

The Mayor and Commissioners of the Town of Elkton

October 7, 2020

In order to comply with Governor Larry Hogan's declaration of a State of Emergency as part of Maryland's response to COVID-19, and in order to limit public gatherings during this time, the Mayor and Commissioners of the Town of Elkton (the "Board") conducted a virtual meeting on this date at 12:00 p.m. The following persons participated via computer and/or telephone: Mayor Robert J. Alt; Commissioners Jean A. Broomell, Charles H. Givens, Sr., Robert M. Massimiano and Earl M. Piner, Sr.; Town Administrator Lewis H. George, Jr.; Finance Director Steven H. Repole; Director of Public Works J. Daniel Handley, P.E.; Director of Planning Jeanne D. Minner; Senior Administrative Specialist L. Michelle Henson; and Town Attorney John P. Downs, Esquire.

Mayor Alt called the meeting to order at 12:00 p.m. and lead the participants in the Pledge of Allegiance.

ACTION: The minutes of the September 2, 2020 virtual meeting were approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Massimiano and approved by all present with no corrections or amendments.

ACTION: The financial report and the bills submitted for payment were approved on a motion made by Commissioner Broomell. The motion was seconded by Commissioner Piner and approved by all present.

Ms. Minner introduced new employee Mr. Nick Cannistraci, Planner I.

Administration of Oaths of Office

Mayor Alt administered the Oaths of Office to Commissioners (re-elected) Charles H. Givens, Sr. and Earl M. Piner, Sr.

Commissioner Givens thanked his supporters for his re-election.

Commissioner Givens welcomed Mr. Cannistraci to Team Elkton.

Commissioner Piner thanked his supporters for his re-election, stating that he is glad to get the Election behind him so the team can get back to work.

Public Hearing

Request of Morris & Ritchie Associates, Inc. representing Southfields of Elkton Capital Development (c/o Stonewall Capital) for a request to waive the requirement that 20% of proposed residential lots are recorded prior to permits issued for non-residential uses, as provided for in the Elkton Zoning Ordinance, Article XI, Planned Developments, Section 1.14.c. This action concerns the Southfields Planned Unit Development zoned property located on the following

parcels: Parcel I, Lots 1, 2 & 3, identified as: Tax Map 316 (033C), Parcel 169, consisting of 54.953 acres, located on the west side of Maloney Road, owner: Southside LLC; Tax Map 320 (033E), Parcel 2371, consisting of 244.0779 acres, located on the north side of Frenchtown Road, owner: Southside LLC; Tax Map 319 (033D), Parcel 2450, consisting of 101.6347 acres, owner: Gray's Hill Development Company; Tax Map 320 (033E), Parcel 2390, consisting of 46.5725 acres, owner: Southside LLC; Tax Map 320 (033E), Parcel 2369, consisting of 59.67 acres, owner: Southside LLC; A portion of Tax Map 323 (033G), Parcel 79, located outside of the Chesapeake Bay Critical Area, owner: Southside LLC; Tax Map 324 (033H), Parcel 2394, consisting of 39.01 acres, owner: Southside LLC.

Mayor Alt declared the Public Hearing open at 12:09 p.m.

Mr. George stated the basis of the request for the waiver is to provide the opportunity to begin commercial construction on Parcel I prior to completing the currently required 20% of residential development.

Ms. Minner stated the Planning Commission recommended approval of the waiver during their September 21, 2020 meeting.

Mayor Alt queried the Board for comments.

Commissioner Broomell questioned when the initial application was made. Ms. Minner stated the initial application was made in January.

Mayor Alt queried those in the virtual audience for comments. Hearing none, Mayor Alt declared the Public Hearing closed at 12:17 p.m.

ACTION: The request of Morris & Ritchie Associates, Inc. representing Southfields of Elkton Capital Development (c/o Stonewall Capital) to waive the requirement that 20% of proposed residential lots are recorded prior to permits issued for non-residential uses was approved on a motion made by Commissioner Broomell. The motion was seconded by Commissioner Givens and approved by all present.

Public Hearing

Resolution R8-2020 for the purpose of establishing a Special Taxing District encompassing certain parcels of land located within the Town of Elkton to be known as the Southfields Special Taxing District

Resolution R9-2020 for the purpose of authorizing the issuance of Special Obligation Bonds by the Town of Elkton for the purpose of funding Public Improvements for the development of the Southfields Special Taxing District

Mayor Alt declared the Public Hearing open at 12:18 p.m.

Mr. George stated Resolutions R8-2020 and R9-2020, if enacted, will provide a special tax to all residential and commercial parcels in the proposed Southfields development. He stated the fund established by the Special Tax District will collect revenue to repay the debt service for costs associated with installation of infrastructure over time.

Mr. Ray Jackson of Stonewall Capital, contract purchaser of the land upon which the Southfields development is proposed, stated the purpose of the Special Tax District is to provide private financing of the required infrastructure. He stated the infrastructure includes a water tower, sewer pump station, a boulevard, and improvements to the intersection of Routes 40 and 213, as well as the installation of a signal on Route 213. Mr. Jackson stated bonds will provide upfront funds in order to install the infrastructure in its entirety instead of piecemeal.

Mr. George stated that the funds from the Special Tax District can only be used for public improvements.

Mayor Alt stated that many residents have voiced concerns regarding the impact of a development of this size, echoing their concerns that it will result in a tax increase for citizens outside of the proposed Southfields development.

Mr. Jackson stated the Town will not fund any infrastructure costs, reiterating that the funds from the Special Tax District will be used to pay for the installation. He noted that the Real Property Tax generated by the proposed development, in addition to the Special Tax, will add to the Town's coffers.

Mayor Alt requested clarification that the property associated with the proposed Southfields development is currently vacant, and the Special Tax District, if enacted, will have no impact on anyone but owners of property located within the Southfields development. Ms. Kimberly Min, Esquire, representing the Town of Elkton regarding the Special Tax District, answered in the affirmative, stating the request for the Special Tax District was made by Mr. Jackson and the entities that he controls.

Ms. Minner noted that parcels in the Critical Area are currently not proposed for future development. Mr. Keenan Rice, President of MuniCap, stated the parcels were included in the boundary of the Special Tax District and will only be subject to the Special Tax in the event they are permitted to be developed.

Commissioner Broomell questioned if the Critical Area parcels were included in the initial estimates of Special Tax levy. Mr. Rice answered in the negative, stating the parcels will remain tax exempt until such time they are approved for development. He added that any parcels in this area, if approved for development, will be subject to a subsequent bond issuance.

Mayor Alt stated the Board will not take action on Resolutions R8-2020 and R9-2020 today. He expressed his desire for the Board to digest all of the information and be comfortable prior to making a decision.

Mayor Alt queried the Board for questions regarding Resolutions R8-2020 and R9-2020.

Commissioner Broomell questioned what occurs without the Special Tax District. Mr. Jackson stated the infrastructure costs would be allocated and added to the cost of each lot. Noting that the cost to the end user is relatively the same, he stated the benefit of obtaining upfront funding is that infrastructure is constructed at the beginning of development vs. piecemeal over an extended period of time.

Commissioner Broomell stated her understanding that infrastructure costs equated to approximately \$8,000 per lot. Mr. Jackson answered in the affirmative.

Commissioner Broomell questioned why property owners will be charged approximately \$20,000 over 30 years. Mr. Keenan stated the difference is the interest associated with the fees. He added that property owners can also pay the costs upfront rather than adding the expense to their mortgage payment.

Commissioner Massimiano questioned the timeframe for improvements to the intersection of Routes 213 and 40. Mr. Jackson stated all improvements on the west side of Route 213 should be completed about a year prior to initiation of construction.

Mayor Alt queried all in attendance for comments regarding Resolutions R8-2020 which creates the Special Tax District, and R9-2020 which authorizes the issuance of bonds by the Town of Elkton for the purpose of establishing the Special Tax District.

Mr. George reiterated that the bond funds will be generated and utilized for infrastructure only. Ms. Min added that the Town will not be financially obligated to repay the bonds under any circumstances.

Commissioner Broomell reiterated her previous request for a list of areas in which this type of Special Tax District has been implemented.

Commissioner Massimiano stated the Board needs to be informed in order to answer citizen queries.

Hearing no additional questions or comments, Mayor Alt declared the Public Hearing closed at 1:07 p.m.

Mr. George stated the Board will not act on Resolutions R8-2020 and R9-2020 today. He stated additional discussion is scheduled for the Mayor & Commissioners virtual workshop meeting scheduled for Wednesday, October 14th at 12:00 p.m.

**Elkton Council Hall (110 North Street) Adaptive Reuse Feasibility Study
Recommendation of Award**

Ms. Minner stated the Town advertised a Request for Proposals from licensed architects for the purpose of completing a reuse study for 110-112 North Street. She stated the goal of the study is to identify design options that will improve the building and provide a revenue source for the Elkton Alliance. She stated the Town received \$16,000 in grant funding from the Department of Housing and Community Development.

Ms. Minner stated the Town received 8 proposals and recommended that Buchart Horn be awarded the contract.

ACTION: The recommendation to award the Elkton Council Hall (110 North Street) Adaptive Reuse Facility Study to Buchart Horn was approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Piner and approved by all present.

Town Administrator's Report

American Red Cross Lease 10th Amendment
Request for Three Year Extension of Lease for Premises Located at 207 Blue Ball Avenue

Mr. George stated the American Red Cross leases 207 Blue Ball Avenue, which is adjacent to the Town's Public Works facility. He stated the building is primarily used for storage, adding that no classes or other activities are currently being conducted. He recommended extending the Lease in one-year increments, renewable automatically unless 60-days' notice of termination is given by either party.

ACTION: The American Red Cross Lease 10th Amendment for premises located at 207 Blue Ball Avenue was approved for one-year increments, renewable automatically unless 60 days' notice of termination is given by either party, was approved on a motion made by Commissioner Massimiano. The motion was seconded by Commissioner Broomell and approved by all present.

**Elkton Armory Agreement of Sale
Elkton Armory - Maryland Historic Trust Easement**

Mr. George presented the Elkton Armory Agreement of Sale and the Maryland Historic Trust Easement for approval. He stated the agreements are needed to move forward with the Town's acquisition of the Armory.

ACTION: The Elkton Armory Agreement of Sale and the Elkton Armory Maryland Historic Trust Easement were approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Massimiano and approved by all present.

**Towing Contract Renewal
Crouse Auto Body, Inc.**

Mr. George presented the towing contract renewal for Crouse Auto Body, Inc. He stated the contract is for a 5-year renewal.

ACTION: The request to renew the towing contract with Crouse Auto Body, Inc. for a 5-year term was approved on a motion made by Commissioner Broomell. The motion was seconded by Commissioner Piner and approved by all present.

**Towing Contract Renewal
McNeal, Inc. d/b/a Purnell Body Shop**

Mr. George presented the towing contract renewal for McNeal, Inc. d/b/a Purnell Body Shop. He stated the contract is for a 5-year renewal.

ACTION: The request to renew the towing contract with McNeal, Inc. d/b/a Purnell Body Shop was approved on a motion made by Commissioner Broomell. The motion was seconded by Commissioner Piner and approved by all present.

**Stormwater Management Agreement - Elkton Housing Authority
Property located at Sheffield Street and North Bridge Street**

Mr. George presented a Stormwater Management Agreement (SWM) between the Town and the Elkton Housing Authority regarding the rebuilding of the Rudy Park neighborhood. He stated the agreement ensures best management practices regarding SWM on the property.

ACTION: The Stormwater Management Agreement between the Town and the Elkton Housing Authority regarding property located at Sheffield Street and North Bridge Street was approved on a motion made by Commissioner Broomell. The motion was seconded by Commissioner Givens and approved by all present.

**Public Works Agreement - Elkton Housing Authority
Willows at Rudy Park**

Mr. George presented a Public Works Agreement (PWA) between the Town and the Elkton Housing Authority regarding the rebuilding of the Rudy Park neighborhood. He stated the agreement provides that the Town will inspect and accept the infrastructure upon completion of the rebuilding project.

ACTION: The Public Works Agreement between the Town and the Elkton Housing Authority regarding the Willows at Rudy Park was approved on a motion made by Commissioner Massimiano. The motion was seconded by Commissioner Broomell and approved by all present.

Mayor Alt's Report

Mayor Alt stated the Board has individually reviewed applications for the Chief of Police position and requested an update regarding the next steps. Mr. George stated he will narrow the group to a smaller number of candidates which the Board will interview as a group.

Commissioner Massimiano's Report

Commissioner Massimiano congratulated Commissioners Givens and Piner on their re-election, stating they are his mentors.

Commissioner Broomell's Report

Commissioner Broomell congratulated Commissioners Givens and Piner on their re-election.

Commissioner Givens' Report

Commissioner Givens requested that the Finance Department devise a way to accept cash payments. Mr. George stated the Town is looking at the possibility of creating a drawer and camera system, similar to a drive-up banking lane.

Commissioner Givens, referring to the process of interviewing Chief of Police candidates, asked Mr. George about the size of the initial group of interviewees. Mr. George stated the initial group will number about 4 candidates.

Mayor Alt stated he supports recent information from the Cecil County Health Department curtailing public Halloween activities during the current health crises. He stated he will not open his doors on Halloween and stated it is an individual's choice to take their child trick-or-treating.

Commissioner Broomell and Massimiano expressed support for the Health Department's stance regarding Halloween.

Public Comment

Mr. Richard Lemen congratulated the Board on acquiring the Armory.

Hearing no additional business to come before the Board, Mayor Alt adjourned the virtual meeting at 1:35 p.m.

L. Michelle Henson
Sr. Administrative Specialist

**A VIDEO RECORDING OF THIS MEETING RETAINED AT THE ADMINISTRATION
OFFICE**

Note: The minutes of regularly scheduled public meetings conducted by the Mayor and Commissioners of the Town of Elkton, following their approval, are posted at www.elkton.org. The minutes, in hard copy format, are retained indefinitely by the Town of Elkton, Administration Office, 100 Railroad Avenue, Elkton, Maryland 21921.