

TOWN COUNCIL MEETING
DECEMBER 6, 2023

Public Hearing – 5:50 pm – Ordinance 7-2023 – An Ordinance of the Town of Trappe amending the Trappe Zoning Ordinance, Title IV, Section 6 to permit additional uses in the C-2 Highway Commercial District; Section 10 to reduce the number of required parking spaces for retail stores and the size of each parking space; and Title VI, Section 7 to permit flexibility in the application of Commercial Design Guidelines was read by President Newnam. No public comments were received, and the public hearing was closed at 5:51 pm.

Council of Trappe Meeting: President Newnam called the meeting to order at 6:00 pm. Council members Michael Sullivan, Brian Schmidt, Rose Potter and Walter Chase were present. Other attendees for the Town: Town Administrator Erin Braband and Town Attorney Lyndsey Ryan.

Agenda: Commissioner Schmidt made a motion to approve the agenda as presented. Commissioner Potter seconded the motion and it was unanimously approved.

Minutes: Commissioner Schmidt made a motion to approve the November 1, 2023 Council Minutes, the October 17, 2023 Council Workshop Minutes and the November 7, 2023 Council Workshop Minutes. Commissioner Sullivan seconded the motion and it was unanimously approved.

Clerk's Report: Administrator Braband stated that the Clerk's Report, the General Fund and the Enterprise Fund budgets are in the Council's packets and filed in the records.

Roy Geiser from UHY, LLP presented the Town's Fiscal Year 2022/2023 Financial Report and Audit Communications. Mr. Geiser discussed the Town's ARPA funds and the requirement to allocate the funds to a project or projects by December 31, 2024.

Public Works: President Newnam stated that the Public Works report is in the Council's binders and is filed with the records.

Public Safety: Sgt. Dobson read his monthly report that is filed with the records.

Planning & Zoning: Commissioner Schmidt stated that Dollar General submitted a concept plan and the Planning Commission discussed the look of the building and requested that the applicant come back with a concept plan showing the building looking a little less industrial. The Coffee Trappe is seeking a special exception for off sale alcoholic beverages and have submitted their special exception application. The Planning Commission will review the application at their December 19th meeting. The Planning Commission also decided to start holding workshops on the first Monday of the month to work on the Zoning Ordinance Amendment and try to get that completed soon.

Communications: Administrator Braband stated that the Town received an application from Mr. Richard Allison requesting an appointment to the Board of Appeals. The Board of Appeals currently has 1 open board member position and an open alternate position. There is a pending appeals hearing which requires

a full board. President Newnam made a motion to appoint Richard Allison to the Board of Appeals. Commissioner Schmidt seconded the motion.

VOTE:

Sullivan – Y Newnam – Y Schmidt – Y Potter – Y Chase – abstain

Motion approved.

Attorney Updates:

Attorney Ryan stated that at a previous Council meeting the Council approved the Hause Annexation and Mr. Hause has requested a zoning waiver from the County Council. The County Council will be introducing this Resolution at their December 12th meeting and then a public hearing will be held on the matter.

Attorney Ryan stated that the County Planning Commission met this morning and found Resolution 338 consistent with the County's Water and Sewer Comprehensive Plan. They tabled Resolution 347 and 348 because the County Public Works Advisory Board wants to discuss them again. The Planning Commission will discuss Resolution 347 and 348 at their January meeting.

Executive Session: No executive session was held on November 1, 2023.

ORDER OF BUSINESS BEFORE THE COUNCIL

Ordinance 7-2023 – An Ordinance of the Town of Trappe amending the Trappe Zoning Ordinance, Title IV, Section 6 to permit additional uses in the C-2 Highway Commercial District; Section 10 to reduce the number of required parking spaces for retail stores and the size of each parking space; and Title VI, Section 7 to permit flexibility in the application of Commercial Design Guidelines was read by President Newnam. A public hearing was held this evening for this Ordinance. Commissioner Schmidt made a motion to approve Ordinance 7-2023. Commissioner Chase seconded the motion and it was unanimously approved.

Resolution 5-2023 – A Resolution of the Town of Trappe authorizing the renewal of a Line of Credit Promissory Note with Shore United Bank, N.A., in the principal amount of \$100,000.00, of which funds were drawn and borrowed for various Town expenses pursuant to prior Legislative Acts of the Council of Trappe was read by President Newnam. Attorney Ryan stated that the Town's 2 Lines of Credit expire every December and the bank has offered to renew both Lines of Credit with an increase in the interest rate to 6%. Both Lines of Credit have \$0.00 balances. After discussion, Commissioner Schmidt made a motion to adopt Resolution 5-2023. Commissioner Chase seconded the motion and it was unanimously approved.

Resolution 6-2023 - A Resolution of the Town of Trappe authorizing the renewal of a Line of Credit Promissory Note with Shore United Bank, N.A., in the principal amount of \$200,000.00, of which funds were drawn and borrowed for various Town expenses pursuant to prior Legislative Acts of the Council of Trappe was read by President Newnam. After discussion, Commissioner Schmidt made a motion to not renew this Line of Credit therefore not adopting Resolution 6-2023. Commissioner Potter seconded the motion and it was unanimously approved.

Ordinance 8-2023 – An Ordinance of the Council of Trappe amending the Trappe Subdivision Regulations to establish a schedule of fees, charges and expenses, and a collection procedure for application and review of Land Subdivisions and Site Plans was read by President Newnam. Attorney Ryan stated that the Town is incurring fees related to reviews of subdivisions and site plans and this Ordinance would allow the Town to charge for the review and to seek reimbursement for professional services. Town Administrator Braband reviewed the recent fees that the Town has incurred due to recent projects. The Planning Commission will review this Ordinance at their December 19th meeting but in an attempt to save time in the adoption process this Ordinance is eligible for introduction tonight. Commissioner Chase made a motion to introduce Ordinance 8-2023. Commissioner Sullivan seconded the motion and it was unanimously approved. A public hearing will be held on January 3, 2024 at 5:55 pm.

MDE Application for WWTP Funding -

Attorney Ryan stated that MDE has provided preliminary eligibility numbers for the Town's two ENR wastewater treatment plant options. Option 1 is to upgrade the Town's existing plant to a Wave Oxidation ENR Plant which is estimated to cost \$8,880,000. MDE has preliminary found that 76.65% of that project is eligible for BRF grant funds which leaves a local share of \$2,073,151. Option 2 is to consolidate with the Lakeside ENR treatment plant. MDE reviewed alternative 2 of this option which is estimated to cost \$12,530,420. MDE has preliminary found that 29.80% of that project is eligible for BRF grant funds which leaves a local share of \$8,795,849. The Town must apply to MDE for BRF grant funds by January 31, 2024. After discussing the options, President Newnam made a motion to apply to MDE for BRF grant funding to upgrade to a Wave Oxidation ENR Plant due to the local share costs and the financial burden that these costs will place on the Town's residents. Commissioner Chase seconded the motion and it was unanimously approved.

Public Comments:

Jason McDermott stated that he received a letter from the Town regarding his work truck idling at 2:00 am and that it is a violation of the Town's noise ordinance. The Council and Mr. McDermott discussed his situation and possible solutions. After discussion, Commissioner Schmidt made a motion to not enforce the vehicle idling portion of the noise ordinance while the Council research ways to modify the code. Commissioner Sullivan seconded the motion and it was unanimously approved.

Executive Session: President Newnam stated that an executive session is requested to obtain legal advice and to discuss a personnel matter. Commissioner Schmidt made a motion to enter into executive session at 7:35 pm. Commissioner Potter seconded the motion and it was unanimously approved.

There being no further business to discuss, Commissioner Schmidt made a motion at 8:23 pm to reopen the public meeting and adjourn the meeting. Commissioner Potter seconded the motion, and it was unanimously approved.

Respectfully submitted,
Erin Braband, Town Administrator/Clerk

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