

Mayor & Council of Sharpsburg  
Meeting Minutes  
Monday, April 4, 2022  
6 PM

- I. Call meeting to order and pledge-Ed led the pledge
- II. Meeting minutes from March 2022 to approve-Ed motioned, Jake seconded and all were in favor of the meeting minutes from March.

**In attendance:** Russ Weaver, Jake Martz, Joe Kudla (via phone), Ed Beeler, John Hammond, Randall Short, Mike Arant, Dave Hays, Perry Jamieson, Jen Bruni, Carrie Estell, Brian Albert, Oley Griffith, Daniel Shaffer, and Diann Shaffer

**Brain Albert**, introductions and brief vision-Running as for sheriff from Clear Spring as a republican, Mr. Albert has 28 years of law enforcement experience and has directed the 911 center and learned a lot. He feels that he brings forth a great amount of service experience and a fresh set of eyes. One of his goals if he wins the election for sheriff is to create a county wide task force that would assist communities.

**Dave Hays**, Director of Washington County Emergency Services-ALLEY NAMING

Russ explained that the letter that the town received was without explanation and no phone call to follow up.

Mr. Hays said that the naming of alleys/streets are important for safety and emergency services. Emergency employees are sometimes outside the community and without knowledge, it is important to have unique names for alleys. The list of names that are not able to be used are due to sound alike names, duplicate names, these cause issues when calling in an emergency. The lack of landlines, which were associated with an address, are also problematic as cell phones because the GPS linked to cell phones sometimes is not accurate and 80% of emergency calls are from cell phones. The technology is getting better; with cell phones location can be about 3 meters away. Some suggestions for new alley names that Mr. Hays and Mr. Griffith thought of that reflected the history of the town were: Biggs Alley, Tolson Alley, Garrison Springs Alley and Clipp Alley. Russ thanked the gentlemen for their thoughtfulness of names and will take this to the town's planning commission. The need to name the alley by Tolson's Chapel is needed as it will be part of the town's walking tour.

### Public Comments

**Randy Short**-the gravel that was replaced on his alley way was not compressed and is all over his property. He has requested the town remove said gravel. Joe and Robbie to take a look to see what type of solution will result in fixing this issue.

**Perry Jamieson**-his property is adjacent to Randy's and he feels that the issue with the alley needs more work, possible paving.

**Daniel & Diann Shaffer**-requesting to be annexed into the town limits. They have a property and some is in town and some of it is not. They would like for the entire area to be part of the town. They brought to the meeting some paperwork that was copied and Tim will be aware of this request.

### Mayor's Report

**Budget/Finances**-March finances were reviewed and discussed-Jake motioned and Joe seconded, all were in favor of the budget and March's finance report. Russ asked that council take a good look at the budget as we will have to create a budget for the upcoming fiscal year.

**3-person election board**-The three women from the Library Board will continue to serve as the election board, (Patty Hammond, Judy Spielman and

**DSL** (10%, who is able to use room)-spending the money to get council meeting audio equipment; with the cost of the equipment, we need to rethink allowing outside organizations using the room. If the Sons of the Confederates wish to still use the room, the meeting night would remain on the first Wednesday of the month and because Ed has to stay to lock up, a 25\$/hour fee, in check or cash, will be donated to the museum. Ed and Carrie will draft up an agreement for the use of the room.

**Review Spending Policy**-spending policy was reviewed

**Feral Cat update**-Carrie reached out to a few organizations and need to get a number of feral cats

**Website update**-website is looking great and should be up and running by the end of the month

Thank You note from the Spielmans for the lunch council bought when Hal was sick

**Tim Lung Zoning Report (submitted electronically)**

- Continue to work on obtaining the necessary information to complete the zoning permit application for the Short-Term Rental at 110 S. Mechanic Street, owned by Gideon Properties. Draft copy of a parking easement plat has been submitted. Waiting for submittal of the recorded parking easement document.
- Attended a Zoom meeting on March 21 with Russ and County staff in regard to naming of some alleys. Meeting summary is attached. Dave Hays, Director of Emergency Services to be in attendance at the April meeting.
- Meet with the Planning Commission at its meeting on March 9 to go over 2022 action items that were listed in my January report. Draft minutes are attached.
- Follow up on 121 E. Chapline Street zoning violation letter for the construction of a fence without a permit and for use of the property as a Short-Term Rental without proper zoning approval and zoning permit. The owner has restricted the rental of the property to over 30days. The fence contractor has submitted a permit application for the fence.
- Have been working with Beatrice Gregg regarding her plans for a coffee shop in the former Kretzer's Market at the corner of Mechanic and Main Street.
- Continue to work on the review of a subdivision plat to divide off the town spring from the Hall property on East Antietam Street to be conveyed to the Town. Frederick, Seibert & Associates to revise the plat per comments. Planning Commission granted approval of the Plat at its March meeting. A deed of conveyance will need to be prepared most likely requiring involvement by the Town Attorney.
- At the request of the Planning Commission, attended a Zoom meeting on April 1 with Vernell and staff from the County Planning Department to discuss options for the Town property owners to be eligible for County Historic Preservation Tax credits. The County Historic District Commission and staff will be developing a draft MOU that Towns may use as an alternative to appointing its own Historic District Commission. The Towns would still need to adopt a form of Historic Preservation Zoning. A draft MOU probably won't be available till later this year. The Planning Commission will discuss further and present recommendation to the Council.
- Have talked to owners of property at 143 East High Street regarding the possible annexation of their property into the Town. Their property is located at the end of E. High Street past Church Street and is currently split by the Town boundary but is taxed entirely in the Town. Discussed options with Joe Rogers at the Maryland Department of Planning. It may be possible to use a process known as a "Boundary Adjustment Annexation"; however, this would still require going through with the standard annexation process involving submittal of a petition by the property owner, an annexation resolution, a boundary survey and a public hearing by the Council. Will continue working with State Planning on guidance for a boundary adjustment.
- Received an inquiry from a contractor for Antietam Broadband regarding their plans to do work involving installation of new fiber optic cable in the public right of way and the possible need for permits, etc. I requested that they submit a scope of work and drawings showing the location and extent of the work.
- Will not be in the office on Friday April 15. Beginning Friday April 22, my office hours will be changing from 10am – 2pm to 9am – 1pm.

## Planning Commission Meeting Notes

- **Tax Credits for Historic Structures.** Tim reported that in order for the Town to be eligible for County historic tax credits the Town must adopt Historic Preservation Zoning and appoint a Historic District Commission (HDC). Vernell acknowledged this and noted that she is a member of the County HDC. She stated that the HDC is aware that several Towns in the County are interested in the Tax Credit program and that the HDC has been exploring options to the need for each town to have its own HDC through the use of a memorandum of understanding (MOU) with the County. She stated that County staff Jill Baker and Meghan Jenkins have been working on this. Tim stated that he would reach out to County staff for more information regarding an MOU and report back.
- **5 G antennas on Town property.** Tim explained the benefit for Town oversight of such antennas, including the control of location, design, maintenance and establishment of a fee for use of Town infrastructure, and reviewed Boonsboro's Ordinance. It would need to be a separate Ordinance and not part of the Zoning Ordinance. The Zoning Ordinance covers such antennas on private property. Following a discussion, the Commission asked Tim to gather more info and forward to the Planning Commission for review and possible recommendation to the Council for adoption.
- **Definition of a "Block".** Tim stated that the Town's Zoning Ordinance does not define a "block". The term "block" is used in the section dealing with the regulation of short-term rentals (STR) and set a limit on the number of STR's permitted in a block. Tim stated that in the absence of a definition in the Zoning Ordinance, he would use the definition found in the Subdivision Ordinance. Patty stated that it was the intent of the STR regulation to define a block as the property from both sides of a street within the same address sequence. I. E. 100 block of West Main Street, 200 block, etc. There was a discussion and the members agreed that this was the intent. Tim stated that he would work up some language for a definition and report back to the Planning Commission. There was an additional discussion regarding the number of existing STRs in Town and developing a method of tracking them. Tim stated that this could possibly be handled as a GIS layer in the Town's mapping.
- **Status of un-improved alleys.** Tim stated that the mayor had requested the Commission's input on the possibility of disposing of some of the un-improved public alleys in Town and offering the property to the adjoining property owners. Some of these alleys may not be currently serving any use to the public in general. There was a discussion about the location of the alleys in question, how they are currently being used, who is using them, maintenance issues, blockages, and how they may be useful to the Town and its citizens in the future. There was a consensus of the Planning Commission that the alleys should be kept by the Town. Mia suggested taking a walking tour to evaluate the alleys and possibly make further recommendations as to possible future uses and improvements.
- **Storage pods/sea containers.** Tim stated that there had been previous discussion by the Mayor and Council and the Planning Commission regarding the use of sea containers and "PODS" as both permanent and temporary storage buildings. Currently such containers would be treated the same in the Zoning Ordinance as any other storage building. Use of containers for temporary storage is

not currently addressed. Tim stated that some other Towns have adopted regulations. There was a discussion by the Commission, with some members expressing concern about the aesthetics of these containers and the negative influence on the charm of the Town. The commission asked Tim to provide some samples of other Town's regulation for further discussion.

- **Town spring acquisition.** Tim stated that for some time, the Town has been discussing the possibility of acquiring the historic town spring from its current owners the Hall's, located along the south side of the alley between E. Main St. and E. Antietam St. A subdivision plat has been prepared for the Town by Frederick Seibert & Associates to divide off a 4,254 sq ft parcel from the Hull's property for the purpose of conveyance to the Town. This would be done under the provisions of the Subdivision Ordinance Simplified Plat process which allows the Planning Commission to approve "other uses" such as this. Tim instructed the Commission that a motion to approve the use of the Simplified Plat process for this use and approve the subdivision plat would be in order. It was motioned by Vernell and seconded by Gary to approve the use of the Simplified plat process and to approve the plat. So, moved.

#### OPEN DISCUSSION

Russ presented to the Commission a review of the state's "Sustainable Communities" programs including the possible availability of grants to make improvements to the Town including façade improvements, street scape renewal, retiring in place, etc. There was a discussion by the Planning Commission. Mia stated that work must be approached in a balanced way regarding aesthetics. Russ stated that he will send out information to the Commission for review. Patty asked about how many members have taken the Planning Commission training required by the State. Vernell stated that she had done the training, Gary said that he would need to do it. Tim stated that he would check with the State Department of Planning for a list of who needs to take the training.

#### Council comments

- **Mia Parsons-Planning-(Streetscape), grants-Not in attendance/Carrie reported**
  - Getting estimates for tree replacements for the trees that were removed
  - Meeting with the state for a walk through to see what they can assist with street scape
- **Joe Kudla-streets, roads & culverts**
  - Walls are now officially part of MDOT's inventory and the repair will be their responsibility. Traffic lines by the walls should assist with traffic and hopefully will
  - 221 NO parking signs-will talk to Robbie about installing
  - Street Sweep/clean the 3<sup>rd</sup> week of May
  - At the MML dinner, Joe reminded all in attendance about the town's Memorial Day ceremony and parade.
  - Taylor's was contacted and they will be cleaning out the culvert, due to needing two trucks the scheduling has become tricky. The wet waste will be placed by the water tower and moved to the dump when dried.
  - Sidewalks/Bridges/Culverts-Cody of No Mow Worries provided the town with an estimate and Joe will have him start on the anchor of the guardrails and culvert/bridge repair off Antietam Street. Joe will get a more detailed estimate for the sidewalk work. Since there's a lot of sidewalks that are in need of repair, we could have him work small sections at a time.
  - Inmate Crew to start at the end of the month of the beginning of May. A van with a hitch will be rented, tools and equipment to purchase for town use and a trailer to borrow or rent. The work they will be performing will be mainly cleaning up gutter pans, cleaning out the large culvert near the Fire Station and picking up trash. Joe motioned for the cost of the inmate project, (van rental, trailer and tools lunch for workers), Joe put for the the motion, Jake seconded and all were in favor.
- **Robbie Waters-parks, railroad station, town operations (not present)**
- **John Hammond-Building and Infrastructure**
  - County meeting with lawyer on wells was productive.
- **Ed Beeler-Historical Planning, town archives, communications, grants**
  - March Attendance: 274-Year to date Attendance: 486
  - Metal Detecting Exhibit
    - Six vendors displaying artifacts found around Sharpsburg & Washington County
    - Attendance: 65-could become an annual event
  - Three Student Interns and I were invited to the Army Heritage Center Museum in Carlisle, Pa, for a tour
  - Saturday, April 9<sup>th</sup> Spring Native American Artifact and Arrowhead Exhibit is 9-4
  - May the 14<sup>th</sup> History of Sharpsburg's Fire & EMS Exhibit
  - The Sharpsburg Museum of History is now a 501© (3) non-profit organization
  - Donations for the month of March: Two leather flag pole carries that belonged to the Sharpsburg rifles, a file full of letters, books and bulletins from the Church of the Brethren, a large file full of items from the Lutheran Church,

Items from two people about the EMS of Sharpsburg, display case from the Alsashia Club of Hagerstown & several pieces of slag from the Iron Furnace back at Antietam

- **Jacob Martz**-Vice Mayor, communications, Memorial Day Parade, grants
  - Memorial Day
    - Received \$5,000 check from Hotel Rental Tax Fund Grant
    - Ordered new signage
    - Met and coordinated with fire police regarding traffic control for the parade
    - Assessed and selected new traffic control devices for purchase to replace old and broken equipment, waiting on confirmation from company for tax-exempt status
    - Distributed applications for parade book sponsorships
    - Parade book is in the process of being formatted, Sharpsburgh Museum of History, in conjunction with the Sharpsburg Historical Society, have prepared and submitted a "History of the Parade" narrative to be included in this year's parade book.
    - We have received approval from the FAA for an Air Force flyover and submitted the request to the National Guard for approval
    - Communicated with the Hagerstown Aviation Museum regarding PT-19 flyover, who stated that they would participate as long as their aircraft are serviceable
    - Currently have 37 returned applications, but expecting 15-20 more within the coming week
  - DSL
    - Reviewed their proposal and from others it looks very fair and they are including a training session once all equipment is in hand. Total package is \$17,830.00 and they're offering us a 10% discount and total would be \$16,083.00. Jake put forth the motion for the expense, Ed seconded the motion and all were in favor. There will be about 3-6 months for complete installation and equipment to be in stock.
    - John suggested to look into new furniture to go with the new meeting audio equipment.
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### Community Partners

- **Chris Vincent**-advisory board (not present)
- **Mike Arant**-Town Crier
  - About 190 electronic subscriptions for the Town Crier, finding the Community Calendar portion is most popular. The library continues to offer free colored copies of the paper.
  - Mike will meet with Carrie to discuss how to provide the information residents should know concerning feral cats.
  - Mike will also have a portion of the Crier to let residents who had trees removed that their input will be considered.
- **Officer Peyton**-March report, electronically submitted
  - Checks
    - Antietam Stat -14, park-11, ballfield-7, school-11,
    - 3 hours of foot patrol
    - Traffic 5 hrs.-yielding 7 citations & 4 warnings
  - 2hrs training and assistance to county with disturbance calls and intoximeter tests

### Old Business/ACTIONS

Discussion on out of tow resident who cuts through town property to get to his home, residents who do not mow their grass and the hazard of a hole in an alley.

### New Business

Carrie to schedule BULK TRASH before the Memorial Day Ceremony and Parade, signage to be posted on town hall door, Post Office and Facebook page.

Meeting adjourned at 830 pm, next meeting scheduled for Monday, May 2<sup>nd</sup>

