposited into the stormwater management fund and is only to be used towards stormwater management projects. *Motion:* Commissioner Sweeney motioned to approve Ordinance 22-05 as presented; second by Commissioner Burns. Yeas – 4; Nays – 1 (Ritz III). The motion was adopted.

Agenda #6 - Approval of Resolution 2022-04R Authorizing Mayor Briggs and Town Manager to file an Application for Federal Assistance with the USDA Rural Development for consideration: Ms. Shaw presented the agenda item. If approved, the project would replace 102 streetlight units to include poles, fixtures and lenses along Main Street and South Seton Avenue. The total project cost is \$234,089 of which the Town is asking for permission to apply for \$128,700 with the United States Rural Development (USDA) and the remainder would be funded through State grants and town funding. If all grants are approved, the town anticipates spending approximately 29% or \$67,889 although the resolution says \$105,389. The streetlight replacement is needed because the existing lights are from circa 1980 and have chipping paint, rusting bases/bolts and are a safety hazard. The new lights would be a similar style, dimmable, LED, cutoff luminaires to deter light pollution. The Board invited public comment on economic and environmental impacts, service area, alternatives to the project, or any other issue. *Ray Buchheister, Emmitsburg* – Mr. Buchheister requested clarification on why the lights are

needed and the lifetime of the new lights. Town staff needs to check on the lifetime warranty of the lights but believes they are 30-years. There was no other public comment. If the Board approves the resolution, there is no obligation to pursue the project. *Motion*: Commissioner Burns motioned to approve Resolution 2022-04R; second by Commissioner Ritz. Yeas – 5; Nays – 0. The motion was adopted.

**Set Agenda Items for October 3, 2022 Town Meeting**


**Agenda Items:** (1.) Swearing in of new elected officials; (2.) For consideration, Mayor’s recommendation for reorganization of the Board of Commissioners. (3.) Hold a public hearing then consideration of Ordinance 2022-10, which would allow private and public shooting ranges in the Industrial Park zoning district. (4.) Discussion of possible water and sewer rate and connection fee increase options as a result of a recent study. (5.) For consideration, approval of a planning consultant contract. (6.) For consideration, approval of lease for 303 West Lincoln Ave. **Administrative Business:** (A.) For consideration, Proclamation declaring October 2022 Breast Cancer Awareness Month. **Consent Items:** None. *Motion*: Commissioner Ritz III motioned to accept the October 3, 2022 town meeting agenda as presented; second by Commissioner Burns. Yeas – 5; Nays – 0. The motion was adopted.

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

**IV. Adjournment**

With no further business, Commissioner Ritz motioned to adjourn the September 12, 2022 town meeting at 10:42 p.m.; second by Commissioner Burns. Yeas – 5; Nays – 0. The motion was adopted.

Respectfully submitted,



Madeline Shaw, Recording Secretary  
Minutes Approved On: October 3, 2022