

MAYOR AND CITY COUNCIL

CHRISTOPHER G. MILLER
MAYOR

JAMES L. McCARRON
MAYOR PRO TEM

JAMES A. WIEPRECHT
CITY MANAGER

BARRI R. AVALLONE
TREASURER

CLARA KALMAN
CLERK



COUNCIL MEMBERS

JUDITH K. FULLER

DIANE A. FOSTER

ELIZABETH W. CHANEY

CHRISTOPHER R. TILLMAN

AGENDA MAYOR AND CITY COUNCIL MEETING MONDAY, JANUARY 8, 2024 7:30 PM

Opening – Pledge of Allegiance and roll call ▶

Approval of Minutes – Approval of the minutes of the December 6, 2023 regular meeting, with corrections, and December 11, 2023 regular meeting. ▶

Council member statement regarding conflicts of interest on agenda items ▶

Resolution, Ordinances and Agreements ▶

Introduction:

Charter Resolution 2024 – 01 – Appointment of City Attorney ▶

Adoption:

Resolution 2024 – 01 – Water allocation for January ▶

City Manager Report ▶

Department Reports ▶

New Business ▶

1. Monthly Financial Report ▶
2. Accounts Payables ▶

Council member Reports ▶

Adjournment ▶

Closed Session pursuant to § 3 – 305 (b) (8) of the General Provisions Article of the Maryland Annotated Code, to consult with staff, consultants, or other individuals about pending or potential litigation.

The Mayor and City Council will NOT reconvene in public session after the discussion.

CITY OF TANEYTOWN
CHARTER RESOLUTION NO. CR2024-01

APPOINTMENT OF CITY ATTORNEY

RESOLUTION of the Mayor and City Council of the City of Taneytown adopted pursuant to the authority of Section 3 and 4 entitled “Home Rule” of Article XI-E entitled “Municipal Corporations” of the Constitution of Maryland and Section 11 et. seq. under subtitle “Charter Amendments” of Article 23A entitled “Corporations-Municipal” of the Annotated Code of Maryland, to amend the Charter of the City of Taneytown, Maryland with a provision to address the appointment and the City Attorney position and clarify to allow for the appointment of a separate Clerk and Treasurer position.

SECTION 1. BE IT RESOLVED by the Mayor and City Council of the City of Taneytown, Maryland that current Section C-604 of the Charter of the City of Taneytown, Maryland is hereby amended to read as follows:

C-604 Appointment of Clerk, Treasurer and Attorney

Section C-604 is added to read as follows:

C. There shall be an Attorney who shall serve at the pleasure of the Mayor and Council. The Attorney's rates shall be approved by the Council. The Attorney shall be the City's legal agency head. Duties may be assigned by the Mayor, Council or the City Manager or his designee, and may be further enumerated by Code where not inconsistent with this Charter.

SECTION 2. AND BE IT FURTHER RESOLVED by the Mayor and City Council of the City of Taneytown, Maryland that this amendment to the Charter shall in all respects be effective and observed as such, upon the fiftieth (50th) day after the date of adoption, unless on or before the fortieth (40th) day thereafter there shall be presented to the Mayor and City Council of Taneytown, or mailed to it, a Petition for referendum in accordance with the provisions of Section 13(g) of Article 23A of the Annotated Code of Maryland.

SECTION 3. AND BE IT FURTHER RESOLVED by the Mayor and City Council of the City of Taneytown, Maryland that a complete and exact copy of this Resolution shall be posted in the municipal offices of the City of Taneytown, Maryland or some public place for a period of at least forty (40) days following its adoption, and further, that a fair summary of this proposed amendment shall be published in a newspaper of general circulation in the City of Taneytown for not less than four (4) times, at weekly intervals, within a period of forty (40) days from the adoption of this Resolution.

SECTION 4. AND BE IT FURTHER RESOLVED by the Mayor and Council of the City of Taneytown, Maryland that as soon as the Charter amendment hereby adopted shall become effective, the Clerk of the City of Taneytown shall send separately by registered mail to the Department of Legislative Reference the following information concerning the Charter:

- (1) A complete copy of this Resolution;

- (2) The date of the referendum election, if any, held with respect thereto;
- (3) The number of votes cast for or against the Resolution whether by the Council of the City of Taneytown or in a referendum; and
- (4) The effective date of the Charter.

SECTION 5. AND BE IT FURTHER RESOLVED by the Mayor and Council of the City of Taneytown, Maryland that the Clerk of the City of Taneytown be and is specifically authorized and instructed to carry out the provision of Section 3 and 4 hereof, and as evidence of compliance herewith, the clerk shall cause to be affixed to the Minutes of the meeting in which this Charter shall have been adopted:

- (1) Appropriate certification of publication of the newspaper in which the summary of the proposed amendment shall have been published.
- (2) The return receipts of the mailing referred to in Section 4.

INTRODUCED THIS _____ DAY OF _____, 2024.

Attest: _____
Clerk

PASSED WITH _____ VOTES IN FAVOR AND _____ VOTES OPPOSED
THIS _____ DAY OF _____, 2024.

Attest: _____
Clerk

APPROVED THIS _____ DAY OF _____, 2024.

CHRISTOPHER G. MILLER, MAYOR

Approved as to legal sufficiency this
_____ day of _____, 2024

City Attorney

**CITY OF TANEYTOWN
RESOLUTION NO. 2024-01**

WHEREAS, the Charter of the City of Taneytown gives the City Council power to operate and maintain a water system and take all necessary steps for the efficient operation thereof; and

WHEREAS, the Charter of the City of Taneytown gives the City Council the powers to exercise planning and zoning authority, under which the City has established a process for granting zoning certificates and building permits which serves to regulate construction and development within the City; and

WHEREAS, from time to time the City, based on water usage demand, improvements made to the water system, and other related factors, shall reassess the formula and calculations used to calculate available water capacity; and

WHEREAS, such a re-evaluation was conducted in August 2017 by the City and its Engineer and have used such findings in the creation of Exhibit A attached hereto; and

WHEREAS, the City Council of the City of Taneytown makes the following findings:

- A. The City of Taneytown has a limited water supply. The amount of water available for allocation to new or expanded uses is provided on Exhibit A, attached hereto and made a part hereof.
- B. It is necessary for the City of Taneytown to protect its limited water supply to allocate water capacity to existing, pending and future development within its jurisdictional boundaries to ensure the continuing economic development and stability of the City, and to ensure that development will not generate water demands which exceed available capacity.
- C. Substantial harm to the public health, safety and general welfare of the City in the form of premature exhaustion of its water supply and economic hardships will result from the issuance of unlimited development approvals.
- D. Under the mandate of State law the City has adopted a Water Capacity Management Plan to guide the development, use and allocation of drinking water appropriate for use by the City and its residents. The terms of the Water Capacity Management Plan require that the City give specific attention to water allocation.
- E. This Resolution is a fair and reasonable means of achieving, and substantially advances a public purpose and has been adopted to provide the controls necessary to accomplish this purpose.
- F. In making these findings the City Council has reviewed the background documentation and presentations by City staff and concludes that it reasonably supports these findings.

WHEREAS, the Mayor and City Council deem it in the best interest of the citizens of the City of Taneytown to use an allocation process for water currently available for new and expanded uses.

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF TANEYTOWN that:

1. An allocation shall be made of the existing water supply for any existing lot of record where the owner has made application for a zoning certificate for improvements to said lot and the lot conforms in all ways to the Code of the City of Taneytown, or has already received the necessary waivers, variances, or special exceptions.
2. An allocation shall be made of the existing water supply for any development project that has received approval from the Taneytown Planning and Zoning Commission and has recorded plats.
3. An allocation shall be made of the existing water supply for any development to which water capacity was addressed under the terms of a Development Rights and Responsibilities Agreement.
4. The calculations used in forming this allocation plan are provided on Exhibit A.
5. This Resolution shall become effective upon passage of this Resolution.
6. This Resolution for the allocation of water supply shall expire as provided on Exhibit A.
7. Upon the expiration of this Resolution all allocations made under this Resolution, but not utilized shall be null and void. A reallocation of any existing water supply shall be made after that date by action of the Council.
8. This Resolution and the water allocation made thereunder does not in any way create a contract, agreement or other promise by the City to any party, to provide the water allocated beyond the effective dates of this Resolution. Any plans, decisions or determinations made in reliance of the allocations made in this Resolution or on the available water shown in Exhibit A are made at the parties own risk.
9. The City Staff is hereby empowered to enact policies necessary for the effective administration and enactment of the goals contained in the Resolution.

INTRODUCED THIS ____ DAY OF _____, 2024

CLARA J. KALMAN, CITY CLERK

PASSED THIS _____ DAY OF _____ 2024 BY A VOTE OF
_____ COUNCILMEMBERS IN FAVOR AND _____
COUNCILMEMBERS OPPOSED.

CLARA J. KALMAN, CITY CLERK

APPROVED THIS _____ DAY OF _____ 2024.

CHRISTOPHER G MILLER, MAYOR

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
THIS _____ DAY OF _____, 2024.

BY: _____

Exhibit A.

Resolution 2024-01
January 8, 2024
Water Allocation Plan

	<u>EDU</u>	<u>GPD</u>
Available Gallons per Day (GPD)		42,585
Allocated		
Infill	1 @ 250 gpd	250
Total Allocated		250
Available GPD Less Allocated		42,335
Projects with Preliminary Plan Approval		<u>0</u>
Remaining GPD		42,335

This allocation plan shall expire on **February 12, 2024**

MAYOR AND CITY COUNCIL

CHRISTOPHER G. MILLER
MAYOR

JAMES L. MCCARRON
MAYOR PRO TEM

JAMES A. WIEPRECHT
CITY MANAGER

BARRI R. AVALLONE
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Notice of Closed Session January 8, 2024 following the 7:30 PM Mayor and Council Meeting

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