Town Council of Centreville September 21, 2023 7:00 p.m.

MINUTES

The September 21, 2023 Town Council meeting was called to order at 7:00 p.m. by President Steven K. Kline at the Vincit Building located at 110 Vincit Street, Planning & Zoning meeting room. The following members and staff were present: Steven K. Kline, President; Ashley H. Kaiser, Vice President; Eric B. Johnson, Jr., Daniel B. Worth; and Jim A. Beauchamp, Members; Charles (Chip) Koogle, Town Manager; Lt. Charles Larrimore, Centreville Police Department; Sharon VanEmburgh, Town Attorney; Karen Luffman, Finance Officer; Krystel Ebaugh, Human Resources Manager; and Carolyn Brinkley, Town Clerk.

• Following the Pledge of Allegiance, Mr. Johnson made a motion to approve the August 17, 2023, meeting minutes, as presented. Mr. Worth seconded the motion, which passed unanimously.

Closed Session Statement

- (i) The Town Council met in closed session on Thursday, September 21, 2023 at 6:30 p.m. at the Vincit Building, 110 Vincit Street, Planning & Zoning meeting room to discuss potential litigation and related legal issues in accordance with the Maryland Open Meetings Act. (ii) Five members of the Town Council voted to close the session. (iii) The authority to close the session is found in Section 3-305 of the General Provisions Article.
- (iv) The Town Council discussed the following topics:
 - Consult with counsel discussed potential litigation and related legal issues.

Actions: No actions taken.

The following members and staff were present: Steven K. Kline, President; Ashley H. Kaiser, Vice President; Eric B. Johnson; Daniel B. Worth and Jim A. Beauchamp, Members; Charles (Chip) Koogle, Town Manager; Carolyn Brinkley, Town Clerk; Sharon VanEmburgh, Town Attorney; and Lt. Charles Larrimore.

The meeting was adjourned at 6:48 p.m.

Appearances

- a. Oath of Office Penny Lins, Board of Zoning Appeals
 - Mr. Johnson provided the oath of office for Penny Lins to the Board of Zoning Appeals for a three-year term expiring April, 2026.
- b. 152 Comet Drive, LLC / Green Thumb Industries
 - Joe Stevens, Attorney and Laura Brown, Principal of 152 Comet Drive, LLC / Green Thumb
 Industries were present to discuss the odor from 152 Comet Drive and possible solutions to mitigate
 the smell
 - Mr. Kline asked how long it would take to come up with a solution.
 - Mr. Stevens stated it would take 60-90 days to come up with a plan and 5-6 months for implementation.
 - Mr. Johnson asked if there have been implementation strategies at other locations.
 - Ms. Brown stated they believe extraction methods need to be implemented as they believe this is what is causing the most odor. They are looking at other laws and what has been effective at reducing odor, not only in cannabis production but other products as well.
 - Mr. Worth asked if the plan would include a schedule.
 - Ms. Brown stated that it will include a schedule and Mr. Stevens stated it will be an odor reduction mitigation plan.
 - Mr. Worth asked how many employees work in cultivation.
 - Phil Huff, Head Grower, stated that 20 employees work in the outdoor cultivation process and a total of 68 employees between inside and outside.
 - Mr. Beauchamp stated that he is a champion of economic development. He stated this ordinance is not going away and the status quo is not a solution for this problem.
 - Ms. Kaiser asked if the lack of allocations indicates the Town would not approve any additional growth at this time.
 - Mr. Stevens stated that GTI will not come before the Planning Commission or Town Council for future growth while working through the odor mitigation plan. He stated that GTI cannot go to their board and ask to spend money on this issue if the ordinance is passed.

Public Hearing: Ordinance 05-2023 – Indoor Agriculture

- Mr. Kline called the hearing to order for Ordinance 05-2023 for the purpose of amending the Town of Centreville Zoning Ordinance, which is Chapter 170 of the Town Code, to only allow indoor agriculture as a permitted use in the Planned Business District (PBD) at 7:31 p.m.
- Mr. Worth gave background on Ordinance 05-2023 and stated this was an attempt to turn the clock back to when agriculture was not allowed in the Planned Business District. It would allow that to on be permitted indoors.
- Mr. Kline stated the Planning Commission forwarded an unfavorable recommendation to the Town Council for Ordinance 05-2023.
- Ms. Brinkley verified the notice of hearing was publicized in a newspaper circulated in Queen Anne's County.
- There being no legal matters relating to the jurisdiction of the Town Council of Centreville nor any objections regarding the Notice of Public Hearing, Mr. Kline asked for comments from anyone in favor of Ordinance 05-2023.
- David Mitchell, Sveinn Storm, Pat Fox, Robert Eaves, Julie Seymore, Thomas Seymore, Mike Olsen, Harriet Goodmuth, provided comments.
- Mr. Kline asked for comments from anyone opposed to Ordinance 05-2023.
- Michael Armstrong, Jeff Mangold, Davis Emory, Dominick Roserio, Phill Huff, and Mitchell Delaney.
- Mr. Kaiser made a motion to adjourn the public hearing. Mr. Johnson seconded the motion, which passed unanimously. The public hearing for Ordinance 05-2023 adjourned at 8:15 p.m.
- Mr. Johnson stated that Mr. Stevens had indicated earlier that he and GTI were the last to know about this proposed ordinance and, as the economic development liaison, he takes that very seriously. Mr. Johnson made a motion to table any vote on Ordinance 05-2023 for six (6) months to be heard again on March 21, 2024. Ms. Kaiser seconded the motion.
- After further discussion, Mr. Worth amended the original motion to table the vote for two (2) months. Mr. Beauchamp seconded the motion.
- Mr. Stevens stated that they would like 90 days to put the mitigation plan together.
- Mr. Johnson withdrew his original motion of tabling for 6 months and Mr. Worth withdrew his amendment to table for 2 months.
- Mr. Worth made a motion to table the discussion for Ordinance 05-2023 for three (3) months to be heard again on January 4, 2024. Ms. Kaiser seconded the motion, which passed unanimously.

Council Member	Yes	No	Abstain	Absent
Council Member Beauchamp	X			
Council Member Johnson	X			
President Kline	X			
Vice President Kaiser	X			
Council Member Worth	X			

Public Hearing: Resolution 11-2023 – Centreville Community Plan

- Mr. Kline called the hearing to order for Resolution 11-2023 for the purpose of adopting the Town of Centreville Comprehensive Plan: 2040 pursuant to the Land Use Article of the Annotated Code of Maryland at 8:25 p.m.
- Mr. Kline provided background on Resolution 11-2023 stating that the Planning Commission has been working on and making progress on this plan for two years. The Town Council can pass the resolution tonight or they can hold off for additional conversation.
- Ms. Brinkley verified the notice of hearing was publicized in a newspaper circulated in Queen Anne's County.
- There being no legal matters relating to the jurisdiction of the Town Council of Centreville nor any objections regarding the Notice of Public Hearing, Mr. Kline asked for comments from anyone in favor of Resolution 11-2023.
- No one spoke in favor.
- Mr. Kline asked for comments from anyone opposed to Resolution 11-2023.
- Ernie Sota, Ryan Showalter, Ed Olfey, Kindley Bray, and Sandy Huffer, offered comments.
- Mr. Johnson made a motion to adjourn the public hearing. Ms. Kaiser seconded the motion, which passed unanimously. The public hearing for Resolution 11-2023 adjourned at 8:41 p.m.

Citizens Comments

No citizens offered comments.

Old Business

- a. Ordinance 05-2023 Chapter 170 Indoor Agriculture Second Reading Sponsored by Council Members Worth and Johnson
 - Ordinance 05-2023 for the purpose of amending the Town of Centreville Zoning Ordinance, which is Chapter 170 of the Town Code, to only allow indoor agriculture as a permitted use in the Planned Business District (PBD).
 - Mr. Kline stated this was addressed previously in the meeting.
- b. Festivities and Beautification Team/Holiday Committee Updates
 - Mr. Johnson made the following presentation:



PROJECTS UPDATE

September 21, 2023

Eric Johnson and Mary Colling-Officer Festivities Co-Chairs

Overview

- A. Team Structure
- B. Holiday Committee Update
- C. Next Steps

A. Team Structure

Wendy Hubbert and Scott Eggert, Co-Chairs Beautification Team

Mary Colling-Officer and Eric Johnson, Co-Chairs
Festivities Team

B. Holiday Committee Update

<u>Purpose</u>: A Celebration of Christmas, Hannukah, and Other Festivities/Traditions

<u>Mtgs</u>: Launched July 24th and Meets Monthly on the 4th Mon @ 7 pm @ Vincit Bldg

Annual Town Theme Selected: "Heroes"







C. Next Steps/Next Mtg?

- · October Brief Council on Beautification Team efforts/projects
- November Brief Council again with Holiday Committee updates
- · Late November Release/promote synchronized calendar of events
- December Execute Projects
- · January After-action Committee meeting to assess projects/events



B. Holiday Committee Update (continued)

2023 Projects

- Use some of Town fireworks \$ toward holiday activities/decorations (Ashley Kaiser/Eric Johnson)
- 2. Expanded/improved holiday decorations downtown (Parks Board/Ashley Kaiser/Rich Ryan)
- 3. "Festival of Lights & Music" @ Courthouse—proposed: Wed, 11/28 to Sun, 12/2 (Eric Johnson/Mary Colling-Officer)
- 4. Town-wide house decorating contest (Martha Anthony/Jamie Johnson)
- Expand "Wreaths Across America" (Caroline Huddleston/Martha Anthony/Jamie Johnson/Eric Johnson)
- 6. Help promote "Letters to Santa" (Centreville American Legion Auxiliary)
- 7. Store Window Decorating Contest (Eric Johnson / Mary Colling-Officer)

Potential 2024 Projects

Resurrect Holiday house tour—Use Legacy Foundation templates and period costumes (Eric/Elaine)

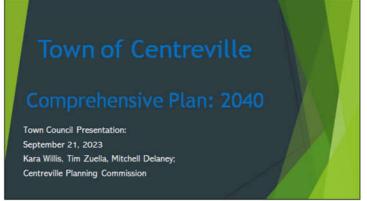


Integrated/synchronized calendar of traditional and new community events that celebrate faith, community, and family.

- Mr. Johnson stated the Holiday Committee chose the theme Heroes for this year's Christmas Parade. They would also like to use some of the money that was moved out of the fireworks' budget for decorations. He reported that they are not prepared to ask for any money at this time.
- There was consensus among the members of the Town Council to purchase and display a menorah this year during Hanukkah.

New Business

- a. Resolution 11-2023 Centreville Community Plan Council President
 - Mr. Kline read Resolution 11-2023 for the purpose of adopting the Town of Centreville Comprehensive Plan: 2040 pursuant to the Land Use Article of the Annotated Code of Maryland.
 - Members of the Centreville Planning Commission: Kara Willis, Chair; Tim Zuella, Vice Chair, Nancy Emerick, Mitchell Delaney, and Pat Fox, Members, were present and made the following presentation:

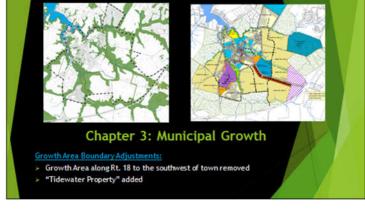




Why do we update our Comp Plan?



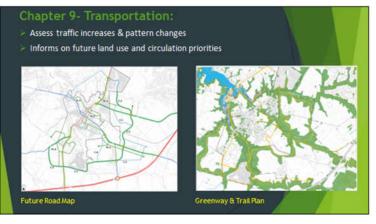


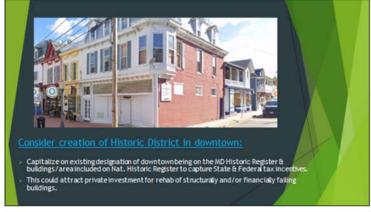














- Ms. Willis stated that this process was started in 2019 and the Planning Commission is happy that it is finally being presented to the Town Council.
- Mr. Kline stated the new Plan's introduction states for Goal #5: "Guide the location, layout, and character of future neighborhoods. Open lands in and around Centreville could be developed as conventional single-use residential subdivisions or in ways that distinguish them as excellent neighborhoods unique to Centreville. Left to chance, land development seldom organizes itself into coherent extensions of historic patterns." He then stated later in the document, Maryland's Visions for Comprehensive Planning, Vision #7 states, "A range of housing densities, types, and sizes provides residential options for citizens of all ages and incomes.
- Mr. Kline asked if the Planning Commission thought the rezoning of the Carter Farm from TND to R-1 contradicts those two statements.
- Ms. Willis stated that this is a piece that would also work in tandem with the PUD zoning overlaying it.
- Mr. Kline asked what problem the Planning Commission is trying to solve on Carter Farm by rezoning the property to R-1 and is there a better tool to achieve the goals the Planning Commission is trying to achieve on this property.
- Ms. Willis stated she fought to keep the TND zoning and the Planning Commission could have reduced the density of the TND to achieve the same goal as the R-1 density but there was not a consensus for this. She stated there was feedback from the community about the amount of traffic coming into town and to consider or account for the density on that side of town.

- Mr. Kline stated that he does not consider Carter Farm in process at this point. He stated the last site plan the Town Council and Planning Commission saw for Carter Farm, had a density very close to the R-1 zoning however, it does not give the flexibility that the TND zone does. He asked if the role of the PUD was to allow for this flexibility and keeping the lower density.
- Ms. Willis stated that is the role of the PUD as she sees it. She indicated where the Carter Farm development is or is not, is irrelevant to what the Planning Commission is trying to do with the PUD. She stated these changes are not being made based on possible development that may or may not take place over the next 1 to 3 years, but to meet long-term goals for the town at large.
- Mr. Beauchamp stated that the standardization of the zoning seems to be the issue, whereas the TND zone gives the flexibility. He suggested a more straightforward approach is to leave the TND zone and modify the density.
- Mr. Kline stated he feels the biggest issue are the underlying zones that do not reflect what everyone wants to see which is, a range of housing densities, types, and sizes.
- Mr. Johnson thanked the Planning Commission for their efforts on the comprehensive plan. He noted the parts of the plan that are important to him: historic preservation district and housing diversity. He stated that he is in favor of the Plan but cannot support the elimination of the TND and changing to R-1.
- Ms. Kaiser agreed to keep the TND zone.
- Mr. Worth stated that he also has issues with the TND and feels there should not be a reduction in growth areas.
- Mr. Kline stated that the comprehensive plan, as presented, exceeds the Town's infrastructure requiring 1.5 million gallons per day within 10 years and violates the very essence of smart planning.
- After more discussion regarding density and allocations, Mr. Kline asked Ms. VanEmburgh to outline the
 process in which the Town Council can sit down with the Planning Commission to make changes to the
 draft comprehensive plan.
- Ms. VanEmburgh stated that there are four options: (1) approve, as presented; (2) the Town Council can modify; (3) remand it back to the Planning Commission; or (4) disapprove. Ms. VanEmburgh stated that it sounded like the Town Council would like to modify it along with the Planning Commission, which is reasonable.
- Ms. Willis asked if the Town Council had a list of action items, they would task the Planning Commission with, they could begin working on them.
- There was consensus among the Town Council to send the Comprehensive Plan back to the Planning Commission for modifications and the Town Council to attend Planning Commission workshops.
- Mr. Johnson suggested having a list of elements of the comprehensive plan that there is a consensus for approval, so that they could focus on the elements that need additional modifications. This would also help, if possible, those elements could be approved, in part.
- b. Ordinance 06-2023 The Preserve Second Reading Sponsored by Council President Kline
 - Ordinance 06-2023 for the purpose of releasing and extinguishing its right to construct a pedestrian/bike path in the open space of The Preserve of Centreville Heights.
 - Mr. Kline requested consensus from the Council to withdrawal Ordinance 06-2023. There was consensus among the Council.
- c. Paid Family Medical Leave Insurance Program in Maryland Chip Koogle, Town Manager
 - Ms. Ebaugh reported on the following memo:

I am writing to provide an overview of the Paid Family Medical Leave (PFML) program in the state of Maryland, which was enacted September 2021 and is in the process of implementation by 2026. This memo aims to outline the key features of the program, its benefits, and its impact on both employees and employers within the state.

Background:

The Paid Family Medical Leave program in Maryland Department of Labor was established to provide benefits to workers with financial support during times of personal or family medical crises. Certain employees, employers, and self-employed individuals are required beginning October 1, 2023, to contribute to the Fund in which benefits will not be available until 2026. The Secretary is to establish the total rate of contribution and the percentages of the total rate of contribution to be paid by certain employees and employers.

Key Features:

- Eligibility: Employees in Maryland are eligible for PFML if they work for employers with 15 or more employees. It covers both part-time and full-time employees who meet certain criteria.
- 2. Leave Types: PFML in Maryland covers three main types of leave:
 - Medical Leave: Allows employees to take time off for their own serious health conditions.
 - Family Leave: Permits employees to care for a family member with a serious health condition.
 - Safe Leave: Provides time off for individuals affected by domestic violence, sexual assault, or stalking.
- 3. Duration: Eligible employees can take up to 12 weeks of leave within a 12-month period.
- Benefit amount: The PFML program offers partial wage replacement during the leave period, up to a certain maximum weekly benefit.
- Employee Contributions: Employees contribute to the program through payroll deductions, which fund the PFML benefits.
- Employer Obligations: Employers must comply with reporting requirements and job
 protection provisions. They are also responsible for withholding and remitting employee
 contributions.

Benefits:

- Financial Security: PFML ensures that employees can take necessary time off for medical
 or family reasons without the fear of financial hardship.
- Employee Retention: It can enhance employee loyalty and reduce turnover, as workers
 are more likely to return to their jobs after taking paid leave.
- Workplace Productivity: Employees can focus on their health or family needs during leave and return to work more engaged and productive.
- Economic Impact: By supporting employees during times of need, PFML contributes to a healthier and more stable workforce, ultimately benefiting Maryland's economy.

Challenges

- Administrative Burden: The Town may face administrative challenges in implementing
 the program and complying with reporting requirements. Employees who have worked a
 minimum of 680 hours (which includes current and previous Maryland employers) are
 considered eligible to receive benefits. Tracking previous employer hours will pose
 additional challenges.
- Staffing: Possible staffing shortage if several employees are on extended leave of absence under PFML.
- Costs: Employers electing using the state administered plan will be required to contribute
 into the insurance fund beginning October 1, 2023, approximately 15-months prior to the
 effective implementation date 2026. The specific cost is unknown at this time, as the
 Secretary of State has not yet released the total rate of contribution. Employers will be
 required to contribute at least 50% of the total rate of contribution.

Included with this memo is an opportunity offered through the Maryland Municipal League (MML) dated September 13, 2023, presenting members an alternative to the State plan. This local government collaborative can reduce staff administrative burden and decrease the impact on the Town's budget and employee's paychecks. Attached to this memo is MML's draft memorandum of agreement further explaining the operation of the collaborative and the Statement of Intent to Join Collaborative template letter. The deadline to submit the Statement of Intent to Join Collaborative letter is September 29, 2023.

I recommend the Council's approval to allow the Town's participation in this collaborative. Due to the time sensitive nature, a resolution will be presented to the Council for consideration once further information is released from the State establishing policies and procedures.

Ms. Kaiser made a motion to approve the Town election to participate in the Time to Care Act Insurance
Collaborative and pay fees as outlined in the Memorandum of Agreement presented by the Maryland
Municipal League, in response to the upcoming implementation of the State's paid Family and Medical
Leave Insurance Program. Mr. Beauchamp seconded the motion, which passed unanimously.

Council Member	Yes	No	Abstain	Absent
Council Member Beauchamp	X			
Council Member Johnson	X			
President Kline	X			
Vice President Kaiser	X			
Council Member Worth	X			

- d. Firehouse Sub Foundation Grant Program Charles Koogle, Town Manager
 - Mr. Koogle presented the following memo:

In the FY2024 Capital budget, the Centreville Police Department was approved for the purchase of body armor. Staff are requesting the Council's permission to submit a grant to the Firehouse Sub Foundation to cover the cost of this capital request.

Application Due Date: Oct. 12st, 2023
Grant Amount: Up to \$35,000
Purpose: Body Armor (Police Department)
Capital Budget: Yes- 2024
Firehouse Sub Foundation link: https://grants.firehousesubs.com/

Firehouse Sub Foundation Mission is to impact the lifesaving capabilities and the lives of local hero's and their community by helping to purchase lifesaving equipment and prevention education for first responders, non-profits, and public safety organizations. The Firehouse Subs Public Safety Foundation does not endorse any specific equipment, vendor, or brand. Their goal is to provide the equipment that best fits the needs of the recipients, at the best possible price, to enable them to help more organizations.

There are no matching funds involved in the Foundation's grant program.

Ms. Kaiser made a motion to approve the submittal of a grant to the Firehouse Sub Foundation Mission
for the purpose of purchasing body armor for the Centreville Police Department. Mr. Johnson seconded
the motion, which passed unanimously.

Reports of Boards and Commissions

- a. Maryland Municipal League
 - Mr. Beauchamp had nothing to report.
- b. Council of Governments
 - Mr. Worth had nothing to report.
- c. Economic Development

• Mr. Johnson had nothing to report.

d. Park Advisory Board

• Ms. Kaiser reported that the annual Fishing Derby was held on September 9th with 53 kids participating in the event. Trophies will be handed out at a later meeting.

Reports of Department Heads

a. Town Manager

- Mr. Koogle reported the following:
 - No bids were received for the speed hump invitation to bid. The Town will be purchasing speed humps to be installed.
 - The Preliminary Engineering Report (PER) for the wastewater treatment plant is receiving a parallel review by the Town as well as the Maryland Department of the Environment. This is expected at the end of October, beginning of November.
 - Working with Whitman Requardt and Associates to complete the design proposal for a membrane reactor (MBR) by early October which will include contract documents for the enhanced nutrient removal (ENR) upgrade for the expansion to 1 million gallons per day (MGD).
 - Have had meetings with the Maryland Department of Transportation (MDOT) on the railbanking to acquire that parcel for a trail.

Citizen Comments:

No citizens offered comments.

Council Roundtable

- Mr. Beauchamp had nothing to report.
- Mr. Worth had nothing to report.
- Mr. Johnson reported that the YMCA has milestones to celebrate. Brian Burns, Executive Director of the YMCA and Laura Fellows, Membership and Wellness Director were present and stated that the YMCA will be opening on October 9th with a members open house the weekend prior.
- Ms. Kaiser had nothing to report.
- Mr. Kline asked for the Council's consensus to reallocate money in the budget to improve security at Town Hall. He asked for estimates to be reviewed. There was consensus among all Council Members.

Motion to Adjourn

There being no further business, Mr. Johnson made a motion to adjourn the September 21, 2023, meeting. Ms. Kaiser seconded the motion. The meeting was adjourned at 10:11 p.m.

Respectfully submitted,

Carolyn M. Brinkley

Town Clerk

Council Action Items:

- 1. Approved the August 17, 2023, meeting minutes.
- 2. Tabled the discussion for Ordinance 05-2023 for three (3) months to be heard again on January 4, 2024.
- 3. Consensus among the Town Council to send the Comprehensive Plan back to the Planning Commission for modifications and the Town Council to attend Planning Commission workshops.
- 4. Consensus from the Council to withdrawal Ordinance 06-2023.
- 5. Consensus among the members of the Town Council to display a menorah this year during Hanukkah.
- 6. Approved the Town election to participate in the Time to Care Act Insurance Collaborative and pay fees as outlined in the Memorandum of Agreement presented by the Maryland Municipal League, in response to the upcoming implementation of the State's paid Family and Medical Leave Insurance Program.
- 7. Approved the submittal of a grant to the Firehouse Sub Foundation Mission for the purpose of purchasing body armor for the Centreville Police Department.