

TOWN OF EMMITSBURG

300A South Seton Avenue
Emmitsburg, Maryland 21727

301-600-6300 fax: 301-600-6313

Mayor

Donald N. Briggs

Town Manager

David Haller

Town Clerk

Cathy Willets

Board of Commissioners

Timothy O'Donnell, President

Clifford Sweeney

Glenn Blanchard

Jennifer Mellor

Joseph Ritz III

TOWN MEETING AGENDA MAY 4, 2015

I) CALL MEETING TO ORDER (7:30PM)

A. PLEDGE OF ALLEGIANCE TO THE FLAG

B. NEXT MEETINGS:

Town Meeting, May 18 @ 7:30pm

Parks Committee Meeting, May 19 7:30pm

C. APPROVE MINUTES FROM: April 20, 2015 Town Meeting

D. COMMISSIONER COMMENTS

E. MAYOR COMMENTS

F. PUBLIC COMMENTS

G. ADMINISTRATIVE BUSINESS (See attached)

H. CONSENT AGENDA

I. REPORTS

Treasurer's

Planning Commission

II) AGENDA ITEMS:

- 1. Resolution directing Planning Commission on Comp Plan Update*
- 2. Trash Collection Bids*
- 3. Modifications to the B1 Neighborhood Business District – presentation by Planning Department*

III) SET AGENDA ITEMS FOR MAY 18, 2015 TOWN MEETING

IV) SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS

ITEM C

MEETING MINUTES:

April 20, 2015 Town Meeting

**MINUTES
TOWN MEETING
April 20, 2015
Emmitsburg Town Office**

Present: Mayor Donald Briggs; Commissioners Clifford Sweeney, Joseph Ritz III, Jennifer Mellor, Glenn Blanchard and Tim O'Donnell, President.
Staff present were Cathy Willets, Town Clerk; Jerry Muir, Zoning Technician; and Dave Haller, Town Manager.

I. Call to Order

Commissioner Tim O'Donnell, President of the Board of Commissioners, called the April 20, 2015 Town Meeting to order at 7:30 p.m. Pledge of Allegiance was recited.

Mayor Briggs introduced Simon Newman, President of Mount Saint Mary's. Mr. Newman addressed the Board and gave an overview of what he would like to see accomplished in the next ten years.

Approval of Minutes

The Minutes of the April 6, 2015 Town Meeting were approved as presented.

Commissioner Comments

Commissioner(s) cited attendances, recognitions and announcements which included congratulations to the Emmitsburg Baseball and Softball league starting off new season and that the state championship will be held in Emmitsburg again this summer. Appreciation of the painting of the pool; looks good. The trails look in good shape; work done last year is still holding up well and the signage is appreciated. There have been 100 hours of volunteer work done on the trails and that hunting season is now open. Town clerk was thanked for help in getting MML registration done for Commissioner Blanchard. It was announced that the County Executive Budget is online now. Some concerns for staff to be looked into were property at 810 W Main Street looks vacant and non-maintained as well as a lot of loose gravel on sidewalks and curbs around town.

Mayor's Comments

Mayor Briggs cited that overall it was a good month. He attended the Mount St. Mary's Athletic Advisory meeting; announced the sudden death of Chief Gaines of FEMA; thanked the Mount's Rugby team. There were teams in from Canada for a two day tournament that brought a lot of people to Emmitsburg; thanked Commissioner O'Donnell's family for growing flowers in front of the pregnancy center and announced that the local boy scout troop out of St. Joseph's will be maintaining the flowers across from Jubilee.

At this time President O'Donnell acknowledged Roger A. Wilson, Government Affairs & Policy Director, who addressed the Board briefly stating it was good to be here and that he, along with the County Executive, met with SHA TAC group on the update for the proposal on signage and there will be a meeting early May to present this.

Administrative Business

- Power Star presentation by Todd Otis, Facility Resource Group, distributor of Power Star. This is an energy saving system that can reduce kWh usage. Staff would like

the first phase to be at the pumping station and will cost about \$17,000 dollars which is already in the budget. Mayor received support from the Board.

- Multi-user trail- Commissioner O'Donnell handed out trail maps for review which shows they are changing the alignment. The pink trail is to be more kid friendly and the orange trail is to be more beginner friendly. There was unanimous consent from the Board for builder to move forward to start flagging trails.
- Community garden- town staff will acquire new mulch and additional mushroom compost; will go back to the deposit program. Opening day will be May 10, 2015.

Consent Agenda - none

Reports:

Town Manager Report - reported on the public works department monthly activities to include a water production and consumption analysis. Mr. Haller highlighted that the wells came up 5 feet in one month; town is at a surplus of 5.5 inches over the last six month period. There were no spills this month but town did exceed the sewer plants design capacity on 11 days which are listed in the report. **Town Planners Report** - Mr. Haller highlighted the big project staff is working on right now is the comp plan which is scheduled to go to the Planning Commission on April 27, 2015. Detailed report at Exhibit A.

Police Report - Deputy Patterson reported on March 2015 police activity. Detailed report at Exhibit B.

II. Agenda Items

SHIP – Students Homelessness Initiative Partnership Presentation

Mr. Long from Thurmont introduced Mr. Ed Hind, Executive Director of SHIP, as a very caring and determined individual. Mr. Hind addressed the Board and explained how he first became aware of student homelessness. He defined homelessness is a child without a stable place to sleep at night. There are 736 homeless students in this county and 80 are in the feeder system of Catocin High School. He is asking the Board to consider hosting a community forum. Mayor Briggs stated that he feels Emmitsburg has the resources and volunteers to pull this together quickly. Commissioner Sweeney asked Mr. Wilson if he could contact County Executive to see why liaisons were taken out of the school.

Presentation on savings from LED street light conversion

The Board received a copy of the stats. Jerry Muir gave a presentation using the street light numbers not infrastructure. The LED installation started in mid 2013. He stated that the town is down about 9 to 9.5 percent where they were before. He stated that this is significant in a very short amount of time. Mr. Haller thanked the Board for all their support.

Review snow emergency plan - discussion

Mr. Haller reported that he received an email from the Director of Public Works stating that it is getting harder and harder to handle some of the snow. He told the Director he would get the Board to review. The existing plan was on page 17 of the packet. Mr. Haller spoke of some places in town where it is affected by the snow emergency plan; suggest installation of signage. Staff would like to come back with a draft with suggestions on how to do it listing the streets.

Motion: - To approve staff to move forward in revision to the Snow Emergency Plan in draft form for Boards consideration.

Motion made by Commissioner Ritz and second by Commissioner Sweeney.

Vote: 5-0 in favor

Set Agenda Items for May 4, 2015 Town Meeting

1. Resolution directing Planning Commission on the Comp Plan update
2. Trash collection bids
3. Modifications to the B1 Neighborhood Business District, Section 17-20-020 and Section 17-20-050
4. Trail work construction – **Administrative Business**
5. Free day at community pool on Heritage Day – **Administrative Business**
6. Bike helmet pool pass discussion – **Administrative Business**

III. Public Comments - none

IV. SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS - none

V. Adjournment

With no further business, the April 20, 2015 Town Meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Vickie L. Felix
Recording Secretary

Date Approved:

ITEM G

ADMINISTRATIVE BUSINESS:

1. *Trail work construction*
2. *Free day at community pool on Heritage Day*
3. *Bike helmet pool pass discussion*

ITEM H

CONSENT AGENDA:

No items

ITEM I

REPORTS:

Treasurer's Report - see attached

Planning Commission Report – to be given at the meeting

**TOWN OF EMMITSBURG
CASH ACTIVITY as of April 29, 2015**

\$3,529,571	Cash Balance April 1, 2015
458,000	Deposits
<u>-328,107</u>	Withdrawals
\$3,659,464	Operating Balance Forward

<u>Check Amount</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check Date</u>	<u>Check Number</u>
\$99,430	Conewago Enterprises, Inc.	Mar 15 WWTP ENR Upgrade	4.15.15	34360
59,164	Treasurer of Frederick County	3Qtr FY15 Law Enforcement Billing	4.1.15	23257
40,243	RK&K	Dec 14 - Jan 15 WWTP ENR Upgrade	3.25.15	34314
24,158	Comptroller of Maryland	2015 1st Qtr Bay Restoration Fee	4.1.15	34326
18,867	MD Dept of Budget & Mgmt	April 2015 Health Insurance	4.29.15	34415
18,867	MD Dept of Budget & Mgmt	March 2015 Health Insurance	4.1.15	34325
18,176	Conewago Enterprises, Inc.	Feb 15 WWTP ENR Upgrade	3.25.15	34302
9,948	UGI Energy	Mar 15 Solar Energy Billing	4.22.15	34402
9,241	GHD, Inc.	Feb 15 WWTP ENR Upgrade	4.1.15	34323
7,868	RFP, Inc.	Irish Road Strom Drain	4.15.15	34372

Ck dates 3/25/15 to 4/29/15

MAY 4, 2015
TOWN MEETING
AGENDA

AGENDA ITEMS

ITEM 1

Resolution directing Planning Commission on Comp Plan Update

2015 Comprehensive Plan update.

According to John Clapp, Town Attorney, there is no specific requirement as to what procedure must be followed in making a recommendation regarding the revisions to the Comp Plan. Any process by which that recommendation can be transmitted accurately to the Mayor and Board would be sufficient.

At the April 27, 2015 Planning Commission meeting, the Planning Commission unanimously passed a motion recommending an update of the Comprehensive Plan and that the recommendation be sent to the Town commissioners.

(draft minutes 4.27.15)

2015 Comp Plan Update

Sue Cipperly provided an overview of what had changed since the 2009 Comp Plan, and discussed two of the sections of the 2015 draft – Sustainability and Public Participation. Ms. Cipperly asked for a motion to be sent to the town board recommending that the comp plan be updated.

Steve Starliper made a motion to update the comprehensive plan and send the idea to the town commissioners. Second by Pat Boyle.

The Town Board, in return, needs to pass a motion that they concur with the need for the comprehensive plan update. A formal resolution is not required, but if the Commissioners agree with the Planning Commission, the motion should state that:

The recommendation of the Planning Commission to begin an update entitled the 2015 Comprehensive Plan has been received, and that the Town of Emmitsburg Board of Commissioners agrees that the Planning Commission should commence the update.

Susan Cipperly can provide more information at the meeting if needed.

AGENDA ITEMS

ITEM 2

Trash Collection Bids – to be presented at meeting

MAY 4, 2015
TOWN MEETING
AGENDA

AGENDA ITEMS

ITEM 3

*Modifications to the B1 Neighborhood Business District – presentation
by Planning Department*

AN ORDINANCE TO AMEND
TITLE 17
OF THE CODE OF EMMITSBURG
ENTITLED
ZONING

BE IT RESOLVED, ENACTED AND ORDAINED by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland and the Charter of the Town of Emmitsburg, that Title 17; Section 17.20.020 the Emmitsburg Municipal Code, be amended as follows.

The amended section of this regulation reads as follows with new wording indicated in **BOLD, CAPITAL** letters and deleted words in ~~strike-out~~.

17.20.020 – Uses permitted in the B-1 neighborhood business district.

Permitted uses in the B-1 neighborhood business district are as follows:

- A. Lodging, bed and breakfast, rooming house.
- B. ~~Neighborhood~~ **SMALL** scale retail business and service providers. **DRIVE-THROUGH SERVICE IS NOT ALLOWED.**
- C. Food service, such as, but not limited to, restaurants, coffee shops, and similar uses, either as a principal use or as one use within a mixed-use structure, such as a convenience store. Drive-through service is not allowed.
- D. Business and Professional Office. Medical and dental offices and clinics, law offices, insurance and real estate offices, banks, finance, **CONSULTANT**, ~~and~~ utility company offices, **AND THE LIKE.** Animal hospitals and clinics with no open kennels.
- E. Children's nursery, prekindergarten, and other private schools.
- F. Accessory uses or buildings.
- G. Business and advertising signs, public building signs or bulletin boards when attached to a building pertaining to the use of the property on which the sign is located, provided that they meet the requirements of [chapter 15.16](#). **A MONUMENT SIGN IS ALLOWED; HOWEVER IT MUST MEET THE REQUIREMENTS OF §15.16.030.I AND L, REGARDING SIGN LOCATION**
- H. **RESIDENTIAL USE IN EXISTENCE AS OF JANUARY 1, 2015 MAY CONTINUE AS RESIDENTIAL USE.**

ORDINANCE SERIES 2015
ORDINANCE NO. 15-01

PAGE 2 OF 2

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that this Ordinance shall take effect on the date on which the Mayor approves the Ordinance after passing by the Board of Commissioners or on the date on which the Board of Commissioners pass the Ordinance over the veto of the Mayor.

PASSED this _____ day of _____, 2015 by a vote of _____ for, _____ against, _____ absent, and _____ abstain.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS

By: _____
Cathy Willets, Town Clerk

Timothy O'Donnell, President

MAYOR

_____ APPROVED _____ VETOED

this _____ day of _____, 2015.

Donald N. Briggs, Mayor

I hereby certify that the foregoing Ordinance has been posted as required by Chapter 2.04 of the Emmitsburg Municipal Code.

Date: _____

Cathy Willets, Town Clerk

AN ORDINANCE TO AMEND
TITLE 17
OF THE CODE OF EMMITSBURG
ENTITLED
ZONING

BE IT RESOLVED, ENACTED AND ORDAINED by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland and the Charter of the Town of Emmitsburg, that Title 17; Section 17.20 the Emmitsburg Municipal Code, be amended as follows.

The amended section of this regulation reads as follows with new wording indicated in **BOLD, CAPITAL** letters and deleted words in ~~strike-out~~.

17.20 COMMERCIAL DISTRICTS

WHERE A COMMERCIAL ZONING DISTRICT IS ADJACENT TO A RESIDENTIAL ZONE, A BUFFER ZONE WILL BE PROVIDED AS FOLLOWS:

A. A 6-FOOT TALL, SOLID FENCE WILL BE INSTALLED AND MAINTAINED ALONG THE PROPERTY BOUNDARY ABUTTING THE RESIDENTIAL ZONING DISTRICT.

B. LANDSCAPING WILL BE INSTALLED AND MAINTAINED TO SCREEN PARKING AREAS SO AS NOT TO BE VISIBLE FROM ROADS WITHIN THE RESIDENTIAL ZONING DISTRICT.

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that this Ordinance shall take effect on the date on which the Mayor approves the Ordinance after passing by the Board of Commissioners or on the date on which the Board of Commissioners pass the Ordinance over the veto of the Mayor.

PASSED this _____ day of _____, 2015 by a vote of _____ for, _____ against, _____ absent, and _____ abstain.

ATTEST: EMMITSBURG BOARD OF COMMISSIONERS

By: _____
Cathy Willets, Town Clerk

Timothy O'Donnell, President

MAYOR

_____ APPROVED _____ VETOED

this _____ day of _____, 2015.

Donald N. Briggs, Mayor

**IV) SET AGENDA ITEMS FOR MAY 18, 2015
TOWN MEETING**

1.

2.

3.

4.

5.

6.

MAY 4, 2015
TOWN MEETING
AGENDA

**V) SIGN APPROVED TEXT AMENDMENTS AND/OR
RESOLUTIONS**