

COUNCIL OF TRAPPE
TRAPPE TOWN HALL
October 5, 2016

Public Hearing – 6:45 pm

President Fegel opened the public hearing for Ordinance 11-2016 at 6:45 pm. President Fegel read Ordinance 11-2016 – An Ordinance of the Town of Trappe to repeal and reenact Title IV, Section 10, Subsection 10.20 of the Trappe Zoning Ordinance titled “Signs” to regulate the size, location and placement of signs within the Town of Trappe. President Fegel opened for public comment and Bobby Croswell stated that under 1B it states to maintain and enhance the aesthetic environment while promoting creativity and the Town’s ability to attract sources of economic growth and development and he feels that part is concerning when reviewing Section 6 of this Ordinance which prohibits off-premises signs. Mr. Croswell feels that the Town is hurting local businesses by not allowing them to advertise off premises and the businesses that do have off premises signs will have to remove them. Mr. Croswell feels that section 6 is in conflict with 1B of this Ordinance. Mr. Croswell also stated that cluster signs are not addressed in this Ordinance. Mr. Croswell stated that he is concerned that the downtown businesses will lose business if they are not able to advertise off premises and he would like the Council to address how they are going to promote these businesses. President Fegel stated that State Highway controls what is along Rt. 50 and that is the hold up with the Town of Trappe sign. Shayma from Freedom Fuel questions Section 5 of the Ordinance and the prohibition of lighted and LED signs. Shayma stated that other jurisdictions allow lighted and LED signs and she would like Trappe to do the same. Attorney Booth stated that the intention is to restrict electric signs which have a constant movement along the highway so the Town doesn’t have strip type signs lining the highway. With no further comments the public hearing for Ordinance 11-2016 was closed at 6:59.

President Fegel opened the public hearing for Ordinance 12-2016 at 6:59 pm. President Fegel read Ordinance 12-2016 – An Ordinance of the Town of Trappe adopting a temporary moratorium for a period of six (6) months on the consideration, processing, or approval of any site plan or building permit for the construction or expansion of any poultry house within the Town of Trappe. President Fegel opened for public comment and Bobby Croswell asked if there are any zones in Town now that allow poultry houses? Planner Shull replied yes, in agricultural and manufacturing. Mr. Croswell stated that while he agrees with the Ordinance, it does not address repurposing an existing structure into a poultry house. With no further comments the public hearing for Ordinance 12-2016 was closed at 7:02.

Council of Trappe Meeting:

President Fegel called the meeting to order at 7:02 pm. Council members Rose Potter, Tonya Pritchett and Don English were present. Council member RD Diefenderfer was absent. Other attendees: Bobby Croswell, Shayma from Freedom Fuel, Mr. & Mrs. Charles Adams, Edgar Harrison, Bobby Quidas, Nick Newman, Chris Polk – Star Democrat, Roy Geiser – TGM Group, Planner Shull, Superintendent Callahan, Chief Ball, Attorney Booth and Clerk Braband.

Amendments to the Agenda:

The agenda was approved as presented.

Presentation of Minutes:

Commissioner English made a motion to approve the minutes as presented. Commissioner Pritchett seconded the motion. All approved.

Clerk's Report:

Clerk Braband presented the Clerk's report that is filed in the records. Clerk Braband also presented the current budgets for both the general and the enterprise funds.

Roy Geiser – TGM Group

Mr. Geiser gave a review of the Town's financial audit for fiscal year 2016 and pointed out important parts for the Council to pay attention to.

The financial report was first reviewed and the following was pointed out:

Page 11 shows the Town's net worth position is \$1,512,143 of which \$260,350 is unrestricted and \$1,251,793 is net investment in capital assets (buildings, treatment plant, roads, etc).

Page 12 shows the Town's change in net position from FY 15 to FY 16 which is a decrease of \$272,050.

Page 15 shows the change in the fund balance for the General fund which is a decrease of \$94,513.

Page 18 shows the change in the fund balance for the Enterprise fund which is a decrease of \$163,647.

Page 29 shows the Enterprise debt for FY 16 which reflects payments made and a draw from a line of credit. The current debit is \$2,977,146.

Page 33 shows the local income taxes reflecting a large difference in the amount budgeted and the amount that was actually taken in. The budgeted amount was \$190,400 and only \$61,315 was actually received. This due to a decrease that a lot of municipalities are being faced with and the loss of a significant tax payer in Town.

Page 35 shows the expenditure total for the general fund for FY 16. The budgeted expenditure amount was \$687,120 and only \$638,371 was spent therefore we were under budget in general expenses.

The audit communications was reviewed and the following was pointed out:

Page 9 states that the Town does not have proper segregation of duties which is not unusual for a Town of our size. It was determined that it would not be cost effective for the Town to add additional personnel at this time.

Page 11 shows that the Town's net position has decreased over the last 4 years by 25%.

Page 12 shows where the GFOA (Government Finance Officers Association) recommends, at a minimum, that the general fund maintain unrestricted fund balance of no less than 2 months. The Town is currently at 4 months of reserve which is a decrease from 5 months last year.

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Page 13 shows where the GFOA recommends, that under no circumstances should the target for working capital of the enterprise fund be less than 45 days' worth of annual operating expenses. GFOA recommends beginning at 90 days as a baseline. The Town is currently at 0 days, possibly even in the negative. The Town has raised the water and sewer rates for the new fiscal year but in Mr. Geiser's opinion they have not been raised enough and need to be considered again.

Mr. Geiser stated that page 29 of the financial report which shows the debt for the enterprise fund. The Town has significant debt due to the treatment plant upgrade. Mr. Geiser stated that he compared Trappe to other towns that he handles and found that Trappe's debt to equity ratio is 465% while the other's highest ratio was 56%.

Page 19 of the financial report shows the statement of cash flows for the enterprise fund and the Town spent \$191,614 just for debt service for the year. The report also shows that the Town only had a net cash amount of \$147,866 that was provided by operating activities. Therefore, the Town did not bring in enough money to even cover the debt service.

Mr. Geiser recommends that the Town Council review the water and sewer rates and consider raising the rates more than the 2% automatic increase. Mr. Geiser stated that if the Town continues to deteriorate as it has been there will be some tough decisions and discussions to be had within the next 4 years.

COMMITTEE AND DEPARTMENT REPORTS

Public Safety – Chief Ball read his report that is filed in the records. Chief Ball stated that Best Fest went well and there were only minimal issues during the event.

Public Works – Superintendent Callahan read his report that is filed in the records. Nick Newman expressed concern for the residents whose water was off overnight due to the water leak and suggested that the Town have an emergency plan to handle a situation like this. Superintendent Callahan said that he called one of the Town's approved vendors and they were unable to respond until the next morning. Superintendent Callahan then called Miles Retallack and they did not respond until the next day but once they did they were onsite quickly. Bobby Croswell stated that the Town does have an emergency plan in place but perhaps it should be reviewed and updated.

Planning & Zoning – Planner Shull stated that the Planning Commission has been working on the Sign Ordinance and the Chicken Moratorium Ordinance which have been forwarded to the Council.

The Community Outreach Group is working on getting together the supplies for the luminaries to be sold again this year to be put out November 27th to coincide with the lighting of the tree at Trappe United Methodist Church.

The rental license program now has 126 properties that have registered paid the license fee which is about 75% of the Town's rentals. The inspections will hopefully be completed before December. The main reason for the units failing is lack of smoke detectors or smoke detectors with no batteries.

Parks & Recreation – As Commissioner of Parks, Commissioner Potter stated that Michael Johnson from the VFW contacted the Town and said that the VFW had a flag pole that they would like to donate to the Town and install in Veteran’s Park. Commissioner Potter and Commissioner English marked a location near the light pole at Veteran’s Park and the Town is waiting to hear from Mr. Johnson as to when the flag pole will be installed.

Commissioner Potter stated that she and Planner Shull met with Kevin from DMS regarding Nace’s Park to go over the park design and have figured out that the next step is start the bidding process for the park. Planner Shull stated that the project will be put out to bid in November with a submission deadline of the end of November. This will be a single contractor bid request. The bids will be presented to the Council at their December 7th meeting for an award. There were a few options discussed to add as possible alternates to the bid such as an underground irrigation system, a potential pergola and a drinking fountain.

Economic Development – Commissioner Pritchett stated that she didn’t have anything to report. Planner Shull stated that the Talbot County Tourism office hosted 120 writers in Talbot County in September and they are going to be reporting on places to visit in Talbot County. Planner Shull stated that the Talbot County Economic Development group will be meeting with each of the Towns and their businesses in the near future.

Communications – President Fegel stated that the Town has hired Matthew Seiler as the new Public Works and Water/Wastewater Apprentice Operator.

Attorney Updates – Attorney Booth stated that she didn’t have anything in addition to what is on the agenda.

Executive Session – President Fegel stated that an executive session was held on September 7, 2016 to discuss a personnel issue, a real estate issue and to obtain legal advice. An executive session was also held tonight prior to the Council meeting to discuss a personnel issue.

ORDER OF BUSINESS BEFORE THE COUNCIL

Ordinance 11-2016 – An Ordinance of the Town of Trappe to repeal and reenact Title IV, Section 10, Subsection 10.20 of the Trappe Zoning Ordinance titled “Signs” to regulate the size, location and placement of signs within the Town of Trappe was read by President Fegel. Attorney Booth stated that in regard to the comment made during the public hearing regarding cluster signs, there is a place in this Ordinance that allows a commercial/industrial neighborhood sign which covers where many different businesses are listed on one sign. Planner Shull stated that she would like to see this Ordinance passed tonight as there are several businesses that are waiting for direction so they can put up new signs. Commissioner English made a motion to adopt Ordinance 11-2016. Commissioner Pritchett seconded the motion. No discussion held.

VOTE:

Potter – Y Fegel – Y Pritchett – Y Diefenderfer – absent English – Y

All approved, motion carried.

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Ordinance 12-2016 – An Ordinance of the Town of Trappe adopting a temporary moratorium for a period of six (6) months on the consideration, processing, or approval of any site plan or building permit for the construction or expansion of any poultry house within the Town of Trappe was read by President Fegel. Attorney Booth clarified the 4 chicken minimum in this Ordinance by stating that this Ordinance was drafted when legislation was pending before the Council that would have allowed coops with 4 or less chickens. Therefore this Ordinance was drafted so a moratorium was not placed on 4 or less chickens. This Ordinance is to address the big poultry houses that MDE regulates. Commissioner Potter made a motion to adopt Ordinance 12-2016. Commissioner English seconded the motion. No discussion held.

VOTE:

Potter – Y Fegel – Y Pritchett – Y Diefenderfer – absent English – Y
All approved, motion carried.

Ordinance 14-2016 – An Ordinance of the Town of Trappe amending the Trappe Zoning Ordinance, Title III and Section 2 to add a definition of “farm animal” and to amend Title IV, Section 12 to prohibit the keeping of farm animals in all zoning districts other than the Agricultural (“A”) zoning district and to prohibit the keeping and maintaining of any exotic animals as defined by state law; and to amend Article IV, Section 7 to permit an animal shelter or animal sanctuary in the “A” Agricultural district by special exception was read by President Fegel. Attorney Booth stated that the Planning Commission previously created an Ordinance allowing chickens in residential areas but when the Ordinance came to the Council it died due to lack of a motion. At that time the Council made a motion asking the Planning Commission to revise the Ordinance to prohibit and clarify where chickens and other farm animals could be kept. The Planning Commission with the help of Attorney Booth then created the Ordinance that is being introduced tonight that would prohibit farm animals and exotic animals which are defined under state law. This Ordinance prohibits the keeping of farm animals in districts other than the Agricultural district and prohibits the keeping of exotic animals in any district. The Ordinance does allow animals to be kept in a vet clinic or in a shelter/sanctuary as permitted by law. The Ordinance also clarifies that animal clinics, shelters or sanctuaries are permitted by special exception uses in the Agricultural district. Commissioner English made a motion to introduce Ordinance 14-2016. Commissioner Pritchett seconded the motion. No discussion held.

VOTE:

Potter – N Fegel – Y Pritchett – Y Diefenderfer – absent English – Y
Motion approved with a 3-1 vote.

A public hearing will be held on November 2nd at 6:45 pm.

Resolution 6-2016 – Job description for Public Works, Water and Wastewater Apprentice was read by President Fegel. Commissioner English made a motion to adopt Resolution 6-2016. Commissioner Potter seconded the motion. No discussion held.

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VOTE:

Potter – Y Fegel – Y Pritchett – Y Diefenderfer – absent English – Y

All approved, motion carried.

Other Business:

Snow Removal Bid – President Fegel stated that one bid was received and that was from PE Moore. The bid amount is \$2,758.25 per plowing. Commissioner Potter made a motion to award the snow removal contract to PE Moore. Commissioner Pritchett seconded the motion.

VOTE:

Potter – Y Fegel – Y Pritchett – Y Diefenderfer – absent English – Y

All approved, motion carried.

Announcements – President Fegel read the announcements.

Executive session – No executive session to be held after the meeting.

There being no further business to discuss, Commissioner English made a motion to conclude the meeting at 8:09 pm which was seconded by Commissioner Potter and unanimously approved.

Erin Braband, Town Clerk

Norm Fegel, Council President