

**TOWN OF SMITHSBURG, MD
MAYOR AND COUNCIL
REGULAR MEETING MINUTES
March 7, 2023**

The regular meeting of the Smithsburg Mayor and Council was held on Tuesday, March 7, 2023 at 7:00 PM with Mayor Donald Souders, Councilmembers Tracey Knight-Simane, David Dan, James Fritsch, Roberto Gonzalez and Jon Snyder. Also in attendance was Town Manager Brian Brandt, Clerk/Treasurer Jenni House, and Town Attorney Edward Kuczynski. The meeting was opened with the Pledge of Allegiance led by Councilmember Gonzalez.

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

Approval of Meeting Minutes:

- Regular Meeting Minutes – February 7, 2023
- Special Session Minutes – February 28, 2023

Regular Meeting Minutes - On a motion by Councilmember Dan, second by Councilmember Fritsch to approve the regular meeting minutes with changes. Under Repealing the Nuisance and Abatement changes from September 2019, the motion should say to introduce Article 3, instead of Article 2. The Clerk will also watch the meeting to verify the motion for Discussion of Scope Changes for existing Parks Grant. **Motion carried.**

Special Session Minutes – **On a motion** by Councilmember Dan, second by Councilmember Snyder to approve the special session meeting minutes with one change. Under the Constant Yield Tax Rate, Councilmember Dan abstained. **Motion carried.**

Approval of Treasurers Reports: On a motion, by Councilmember Snyder, second by Councilmember Dan to approve the Treasurers Report as presented. **Motion carried.**

COMMUNITY ORGANIZATION REPORTS:

Smithsburg Fire Co- Phil Rohrer submitted the following report: Total number of calls 45. Mutual aid given, Frederick County 2 Franklin County 3.

Mr. Rohrer stated the fire department would be submitting a letter to the Town requesting their annual \$5,000.00 contribution. The contribution will be saved for a new fire truck.

SEMS Report: Dale Fishack submitted the following report, Total calls for service was 108 calls with 13 calls out of county, with 12 calls in Franklin County and 12 in Frederick County.

Mr. Fischack thanked Mayor and Council for the ARPA funds and the yearly contribution to SEMS.

MAYOR'S REPORT: Mayor, Donald Souders reported the following:

- Attended the Greater Hagerstown Coalition's "Washington County Day" in Annapolis. Had a great time networking and representing Smithsburg with members of the new Governor's administration as well as held a productive meeting with representatives from Greenwill Consulting and Senator Paul Corderman.
- Attended the MML's Mayor Association Conference. A lot of great discussion around the MML's legislative initiatives for the new legislative year. Those priorities are improvements to the Police

Accountability Boards and for smaller municipalities to have more influence and oversight at the local level as well as the new cannabis laws.

- Attended the Smithsburg Community Volunteer Fire Company's recognition banquet. We have a lot of great people working in all areas of first responders in our community working to keep us safe.
- Met with 4th grade students at both Smithsburg Elementary and Old Forge Elementary schools to discuss the MML's "If I Were Mayor" Contest.
- Spoke with members of the Smithsburg Leitersburg Ruritan Club. Provided them an update on some of the projects and activities we have here in town.
- Participated in a ride along with staff from RK&K engineering services. Visited several sites for potential storm water management and erosion issues in Whispering Hills and Chips Meadow.
- Met with representatives from MRDC to discuss our grant funding priorities as well as get up to speed on all grant opportunities.
- Along with staff and VP Knight-Simane, conducted a staff meeting to discuss a variety of personnel matters and upcoming budget information. (More details to be provided during the budget meetings.)
- Participated in a Delegation conference call along with staff and members of Greenwill Consulting to discuss and provide an update on the SHA Water Street project. We're all working to keep the funding in place with the new administration.
- A huge thank you to all the volunteers and staff that make our town great especially around our events and activities. The Valentine's Dance was a great success.

TOWN MANAGER'S REPORT: Town Manager, Brian Brandt reported the following:

- Finalizing RFP 2023-05 Roadway project Veterans Park, to include overlay of walking trail, and Mountain Shadows.
- Received bids for RFP #2023-02 Chairlift installation and replacement.
- Interview complete for EDC Farmers Market Manager.
- Interviews have begun for Part-Time Public Works Parks position.
- Attended Tac meeting with Chief Marker at Washington county Sheriff's office.
- Attended Smithsburg Volunteer Fire Company awards dinner.
- Completed pre-bid meeting for RFP # 2023-03 Mowing and landscaping services bids due back by March 17th 2023.
- Completed pre-bid meeting for RFP #2023-04 Trash and Recycling Services bids due back by March 23rd 2023.
- Meeting at Veterans Park with Jeanette Dan, David Farazad, Jeff long, Hunter Hamsher for final stakeout of light positions.
- Meeting with Mayor Souders, Rhiannon and Ryan from RKK to look at possible expansion/ grading of Veterans Park field, as well as Storm water issues in Whispering Hills and Chips Court.
- Charlotte Zies and Myself conducted preliminary meeting with sports teams for field use for their upcoming seasons.
- All generators have been serviced by ARE, issues found have been corrected.
- We have interviewed (3) applicants so far for PT- Public Works, we are still in the process.
- Interviewed (1) applicant for Farmers Market Manager position.

APPROVAL OF DEPARTMENTAL REPORTS:

Circuit Rider/ Grant Writer

Police Department

Public Works Department

Grant Writer Katheryn Gratton reviewed the grants for the parks. There is a \$50,000.00 grant in process for the basketball courts in Lions Park. There is a \$157,640.00 grant for renovations to the large pavilion at Lions Park, any funds not used for the pavilion renovation will need to be returned. **On a motion** by Councilmember Gonzalez, second by Councilmember Snyder to send a letter of intent to use the \$157,640.00 grant to update the pavilion at Lions Park. Councilmember Knight-Simane ask if the bathrooms in Lions Park could be included in the renovation. Ms. Gratton stated she would need to find out and get back to Council. **Motion carried.**

Ms. Gratton stated there were 2 grants open for Veterans Park, one of the grants has a match of \$11,883.00 that the Town would have to pay, therefore it was recommended that the Town be very specific with the equipment they would like to purchase with this grant.

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

APPROVAL OF COMMISSION REPORTS/ MINUTES:

Planning & Zoning Department

Smithsburg Community Activities Commission (2/21/2023-Cancelled)

Parks Commission

Planning Commission

Library Advisory Board

Economic Development Commission

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

CITIZENS COMMENTS/CONCERNS:

Citizen, Ellie Harvey talked to the Mayor and Council about her concerns with the playground equipment and need for shade in Veterans Park.

OLD BUSINESS:

Discuss/ Consider Outstanding Parks and Playgrounds Grant Opportunities: This was done under approval of Departmental Reports.

Follow Up and Approval of Spring Festival for May 6, 2023: Resident Jamie Fogle stated she spoke to someone from the Fire Department, Police Department and SEMS about changing the street closure from N. Main St. to W. Water St. All agreed it would be easier in the event of an emergency to have the event on W. Water St. **On a motion** by Councilmember Gonzalez, second by Councilmember Fritsch to allow Ms. Fogle to have the Spring Festival on May 6, 2023, closing one lane of traffic on W. Water St. **Motion carried.**

Reconsider/ Vote RFP 2023-02 Chair Lift Installation/ Replacement: The RFP was discussed in the February 28, 2023, however clarification on the warranty was needed. Town Manager, Brian Brandt, contacted KONE and was told the warranty would be for 5 years. On a motion by Councilmember Gonzalez, second by Councilmember Snyder to approve the RFP from KONE to replace the Chair Lift from the 2nd to the 3rd for the cost of \$29,934.00 coming from the building maintenance fund.

Discuss/ Update of the Nuisance Abatement and Noise Ordinance: Town Attorney Edward Kuczynski provided Ordinance 2023-02, A RESOLUTION/ORDINANCE TO REVOKE, AMEND AND RE-ADOPT CHAPTER 271, ARTICLE III, §§271-12 THROUGH 271-18, NUISANCE ABATEMENT. This item will be added to Old Business for discussion in the March 21, 2023 meeting.

NEW BUSINESS:

Discuss Water Street (SHA Projects) EDC Recommendation: Liz Farmer, EDC Commission Member, stated the EDC would like to add banners on the light poles that would be on Water St after the Water Street project. EDC would also like to add banners to Main St. Ms. Farmer stated the commission would like to make Town Square more walkable, adding cross walks and maybe bricking the intersection at the square. Mayor Souders stated the EDC could work with the residents on the Façade program and talk to the business owners about what they are interested in. Mayor Souders told Ms. Farmer once the commission has a plan of action on what they would want to do to bring it back to Council for approval.

Discuss/Consider Advertising of RFP 2023-05 Roadway Projects Park/ Mt. Shadows: Town Manager, Brian Brandt, reviewed the RFP with Mayor and Council. **On a motion** by Councilmember Snyder, second by Councilmember Fritsch to approve the advertising RFP 2023-05. **Motion carried.**

Discuss/ Consider Formation of AD Hoc Committee for E360 Code Review/ Updates: Attorney Edward Kuczynski stated there is a conflict between the Code Book (Blue Book) and what is on the Town Website. The Committee will look at each ordinance and see if it needs updated. **On a motion** by Councilmember Snyder, second by Councilmember Dan to form the AD Hoc Committee.. **Motion carried.**

Accept/ Resignation of Bonnie Renard from SCAC effective 6/30/2023: **On a motion** by Councilmember Snyder, second by Councilmember Dan to accept the resignation of Bonnie Renard from the SCAC effective 6/30/2023. **Motion carried.**

Discuss/ Consider Appointment of Lacey Poff to the EDC: Ms. Poff stated she was a small business owner, with 5 year old triplets who is interested in getting involved with the Farmers Market. **On a motion** by Councilmember Snyder, second by Councilmember Gonzalez to accept the application from Lacey Poff for EDC Commission. **Motion carried.**

Town Resident John Schenk arrived after the start of the meeting and Mayor Souders wanted to give him an opportunity to speak. Mr. Schenk stated he wanted to follow up with the speed concern on Water St, which he spoke about at a previous meeting. Councilmember Dan stated the results of the speed camera on Water St, did not produce a high enough percentage for State Highway to consider a speed limit change. Mr. Schenk then ask about the spray paint on the streets and sidewalks; he was informed that was for the work RKK, the Town Engineering Firm, was doing for the Water Street Project.

Councilmember Remarks:

Councilmember Snyder: Councilmember Snyder thanked all Town Employees for Councilmember Snyder stated Town Manager, Brian Brandt, has exceeded his expectations and thanked him for doing a great job.

Councilmember Gonzalez: Councilmember Gonzalez stated Councilmember Snyder hit a lot of good points. He is glad that a lot of the grants were figured out in the meeting.

Councilmember Knight-Simane: Councilmember Knight-Simane thanked Bonnie Renard for her service on the SCAC. Thanked Assistant Clerk Charlotte Zies for having the meeting information on her desk before the meeting.

Councilmember Fritsch: Thanked Bonnie Renard for her service on SCAC, and stated the SCAC will still continue to do good things. Councilmember Fritsch reminded everyone the time changes this weekend and to slow down and watch for children.

Councilmember Dan: Thanked the Committees and all of the volunteers. Councilmember Dan stated that each Committee should have a time to come forward in every meeting to discuss anything they would like Council to know.

Next Meeting Date: Tuesday, March, 21, 2023

Next Mayor & Council Meeting: Tuesday, April 4, 2023

Next Commission Meetings:

- Economic Development Commission – March 27, 2023 - Cancelled
- Smithsburg Community Activities Commission – Tuesday, March 21, 2023 @ 7:00PM 2nd Floor SCAC Room.
- Parks Commission – Monday, March 13, 2023 @ 7:00 PM, Conference Room 1st Floor.
- Planning Commission – Tuesday, March 14, 2023 @ 7:00 PM, Planning Room.

MOTION TO ADJOURN

On a motion by Councilmember Fritsch, second by Councilmember Snyder to adjourn the meeting at 9:51 PM.

Respectfully submitted,

Jenni House
Clerk/ Treasurer