

BURGESS AND COMMISSIONERS
OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

TOWN MEETING

January 23, 2023

The meeting of the Burgess and Commissioners of Middletown was called to order on January 23, 2023, by Burgess Miller at 7:00 p.m. Present were Commissioners Jennifer Falcinelli, Jean LaPadula, Rick Dietrick, Kevin Stottlemyer, and Christopher Goodman.

PUBLIC COMMENT: None.

CONSENT AGENDA:

Burgess Miller stated he was adding two items to tonight's agenda. They will be under unfinished business: ARPA, and Virtual Participation.

- Town Meeting Minutes
 - **January 5, 2023 – Town Workshop**
 - **January 9, 2023 – Town Meeting**

Motion: Commissioner Falcinelli motioned to approve the amended consent agenda with the two additional agenda items. Seconded by Commissioner LaPadula. Motion approved (6-0).

UNFINISHED BUSINESS:

Ordinance 23-01-01 – Sign Regulation Amendments – The sign regulations were before the Town Board tonight for any further changes and possible approval. The Main Street Manager previously provided additional information regarding window signs and examples of percentage coverages as proposed in the new regulations. The Planning Commission had proposed a 50% window coverage for businesses in the downtown district as some of those businesses are located in previous residential dwellings and the larger percentage signs could provide more visibility. After discussion it was recommended that window signage be limited up to 25% of the window in Town Commercial districts. If this is too restrictive it can be addressed later.

Motion: Commissioner Falcinelli motioned to approve ordinance 23-01-01 – Sign Regulation Amendments with the change to have Town Commercial window signs be up to 25% of the window. Seconded by Commissioner LaPadula. Motion approved (6-0).

South Jefferson Street –The Director of Public Works (DPW) reviewed the parking plan for the 100 and 200 blocks of South Jefferson Street using 5' site lines on each side of driveways. He reported that if spaces are lined according to standards (22'), parking spots will be lost. In general, delineating parking spaces on South Jefferson Street will reduce the number of cars able to park there. Reducing the parking spaces to 18' would allow maneuvering into and out of spaces. There were several residents of South Jefferson Street in attendance at this evening's meeting, both in person and via lifesize. After much discussion regarding parking, speeding, traffic flow and visibility when entering/exiting driveways in that neighborhood the Town Board recommended the following actions for South Jefferson Street: 4 parking spaces will be added to the first block between Main Street and Washington Street. There will be signage

identifying these parking spaces as “Residential Only between 4PM and 7AM”. The Stop sign at South Jefferson and Washington Street will be moved to the left-hand side of South Jefferson Street for better visibility with the new parking spaces. Driveway aprons in the 100 block will be marked/identified with 5’ yellow paint site lines in the street (not the curb) to increase visibility for those entering and exiting driveways. A “No Left Turn” sign will be installed at the rear entrance/exit to the Church Street Business Center. Town representatives will contact State Highway to discuss reassessing the traffic light/traffic flow at the square corner.

Review of Website User Policies – The Town Board reviewed the proposed Website User Policies, Terms and Conditions which included comments from the Town Attorney. This policy addresses town sponsored websites only. These websites will have one-way communication of information only. The Town Administrator will update this policy to include those websites that this policy addresses. Town Facebook pages are a separate issue to be discussed later.

Motion: Commissioner Falcinelli motioned to approve the Town Website User Policy with the addition of the town websites, as presented. Seconded by Commissioner LaPadula. Motion approved (6-0).

ARPA Budget Update – The Finance Officer previously provided the Town Board with an ARPA Budget Summary for review. The summary reflects those completed projects funded using ARPA funds, those projects that have obligated ARPA fund but have yet to spend them, and the remaining balance. The summary shows that there is still \$363,089 available. This balance is important as the Town Board begins the budget process for FY2024. The Town Board publicly thanked town staff for their hard work with these projects and the expenditure of funds.

Virtual Participation – The Planning Commission annually reviews their policies and procedures. With the technological advances for meeting attendance and participation they had questions for the Town Board regarding Planning Commission members virtually attending as it relates to voting and quorum. During the COVID emergency the Town enacted two emergency resolutions that allowed the Town Board, Planning Commission and standing committees to operate. The emergency has past, but the two emergency ordinances are still in effect. Prior to COVID and prior to current technology, the previous Town Attorney provided an opinion which stated that the meetings with quorums had to be held in person and a board/committee person could not vote on an agenda item if that person was attending via phone. The current Town Attorney will be contacted for an updated opinion on the topic. Information will be gathered from MML and local municipalities to identify how others have incorporated the use of technology in their meeting process. Various virtual meeting options were discussed. It was recommended that the legal scope of virtual meetings should be identified prior to the Town Board deciding how it should proceed. This will be an agenda item for the February Town Workshop.

NEW BUSINESS:

General Assembly 2023 Session Legislative Bond Initiatives – Burgess Miller asked the Town Board for ideas any legislative bond initiatives. Suggestions included the Remsburg Park waterline and replacing the waterline between the well field and I-70. The deadline for submission of these initiatives is mid to late February.

Veteran Banners – The Town hangs veterans banners along Main Street throughout the months of May and November each year. Currently there are more banners (52) than there are poles (48) to hang them on. Town staff is asking for direction prior to May as to what to do. Discussion occurred regarding ending the

sale of the banners, rotating the banners and using the town owned poles on Green Street, Washington Street and the Middletown Parkway. No decision was made on this agenda item.

Discussion of Amendment to Pool Regulations – Governor Hogan signed a law to adopt national standards regarding pool regulations. The Planning Commission and the Zoning Administrator recommend amending the Town pool regulations to reference these standards and to bring the Town regulations closer to alignment with County regulations. Middletown has some of the strictest pool setback regulations in the County (18’ from the property line). The Planning Commission and the Zoning Administrator’s recommend reducing the setback to 10’ from the property line. Tonight was the Town Board’s first look at the recommended changes.

It was noted that the Town does not require that a property owner sign off on any modifications/changes to their property submitted through the Town’s zoning certificate process by a renter. A signed affidavit would inform the Town that the property owner is aware of any proposed changes. Frederick County requires it as part of their permitting process. Town staff is reviewing and updating the current zoning certificate form and fee schedule. This will be an item to add to that review for addition.

PUBLIC COMMENTS: None.

ANNOUNCEMENTS:

FCPS Board of Education (BOE) is meeting with the Middletown Parent Teacher Association on Thursday, January 26, 2023 at 6:30PM. The meeting will take place at the Middletown Elementary School library. The BOE has been meeting with smaller groups throughout the community regarding the feasibility study and proposed construction at the school complex. It was noted that the Town should be included in these discussions as Town staff has pertinent information that may impact decisions made. Limited information is known currently. Burgess Miller will contact Dr. Lebo for an update.

Workshop adjourned at 8:47 PM.

Respectfully submitted,

Annette Alberghini,
Office Manager