

**TOWN OF SMITHSBURG, MD  
MAYOR AND COUNCIL  
REGULAR MEETING MINUTES  
April 4, 2023**

The regular meeting of the Smithsburg Mayor and Council was held on Tuesday, April 4, 2023 at 7:02 PM with Mayor Donald Souders, Councilmembers Tracey Knight-Simane, David Dan, James Fritsch, and Roberto Gonzalez. Councilmember Jon Snyder was absent. Also in attendance was Town Manager Brian Brandt, Clerk/Treasurer Jenni House, Police Chief Robert Marker and Town Attorney Edward Kuczynski. The meeting was opened with the Pledge of Allegiance led by Councilmember Dan.

**Special Guest:** Matthew Smith – Eagle Scout Troop #14. Eagle Scout Matthew Smith stated he made sensory kits for Autistic and Non-verbal children to be placed in all of the ambulances in the County. Matthew went on to tell Council what items were in the kit. Matthew stated he had his board of review and is officially an Eagle Scout. Mayor Souders presented Matthew with a Certificate of Appreciation.

**Approval of Agenda:** **On a motion** by Councilmember Knight-Simane, second by Councilmember Fritsch to approve the agenda. **Motion carried.**

**Approval of Meeting Minutes:**

- Regular Meeting Minutes – March 7, 2023
- Special Session Minutes – March 21, 2023
- Executive Session Minutes – March 21, 2023

**On a motion** by Councilmember Dan, second by Councilmember Fritsch to approve all of the minutes, except the Executive Session Minutes. **Motion carried.**

**On a motion** by Councilmember Gonzalez, second by Councilmember Dan to approve the executive minutes, changing the language in the second set of minutes; from agreed to discussed; for clarification.

**Approval of Treasurers Reports:** Councilmember Dan ask about the Professional services being over budget and the Clerk Treasurer responded that those services are for Dave Haller and Greenwill Consulting. **On a motion**, by Councilmember Fritsch, second by Councilmember Dan to approve the Treasurers Report as presented. **Motion carried.**

**COMMUNITY ORGANIZATION REPORTS:**

**Smithsburg Fire Co-** No report

**SEMS Report:** Dale Fishack submitted the following report, Total calls for service was 107 calls with 14 calls out of county, with 5 calls in Franklin County and 9 in Frederick County.

**MAYOR’S REPORT:** Mayor, Donald Souders reported the following:

- Conducted a tour of Town Hall for Pack#14 Troop Arrow of Lights.
- Collected the essays for the MML’s “If I Were Mayor” contest at Smithsburg Elementary School. Staff will review and make a selection of our top essay and our “Mayor for the Day” winner. The selected essay winner will be here at the May 2, 2023 meeting to preside over the meeting and receive their recognition.

- Participated in a joint meeting with staff from RK&K engineering services and State Highway Administration discussing the Water Street Project. The town will be conducting its first Town Hall forum on Thursday, April 13, 2023 at 6:00 pm to see the follow up demonstration.
- Conducted a ZOOM demo call with representatives from Catalist Solutions to discuss potential upgrades to the town's website. A ZOOM demonstration for the Town Council has been scheduled for Thursday, April 20, 2023 at 6:00 pm to see a follow up demonstration.
- Participated in a conference call along with staff of First United Bank about the vacant bank building located on Main Street.
- Participated in a conference call along with Town Manager Brian Brandt and RK&K representatives to discuss logistics for the Town Hall forum.
- Conducted a meeting with representatives from Signs Here to discuss potential uses for the old "purple" welcome sign or subdivision signs.
- Participated in a ZOOM call along with Town Manager Brian Brandt and representatives from the Main Street Maryland Program about potential membership with this group.
- Attended the Opening Day Ceremony Baseball Ceremony for Little Sluggers.
- April is National Volunteers Month. I would like to send a huge thank you to all the volunteers that continue to dedicate their time to improving our community. Many of these volunteers do the work without recognition but, I wanted to provide some special recognition and thank them all for their commitment, dedication, sacrifices and hard work in making Smithsburg a great town to live, work and visit.

**TOWN MANAGER'S REPORT:** Town Manager Brian Brandt reports the following:

- **Project 2022-08: Veterans Park lighting project:** to begin conduit installation pending receipt of permits from Washington County weekend of 4-1-2023, Lights will be installed upon arrival.
- **Project 2023-01: SCADA Installation:** Programing has begun, installation crews have visited all sites, waiting on hardware to arrive, I've set up weekly update meetings until installation is complete.
- **Project 2023-02: Chairlift Installation:** Final drawings will be in by 4-1-2023, Installation is scheduled to begin Mid-May.
- **Project 2023-03: Mowing Contract:** Youngs Lawn Service has agreed to cover the mowing for the town from 4-1-2023 thru 6-30-2023, and then begin contract from 7-1-2023 thru 6-30-2024, all paper work has been collected and we are ready to start.
- **Project 2023-04: Trash and Recycling:** Bids collected 7-23-2023, vote this evening.
- **Project 2023-05: Roadway projects:** Pre-bid held on 3-24-2023, bids due back 4-14-2023.
- **Project 2023-06: Lions Park Pavilion:** RFP completed to be approved this evening.
- **Tank Cleaning:** Tank cleaning will take place late April/ Early May depending on weather.
- **Lions Park Basketball Court resurfacing:** Quote has been received; we will need to put out for proposal, I have begun putting that together RFP # 2023-07.
- I have begun looking into 3rd Party HR solutions, and plan on meeting with representatives from LGIT, we are going to discuss all services available; this is the most cost-effective route for the Town.
- Kickoff meeting with RK&K and SHA for Water St. Project.
- Meeting with RK&K to discuss all that is required for our upcoming Town Hall forum.
- Conducted (5) interviews for PT- Parks position, we have hired Shawn McGuire, he will begin 4-10.
- Attended Zoom Meeting for Main St Maryland.
- Attended meeting with potential new website group.
- Meetings with Dave Haller for to compile all information for our packet to the State to claim the first \$1,000,000 for Water Street project.
- Meeting with Jeannette Dan and Councilman Gonzales at Lions Park to finalize Pavilion list of repairs.

Councilmember Dan ask when the Muffin Monster would be installed; Town Manager Brian Brandt stated it would be easier for Public Works to install during the schools Spring Break. Councilmember Dan ask if there

would be any interruption to residents during the tank cleaning; Town Manager Brian Brandt stated there would not be any interruption. Councilmember Dan stated he found a violation on MDE's website; Town Manager, Brian Brandt stated he contacted MDE and was told it was a reporting issue for March and April for 2022.

#### **APPROVAL OF DEPARTMENTAL REPORTS:**

Circuit Rider/ Grant Writer  
Police Department  
Public Works Department

**On a motion** by Councilmember Gonzalez, second by Councilmember Dan to accept the reports as presented.  
**Motion carried.**

#### **APPROVAL OF COMMISSION REPORTS/ MINUTES:**

Smithsburg Community Activities Commission  
Parks Commission  
Planning Commission  
Library Advisory Board  
Economic Development Commission (March 27, 2023-Cancelled)

**On a motion** by Councilmember Gonzalez, second by Councilmember Dan to accept the reports as presented.  
**Motion carried.**

#### **CITIZENS COMMENTS/CONCERNS:**

No Citizen Comments

#### **OLD BUSINESS:**

**Discuss/ Consider Outstanding Parks and Playgrounds Grant Opportunities:** Mayor Souders stated since Katheryn Gratton was not present at the meeting, they could table this discussion.

**Discuss/ Consider FY2024 Tax Rate:** Mayor Souders stated there wasn't any emails submitted regarding the tax rate. Currently the Town is at a rate of .3349, and the State sent a letter that if the Town would use the rate of .3199, they would generate the same revenue as before. Councilmember Dan ask if there was a public notice that went out, Attorney Edward Kuczynski stated there was a public notice. **On a motion** by Councilmember Fritsch, second by Councilmember Knight-Simane to leave the tax rate at .3349. **Motion carried**, with a 3-1 vote with Councilmember Dan voting against the motion.

**Introduction of Ordinance 2023-03 Noise Ordinance:** Mayor Souders stated the ordinance has already been introduced. With this information Councilmember Dan suggested tabling the item to make sure citizens were aware. Councilmember Gonzalez stated he was okay with moving forward. **On a motion** by Councilmember Gonzalez, second by Councilmember Fritsch to approve Ordinance 2023-03 A Resolution/ Ordinance to Revoke, Amend and Re-Adopt Chapter 265, §§265-1 through 265-9, Noise. **Motion carried.**

**Discuss/ Consider RFP 2023-04: Trash Service:** The bids for the first year are as follows:

J&J Trash Service – 2504 Back Acre Circle Mt. Airy, MD 21771  
Bid – Trash & Recycling Pick Up - \$17.00 a unit  
Trash Pick Up on Monday; Recycling Pick Up on Wednesday  
April to December Yard Waste Collection - \$1,500.00 per collection  
Spring Bulk Collection \$300.00 per dumpster  
Fall Curbside Collection \$4,500.00

Republic Services of Hagerstown – 11710 Greencastle Pike Hagerstown, MD 21740

Bid – Trash Pick Up - \$7.61.00 a unit

Recycling Pick UP - \$6.07 a unit

Trash Pick Up on Tuesday; Recycling Pick Up on Thursday

April to December Yard Waste Collection - \$1.37 a unit

Spring Bulk Collection \$200.00 per dumpster plus disposal

Fall Curbside Collection \$175.00 an hour plus disposal

Councilmember Dan stated he would like to see a spreadsheet with the total amounts, since the bids were done per unit. Mayor Souders stated this information would be available at the April 18, 2023 meeting.

**Vote on Spring Clean Up Day – Saturday June 10, 2023: On a motion** by Councilmember Fritsch, second by Councilmember Dan to have Spring Clean-up behind SEMS on Saturday June 10, 2023 from 8:00 am to Noon. **Motion carried.**

### **NEW BUSINESS:**

**Discuss for Addition Funding Request Park Commission All-Inclusive Playground:** Jeanette Dan stated the inclusive playground has been planned for a few years, and cost have increased. There are 2 proposals; due to the need to break them down for the Grant funding. The first proposal is for \$118,830.00, that is covered by a POS Grant in the amount of \$106,947.00 and the Town match of \$11,883.00. The second proposal is for \$353,565.00, \$319,400.00 of that money will come from a CPP Grant. To get to the total of \$353,565.00 the town would need to contribute \$34,256.00. Mayor Souders stated there was money in Parks Capital Outlay that could be used for the All-Inclusive Playground. **On a motion** by Councilmember Gonzalez, second by Councilmember Knight-Simane to take the additional funds from Parks Capital Outlay. **Motion carried.** Councilmember Dan stated Playground Specialties is part of the HGAC contract, therefore they should be able to use them for the playground equipment and install. Mayor Souders asks for a motion. **On a motion** by Councilmember Gonzalez, second by Councilmember Dan to use Playground Specialties. **Motion carried.**

**Discuss/ Consider Change Order for Lighting at Veterans Park:** Town Manager, Brian Brandt, stated a change order was received and now would be the time to add a junction box for future lighting before the millings were added to the roadway. The cost of the project would be \$8,963.00. **On a motion** by Councilmember Dan, second by Councilmember Gonzalez to approve the change order and use the funds from Parks Improvement. **Motion carried.**

**Discussion FY24 Budget (Commission and Committees):** Council was provided a hand out showing the budget request from each Commission. Commission chairs were able to speak to Council regarding their request/ reason for request.

**Discuss/ Consider Advertising RFP 2023-06 Lions Park Pavilion Upgrades:** Town Manager, Brian Brandt provided a copy of the RFP to council for review. **On a motion** by Councilmember Knight-Simane, second by Councilmember Fritsch to move forward with RFP 2023-06, making the recommended changes by Councilmember Dan, Upgrading the electric and repairing or replacing the roof. **Motion carried.**

### **Councilmember Remarks:**

**Councilmember Gonzalez:** Councilmember Gonzalez stated he was excited Parks Commission has their grants all worked out. Looking forward to the water rate study from David Haller.

**Councilmember Knight-Simane:** Councilmember Knight-Simane stated she was excited about the parks. It's been a long time coming.

**Councilmember Fritsch:** Councilmember Fritsch thanked the commission volunteers for attending the meeting.

**Councilmember Dan:** Councilmember Dan stated he has been involved in Town stuff since 2018 and this is the 1<sup>st</sup> time things are moving forward and bringing on Town Manager Brian Brandt is a big part of that. It's going to be a great year.

Town Forum/ Town Hall Meeting – Thursday, April 13, 2023 6:00 pm, 2<sup>nd</sup> Floor Council Chambers

Next Meeting Date: Tuesday, April 18, 2023 7:00 pm, 2<sup>nd</sup> Floor, Council Chambers

County Commissioner's Meeting in Smithsburg – Tuesday, April 25, 2023 6:00 pm, 2<sup>nd</sup> Floor Council Chambers

Next Mayor & Council Meeting: Tuesday, May 2, 2023 7:00 pm, 2<sup>nd</sup> Floor Council Chambers

**Next Commission Meetings:**

- Economic Development Commission – Tuesday, April 11, 2023 6:00 pm, 1<sup>st</sup> Floor Conference Room.
- Smithsburg Community Activities Commission – Tuesday, April 18, 2023 7:00 pm, 2<sup>nd</sup> Floor SCAC Room.
- Parks Commission – Monday, April 10, 2023 7:00, 1<sup>st</sup> Floor Conference Room.
- Planning Commission – Tuesday, April 11, 2023m 7:00 pm, 1<sup>st</sup> Floor Planning Room.

**MOTION TO ADJOURN**

**On a motion** by Councilmember Fritsch, second by Councilmember Dan to adjourn the meeting at 8:51 PM.

Respectfully submitted,

Jenni House  
Clerk/ Treasurer