

***BURGESS AND COMMISSIONERS
OF MIDDLETOWN MARYLAND***

TOWN WORKSHOP MEETING MINUTES

WORKSHOP MEETING

December 1, 2022

The workshop meeting of the Burgess and Commissioners of Middletown was called to order on December 1, 2022, by Burgess Miller at 7:00 p.m. Present were Commissioners Jennifer Falcinelli, Rick Dietrick, and Chris Goodman.

PUBLIC HEARING:

Ordinance 22-12-01 – Water & Sewer Rate Increase by 3% – Discussion began 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. Smaller planned rate increases will be easier for households to adjust to. This public hearing allows public comment from town residents on this proposed rate increase. 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. All information is available for review on the town’s website. This public hearing was properly advertised. Burgess Miller opened the floor for public comment.

Bob Smart, 7525 Coblenz Road, stated that he was in favor of this moderate rate increase.

This will be voted on at the Monday, December 12, 2022 Town Board meeting.

Public hearing ended at 7:04PM.

STAFF REPORTS:

Deputy Report – Deputy Chudoba reviewed his report.

Staff Planner Report – Cindy reviewed her report.

Engineer’s Report – Bruce reviewed his report

Main Street Manager Report – Becky reviewed her report. Becky provided a separate report regarding the Middletown Heritage Gallery and Museum. She recommends beginning the purchase of storage materials to protect collection items. She also recommended the creation of a committee to assist with the strategic direction of the collection including the creation of a collection policy.

Zoning Administrator’s Report – Robert was not present. His report was included in the meeting packet.

CONSENT AGENDA:

- **ARPA Budget & Project Progress Report** – This will be an agenda item on the December 12, 2022 Town Board meeting. The report will provide an update on what ARPA monies have been spent on, what funds have been obligated for expenditure, and the funds left to obligate.
- **Town Meeting Minutes**
 - *November 3, 2022 – Town Workshop*
 - *November 14, 2022 – Town Meeting*

UNFINISHED BUSINESS:

South Jefferson Street – Discussion of Action Items – 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. It was noted that South Jefferson is similar width to Prospect Street which is a one-way street with parking on one side. Discussion occurred regarding possibly installing speed bumps, like those found near and around Frederick schools. The speed bumps are plowable. 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. Town staff would design the speed bump. It was noted that installing a speed bump in one area of Town does not mean speed bumps will be placed all over Town. The Public Works Committee will review the Town Policy and provide feedback to the Town Board.

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 recommended that Town Board members speak in a unified voice when addressing any BoE members. Any interaction with the BoE on this topic should have the same message no matter which member of the Town Board is making the contact. The Board agreed that the priority is that there should be three school buildings not two. The traffic pattern needs addressing. The BoE should seek input/information from Town staff for a more complete understanding before making any final decisions, as Town staff has information available that was not included in the feasibility study. Burgess Miller will draft a letter that Town Board members will sign to send to the BoE.

Amendments to Sign Regulations – The Town Board received the sign regulations recommended changes from the Planning Commission this evening for review. It will be sent to the Town Attorney for review and comment. A public hearing will be scheduled for the evening of the January Town Board workshop (January 5, 2023). It was noted that the Zoning Administrator emailed a report with proposed changes to the Town's pool regulations to make them more consistent with Frederick County. The Planning Commission will review the report at their December meeting.

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. It was recommended that the Willow Street parking lot be striped for more efficient parking in that lot. The Town will keep monitoring the handicap parking space situation before deciding on whether to remove it.

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 5 – 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.

It was stated that any future lease agreement should at least start with the same monthly lease amount as is currently in place. It was also recommended that the rent escalator be similar to what is currently in place. The Town Administrator will contact other municipalities so see what their cell tower rates are. He will write a response to the Verizon proposal and have it for review at the December 12th Town Board meeting.

Review of Website User Policies – The sustainability website has a disclaimer posted which covers their website. The Town attorney is reviewing the disclaimer. The Town should have the disclaimer and the sustainability webpage falls under that umbrella.

PUBLIC COMMENTS:

John Pembroke, 18 Tobias Run, has concerns about Shentel/Glo Fiber installing their infrastructure. Shentel is installing their infrastructure within the public utility easement. Residents have defined rights for those easements and must rely on the Town to be vigilant. Many mature trees in the subdivision are on the line or just outside that easement. Who will be responsible if there are damages. The Town has met and continues to meet with Shentel. If Shentel is required to make things right, they will. If landscaping is in the easement it may have to go. Town staff will provide information to Town residents through social media to reduce any concerns. The information will include a point of contact name and number to respond to residents.

The Director of Public Works stated he is developing a new policy to present to the Board regarding a clear zone around utility connections. This policy would be for both developers and residents. The policy would reduce plantings and/or construction over underground connections.

ANNOUNCEMENTS:

- *Christmas in the Valley – Saturday, December 3, 2022*

Workshop adjourned at 8:58 PM.

Respectfully submitted,

Annette Alberghini,
Office Manager