

COUNCIL OF TRAPPE  
TRAPPE TOWN HALL  
September 7, 2016

**Council of Trappe Meeting:**

President Fegel called the meeting of the Council of Trappe to order at 7:00 pm. Council members Tonya Pritchett, RD Diefenderfer and Don English were present. Council member Rose Potter was absent. Other attendees: Maurice & Sheryl Evans, Sarah & Bridget Gorman, Cassandra Brey, Robert Crosswell, Dean Roe, Michael Sullivan, Robert Quidas, Chris Polk – Star Democrat, Planner Shull, Attorney Booth and Clerk Braband.

**Amendments to the Agenda:**

Commissioner Pritchett stated that she would like to add grant information under other business. Commissioner English made a motion to approve the agenda as amended. Commissioner Pritchett seconded the motion. All approved.

**Presentation of Minutes:**

Commissioner English made a motion to approve the minutes as presented. Commissioner Diefenderfer 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 enterprise funds. Clerk Braband stated that the financial audit has been completed and the auditing firm will be at the October 5<sup>th</sup> Council meeting to make their presentation.

**COMMITTEE AND DEPARTMENT REPORTS**

**Public Safety** - Chief Ball is unable to attend so no report given.

**Public Works** – President Fegel read Superintendent Callahan's report that is filed in the records.

**Planning & Zoning** – Planner Shull read her report that is filed in the records.

**Parks & Recreation** – Nothing to report

**Economic Development** – Commissioner Pritchett stated that she received approval from the Town Council at the last meeting to approach the Community Outreach Team about applying for a grant for smoking cessation. The Community group gave their approval and Commissioner Pritchett applied. Commissioner Pritchett stated that she received word back that the Town was awarded \$2,000.00 to promote smoking cessation. The Community Outreach Team will now work to plan the events.

**Communications – None**

**Attorney Updates** – Attorney Booth stated that she has been working to close out any loose ends on the Shelby Acres Public Works Agreement which was executed in 2005. At this time 3 houses have been built and the road has been completed. The developer was to provide a warranty for the grinder pump for a period of 10 years which is set to expire in December 2016. Attorney Booth stated that she has prepared an Amendment to the Public Works Agreement that authorizes certain things to be done by the Town once the Town accepts Moore Avenue as a public street by deed, once the developer provides a metes and bounds description for the road as well as the 2 open space parcels, once the Town receives evidence that the street lights and any utilities are paid in full up to the date of transfer, once the developer repairs the broken fire hydrant and at the expiration of the 10 year warranty (Dec. 2016) provides a replacement grinder pump to the Town. Attorney Booth stated that in regards to the storm water management pond, she has prepared covenants as well as an easement so the Town will have access and to ensure that the property owners are maintaining it. This is the one piece under the existing Public Works Agreement that the Town is not accepting responsibility for. Attorney Booth explained to the Council that if they are comfortable with the Amendment to the Public Works Agreement then they could authorize its approval which will allow the deed and some of the covenant documents to be signed once the developer meets the conditions in the agreement. Commissioner Pritchett made a motion to approve the Amendment. Commissioner English seconded the motion.

**VOTE:**

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

**Executive Session** – President Fegel stated that an executive session was held tonight prior to the Council meeting to obtain legal advice. An additional executive session will be held tonight following the open meeting for a real estate matter and to discuss a contract.

**ORDER OF BUSINESS BEFORE THE COUNCIL**

Best Fest – Mr. Evans and the MC’s for the event (Cassandra Brey and Sarah Gorman) gave a final update for the event that will be held on September 23<sup>rd</sup>.

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. President Fegel stated that the Planning Commission has been reviewing this for over a year now and then the Supreme Court enacted Legislation and the Planning Commission worked on revising this Ordinance again using the Supreme Court case as guidance. Commissioner English made a motion to introduce Ordinance 11-2016. Commissioner Pritchett seconded the motion.

VOTE:

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

A public hearing will be held on October 5<sup>th</sup> at 6:45 pm.

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. Commissioner Pritchett made a motion to introduce Ordinance 12-2016. Commissioner English seconded the motion.

VOTE:

Potter – absent            Fegel – Y            Pritchett – Y            Diefenderfer – N            English – Y  
With a vote of 3-1 the motion carries.

A public hearing will be held on October 5<sup>th</sup> at 6:45 pm.

Ordinance 13-2016 – An Ordinance of the Town of Trappe to amend the Trappe Zoning Ordinance by adding Section 12.100 titled “Chickens within Residential Districts” to regulate the keeping or maintaining chickens within the Town of Trappe as an accessory use on properties in the R1, R2 and R3 districts where a single family residence is located which has a minimum lot size of 8,000 square feet was read by President Fegel. President Fegel stated that the Planning Commission spent 3 meetings discussing chickens and invited the public for comment to one of the meetings. Only a few people showed up and the opinions were split. Planning Commissioner Harrison stated that the Planning Commission discussed this at great lengths and were silent on whether to allow chickens or not. Planning Commissioner Harrison stated that the Planning Commission is submitting this Ordinance for the Council to consider and if they are going to allow chickens the Planning Commission would like for them to handle it this way but they are silent on whether to permit or not. President Fegel stated that he personally is against chickens in residential areas as it is hard to regulate and property owners are required to register their chickens and get a permit. President Fegel stated that Commissioner Potter is absent this evening but did send in her comments and she is also against chickens in residential areas. Commissioner English stated that he is also against chickens in residential areas and he has talked to a lot of residents and 99% of the people he has talked to are against it. Planning Commissioner Harrison stated that if the Council were to send this Ordinance back to the Planning Commission he would like the Council to give the Planning Commission more direction and specifications. Commissioner Diefenderfer made a motion to introduce Ordinance 13-2016. No one seconded the motion and the motion died. Commissioner English made a motion to send the Ordinance back to the Planning Commission to modify the Zoning Ordinance to prohibiting livestock in residential districts. Attorney Booth suggested that the Planning Commission also discuss the possibility of including exotic animals.

**VOTE:**

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

With a vote of 3-1 the motion carries.

**Other Business:**

Weekly Trash Removal Bids – President Fegel stated that two bids were received. The first bid is from Thomas Salvage who bids \$2.00 per week per house for pick up plus actual landfill charges and a fuel surcharge. The second bid is from Chesapeake Waste who bids \$1.48 per week per house for pick up and \$1.37 per week per house for landfill charges for a total of \$2.85 per week per house. Clerk Braband stated that after the bid notice was placed a discussion was held regarding the Town paying the actual cost of landfill charges versus a set price per week for landfill charges. A decision was made to request a set price for landfill charges and an addendum was sent out to all interested trash companies. Thomas Salvage did not bid for a set price and only bid how they have been charging in the past. President Fegel stated that the Council will recess into executive session to discuss the bids and return with a decision.

**Announcements:** President Fegel read the announcements.

**Executive Session** – Commissioner English made a motion to recess into executive session to discuss the bids and a real estate matter at 8:04 pm. Commissioner Pritchett seconded the motion.

Commissioner Pritchett made a motion to reopen the regular meeting at 8:13 pm. Commissioner Diefenderfer seconded the motion.

Clerk Braband read the results for the trash removal bids as follows:

Thomas Salvage proposes a cost of \$72,899.00 a year which includes the weekly pick up, the landfill charges and a monthly fuel surcharge. This breaks down to \$186.00 to our residents a year which increases the resident’s cost by \$19.00 a year.

Chesapeake Waste proposes \$58,095.00 a year which includes the weekly pick up and landfill charges; they do not charge a fuel surcharge. This breaks down to \$149.00 to our residents a year which decreases the resident’s cost by \$18.00 a year.

Commissioner English made a motion to accept the lowest bid, Chesapeake Waste. Commissioner Diefenderfer seconded the motion.

**VOTE:**

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

All approved, motion carried.

Chesapeake Waste will begin on October 1<sup>st</sup>.

President Fegel stated that the Council has decided to put the Town owned apartments on the market due to the fact that the Town doesn't need to be in the rental business and the apartments are starting to cost the Town a lot of money. Attorney Booth stated that the Council is looking to see what the apartments are worth and are looking to do so without incurring a realtor expense so she suggested that the Council place an ad to obtain bids as there is interest in the apartments already. The Town also wants to retain the flexibility and right to reject any and all bids if the Town feels that it does not make economic sense to sell the property. Attorney Booth stated that if a bid was accepted then they would be sold by Ordinance after a public hearing. Commissioner English made a motion to advertise for sealed bids to sell the property. Commissioner Diefenderfer seconded the motion.

VOTE:

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

There being no further business to discuss, Commissioner Diefenderfer made a motion to conclude the meeting at 8:20 pm which was seconded by Commissioner Pritchett and unanimously approved.

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Erin Braband, Town Clerk

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Norm Fegel, Council President