

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

**TOWN MEETING
2022**

December 12, 2022,

The meeting of the Burgess and Commissioners of Middletown was called to order on December 12, 2022, by Burgess Miller at 7:00 p.m. Present were Commissioners Jean LaPadula, Rick Dietrick, Kevin Stottlemeyer, and Christopher Goodman. Commissioner Falcinelli attended via Lifesize for a short time this evening.

PUBLIC COMMENT:

PERSONAL REQUESTS FOR AGENDA:

MVAA – Request for Batting Cage at Softball Field at Memorial Park – (Jon Lobenstine & Doug Kinsey) MVAA is investing monies to upgrade the softball field at Memorial Park and has requested approval for constructing a batting cage at that location. This will be used as a pitcher warm-up area during girls' softball games. A gentleman who specializes in ball field set up and maintenance is willing to complete the work. A map showing its possible location was reviewed. Commissioner Goodman stated that the location is at Memorial Park, and this batting cage may be an eyesore as part of Memorial Park. He recommended placing the batting cage at Remsberg Park. MVAA is willing to move the location of the batting cage so that it is behind the Medical Center and would be hidden from view but still accessible during games. MVAA will speak with a point of contact at the Medical Center to inform them of the intent. MVAA would also pay for any needed landscaping to reduce visibility from the street. Commissioner Goodman agreed that this was a good plan.

The Town Board agreed by consensus to the construction of a batting cage at the softball field at Memorial Park using the Medical Center as a visual barrier from the street.

Burgess Miller and Drew Bowen will meet with MVAA representatives later this week to discuss other MVAA plans.

CONSENT AGENDA:

- **Budget Amendment – Museum Storage Supplies** – The Town Board approved the spending of up to \$5,000 to purchase protective storage supplies for the Heritage Gallery collection. \$3043 will be initially provided to cover the initial costs. This money will come from Highway User Revenue monies (\$1822) and monies set aside for Miscellaneous expenses (\$1221).
- Town Meeting Minutes
 - **November 3, 2022 – Town Workshop**
 - **November 14, 2022 – Town Meeting**

Commissioner LaPadula noted a punctuation correction to be made to the November 3, 2022 workshop minutes and a grammatical correction to be made to the November 14, 2022 meeting minutes.

Motion: Commissioner LaPadula motioned to approve all items on the consent agenda with the corrections to the meeting minutes. Seconded by Commissioner Stottlemeyer. Motion approved (6-0).

UNFINISHED BUSINESS:

Ordinance 22-12-01 – Water & Sewer Rate Increase by 3% - This is the ongoing discussion on the need for a potential 3% water/sewer rate increase to cover the daily operations costs of the water and sewer plants including inflation costs. The Town Administrator briefly reviewed Middletown's water/sewer rates with other municipalities, and the sample water/sewer charges to customers showing the proposed rate increase. A public hearing was held in November. The last water/sewer rate increase was in 2019.

Motion: Commissioner Goodman motioned to Ordinance 22-12-01 to increase water/sewer rates by 3%. Seconded by Commissioner LaPadula. Motion approved (6-0).

Commissioner Falcinelli left the meeting via Lifesize.

South Jefferson Street – Discussion of Action Items – The speed sign data for South Jefferson Street was reviewed. It was noted that the highest traffic volume was in the evening during rush hour. The Town Administrator reviewed his memorandum summarizing the proposed improvements suggested from the public meeting. Included in the memorandum were staff recommendations on those proposed improvements the Town Board should NOT pursue. The Town Board needs to decide what actions to pursue to mitigate the traffic problems. Discussion occurred regarding possibly installing speed bumps, like those found near and around Frederick schools. The Town would have to change its policy regarding speed bumps, which are currently prohibited. Burgess Miller suggested installing a speed bump on South Jefferson to see how it works in deterring the speeding issue. The Town Board recommended the following: The Director of Public Works would develop a speed bump plan with recommended locations, striping of parking spots and yellow curbing, installing a “No-Left-Turn” coming out of the rear entrance of the Church Street Business Center parking lot, upgrading the speed signs, installing a “Do Not Enter” along the street just north of the bank parking lot, and repainting the 25 MPH speed limit on the street.

Middletown School Feasibility Study – The Frederick County Board of Education (BoE) has taken a step back regarding actions on the Middletown School Feasibility Study and its recommendations to give the opportunity for more public input. Burgess Miller has drafted a letter to the BoE that he sent to the Town Board for review and comment.

Amendments to Sign Regulations – The Town Board received the sign regulations recommended changes from the Planning Commission previously. A public hearing is scheduled for the evening of the January Town Board workshop (January 5, 2023). It will be voted on later in January. It was suggested to develop a brochure to provide to businesses in the TC district, another for temporary signs, and other brochures as needed.

Once these changes have been approved the Board will then begin to review the fence amendment.

Review of Handicap Space at 300 Block of West Main Street - The Town Board previously approved a request for the installation of a handicap parking space in front of 300 West Main Street due to no handicap parking spaces within three blocks in either direction. Once it was installed neighbors began to complain that the space was rarely used and if it was used the vehicle was parked there unmoving for weeks. Town staff monitored the situation and agreed with the assessment. With little to no off-street parking in that area, parking spaces are at a premium. The resident who requested the handicapped space tends to park behind his home. He uses the parking space during instances of bad weather. After discussion, the Town Board recommended a letter be sent to the resident notifying him that the handicap parking space will revert to a general parking space. Notice will be sent to the surrounding neighbors

notifying them of the change and remind those with off-street parking to use their off-street parking to relieve some of the parking challenges in the neighborhood. The Willow Street Parking lot will be striped. The Director of Public Works will develop a parking plan for Willow Street. The parking space on Willow Street nearest the new pocket park will become a handicap space. A handicap space will also be put in place on West Green Street directly across from the pocket park as well.

REPORT OF COMMITTEES:

WATER & SEWER – The Town Administrator reported:

The Water & Sewer Committee reviewed the final draft of the Water Resource Element chapter of the Comp Plan. They are sending it to the Planning Commission for review.

PUBLIC WORKS – Commissioner Dietrick reported:

Crews put up the Christmas decorations. The Washington Street project is almost complete. The sanitary sewer line was installed between Gladhill Furniture and South Mountain Auto. The elevated tank sensor was replaced as was the well pump in well 22. A new sewage pump was installed at the Brookridge Pump Station. The autosampler was rebuilt. The North Pointe swale was repaired. The approved new signs were installed on Lombardy Drive and Lombardy Court, and staff walked the spring line.

SUSTAINABILITY – Commissioner Stottlemyer reported:

The Middletown Library will host a sustainability class entitled Holiday Greenery on December 17th at 1:00PM. A Little Seed Library will be installed at the library. It will function similarly to a little book library. Compost bins are for sale at town hall. The next recycle event will be held March 11, 2023. The Green Expo is scheduled for April 22, 2023.

PLANNING COMMISSION – Commissioner LaPadula reported:

The workshop will be held Wednesday, December 14, 2022. The Planning Commission meeting will be held Monday, December 19, 2022. Agenda items include proposed changes to the pool ordinance, and the Comp Plan chapter 9 – Growth Element. The growth area has been reduced by approximately 100 acres. The Planning Commission recommended adding information regarding aquifer allocations and potential development water needs per the current policy added to the growth element map.

PARKS AND REC. COMMITTEE – Commissioner Goodman reported:

The Memorial Park softball fields are being redone by MVAA. The Director of Public Works has been working with the designer of the pickleball courts.

PUBLIC INFORMATION – No report

NEW BUSINESS:

Request from Verizon for Lease Renewal – Water Tank – The Verizon cell tower lease on top of the water tower is about to end. It has been a 5-year lease with the option of five 5-year renewals. Verizon would like to enter a new lease with modifications. Verizon would like to reduce the rent amount from \$4426 per month to \$3250 per month beginning January 1, 2023. Included is a new rent escalator of 15% every 5 years and has seven additional five-year renewals. Verizon has also requested the additional language be added to maintain long-term operational flexibility. Town staff and the maintenance contractor for the water tower have both reviewed the additional language and recommend that the Town NOT include the language in any future contract as it gives control of what occurs on the water tower to Verizon.

The Town Administrator contacted other municipalities for their cell tower rates. He reported his findings. Middletown has the highest monthly cell tower rental fees in the area. These rates were agreed to when cells towers were constructed 25 years ago. After discussion the Town Board agreed that the Town Administrator negotiate a contract with a reasonable monthly rental fee, with an annual rent escalator of 3%, with seven 5-year renewable terms but does not include the language that Verizon want added to the lease.

Review of Website User Policies – The Town Attorney has reviewed it and added additional language that addresses federal law. Tabled until Commissioner Falcinelli is present to discuss.

PUBLIC COMMENTS:

Leann Moore, 202 Ali drive, asked where to find the latest information on the school feasibility study and how to get involved. Any updated information will be placed on the town website. It was suggested that residents' messages be similar to the Town's message.

Speed Cameras – Discussion concerning installing speed cameras near the schools to monitor traffic occurred. It was suggested that the Town might want to contact companies that provide speed camera services and gather information. This was looked at previously and any speeding tickets must be signed off by a law enforcement official. Sheriff Jenkins has stated he will not sign off on those types of tickets.

ANNOUNCEMENTS:

- *Town Office Closed for Christmas & New Years*
 - *Friday, December 23, 2022*
 - *Monday, December 26, 2022*
 - *Monday, January 2, 2023*

Meeting adjourned at 8:30 PM.

Respectfully submitted,

Annette Alberghini,
Office Manager