



## **AGENDA FOR THE TOWN WORKSHOP**

**June 6, 2019**

**7:00 p.m.**

### **PLEDGE TO THE FLAG**

### **PUBLIC HEARING**

Fiscal Year 2020 Operating Budgets

- **General Fund**
- **Water & Sewer Fund**

### **CALL TO ORDER**

### **COMMUNITY DEPUTY REPORT**

### **PERSONAL REQUESTS FOR AGENDA:**

*MVAA – Donnie Delauter*

### **STAFF REPORTS:**

#### **Staff Planner**

Engineer's Report

Main Street Manager

#### **Zoning Administrator**

### **CONSENT AGENDA**

- **Request from YMCA Duathlon / Triathlon Event on September 15, 2019 at 8:00AM**
- **Financial Statements**
- Town Meeting Minutes
  - **May 13, 2019 – Town Meeting**

## **UNFINISHED BUSINESS:**

- **Amendments to the Banner Policy (Vote – June 10, 2019)**
- **Review of Request from Franklin Commons for Reduction in Turning Lane on Broad Street due to Utility Relocation Costs**

## **NEW BUSINESS:**

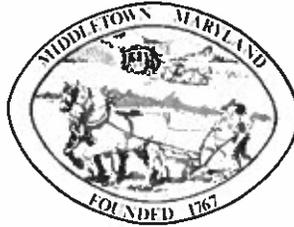
- **Review of Request from MVAA for Donation of Naming Rights to Baseball Field at Remsberg Park**
- **2018 Annual Planning Report**
- **Discussion of Text Amendment for Self-Storage in General Commercial (GC) Zoning District**
- **Discussion of Text Amendment for Parking Requirement for Apartments and Townhouses**
- Schedule Public Hearing for Water & Sewer Rate Increase – Monday, July 8, 2019 at 7:00PM

## **PUBLIC COMMENTS:**

## **ANNOUNCEMENTS:**

- *Vintage Vehicle in the Valley – Saturday, June 8, 2019, 11:30AM – 3:00PM*
- *Middletown Volunteer Fire Company Carnival – June 17-22, 2019*
- *Movie Night at Middletown Park – Friday, June 21, 2019*
- *Junior Deputy Program – Wednesday, June 25, 2019*
- *Independence Day Celebration – Saturday, June 29, 2019 (Rain Date 6/30/2019)*

## **ADJOURNMENT**



## **NOTICE OF PUBLIC HEARING ON PROPOSED MIDDLETOWN BUDGET**

In compliance with regulations governing the payment of entitlements, the Burgess and Commissioners of Middletown will hold a Public Hearing on **Thursday, June 6, 2019 at 7:00 P.M.**, in the Middletown Municipal Center, 31 West Main Street, Middletown, on the proposed use of its budget for the fiscal year beginning July 1, 2019 and ending June 30, 2020. At such hearing, citizens have the opportunity to provide written and oral comments on the proposed uses of such funds and to ask questions concerning the entire budget.

Be it ordained that the following is a true statement of the anticipated revenues and proposed expenditures of the Burgess and Commissioners of Middletown for the fiscal year beginning July 1, 2019 and ending June 30, 2020.

**BURGESS AND COMMISSIONERS OF MIDDLETOWN PROPOSED BUDGET  
JULY 1, 2019 TO JUNE 30, 2020.**

**"INSERT ENCLOSED BUDGET ATTACHMENT HERE"**

Copies of the Town's Operating Budget are also available at the Town Office upon request and on the Town website at [www.middletown.md.us](http://www.middletown.md.us).

All citizens wishing to be heard will be recognized at this hearing. Any person desiring a stenographic transcript shall be responsible for supplying a competent stenographer. Individuals requiring special accommodations are requested to contact Andrew Bowen, Town of Middletown, at (301) 371-6171 no later than 72 hours prior to the meeting.



**BURGESS AND COMMISSIONERS OF MIDDLETOWN  
GENERAL FUND – Operating Budget**

**FISCAL YEAR 2020**

	<b><u>PROPOSED 20 LEVELS</u></b>
<b><u>REVENUES</u></b>	
LOCAL TAXES:	1,448,514
COUNTY SHARED TAXES:	1,793,436
STATE-SHARED TAXES:	253,778
LICENSES AND PERMITS:	18,474
PARKS AND RECREATION:	3,046
POLICE PROTECTION:	26,197
OTHER REVENUE:	10,560

**TOTAL REVENUES: \$3,554,005**

	<b><u>PROPOSED 20 LEVELS</u></b>
<b><u>EXPENDITURES</u></b>	
LEGISLATIVE:	46,033
EXECUTIVE:	10,200
ELECTION EXPENSES:	572
GENERAL SERVICES:	396,925
MAINTENANCE:	327,224
PROFESSIONAL SERVICES	26,895
PLANNING AND ZONING:	69,159
MAIN STREET MANAGER	65,814
PUBLIC SAFETY:	438,024
SANITATION AND WASTE REMOVAL:	290,811
RECREATION & CULTURE	207,523
HIGHWAYS AND STREETS:	815,886
MISCELLANEOUS	409,280
CIP CONTRIBUTION	449,659

**TOTAL OPERATING EXPENSES \$3,554,005**

**SURPLUS/(DEFICIT) \$ 0**



## Burgess and Commissioners of Middletown, Maryland

Fiscal Year 2020  
Tax Rates

<b>Town of Middletown - Property Tax Rate</b>	\$	0.232 <i>per \$100 assessed value</i>
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<b>Town of Middletown - Personal Tangible Property Tax Rate</b>	\$	0.580 <i>per \$100 assessed value</i>
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Months	Discount Rate	Interest Rate
July-17	2.00%	
August-17	1.00%	
September-17	Base	Base
October-17		0.67%
November-17		1.33%
December-17		2.00%
January-18		2.67%
February-18		3.33%
March-18		4.00%
April-18		4.67%
May-18		5.33%
June-18		6.00%



**BURGESS AND COMMISSIONERS OF MIDDLETOWN  
WATER AND SEWER FUND – Operating Budget**

**FISCAL YEAR 2020**

<u>REVENUES</u>	<u>PROPOSED 20 LEVELS</u>
OPERATING REVENUES:	1,265,389
<b>TOTAL OPERATING INCOME</b>	<b><u>\$ 1,265,389</u></b>
OPERATING EXPENSES:	
Administrative	228,642
WATER:	
Salaries	124,273
Water Distribution System	67,275
Water Plant/Tower/Booster Station	168,580
Electric	40,018
SEWER:	
Salaries	106,305
Sewer Collection System	129,536
East Wastewater Treatment Plant	164,348
West Wastewater Treatment Plant	106,425
Electric	94,395
CONTINGENCY FUND	31,847
CIP CONTRIBUTION	3,745
<b>TOTAL OPERATING EXPENSES</b>	<b><u>\$1,265,389</u></b>
<b>SURPLUS/(DEFICIT)</b>	<b><u>\$ 0</u></b>

**Town of Middletown Planning Department**

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 6/3/2019

RE: Monthly Planning Update - June

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**Major Subdivisions:**

**Middletown Glen** - Preliminary plans signed – May 29, 2013  
Improvement plans conditionally approved – October 16, 2013  
FRO planting at Remsberg Park completed – February 2017  
All plats recorded at the Courthouse – May 17, 2016 - March 16, 2018

**Site Plans, Plats and Minor Subdivisions:**

**Caroline's View/Horman Apartments**- Site Plan approved – April 21, 2008 (no sunset provisions prior to November 14, 2010)  
Improvement Plans conditionally approved – May 17, 2010 (no sunset provisions prior to 11/10)  
Revised Improvement Plan mylars signed – July 21, 2017  
**Next step – submittal of PWAs for approval and apply for building and grading permits**

**Cross Stone Commons** – Revised Site Plan conditionally approved – October 20, 2014  
Improvement Plan mylars signed – November 6, 2015  
Architectural renderings for Building #4 approved – March 19, 2018  
Revised Forest Conservation Plan approved – January 21, 2019  
**Next step – submit architectural renderings for building #2 for review/approval**

**Dowd Property** – Forest Stand Delineation approved – April 16, 2018  
Revised Concept plan reviewed by PC – January 21, 2019  
Special Exception materials submitted for self-storage use – December 21, 2018  
**Next step – PC review/recommendation and BOA review/approval of special exception for self- storage use, or site plan submittal without self-storage use**

**Franklin Commons** -  
Resubmitted site plan conditionally approved – May 21, 2018 (Plans expire May 21, 2021)  
BOA approved height variance request – July 12, 2018 (BOA approval expires July 12, 2019)  
Improvement plans conditionally re-approved – March 18, 2019 (Plans expire March 18, 2022)  
**Next step – submittal of letter of credit and signing of PWA's**

**Jiffas** – Site Improvement Plan conditionally approved – October 20, 2008 (no sunset provisions prior to November 14, 2010)

Forest Conservation Plan approved – October 20, 2008

Architectural plans approved by PC – March 16, 2015

BOA approval for variance requests – March 29, 2016 (**Expired March 29, 2017**)

**Next step – apply for variance requests for siting of duplex building**

**Middletown Water Storage Tank** – Site Plan approved by PC – March 18, 2019 (Plans expire 3/18/22)

FSD/FCP approved by PC – March 18, 2019

**Final Forest Conservation Plan submitted for review/approval – May 17, 2019**

**Improvement Plans submitted for review/approval – May 23, 2019**

**Next step – PC approval of improvement plans and FFCP**

**Miller (Ingalls)** – Revised Concept Plan reviewed by PC – September 16, 2013

Site plan (Phase III) conditionally approved by PC – July 20, 2015

Improvement plans (Phase III) conditionally approved by PC – June 19, 2017 (Expires 6/19/20)

**Phase IV Site plan submitted for review/approval – June 3, 2019**

**Next step – PC approval of Phase IV site plan**

**Richland Driving Range** – Concept plan reviewed by PC – January 18, 2016

Revised Site Plan conditionally approved – January 15, 2018 (Plans expire January 15, 2021)

Improvement Plans reviewed and tabled by PC – September 17, 2018

**Next step – submittal of improvement plans for approval**

**School Complex roadway plans** – Improvement plans and FCP plans reviewed and approved by Town Board – May 8, 2017 (informed in June 2017 that funding was not approved for project)

SWM plans re-submitted to Frederick County and SCD for review/approval – 8/3/17

**St. Thomas More Academy Site Plan revision** – conditionally approved August 20, 2018

### **Annexations:**

**A.C. Jets Property-** PC approval of annexation petition of 35.96 acres – December 21, 2009

Public hearing date - Monday, October 11, 2010

Annexation petition denied by Town Board – October 11, 2010

**Admar Property** – annexation petition sent to PC by Town Board – January 9, 2017

PC approval of consistency with zoning/comp plan – February 20, 2017

Public Hearing - April 5, 2018

Town Board passed annexation resolution – April 9, 2018

### **Text Amendments:**

**Reports:** 2018 Annual Planning Report approved by Planning Commission – May 20, 2019

**Grants:** MEA Smart Energy Communities grant application – award granted – May 2017

**Meetings:** Next Middletown Green Team Meeting – June 18, 2019

**Next Joint town board/planning commission workshop** – August 5, 2019



**Town of Middletown**  
**Zoning Administrator Monthly Staff Report**

**To:** Burgess and Commissioners

**From:** Mark Hinkle, Zoning Administrator

**Date:** June 5, 2019

**RE:** Monthly Zoning Administrator Staff Report for May 2019

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**BOA Hearings:** None

**Storage Container & Dumpster Permit:** None

**Home Occupation Permit:** None

**Zoning Violations and Complaints:**

- 1/14/2019 – 819 East Main Street, BB & T bank – Complaint received about unscreened dumpster, investigated and sent letter. Spoke with branch manager and agreed to allow them an extra 30 days so they can deal with their headquarters in North Carolina. The dumpster became obvious once the property next to them was cleared. Spoke with construction company and advised them what would be needed to be properly screened. **Plan being submitted to headquarters in North Carolina to correct issue. On hold due to Parking lot realignment efforts.**
- 4/24/2019 – 5 East Main Street, Subway – Deteriorating sign post and signage for business no longer on site, letter sent, spoke with owner. Safeway will be assigning a new Franchisee in the next 6 months and they plan on renovating and improving the building and signage at that time.
- 5/10/2019- Middletown Parkway – Signage – Removed
- 5/17/2019 – Middletown Parkway – Signage – Nothing found
- 5/21/2019 – 325 S. Jefferson St. – Blacksmith shop/business – Nothing found

**Miscellaneous:**

- Met with Zion Lutheran Church, discussing potential uses of property on W. Green Street
- Fielded a few calls in regard to garage being built at 515 W. Main, garage was permitted and approved.
- Neighborhood visits
- Letter sent to 331 S. Church St. to see if they would like to schedule their BOA hearing about their camper. They had previously asked for a payment plan to fund the hearing and have made all payments.

**Permits:**

<b>May 2019 Zoning Certificates</b>	<b>Address</b>	<b>Permit #</b>	<b>M-town</b>	<b>M. Hinkle</b>	<b>County</b>
			<b>Received</b>	<b>Approved</b>	<b>Approval</b>
<b>Middletown Commons Holdings-SFD</b>	<b>330 Ingalls Dr</b>	<b>193153</b>	<b>4/23/2019</b>	<b>5/1/2019</b>	<b>Yes</b>
<b>Middletown Commons Holdings-SFD</b>	<b>320 Ingalls Dr.</b>	<b>193152</b>	<b>4/23/2019</b>	<b>5/1/2019</b>	<b>Yes</b>
<b>Badum-demo and rebuild deck</b>	<b>73 Boileau Ct.</b>	<b>193648</b>	<b>4/3/2019</b>	<b>5/1/2019</b>	<b>Yes</b>
<b>Kiska-Fence</b>	<b>3 Gladhill Dr.</b>		<b>5/3/2019</b>	<b>5/3/2019</b>	<b>No</b>
<b>Kiska-Deck</b>	<b>3 Gladhill Dr.</b>	<b>193618</b>	<b>5/1/2019</b>	<b>5/8/2019</b>	<b>Yes</b>
<b>Martin-Deck</b>	<b>101 Ingalls Dr.</b>	<b>193591</b>	<b>4/29/2019</b>	<b>5/8/2019</b>	<b>Yes</b>
<b>Green-Sunroom</b>	<b>2 Lombardy Dr.</b>	<b>193135</b>	<b>4/17/2019</b>	<b>5/8/2019</b>	<b>Yes</b>
<b>Smith-Deck</b>	<b>97 E. Green St.</b>	<b>194363</b>	<b>5/19/2019</b>	<b>5/13/2019</b>	<b>Yes</b>
<b>Zion Lutheran Church-Handicapped ramp</b>	<b>118 W. Green St.</b>	<b>192243</b>	<b>4/5/2019</b>	<b>5/20/2019</b>	<b>Yes</b>
<b>Middletown Commons Holdings-SFD</b>	<b>326 Ingalls Dr.</b>	<b>194544</b>	<b>5/15/2019</b>	<b>5/24/2019</b>	<b>Yes</b>
<b>Habitat for Humanity-SFD</b>	<b>211 S. Jefferson St.</b>	<b>193195</b>	<b>2/7/2019</b>	<b>5/31/2019</b>	<b>Yes</b>

# YMCA OF FREDERICK COUNTY

**JUNE 1**  
**4:00PM**

@MIDDLETOWN HIGH SCHOOL

GOLD SPONSOR



livewell  
FREDERICK

SILVER SPONSOR



Racine MultiSports  
www.RacineMultiSports.com

**AGES:**  
**6-15**  
**YRS OLD**

## YMCA OF FREDERICK COUNTY KIDS TRI



**SWIM BIKE RUN**



FOR YOUTH DEVELOPMENT®  
FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY

VISIT OUR WEBSITE FOR MORE INFO AND TO REGISTER!

**frederickyraces.org**



# Maryland State Highway Administration Special Event Permit - Data Sheet

Event: YMCA of Frederick Duathlon / TRIATHLON  
 Start Date: 9-15-2019 End Date: 9-15-2019  
 Start Time: 8:00am End Time: 10:30am  
 Purpose/Type: TRIATHLON/QUATHLON RACE  
 Organizer: YMCA of Frederick Co.  
 Contact Person Judy Cowillard Daytime Phone: 301-663-5131 x1258  
 and Address: 1000 North Market St Evening Phone: 240-457-1105  
Frederick MD 21701 Email Address: J.Cowillard@Frederickymca.org  
 No. of Participants: 150 No. of Vehicles/Units: 0 Rain/Snow Date: N/A

Proposed Route: Bike Route: Starts at Middletown High School to  
 (Written Description)  
(Right) Green St to (Right) ROUTE 17 to (Right) Harmony Rd to  
(Right) Route 40 to (Right) Hollow Rd to (Right) RT 40 to (Right) Conebranch  
 Will you be occupying all or part of a highway travel lane? No  Yes  to (Right) EAST GREENS  
 Will you be closing all or part of a roadway? No  Yes  to (Right) to Schoolhouse RA  
 If Yes to either of the above, where? \_\_\_\_\_

Have you requested Local Police assistance?\* No  Yes  Number 5  
 Have you requested Maryland State Police assistance?\* No  Yes  Number \_\_\_\_\_

**\* THE EVENT ORGANIZER IS RESPONSIBLE FOR OBTAINING LOCAL AND/OR STATE POLICE ASSISTANCE \***

CIRCLE THE DISTRICT(S) AND COUNTY(S) YOUR EVENT WILL TAKE PLACE IN

- DISTRICT 1 Dorchester / Somerset / Wicomico / Worcester
- DISTRICT 2 Caroline / Cecil / Kent / Queen Anne's / Talbot
- DISTRICT 3 Montgomery / Prince George's
- DISTRICT 4 Baltimore / Harford
- DISTRICT 5 Anne Arundel / Calvert / Charles / St. Mary's
- DISTRICT 6 Allegany / Garrett / Washington
- DISTRICT 7 Carroll / Howard / Frederick

**RECEIVED**  
 MAY 17 2019  
 TOWN OF MIDDLETOWN, MD

ATTACH THE FOLLOWING

- Map of affected routes
- Traffic Control Plan (including details on how intersections will be controlled, a detour plan, locations of police officers/volunteers and locations of all traffic control devices, as appropriate)
- Other event details \_\_\_\_\_

(Contact the District Office to determine what, if any, additional information will be required for your event.)

**\* Submit completed Data Sheet and Signature Sheet to SHA no later than 60 DAYS prior to your event \***  
<http://www.marylandroads.com/Index.aspx?PageId=59>



# Maryland State Highway Administration Special Event Permit - Signature Sheet

EVENT: \_\_\_\_\_

### ORGANIZER'S ACKNOWLEDGEMENT

I/We hereby affirm that the **ORGANIZER** of this **EVENT** and all **PARTICIPANTS** will comply with the Laws of the State of Maryland and any applicable county and municipal statutes and ordinances and will adhere to the terms and conditions set forth in this **PERMIT**. My/Our signature(s) below confirm that the **ORGANIZER** and all **PARTICIPANTS** agree to hold harmless from any liability, incurred by them or to others associated with this **EVENT**, the various governmental agencies providing assistance for this **EVENT**. The **ORGANIZER** may be required to obtain Liability and Property Damage Insurance with limits of at least \$300,000 per incident/\$1,000,000 aggregate.

**ORGANIZER:** Judy Couillard  
PLEASE PRINT NAME

**REPRESENTATIVE:** Judy Couillard  
PLEASE PRINT NAME

**SIGNATURE:** Judy Couillard  
PLEASE SIGN

### TERMS AND CONDITIONS

- 1) This **EVENT** shall adhere to the route, number of participants and vehicles (not more than 10% higher than the numbers on this Permit), date(s) and times shown on the attached \_\_\_\_\_ sheet(s).
- 2) The **ORGANIZER** shall ensure that the approved **TRAFFIC CONTROL PLAN** is followed.
- 3) In the event of winter weather during the event, SHA will require access to all State Highways for weather related operations. This may require cancellation of the event.
- 4) Immediately following the event, the **ORGANIZER** shall clean up all litter, temporary signs and other event materials and return the roadway to a condition equal to or better than its condition before the event.
- 5) Additional stipulations: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### AGENCY APPROVALS

Before signing and giving approval for your agency, consider the following:

- 1) Ensure you have the approval authority to sign for your agency to commit manpower and resources.
- 2) Ensure you have looked over the entire application package, including the Route Map and Traffic Control Plan. If you identify any problems, have the event organizer address them prior to signing.
- 3) If reimbursement is required, ensure you have mutually agreed upon the amount (in writing) and terms under which payment will be made.

Local Government ( \_\_\_\_\_ ): \_\_\_\_\_  
AGENCY SIGNATURE PRINTED NAME DATE

Local Government ( \_\_\_\_\_ ): \_\_\_\_\_  
AGENCY SIGNATURE PRINTED NAME DATE

Local Government ( \_\_\_\_\_ ): \_\_\_\_\_  
AGENCY SIGNATURE PRINTED NAME DATE

Maryland State Police: \_\_\_\_\_  
SIGNATURE PRINTED NAME DATE

State Highway Administration: \_\_\_\_\_  
SIGNATURE PRINTED NAME DATE

**YMCA OF FREDERICK COUNTY-WOMEN'S TRIATHLON**

**Bike Course-10 miles**

Start in the parking lot at Middletown High School

Take Schoolhouse Drive to East Green Street

Turn Right on East Green Street and follow to Route 17

Turn Right on 17 and follow to Harmony Road

Turn Right on Harmony Road and follow to Route 40

Turn Right on Route 40 and follow to Hollow Road

Turn Right on Hollow Road and follow to Alternate 40

Turn Right on Alternate 40 and follow to Conebranch Drive

Turn Right on Conebranch Drive

Take first left off of Conebranch Drive onto East Green Street to Schoolhouse Drive

Turn Right onto Schoolhouse Drive and follow back to Middletown High parking lot

**Run Course-3.1 miles**

Run course will be mainly in Middletown Park

Start in Middletown High parking lot

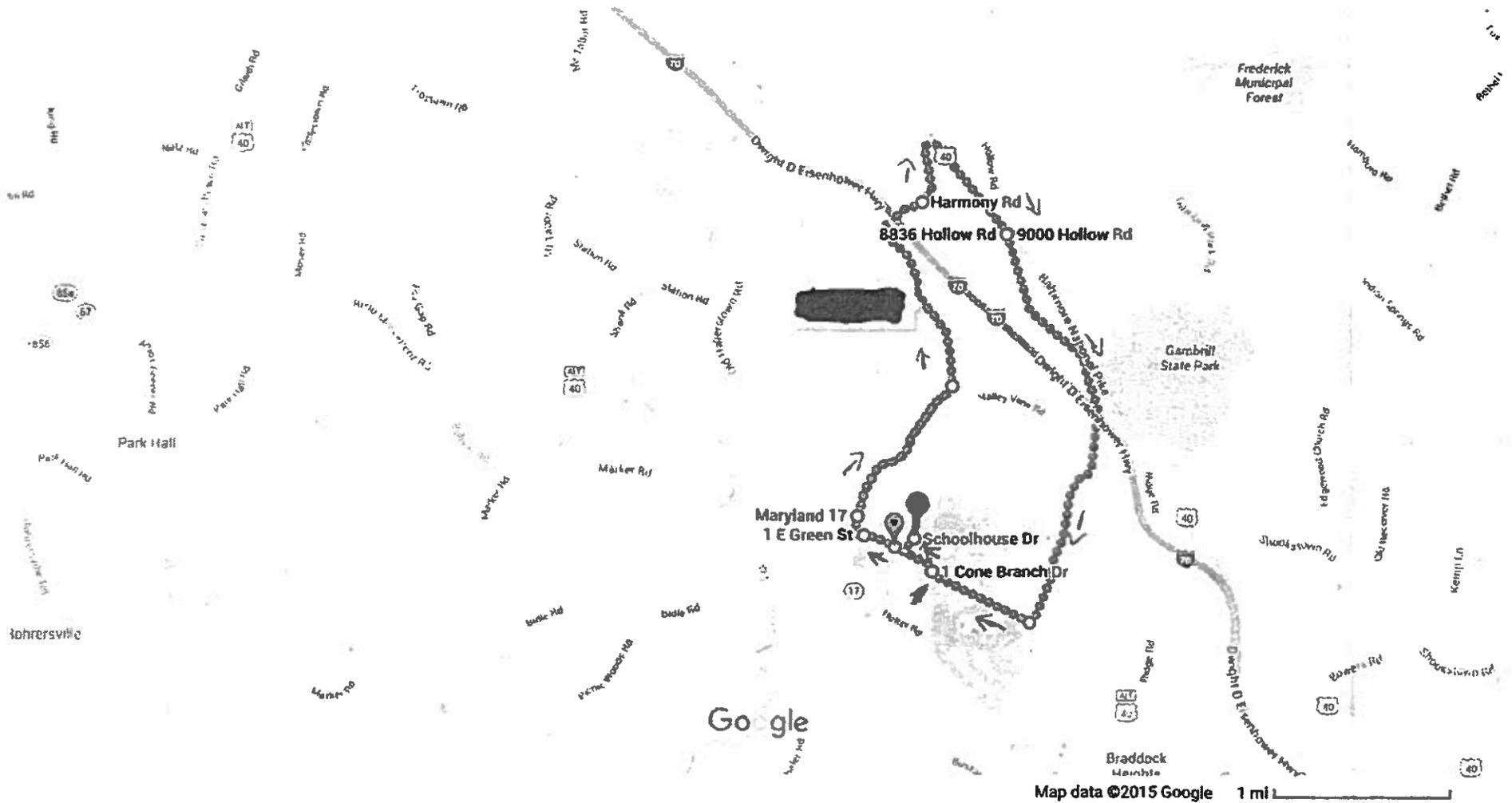
Exit parking lot and follow to the entrance of Middletown Park adjacent to school grounds

Loop through the park and back through high school parking lot

# BIKE ROUTE

Schoolhouse Dr, Middletown, MD 21769 to E Green St, Middletown, MD 21769

Walk 13.0 miles, 4 h 20 min



 via MD-17 N/Myersville Rd

**4 h 20 min**

Show terrain

13.0 miles

Details

TRAFFIC CONTROL PLAN  
 YMCA ~~BIKE~~ DUATHLON/TRI  
 10-MILE BIKE COURSE

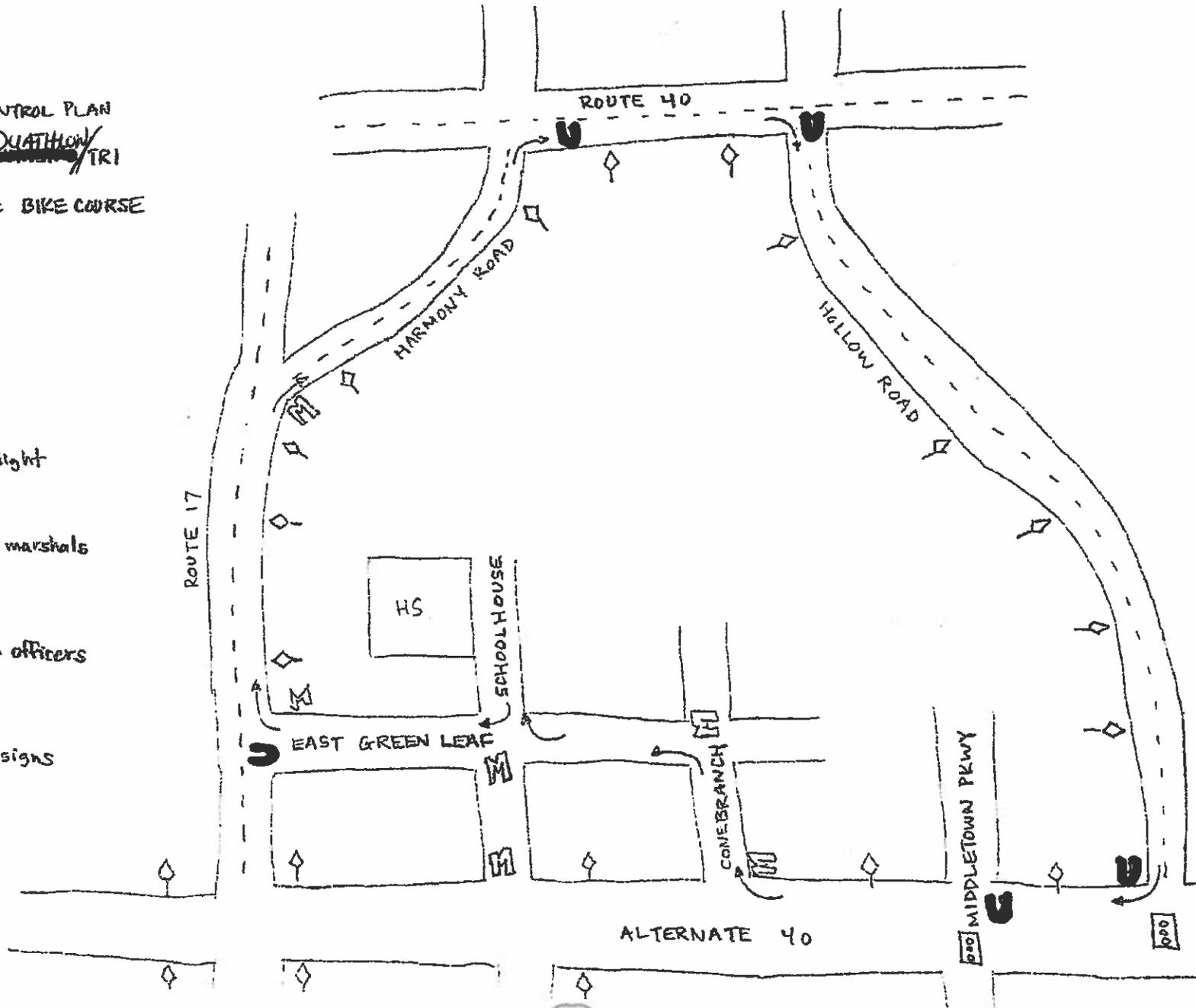
LEGEND

 = traffic light

 = course marshals

 = uniform officers

 = caution signs

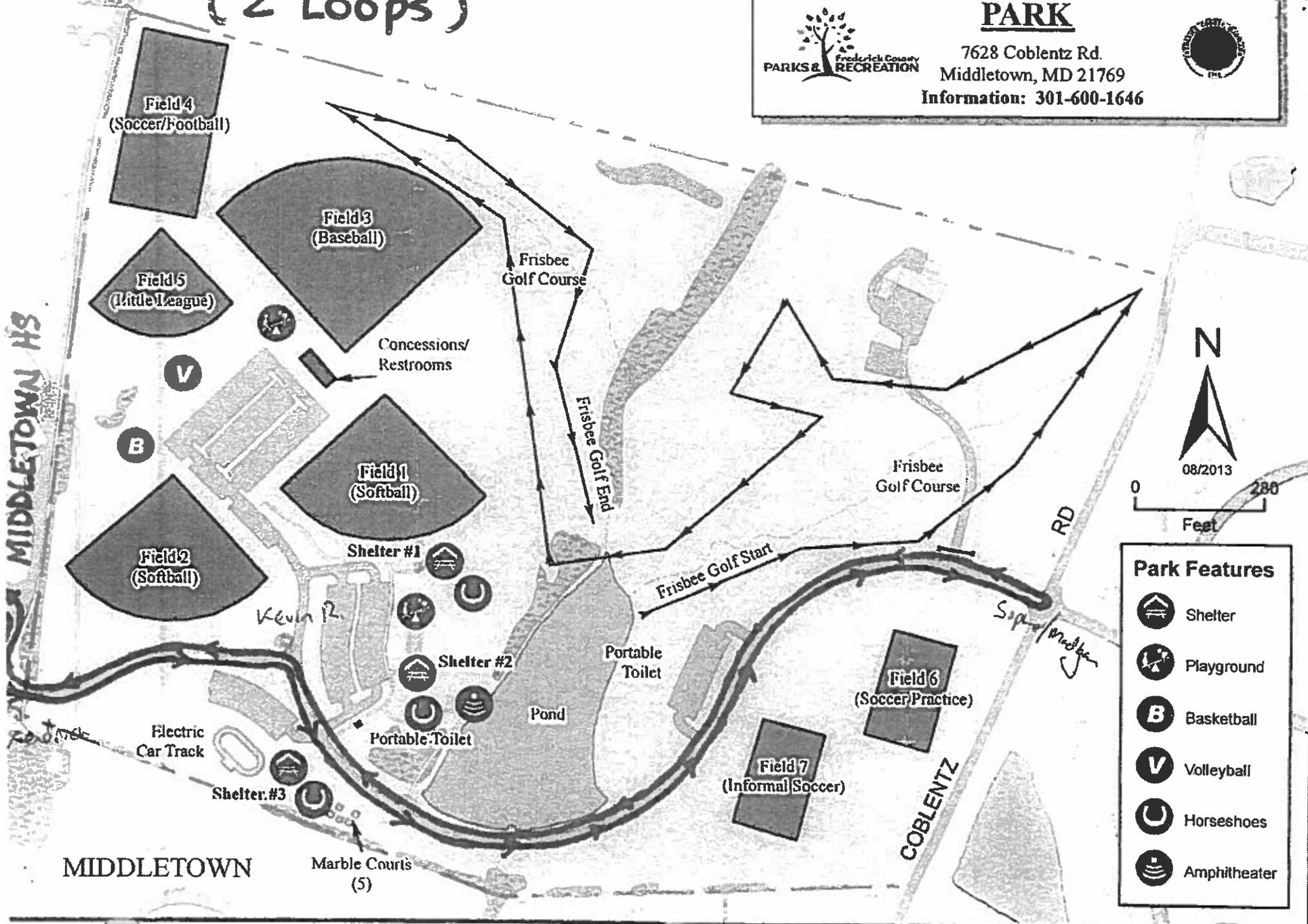


# RUN ROUTE (2 Loops)

## MIDDLETOWN COMMUNITY PARK



7628 Coblenz Rd.  
Middletown, MD 21769  
Information: 301-600-1646



### Park Features

-  Shelter
-  Playground
-  Basketball
-  Volleyball
-  Horseshoes
-  Amphitheater

MIDDLETOWN HS

MIDDLETOWN

COBLENZ

RD

Town of Middletown  
**STATEMENT OF REVENUE and EXPENDITURES**  
**WATER & SEWER**  
**Fiscal Year 2019**  
**For the 11 Months Ended May 31, 2019**

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
<b>REVENUE</b>			
Water Revenue	\$ 624,139	\$ 453,897	\$ (170,242)
Sewer Revenue	616,076	451,700	(164,376)
Penalties/Reconnects	22,161	11,195	(10,966)
Rain Barrel Sales	1,000	(760)	(1,760)
General Fund Grant/Misc			
<b>TOTAL OPERATING REVENUE</b>	<b>\$ 1,263,376</b>	<b>\$ 916,032</b>	<b>\$ (347,344)</b>
<b>EXPENDITURES</b>			
<b>ADMINISTRATIVE</b>			
Office Salaries	\$ 34,407	\$ 33,781	\$ (626)
Communications	11,742	10,789	(953)
Postage	9,750	6,000	(3,750)
Office Supplies/Expense	14,000	7,789	(6,211)
Legal - Other	2,000	2,438	438
Meetings & Seminars	500	505	5
Advertising	500		(500)
Uniforms	5,068	3,053	(2,015)
Dues/Subscrip/Certifications	500	879	379
Travel	200		(200)
Payroll Taxes	23,721	21,289	(2,432)
Insurance - Prop. & Liability	11,848	7,392	(4,456)
Insurance - Workers Comp	9,911	7,026	(2,885)
Insurance - Health	54,716	29,191	(25,525)
Retirement/Pension	22,912	14,224	(8,688)
Real Estate Taxes	292	292	
Rain Barrel/Educational Programs	1,000		(1,000)
I & I Loan Principal and Interest	32,743	32,498	(245)
Sub-Total	\$ 235,810	\$ 177,146	\$ (58,664)
<b>Vehicles &amp; Equipment</b>			
2016 Truck (Pearl)	\$ 1,100		\$ (1,100)
2008 Truck	4,200	244	(3,956)
2012 Truck (Miller)	1,800	791	(1,009)
2013 Truck (Whitney)	2,600	1,312	(1,288)
2015 Meter Van (Hightman)	2,300	2,020	(280)
Misc Equipment		993	993
Bobcat Mini-Excavator		91	91
Case Backhoe	3,000	3,028	28
Sub-Total	\$ 15,000	\$ 8,479	\$ (6,521)

Town of Middletown  
**STATEMENT OF REVENUE and EXPENDITURES**  
**WATER & SEWER**  
**Fiscal Year 2019**  
**For the 11 Months Ended May 31, 2019**

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
<b>WATER</b>			
Salaries	\$ 151,440	\$ 132,719	\$ (18,721)
<b>Water Distribution System</b>			
Supplies	5,500	17,014	11,514
Repairs & Maintenance	37,000	30,353	(6,647)
Water Line Break Repairs	5,000	2,357	(2,643)
Chemicals	500	2,106	1,606
Tools & Equipment	4,000	50	(3,950)
Sub-Total	\$ 52,000	\$ 51,880	\$ (120)
<b>Water Plant/Reservoir/Booster/Tower/BS Wellhouse</b>			
Supplies	\$ 2,000	\$ 7,169	\$ 5,169
Repairs & Maintenance	37,722	8,717	(29,005)
Chemicals	17,132	13,675	(3,457)
Tank Maintenance Contract	100,000		(100,000)
Tools & Equipment	1,932	631	(1,301)
Testing & Analysis	5,900	3,163	(2,737)
Sub-Total	\$ 164,686	\$ 33,355	\$ (131,331)
<b>Water Electric</b>	<b>\$ 26,561</b>	<b>\$ 58,148</b>	<b>\$ 31,587</b>
<b>TOTAL WATER EXPENSES</b>	<b>\$ 394,687</b>	<b>\$ 276,102</b>	<b>\$ (118,585)</b>
<b>SEWER</b>			
Salaries	\$ 115,933	\$ 113,515	\$ (2,418)
<b>Sewer Collection System</b>			
Cone Branch PS		7,128	7,128
Brookridge South PS		2,308	2,308
Foxfield PS		2,132	2,132
Sanitary Sewerlines & Manholes	22,080	13,976	(8,104)
I & I Accrual	75,000	68,750	(6,250)
Sub-Total	\$ 97,080	\$ 94,294	\$ (2,786)

Town of Middletown  
**STATEMENT OF REVENUE and EXPENDITURES**  
**WATER & SEWER**  
**Fiscal Year 2019**  
**For the 11 Months Ended May 31, 2019**

	<b>ANNUAL BUDGET</b>	<b>YTD ACTUAL</b>	<b>OVER (UNDER) BUDGET</b>
<b>Wastewater Treatment Plants</b>			
<b>East Wastewater Treatment Plant</b>			
Supplies	\$ 5,581	\$ 11,954	\$ 6,373
Repairs & Maintenance	12,600	18,594	5,994
Chemicals	34,285	39,119	4,834
Tools & Equipment	4,500	1,492	(3,008)
Testing & Analysis	36,611	24,853	(11,758)
Sludge Hauling Expense	55,669	40,944	(14,725)
Sub-Total	\$ 149,246	\$ 136,956	\$ (12,290)
<b>West Wastewater Treatment Plant</b>			
Supplies	\$ 2,500	\$ 862	\$ (1,638)
Repairs & Maintenance	15,000	2,688	(12,312)
Chemicals	50,531	45,517	(5,014)
Tools & Equipment	2,766	15	(2,751)
Testing & Analysis	10,449	7,616	(2,833)
Sludge Hauling Expense	17,250	15,812	(1,438)
Sub-Total	\$ 98,496	\$ 72,510	\$ (25,986)
<b>Sewer Electric</b>	<b>\$ 104,118</b>	<b>\$ 67,447</b>	<b>\$ (36,671)</b>
<b>TOTAL SEWER EXPENSES</b>	<b>\$ 564,873</b>	<b>\$ 484,722</b>	<b>\$ (80,151)</b>
<b>TOTAL WATER/SEWER EXPENSES</b>	<b>\$ 1,210,370</b>	<b>\$ 946,449</b>	<b>\$ (263,921)</b>
3.4% of Operating Expenses	\$ 41,153	\$ 32,179	\$ (8,973)
Liner Inspection and Repair	\$ 10,000		\$ (10,000)
<b>CONTINGENCY FUND</b>	<b>\$ 51,153</b>	<b>\$ 32,179</b>	<b>\$ (18,973)</b>
<b>ADJUSTED WATER/SEWER EXPENSES</b>	<b>\$ 1,261,523</b>	<b>\$ 978,628</b>	<b>\$ (282,894)</b>
<b>NET INCOME (LOSS)</b>	<b>\$ 1,853</b>	<b>\$ (62,596)</b>	<b>\$ (64,450)</b>

Town of Middletown  
**Statement of Revenue & Expenditures**  
 General Fund  
 Fiscal Year 2019  
 For the 11 Months Ended May 31, 2019

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<b>REVENUE</b>			
<b>LOCAL TAX</b>			
Real Property	\$ 1,304,924	\$ 1,208,343	\$ (96,581)
Tangible Personal Property	44,063	52,681	8,618
Public Utilities	14,192		(14,192)
Franchise (Cable)	55,145	37,055	(18,090)
Penalties & Interest	<u>11,043</u>	<u>937</u>	<u>(10,106)</u>
	\$ 1,429,367	\$ 1,299,016	\$ (130,351)
<b>STATE SHARED TAX</b>			
Admission & Amusement	\$ 34,125	\$ 19,384	\$ (14,741)
Highway Gasoline & Licenses	<u>177,025</u>	<u>152,186</u>	<u>(24,839)</u>
	\$ 211,150	\$ 171,570	\$ (39,580)
<b>COUNTY SHARED TAX</b>			
Income Taxes	\$ 1,024,876	\$ 810,302	\$ (214,574)
Tax Equity Grant	<u>632,552</u>	<u>632,552</u>	
	\$ 1,657,428	\$ 1,442,854	\$ (214,574)
<b>LICENSES AND PERMITS</b>			
Business / Traders	\$ 4,900	\$ 3,535	\$ (1,365)
Planning / Zoning Fees	<u>21,290</u>	<u>16,075</u>	<u>(5,215)</u>
	\$ 26,190	\$ 19,610	\$ (6,580)
<b>PARKS AND RECREATION</b>			
Pavillion Fees	<u>\$ 4,315</u>	<u>\$ 3,604</u>	<u>\$ (711)</u>
	\$ 4,315	\$ 3,604	\$ (711)
<b>POLICE PROTECTION</b>			
State Grant	<u>\$ 26,187</u>	<u>\$ 6,467</u>	<u>\$ (19,720)</u>
	\$ 26,187	\$ 6,467	\$ (19,720)
<b>MISCELLANEOUS</b>			
Bank Shares Grant	\$ 2,500	\$ 1,491	\$ (1,009)
Miscellaneous & Donations		<u>749</u>	<u>749</u>
	\$ 2,500	\$ 2,240	\$ (260)
<b>OPERATING REVENUES</b>	<b>\$ 3,357,137</b>	<b>\$ 2,945,361</b>	<b>\$ (411,776)</b>
State Grants & Interest	\$ 100,900	\$ 18,112	\$ (82,788)
<b>TOTAL REVENUE</b>	<b>\$ 3,458,037</b>	<b>\$ 2,963,473</b>	<b>\$ (494,564)</b>

Town of Middletown  
**Statement of Revenue & Expenditures**  
 General Fund  
 Fiscal Year 2019  
 For the 11 Months Ended May 31, 2019

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<b><u>EXPENDITURES</u></b>			
<b><u>LEGISLATIVE</u></b>			
Commissioner's Salary	\$ 21,000	\$ 18,900	\$ (2,100)
Communications	3,480	2,216	(1,264)
Dues & Subscriptions	7,400	6,863	(537)
Office Supplies & Exp	7,500	2,587	(4,913)
Advertising	500		(500)
Meetings & Conventions	7,500	11,123	3,623
	<u>\$ 47,380</u>	<u>\$ 41,689</u>	<u>\$ (5,691)</u>
<b><u>EXECUTIVE</u></b>			
Burgess Salary	\$ 10,200	\$ 9,350	\$ (850)
	<u>\$ 10,200</u>	<u>\$ 9,350</u>	<u>\$ (850)</u>
<b><u>ELECTION</u></b>			
Clerk Fees			
Other Administrative Expenses			
<b><u>GENERAL SERVICES</u></b>			
<b><u>ADMINISTRATION</u></b>			
Administrative Salary	\$ 272,402	\$ 251,409	\$ (20,993)
Postage & Printing	200	9	(191)
Communications	10,300	6,697	(3,603)
Computer Expenses	21,800	56,767	34,967
Office Supplies & Exp	42,232	30,065	(12,167)
Office Maintenance	23,500	27,594	4,094
Dues & Subscriptions	150		(150)
Professional Services	4,600	2,310	(2,290)
Meetings & Conventions	100	370	270
Water and Sewer Grant			
	<u>\$ 375,284</u>	<u>\$ 375,221</u>	<u>\$ (63)</u>
<b><u>OPERATIONS</u></b>			
Operations Salary	\$ 247,722	\$ 245,642	\$ (2,080)
Communications	10,200	9,376	(824)
Supplies & Expenses	19,500	14,862	(4,638)
Dues & Meetings	1,500	1,155	(345)
Maintenance & Repairs	25,982	17,047	(8,935)
Tools & Equipment	3,166	2,497	(669)
	<u>\$ 308,070</u>	<u>\$ 290,579</u>	<u>\$ (17,491)</u>
<b><u>PROFESSIONAL SERVICES</u></b>			
Independent Accounting	\$ 16,000	\$ 16,000	

Town of Middletown  
**Statement of Revenue & Expenditures**  
 General Fund  
 Fiscal Year 2019  
 For the 11 Months Ended May 31, 2019

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
Legal - Development			
Legal - Ordinances	9,130	3,790	(5,340)
	\$ 25,130	\$ 19,790	\$ (5,340)
 <b><u>PLANNING &amp; ZONING</u></b>			
Salary & Fees	\$ 64,415	\$ 55,474	\$ (8,941)
Other Expenses	2,684	2,669	(15)
	\$ 67,099	\$ 58,143	\$ (8,956)
 <b><u>MAIN STREET PROGRAM</u></b>			
Manager Salary	\$ 47,147	\$ 43,160	\$ (3,987)
Town Contribution	10,000	10,470	470
	\$ 57,147	\$ 53,630	\$ (3,517)
 <b><u>PUBLIC SAFETY</u></b>			
Fire Dept. Donation	\$ 20,000	\$ 20,000	
School Crossing Guards	21,910	17,136	(4,774)
Community Deputy Program	393,895	298,105	(95,790)
	\$ 435,805	\$ 335,241	\$ (100,564)
 <b><u>SANITATION &amp; WASTE REMOVAL</u></b>			
Resident Trash & Yard Waste	\$ 284,930	\$ 264,883	\$ (20,047)
 <b><u>RECREATION AND CULTURE</u></b>			
Park Salary	49,000	29,758	(19,242)
Park Electric	2,505	1,951	(554)
Remsberg Park Electric		12,714	12,714
Maintenance & Repairs	31,150	28,045	(3,105)
Mowing	33,935	19,892	(14,043)
Remsberg Park - Interest	4,389	4,388	(1)
Remsberg Park - Principal	119,161	119,161	
	\$ 240,140	\$ 215,909	\$ (24,231)

Town of Middletown  
**Statement of Revenue & Expenditures**  
 General Fund  
 Fiscal Year 2019  
 For the 11 Months Ended May 31, 2019

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
<b><u>HIGHWAYS AND STREETS</u></b>			
Salary	\$ 70,232	\$ 94,336	\$ 24,104
Street Lighting	182,300	146,335	(35,965)
Storm Water Management	7,545	2,660	(4,885)
Snow Removal	85,300	122,027	36,727
Repairs & Resurfacing	92,000	84,205	(7,795)
Signs	5,300	8,683	3,383
Truck Repair & Operation	28,000	31,917	3,917
Equipment Repairs & Ops	21,172	10,297	(10,875)
Mowing	33,440	24,332	(9,108)
Interest	77,358	61,240	(16,118)
West Green St - Principal	<u>100,000</u>	<u>65,960</u>	<u>(34,040)</u>
	\$ 702,647	\$ 651,992	\$ (50,655)
<b><u>OTHER EXPENSES</u></b>			
MT Historical Society - CIP	\$ 5,000	\$ 5,000	
Donations	100		(100)
Travel - Mileage	2,278	1,168	(1,110)
Community Events	53,290	10,752	(42,538)
Payroll Taxes	63,139	55,100	(8,039)
Insurance - Property	15,906	12,531	(3,375)
Insurance - Employee	165,325	148,842	(16,483)
Retirement/Pension	71,102	74,053	2,951
Web Page & Directory	3,755	5,215	1,460
Real Estate Taxes	800	1,679	879
Other	<u>4,000</u>	<u>11,186</u>	<u>7,186</u>
	\$ 384,695	\$ 325,526	\$ (59,169)
<b>TOTAL EXPENDITURES</b>	<b>\$ 2,938,527</b>	<b>\$ 2,641,953</b>	<b>\$ (296,574)</b>
<b>INCOME (LOSS) Exc. Cash Reserves</b>	<b>\$ 519,510</b>	<b>\$ 321,520</b>	<b>\$ (197,990)</b>
<b>CASH RESERVES</b>	<b>\$ 881,203</b>	<b>\$ 435,976</b>	<b>\$ (445,227)</b>
<b>SURPLUS / (DEFICIT)</b>	<b><u>\$ 1,400,713</u></b>	<b><u>\$ 757,496</u></b>	<b><u>\$ (643,217)</u></b>

Town of Middletown  
**CIP Funds & Expenditures**  
 General Fund  
 Fiscal Year 2019  
 For the 11 Months Ended May 31, 2019

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<b>OPERATING REVENUE</b>			
Revenue	\$ 3,357,138	\$ 2,945,361	\$ (411,777)
<b>OPERATING EXPENSES</b>			
Expenses	3,357,138	2,641,953	(715,185)
<b>OPERATING SURPLUS (DEFICIT)</b>		<b>\$ 303,408</b>	<b>\$ 303,408</b>
<b><u>OTHER FUND</u></b>			
POS - Development	\$ 36,900	\$ 7,700	\$ (29,200)
Community Legacy Grants	64,000		(64,000)
RETAINED EARNINGS	299,658		(299,658)
Interest	865	10,412	9,547
Improvement Fees	<u>241,500</u>	<u>257,650</u>	<u>16,150</u>
<b>TOTAL OTHER FUNDS</b>	<b>\$ 642,923</b>	<b>\$ 275,762</b>	<b>\$ (367,161)</b>
<b>TOTAL FUNDS AVAILABLE</b>	<b>\$ 642,923</b>	<b>\$ 579,170</b>	<b>\$ (63,753)</b>
<b><u>CIP PROJECTS &amp; PURCHASES</u></b>			
SHA Streetscape Lighting	\$ 175,000		\$ (175,000)
Broad Street Reconsturction	111,000	10,977	(100,023)
Elm Street - TCS	25,000	42,146	17,146
Elm Street Parking Lot Upgrades	90,000		(90,000)
Manda Drive - TCS	95,000		(95,000)
Manda Court - TCS	52,000		(52,000)
Washington Street Retaining Wall	25,000		(25,000)
Foxfield Swale Reconstruction	15,000		(15,000)
Remsberg Park - Walking Trail Pa	25,000		(25,000)
Cone Branch Park Benches	6,500		(6,500)
Walking Trail Signage	5,000		(5,000)
Wiles Branch Picnic Benches	4,500	7,090	2,590
Foxfield Walking Trail - Ext to	25,000		(25,000)
Befco Slit Seeder	8,000		(8,000)
Municipal Center - HVAC Replacem	60,000		(60,000)
Municipal Center - Boiler Replac	35,000	10,500	(24,500)
Municipal Center - ADA Improveme	30,000		(30,000)
Street Pretreatment Equipment -	60,360		(60,360)
Maintenance Facility at EWWTP		1,800	1,800
IT Computer Equipment Lease	37,000		(37,000)
ADA Compliance - Handicap Ramps		<u>22,295</u>	<u>22,295</u>
	<b>\$ 787,000</b>	<b>\$ 94,808</b>	<b>\$ (692,192)</b>

Town of Middletown  
**CIP Funds & Expenditures**  
 General Fund  
 Fiscal Year 2019  
 For the 11 Months Ended May 31, 2019

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
OPERATING & CIP SURPLUS (DEFICIT)	\$ (144,077)	\$ 484,362	\$ 628,439
Cash Reserves	\$ 346,150	\$ 237,814	\$ (108,336)
<b>TOTAL CASH SURPLUS</b>	<b><u>\$ 202,073</u></b>	<b><u>\$ 722,176</u></b>	<b><u>\$ 520,103</u></b>

Town of Middletown  
**CIP FUNDS and EXPENDITURES**  
**WATER & SEWER**  
**Fiscal Year 2019**  
**For the 11 Months Ended May 31, 2019**

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<b><u>FUNDING SOURCES</u></b>			
Operating Revenue	\$ 1,263,376	\$ 916,032	\$ (347,344)
Operating Expenses	<u>1,261,523</u>	<u>946,449</u>	<u>(315,074)</u>
<b>OPERATING SURPLUS (DEFICIT)</b>	<b>\$ 1,853</b>	<b>\$ (30,417)</b>	<b>\$ (32,270)</b>
Cash Reserves	\$ 538,119	\$ 895,989	\$ 357,870
Debt Service Fee - New Homes	156,000	114,650	(41,350)
Capital Improvement Fees	168,966	126,486	(42,480)
Inflow & Infiltration - Reserve A	50,000	68,750	18,750
Sludge Removal - Reserve Account	35,000	68,750	33,750
Tap Fees	621,000	593,100	(27,900)
Water Tower & Land Leases	193,271	150,546	(42,725)
Main Street Waterline Loan	1,780,968	(726,477)	(2,507,445)
Reservoir Tank Loan		<u>2,895,000</u>	<u>2,895,000</u>
<b>TOTAL OTHER REVENUE</b>	<b>\$ 3,543,324</b>	<b>\$ 4,186,794</b>	<b>\$ 643,470</b>
<b>TOTAL FUNDS AVAILABLE</b>	<b>3,545,177</b>	<b>4,156,377</b>	<b>611,200</b>
<b><u>DEBT SERVICE COSTS</u></b>			
<b>Principal Payments</b>			
MDE - East WWTP	\$ (241,265)	\$ 220,351	\$ 461,616
Main Street Waterline Loan	(77,842)	(163,325)	(85,483)
Reservoir Loan	(6,798)	(96,500)	(89,702)
Brookridge WTP Loan Payments	<u>(195,314)</u>		<u>195,314</u>
<b>TOTAL DEBT SERVICE COSTS</b>	<b>\$ (521,219)</b>	<b>\$ (39,474)</b>	<b>\$ 481,745</b>
<b><u>WATER &amp; SEWER PROJECTS</u></b>			
Main Street Waterline	\$ 1,780,968	\$ 827,689	\$ (953,279)
Reservoir Improvements	104,000	52,392	(51,608)
Well Field Power Quality Monitor	10,500		(10,500)
SCADA Control System	50,000	106,987	56,987
BS - Replace Starters with VFDs	15,000		(15,000)
BS - Rebuild Pump #4	15,000	9,490	(5,510)
BS - Process Piping Replacment	10,000		(10,000)
Water Meter Replacements	41,200		(41,200)
PRV Vault Pipe Painting and Clean	9,000		(9,000)
InHance Billing Software Upgrade	37,000	33,539	(3,461)
West WWTP - Curtain Replacement	25,000		(25,000)
West WWTP - Plug Valve Replacment	5,000	9,491	4,491
West WWTP - Chemical Storage Buil	85,000	8,864	(76,136)

Town of Middletown  
**CIP FUNDS and EXPENDITURES**  
**WATER & SEWER**  
**Fiscal Year 2019**  
**For the 11 Months Ended May 31, 2019**

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
East WWTP - Dewatering Sludge Tan	\$ 15,000		\$ (15,000)
East WWTP - Influent Flume & Ultr	20,000		(20,000)
East WWTP - Sludge Removal Reed B	35,000		(35,000)
East WWTP - Sludge Mag Meter	15,000		(15,000)
Vactor Trailer & Excavator	75,000		(75,000)
Inflow and Infiltration	<u>50,000</u>	<u>125,775</u>	<u>75,775</u>
<b>TOTAL WATER &amp; SEWER PROJECTS</b>	<b>\$ 2,397,668</b>	<b>\$ 1,174,227</b>	<b>\$ (1,223,441)</b>
<b>TOTAL FUNDS REMAINING</b>	<u><u>\$ 626,290</u></u>	<u><u>\$ 2,942,676</u></u>	<u><u>\$ 2,316,386</u></u>

# *BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND*

## TOWN MEETING MINUTES

### REGULAR MEETING

May 13, 2019

The first monthly meeting of the Burgess and Commissioners of Middletown was called to order on May 13, 2019, by Burgess Miller at 6:30 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Larry Bussard, Jennifer Falcinelli, Christopher Goodman, Rick Dietrick and Tom Catania.

### BUDGET WORKSHOP:

FY 2020 General Fund Operating Budget – The Burgess & Commissioners heard from all of the Community Groups for their FY20 budget requests.

Budget meeting adjourned 7:06pm.

### CONSENT AGENDA:

- *Budget Amendment 19-04*
- *Town Meeting Minutes – April 22, 2019 and May 2, 2019 – Town Workshop*

Motion by Commissioner Bussard to approve the consent agenda as presented, seconded by Commissioner Catania. Motion carried 6-0.

### PERSONAL REQUESTS FOR AGENDA:

Mr. & Mrs. Geiger, 307 West Main Street, Mr. & Mrs. Kline, 313 West Main Street and Ms. Radonich, 311 West Main Street – were all present to voice the issues they are having with the State Highway Administration. On Friday, May 3, 2019 these homes were flooded due to do the construction being done by the State Highway Administration contractors in front of their homes. All three families stated that they have contacted the SHA and the contractors of SHA and are getting no help. These families are asking the Town to help them, to be an advocate for them. Burgess Miller stated that he would make some phone calls to Senator Hough and Delegate Pippy tomorrow to try to get one or both of them out here to see the damage done.

### UNFINISHED BUSINESS:

**Ordinance 19-03-01 – Unsafe Properties (Vote)** – Motion by Commissioner Catania to approve Ordinance 19-03-01 as presented, seconded by Commissioner Bussard. Motion carried 6-0.

**Appointment – Board of Appeals (Vote)** – Motion by Commissioner Falcinelli to appoint Daphne Gabb to the BOA, seconded by Commissioner Goodman. Motion carried 6-0.

### REPORT OF COMMITTEES:

**WATER & SEWER** – Commissioner Falcinelli reported:

Water use for April – 321,000 gal., spring flow for April – 129,000, East WWTP treated 228,000 gals. and the West WWTP treated 401,000 gals.

Commissioner Falcinelli stated that the Water & Sewer Committee met on April 30<sup>th</sup> and due to the deterioration of the water tower and lack of available staff time to devote to developing the scope of the project due to ongoing large water & sewer projects, the Water & Sewer Committee is recommending

hiring an engineering consultant, that specializes in water towers, to determine the scope of the project and prepare the bid documents as to not delay this project any further. Commissioner Falcinelli also stated that the water & sewer operating fund surplus should be moved to water tank reserve fund and could potentially be used for the consultant.

Next meeting will be held May 22, 2019 at 7pm.

**PUBLIC WORKS** – Commissioner Bussard reported:

Elm Street parking lot is under construction and will be tar, chipped and sealed by mid-July.

Commissioner Bussard stated that there are a lot of stuff going on throughout Town: street patching contract is underway, contractor has been working on replacing the boiler at Municipal Center, our guys have been mulching and they also installed the Veteran banners along Main Street and at the War Memorial. Commissioner Bussard also stated that our guys repaired a 10” waterline in the Glenbrook Subdivision on Sunday night.

**SUSTAINABILITY** – Commissioner Dietrick reported:

Green Expo was held Saturday, April 27, 2019 although very windy it was a great event. Next meeting is May 21, 2019 at 5pm.

**PLANNING COMMISSION** – Commissioner Catania reported:

Next workshop is May 15, 2019 and the meeting is Monday, May 20, 2019 at 7pm.

**PARKS AND REC. COMMITTEE** – Commissioner Goodman reported:

They applied for \$15,000 for bleachers and \$50,000 to finish the walking trail at Remsberg Park. The meeting will take place in early June.

**PUBLIC INFORMATION** – Commissioner Falcinelli reported:

Encouraged our residents to sign up for our list serve and robo calls.

#### **NEW BUSINESS:**

**Petition Residents to Lower the Speed Limit within the Middletown Glen Subdivision** – Drew stated that at the workshop the Board agreed to place the speed camera on Ingalls Drive to collect some data. Sean Mahar, 203 Ingalls Drive – stated that since the article in the newspaper and social media discussion he has noticed the residents slowed down. Burgess Miller stated that the Town has advised our Deputies no more warnings. Commissioner Bussard state that the Public Works Committee will be meeting within the next week or so to discuss some guidelines on where crosswalks should be placed as well as to make a determination if a stop sign is needed on Ingalls Drive at Gaver Way.

**Amendments to the Banner Policy – Discussion** – Drew and Ann went over the proposed changes to be made to the Banner Policy. Burgess Miller stated that the Board will vote on this at the June 10, 2019 meeting.

**Amendments to Design Manual for Water Service Connections – Discussion** – Drew stated that this item will be discussed by the Water & Sewer Committee at their May 22, 2019 meeting at which time they will make a recommendation back to the Town Board.

**Schedule Public Hearing for FY2020 Budgets – Thursday, June 6, 2019 at 7pm.**

#### **PUBLIC COMMENTS:**

#### **ANNOUNCEMENTS:**

- *Walking Tour – Main Street Middletown – Saturday, May 18, 2019*
- *Memorial Day Social – Middletown Arts & Activities, Saturday, May 25, 2019*

Meeting adjourned at 8:47pm.

Respectfully submitted,  
Ann Griffin  
Office Manager



## Banner Display Policy

Approved by Burgess and Commissioners

April 8, 2019

Revised May 13, 2019

Only the Town of Middletown has the authority to hang and remove banners at the banner pole site. No person or organization may hang a banner on the banner poles. The Banner Display Policy must be followed in order to have a banner hung at the Town of Middletown's banner pole site. Applications for Banner Display can be found at [www.middlestown.md.us](http://www.middlestown.md.us) and attached to this policy.

Banners are limited to advertising or commemorating events sponsored by the Town of Middletown or non-profit groups within the 21769 zip code. **Organizations are limited to hang 1 banner for their event.** All Town of Middletown and its committee's banners and town sponsored events will take priority **and will be hung on the top.**

To display your organization's banner, an application must be submitted **.60** working days prior to the day the banner is to be displayed.

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Applications must be accompanied with a sample sketch of the proposed banner.

Banners must be delivered to the Middletown Municipal Building, 31 W. Main Street 7 business days prior to approved hang date. Banners must be picked up within 7 working days after they are taken down; banners that are not picked up within the specified time period will be discarded.

Banners should meet the following criteria to withstand the elements of the weather:

- Double sided
- Size - Banner size must be 36 inches high by a maximum width of 360 inches wide
- Material – 18 oz vinyl recommended with 1-inch wide webbing sewn all around with reinforced corners
- Grommets – ½ inch grommets every 2 feet on top and bottom
- Wind Slits required on all banner sizes

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Page Break

**Banner Prohibitions:**

- No commercial advertisements, religious, political or ideological banners. Sponsors of events logos are allowed.
- No inappropriate material including but not limited to: offensive language, hate speech, and/or content considered derisive.

Decisions on appropriateness of banners will be solely decided by the Town of Middletown. Any banner that does not comply with the above criteria shall not be displayed.



May 10, 2019

Mr. T. Wesley Poss  
Verdant Development Group  
5310 Spectrum Drive, Suite C  
Frederick, MD 21703

Re: Relocation of Verizon's facilities for turn lane, Franklinville Commons (formerly Chesterbrook) at Broad Street and Franklin Street, Middletown, Maryland

Dear Mr. Poss:

This is in response to your request for Verizon to perform the following work: relocate aerial copper, fiber and cross-connect facilities along Broad Street and Franklin Street for the widening of Broad Street and turn lane for Franklinville Commons.

We have estimated that the broad gauge cost for this work is **\$95,000.00**. Should you decide to proceed with this project, we will prepare an agreement with a detailed cost estimate. You will be required to sign the agreement and provide a full advance payment before the work would be scheduled.

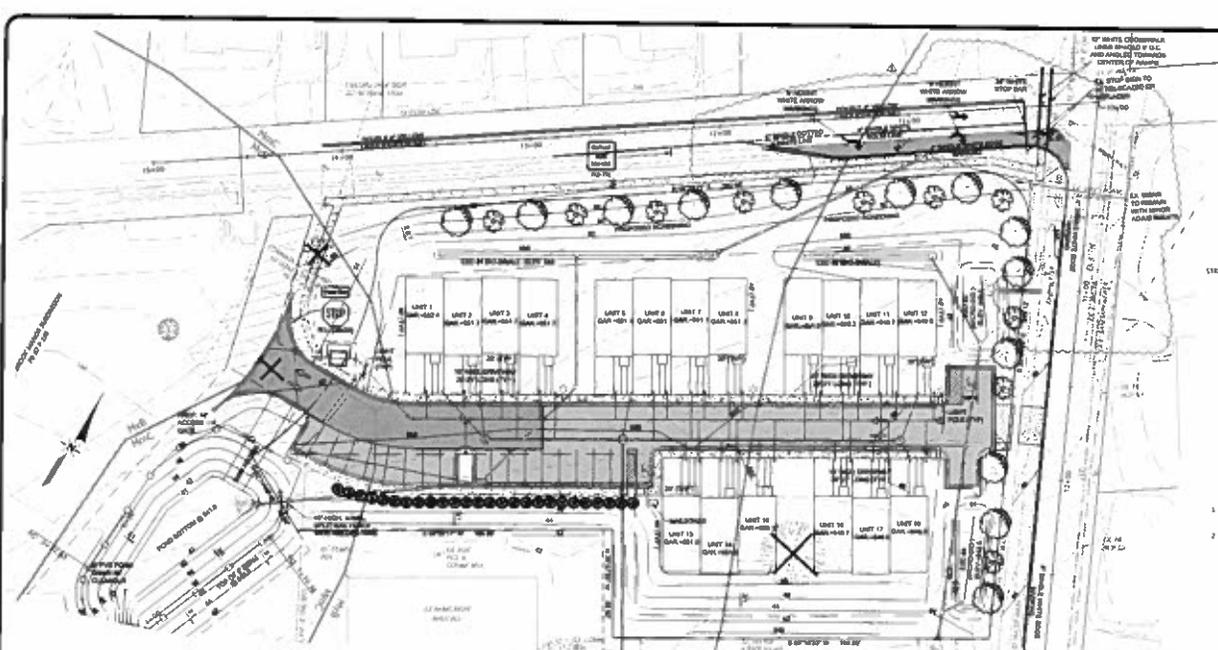
Should you have any questions or concerns regarding the project, please contact me at 301-790-7135.

Sincerely,

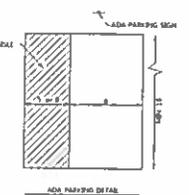
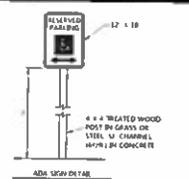
A handwritten signature in black ink that reads "Julia R. Ludwick". The signature is written in a cursive, flowing style.

Julia R. Ludwick  
Supervisor – Network Engineering  
Verizon Maryland LLC  
julia.r.ludwick@verizon.com  
301-790-7135





LANDSCAPING, SIGNING AND PAVEMENT MARKING PLAN  
SCALE: 1/8" = 1'-0"



ADA PARKING DETAIL  
N.T.S.

ADA PARKING SPACE NOTES

- For open area surrounding a sign, the striped area shall be 5' wide and the sign shall have a supplemental area, sign setback before the starting sign.
- The maximum clear area dimensions in this parking space as required shall be 2.6'.

**SOILS & PLANTING SPECIFICATIONS**

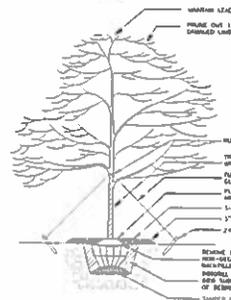
- The Contractor shall provide all necessary materials, labor and equipment required for the completion of this work. The Contractor shall be responsible for obtaining all necessary permits and approvals for this work. The Contractor shall be responsible for obtaining all necessary permits and approvals for this work. The Contractor shall be responsible for obtaining all necessary permits and approvals for this work.
- Soils shall be tested for pH and nutrient levels. The Contractor shall be responsible for obtaining all necessary permits and approvals for this work. The Contractor shall be responsible for obtaining all necessary permits and approvals for this work. The Contractor shall be responsible for obtaining all necessary permits and approvals for this work.
- Plant materials shall be of the highest quality and shall be delivered to the site in good condition. The Contractor shall be responsible for obtaining all necessary permits and approvals for this work. The Contractor shall be responsible for obtaining all necessary permits and approvals for this work. The Contractor shall be responsible for obtaining all necessary permits and approvals for this work.
- Plant materials shall be of the highest quality and shall be delivered to the site in good condition. The Contractor shall be responsible for obtaining all necessary permits and approvals for this work. The Contractor shall be responsible for obtaining all necessary permits and approvals for this work. The Contractor shall be responsible for obtaining all necessary permits and approvals for this work.
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- ADDITIONAL STRIPING AND SIGNAGE NOTES**
- See Cover Sheet for additional Town of Middletown striping and signage notes and Town of Middletown and Trumbull County signage notes.
  - Median striping shown on this plan are intended to show traffic movement. Solid letters are intended to show actual pavement markings.
  - Signage required by contractor but not indicated shall be indicated by the Town of Middletown.
  - All existing markings that conflict with proposed markings shall be removed by grading.

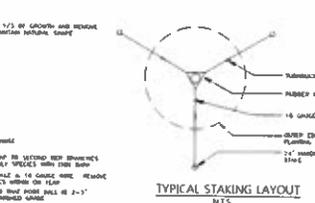
LANDSCAPING SCHEDULE						
SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE	QUANTITY	POOR	MATURE HEIGHT
(Symbol)	VEDRIS LANCEOLATA	REDTID	6" to 8" HT	15	0 B 0 D	25'
(Symbol)	CORNUS FLORIDA	FLORING DOGWOOD	6" to 8" HT	10	0 B 0 D	25'
(Symbol)	BEYONETIA VEITCHII	STREETS HONEY	7" CAL.	20	0 B 0 D	6'

- NOTES**
- LANDSCAPING SHALL BE MAINTAINED BY A LIVING CONTRACTOR.
  - SEE SHEETS 4 AND 5 FOR PLANTING WITHIN MICRO-BIOS AND BIO-SWALES.

X INDICATES EXISTING TREE TO BE REMOVED



TYPICAL TREE STAKING  
N.T.S.



TYPICAL STAKING LAYOUT  
N.T.S.

**TOWN OF MIDDLETOWN  
PLANNING COMMISSION**

APPROVED \_\_\_\_\_ DATE \_\_\_\_\_

**PROFESSIONAL ENGINEER'S CERTIFICATION**

SIGNED BY: *Michael Lee* DATE: 5/15/18  
MICHAEL LEE, ENGINEER P.E.  
MID LICENSE No. 10736, P.E. EXPIRATION DATE 06-03-20

CALL "MISS UTILITY" AT 1-800-257-7777 FOR UTILITY LOCATIONS AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION.

**FRANKLIN COMMONS**  
(FORMERLY CHESTERBROOK - PHASE 2)  
SUBDIVISION OF MIDDLETOWN TOWN OF MIDDLETOWN, OHIO  
1198 Riverchase Drive  
Middletown, OH 45120

**Terra Solutions Engineering, LLC**  
1198 Riverchase Drive  
Middletown, OH 45120  
Owner: **Franklin Commons, LLC**

PROJECT No. 0063  
DATE: MAY 2018  
SCALE: AS SHOWN  
SHEET No. 12 of 13

REVISION

NOV 2017 NEW PERMITS, 200 COORDINATE APPROVAL

IMPROVEMENT AND SWM DEV. PLANS - LANDSCAPE AND SIGNING PLAN

**Proposed Baseball Field**



[Redacted text block containing multiple lines of illegible text, likely a list of names or details related to the project.]

**Remsberg Park**

## CHARITABLE DONATION AGREEMENT

This Charitable Donation Agreement ("Agreement"), made this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by and between WLR Automotive Group, Inc. (hereinafter "WLR"), and Middletown Valley Athletic Association, Inc., a Maryland nonprofit corporation (hereinafter "MVAA"). WLR and/or MVAA may be individually referred to as "Party," and referred to collectively as "Parties."

WHEREAS, MVAA is a charitable entity, organized under the provisions of Section 501(c)(3) of the Internal Revenue Code, as may be amended;

WHEREAS, MVAA is soliciting charitable donations to fund the construction of a new baseball field at Remsberg Park located in Middletown, Maryland;

WHEREAS, WLR is a corporation organized under the laws of the State of Maryland, and desires to make charitable contributions to MVAA, as under the laws of the United States, Maryland and applicable portions of the Internal Revenue Code, as may be amended;

WHEREAS, WLR desires to assist MVAA with funding of the new baseball field at Remsberg Park located in Middletown, Maryland; and

WHEREAS, MVAA has agreed to accept the financial contribution from WLR pursuant to the terms and conditions set forth herein

NOW, therefore, in consideration of the promises and covenants contained herein, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. WLR hereby pledges and agrees to pay to MVAA the total charitable Donation of \$25,000.00 (hereinafter, the "Donation") payable in no less than five (5) installments of \$5,000.00 beginning on June 1, 2019, and continuing to be paid thereafter in annual installments on or before June 1<sup>st</sup> of the following four (4), consecutive calendar years. WLR must pay the balance of the \$25,000.00 Donation on or before June 1, 2023, but has sole discretion to pay the balance of the Donation prior thereto.

2. WLR is making the aforementioned Donation to the MVAA to fund, in part, the MVAA's construction of a new baseball field at Remsberg Park located in Middletown, Maryland. MVAA agrees that it will apply WLR's charitable Donation in accordance with MVAA's tax-exempt purposes.

3. MVAA will recognize and memorialize WLR's Donation by granting WLR the naming rights to the new baseball field located at Remsberg Park. MVAA agrees that WLR's field name of choice and/or WLR's desired trademark/business logo shall be prominently displayed on field signage/monument. WLR shall have discretion to chose the exact type and placement of the

field/signage monument, and the plaque thereon displaying WLR's field name of choice and/or WLR's desired trademark/business logo. The type and placement of the field signage/monument will be in accordance with any applicable signage restrictions of any local municipality. In addition, the MVAA agrees to allocate a total of \$2,500.00, from WLR's first \$5,000.00 Donation installment, to pay for new field signage/monument. In the event that the cost of the new field signage/monument exceeds \$2,500.00, WLR will pay the additional cost in addition to any remaining Donation to be paid.

4 In the unlikely event that WLR's President, Randall S. Simpson, commits and is convicted in a court of law of criminal charges of fraud, money laundering, or any other felonious illegal activity, MVAA shall have discretion to revoke WLR's naming rights to the new baseball field, and the MVAA shall have the discretion to re-name the field and/or remove/replace the field signage/monuments thereon.

5. MVAA represents and warrants that it is in good corporate standing, and is a tax-exempt public charity under Section 501(c)(3) of the Internal Revenue Code. In the event that the MVAA loses its tax-exempt status, the MVAA shall notify WLR, in writing, of this event within five (5) calendar days of this loss of tax-exempt status. In the event that MVAA loses its tax-exempt status, WLR's obligation to make any further Donation(s) becomes null and void. However, the remainder of this Agreement, including without limitation, WLR's naming rights to the new baseball field, shall survive this Agreement and shall not be affected by MVAA's loss of tax-exempt status.

6. All notices and demands that may be required or permitted by either Party to the other Party will be in writing and shall be sent by certified mail return receipt requested, addressed to the resident agent of each Party and/or as follows:

WLR Automotive Group, Inc,  
c/o Randall S. Simpson, President  
1313 Orchard Way  
Frederick, Maryland 21703

Middletown Valley Athletic Association, Inc.  
31 West Main Street, Suite A  
Middletown, Maryland 21769

7. The obligations of the Parties hereto shall be binding upon the Parties and their respective successors and assigns.

8. If any provision of this Agreement is determined to be invalid and/or unenforceable by a final decision of a court of competent jurisdiction, after all appellate rights have been waived and/or exhausted, such a decision shall not affect the remainder of this Agreement, which shall survive and remain in full force and effect.

9. This Agreement constitutes the entire agreement of the Parties with respect to the subject matter thereof. There are no representations, warranties, conditions or obligations, except as herein specifically provided. Any waiver, amendment or modification hereof must be in writing and must be signed by all Parties. The waiver of either party of a breach of any provision of this Agreement shall not operate, or be construed, as a waiver if any subsequent breach.

10. This Agreement shall be construed and governed by the laws of the State of Maryland.

The Parties have executed this Agreement, effective as of the date written above.

\_\_\_\_\_  
WLR Automotive Group, Inc.

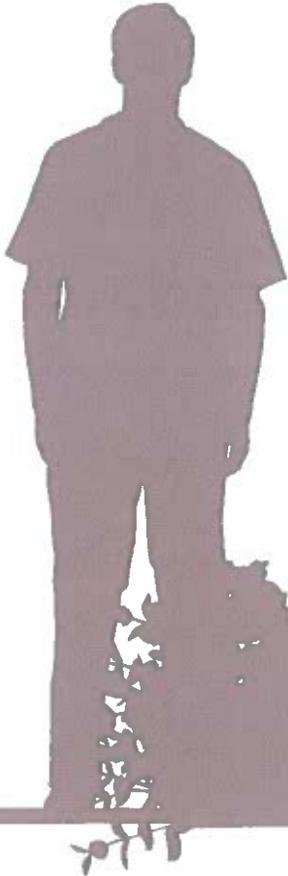
By: Randall S. Simpson

Title: President \_\_\_\_\_

\_\_\_\_\_  
Middletown Valley Athletic Association, Inc.

By: \_\_\_\_\_ (Print Name)

Title: \_\_\_\_\_



WLR  
Automotive  
Group

Proud to Support Middletown Valley Athletic Association

THE AUTO SPA    AUTO SPA EXPRESS    THE LUBE CHECK    AUTO REPAIR

A large, dark-colored sign with a white background for the main text. The sign is rectangular and stands on a dark base. The text is arranged vertically, with the company name at the top, a supporting statement in a smaller font, and four service logos in a row below. The logos are: 'THE AUTO SPA' (with a car icon), 'AUTO SPA EXPRESS' (with a car icon), 'THE LUBE CHECK' (with a car icon), and 'AUTO REPAIR' (with a car icon). The sign is flanked by silhouettes of plants: a bush on the left and a tall, feathery plant on the right.

## **Middletown Planning Office**

### **MEMORANDUM**

Date: 5/21/2019

To: Burgess & Commissioners, Middletown  
From: Cynthia Unangst, Middletown Staff Planner  
RE: 2018 Annual Planning and Zoning Report

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Attached are the 2018 Middletown Annual Planning Report, Permit List and Annual Report map. These documents are being presented to the Burgess & Commissioners upon adoption by the Middletown Planning Commission on May 20, 2019.

The Annual Report includes all activity performed by the Middletown Planning Commission, Board of Appeals, and Planning Staff for the calendar year 2018. State Law requires that an Annual Report be created, adopted, and filed each year for those governing bodies exercising local planning and zoning authority. This report is also being forwarded to the appropriate State and County agencies for their records.



## MIDDLETOWN PLANNING COMMISSION

# 2018 ANNUAL REPORT

Approved May 20, 2019 by Middletown Planning Commission

### **BURGESS & COMMISSIONERS**

John Miller, Burgess (4/2016-4/2020)

Jennifer Falcinelli, Burgess Pro-tem (4/2014-4/2018)(4/2018-4/2022)

Larry Bussard (4/2014-4/2018)(4/2018-4/2022)

Richard Dietrick (4/2014-4/2018)(4/2018-4/2022)

Chris Goodman (4/2016-4/2020)

Tom Catania (4/2016-4/2020)

Andrew J. Bowen, Town Administrator

### **Middletown Planning Commission**

Mark Carney, Chairman (12/2016-12/2021)

David Lake (1/2017-1/2022)

Bob Miller (5/2013-5/2018)(5/2018-5/2023)

Rich Gallagher (12/2016-12/2021)

Tom Catania, Comm. Ex-Officio (4/2016-4/2020)

Dixie Eichelberger, Alt. (6/2017-2/2021)

Meredith McKittrick, Temp. Alt. (1/2017-6/2018)

Eric Ware, Temp. Alt. (12/2018-5/2022)

### **Middletown Board of Appeals**

Daphne Gabb, Chair (4/2017-5/2019)

Thomas Routzahn (1/2017-1/2020)

Tim Coakley (1/2017-1/2020)

Alex Kundrick, Alternate (3/2017-3/2020)

### **Planning Department Staff**

Cynthia K. Unangst

### **Engineering Staff**

Bruce Carbaugh, Director of Public Works

J.R. Hawkins, Project Manager

### **Town Zoning Administrator**

Ron Forrester (2/2014-5/2018)

Mark Hinkle (10/2018 – present)

## INTRODUCTION

Section 1-207 of the Land Use Article of the Annotated Code of Maryland requires that the Planning Commissions of non-charter counties and municipalities prepare, adopt and file an annual report with the local legislative body and a copy of the report be mailed to the Director of the Maryland Department of Planning. The report is a retrospective look at development activity within the jurisdiction with a focus on whether that activity is or is not consistent with a variety of adopted plans. The report thus informs both the Planning Commission and local legislative body about the strengths and weaknesses of the local planning program.

## POPULATION IN MIDDLETOWN

<u>YEAR</u>	<u>POPULATION</u>	<u>INCREASE OR DECREASE</u>
1970 Census	1,262	N/A
1980 Census	1,748	486
1990 Census	1,834	86
2000 Census	2,668	834
<b>2010 Census</b>	<b>4,136</b>	<b>1468</b>
2011 Estimate	4,163	27
2012 Estimate	4,272	109
2013 Estimate	4,295	23
2014 Estimate	4,313	18
2015 Estimate	4,321	8
2016 Estimate	4,336	15
2017 Estimate	4,372	36
2018 Estimate	4,439	67

## TEN YEAR PERIODS OF POPULATION GROWTH based on Census

1970 – 1980	486
1980 – 1990	86
1990 – 2000	834
2000 – 2010	<u>1,468</u>
	2,874

## MIDDLETOWN PLANNING COMMISSION

The Middletown Planning Commission is a five-member commission with two alternates, which has review and approval authority of site plans and subdivisions. In addition, the Planning Commission makes recommendations to the Burgess and Commissioners on rezoning and annexations, and reviews and comments on text amendments and any other issue, which is planning related. The Middletown Planning Commission also makes recommendations to the Middletown Board of Appeals on cases involving special exceptions.

## PLAN REVIEWS - 2018

All plans reviewed and approved were consistent with the Middletown Comprehensive Plan adopted in 2010, the Middletown Zoning Code, and the Middletown Subdivision Regulations. **(Plan and plat names are shown on attached map.)**

CONCEPT PLANS

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
1. Valley Center 821 East Main Street	4	GC	Discussion of retail, office and self-storage development (5/21)

SITE PLANS

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
2A. Richland Driving Range 50 Glenbrook Drive	1	GC	Approval of driving range structure (Approved 1/15)
2B. Moody Shed Demolition 103 S. Jefferson Street	1	R-3	Approval of demolition of a shed (Approved 3/19)
2C. Cross Stone Commons 100 Middletown Parkway	1	GC	Approval of revisions to Building #4 (Approved 3/19)
2D. Dewitt Deck Demolition 116 Mariam Pass	1	R-1	Approval of demolition of deck (Approved 4/16)
2E. Harne Deck Demolition 6 Caroline Drive	1	R-1	Approval of demolition of deck (Approved 5/21)
2F. Franklin Commons Franklin and Broad Streets	18	R-3	Approval of 18 townhouse condo units (Re-approved 5/21)
2G. St. Thomas More 103 Prospect Street	2	R-2	Approval of two temporary classroom buildings (Approved 8/20)

MASTER PLANS

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
None			

PRELIMINARY PLANS

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
None			

MASS GRADING/SWM PLANS

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
None			

**IMPROVEMENT PLANS**

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
3. Richland Driving Range 50 Glenbrook Drive	1	GC	Approval of improvement plans for driving range structure (Deferred 9/17)

**FOREST CONSERVATION PLANS**

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
4. Valley Center 821 East Main Street	4	GC	Approval of FSD plans for commercial development (Approved 4/16)

**SUBDIVISION PLATS**

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
5. Williams Plat 19 East Main Street	2	R-2	Subdivision of lot into two lots (Approved 1/15)

**ADDITION PLATS**

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
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None

**FINAL PLATS**

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
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None

**RE-ZONING REQUESTS:**

None

**ANNEXATIONS:**

None

**TEXT AMENDMENTS:**

Text Amendments recommended to Burgess and Commissioners for adoption. (Municipal Code Number)

Storage container text amendment – Planning Commission reviewed and commented on adoption of revisions to provisions pertaining to the use of storage containers. (Section 17.32.045) [PC commented 5/21; B&C adopted 8/13]

Demolition site plan text amendment – Planning Commission reviewed and commented on adoption of revisions to the demolition ordinance to allow demolition of certain structures under 500 square feet with the authority of the zoning administrator; and to make other language and stylistic changes. (Section 17.32.160) [PC commented 5/21; B&C adopted 8/13]

Microbrewery text amendment – Planning Commission reviewed and commented on establishing microbreweries as a permitted use in the GC and TC commercial zoning districts; to provide a definition for the term “microbrewery”; and to amend Section 17.02.080 to clarify the date before which a structure must be in existence in order to use the structure for fabrication, light assembly and storage. (Sections 17.04.030, 17.20.010, 17.20.020 and 17.20.080) [PC commented 7/16; B&C adopted 12/10]

Blighted property ordinance – Planning Commission drafted regulations which would provide a definition of blighted property and enforcement, penalties and remediation incentives for offenses. (Chapter 8.24) [PC commented 11/19]

**BOARD OF APPEALS: (Applicant names are shown on attached map)**

<u>Applicant</u>	<u>Request</u>	<u>Location</u>	<u>Motion</u>	<u>Date</u>
A. Franklin Commons	variance of 5' for height of buildings	corner of Franklin and Broad Streets	Approved	7/12
B. Fire Department	variance from sign area requirement	401 Franklin St.	Approved	9/20
C. Safeway Shopping Center	variance for sign size and height	815 E. Main St.	Approved	12/19

**INFRASTRUCTURE PROJECTIONS:**

**TRANSPORTATION:**

Action taken by the Town in the year 2018 has been consistent with the Town Comprehensive Plan and best management planning practices.

The Town Comprehensive Plan includes roadway alignments both north and south of town that will be requirements of any future annexation agreements. Future development should incorporate roadway dedication and construction to provide minimum collector type road links from east to west, and a collector from US 40-A north to I-70. With the annexation of the Memar Property, a section of northern alignment, west of Coblenz Road, will be built by the developer.

The State Highway Administration has funded the Main Street streetscape project and the notice to proceed to construction was received on September 6, 2016. The limits of the project extend from the western edge of town to the eastern edge of town, and includes the replacement of water mains from Coblenz Road to Eastern Circle. The SHA scope of work includes replacement of storm water lines in the Main Street SHA right-of-ways and relocating some utility lines, new signage, traffic patterns, and replacement or installation of curb, gutter and sidewalks. The project also includes landscaping and planting of new trees. The project is expected to be completed Fall of 2019.

**WATER SUPPLY AND DISTRIBUTION:**

The Town depends on 23 wells, 4 major groups of springs, two reservoirs, and a 400,000-gallon elevated water storage tank to supply water to the Town. The current total withdrawal permitted by the

Town is 387,000 gallons per day (gpd). The average daily use for 2018 was 310,000 gpd. The water system is routinely monitored for possible contaminants in accordance with Federal and State laws, and there were no violation levels in 2018. The Town completed an engineering study of the existing reservoir and is moving forward with construction of a stadium style ground storage tank. This new tank will be built within one of the existing reservoirs. Construction will begin in 2019. In addition, the project will remove the abandoned 6" suction water line from the reservoir to the booster station and replace it with a 16" suction supply line to the Town. This will provide the Town with dual suction lines for water supply to the Town.

#### **WASTE WATER TREATMENT FACILITIES:**

The East Wastewater Treatment Plant (WWTP) on the south side of Holter Road at Hollow Creek is designed to process 350,000 gpd of sewerage. The current discharge permit for the plant is 250,000 gpd. Average daily flows for 2018 were 302,537 gpd. The discharge permit for the West WWTP at Catocin Creek in the southwest section of Town is 250,000 gpd. Average daily flows for 2018 were 373,015 gpd. The 2018 numbers are high and over the permit allotments due to the unusually wet weather.

#### **PARKS AND GREENWAYS:**

Walking trails were completed in 2018 that connect to the footbridge over Cone Branch Creek across Franklin Street from the Primary School, and Remsberg Park, for continuation of the walking trail system around the Town. Once the SHA streetscape project is completed, a walking trail sign will be installed on the Cone Branch Trail off East Main Street.

#### **PROTECTION OF HISTORIC STRUCTURES:**

The Town regulations regarding the demolition of buildings are a zoning control (Section 17.32.160, Zoning, Middletown Municipal Code), which requires a Demolition Permit. This permit allows a building to be inventoried prior to the demolition but does not prohibit demolition. Photos are taken before buildings are to be torn down and are archived.

The Town has two historic districts that are listed in the National Register of Historic Places. Properties that are listed as "Contributing" to the significance of the historic districts may voluntarily participate in government programs that provide financial benefits to property owners who undertake maintenance projects that comply with the Secretary of the Interior's Standards for Rehabilitation. In order to provide a certain level of customer service to property owners in Middletown, the Town established a Historic Commission to act as a conduit between the property owner and the available programs. The Historic Commission only meets when a property owner wishes to take advantage of these specific programs.

Main Street Middletown, MD, Inc. is a 501c3 organization that supports the economic development of the Town. Late in 2017, Main Street began investigating the possibility of purchasing 19 and 21 West Main Street. Throughout 2018, Main Street Middletown rented the space and raised the funds for purchase through donations and grants.

Main Street Middletown continued with the Façade Improvement Program to help the property owner of the Dr. Lamar House reduce expenses incurred in repairing the front porch, and repainting the building.

## **STRATEGIC PLANNING INITIATIVES**

### **ZONING ORDINANCE UPDATE**

No updates to the Zoning Code were completed in 2018 aside from the few text amendments listed above.

### **COMPREHENSIVE PLAN REVIEW**

Since there have been no policy changes made in recent years to warrant an update to the Town's Comprehensive Plan the update process will begin in 2019 to be completed in conjunction with the availability of the 2020 Census data. The Maryland Department of Planning now requires a ten-year review.

### **PLANNING COMMISSION RECOMMENDATIONS:**

#### **ONGOING RECOMMENDATIONS:**

1. Review walkway and road construction strategies to be incorporated into current & future growth and development.
2. Continue to review and refine a management system which includes checklists for the plan review process to help ensure that files are complete and easily accessible, and which verifies that all agency approvals are in place.
3. Continue review of zoning ordinances as needed to ensure compatibility with the comprehensive plan.
4. Promote and develop a trails system as shown in the Comprehensive Plan by working with the Town Board, citizens and community groups.
5. Work closely with the Main Street Program to help revitalize downtown Middletown.
6. Promote sustainable development practices thru the development review process as outlined in the 2010 Middletown Comprehensive Plan, along with potential projects to consider for any applicable funding associated with the Sustainable Communities designation through DHCD.

#### **NEW RECOMMENDATIONS:**

1. Work with the Sustainability Committee on implementing energy-saving and renewable energy strategies and policies for the town.
2. Review policies that would provide guidance for sustainability and climate change resiliency as it effects the town and future annexations.
3. Develop a dark-sky policy for future and replacement lighting in the town.
4. Review and develop policies/regulations that would provide guidance for affordable housing.



## MEMORANDUM

**DATE:** February 4, 2019

**TO:** Burgess and Commissioners

**FROM:** Andrew J. Bowen, Town Administrator

**SUBJECT:** Town Code Conflict in General Commercial (GC) Zoning District

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### ISSUE

There is a conflict in the Town Code Section 17.20.020.C. and Section 17.48.340.E. How should the Town Board address this conflict?

### BACKGROUND

The developer of the Dowd Estate has filed a Preliminary Site Plan proposing Self-Storage on the property which is zoned GC. Under GC (17.20.020.C.) Special Exceptions, it listed all of the special exceptions uses as **PRINCIPAL**, if approved by the Board of Appeals; but when you look under Specific Standards for Special Exceptions (17.48.340.E.), it states that Self-Storage may be permitted only as an **ACCESSORY** use. The Town Board requested an opinion from the Town's Attorney to advise the Town Board how to address this conflict. The attorney's opinion pointed out, under statutory construction, the status last enacted is deemed to have repealed the inconsistent term of the former.

Section 17.20.020.C. was passed in 2007 and Section 17.48.340.E. was passed in 1997. Therefore, under statutory construction, a self-storage facility can be allowed as a primary use as a Special Exception in the GC.

### RECOMMENDATION

Staff has no recommendations, but offers the following options for the Town Board to consider:

1. Do nothing. Use the concept of statutory construction to deem the self-storage as an principal use to be permitted only and an accessory use to be inconsistent.
2. Remove the line E. from 17.48.340. That would remove any inconsistency.
3. Redebate the entire issue of self-storage in GC and decide what you want today and enact and repeal a new ordinance with what the Town Board wants today.

If the decision of the Town Board is to enact any type of ordinance to address this issue, staff would suggest the new ordinance to address a couple of things to avoid any problems in the future. They are:

- i. The Town should define the following words in Zoning Section
  - a. Self-Storage
  - b. Storage
- ii. The Town has three (3) commercial zoning districts. Only GC uses the wording in the Special Exception of "*principal uses*", does the Town Board want these three (3) commercial districts to be consistent when it comes to Special Exceptions.

### **ATTACHMENTS**

Code Section 17.20.020.C. & Section 17.48.340.E.

- **17.20.020 - GC general commercial district.**

- A. Purpose. The GC district is intended to provide areas for general commercial activities that service the needs of the entire community and the surrounding area. The uses permitted in this district are of such character as to provide for comparative shopping needs, service and repair needs, office uses, specialized commercial and entertainment activities and those establishments which cater primarily to the motoring public.

The location of such areas should be such that stores and commercial activities can be grouped together in an attractive and convenient manner at locations that will not infringe on residential areas. It is also essential that areas for this district be on major thoroughfares in order to provide for vehicular accessibility.

- B. Uses Permitted in the GC District. No building or structure may be erected or used and no land may be used or occupied except for one or more of the following principal uses:

1. Clubs, lodges, fraternal organizations;
2. Public buildings, structures and services;
3. Retail sales: paint, wallpaper, hardware, food, apparel, appliances, jewelry, fabric, furniture, furnishings, office equipment and supplies, general merchandise, equipment rental, floral items, plants, plumbing, heating and electrical;
4. Eating and drinking establishments;
5. Personal services—laundry, barber, beauty, funeral;
6. Office and business services—contractor, finance, insurance, real estate, advertising, employment agencies, business management, photocopying, printing;
7. Repair services—electrical appliances, furniture, upholstery, jewelry repair, clothing, shoe;
8. Professional offices and services—medical, dental, legal, engineering, veterinary, architectural, design;
9. Commercial recreation—theaters, bowling alleys, amusements;
10. Places of worship;
11. Light assembly and fabricating: clothing, draperies, curtains, furniture and cabinets, tool and die, bakery, electrical components, toys, books. (Subject to [Section 17.20.080](#));
12. Storage, wholesale and warehouse buildings: indoor storage of goods and material which will be sold, processed or disposed of on or off premises. (Not, however, to include auto wrecking, junk or other salvage storage or truck or shipping terminals.) (Subject to [Section 17.20.080](#));
13. Public safety services, subject to site development plan approval;
14. Farmers' markets;
15. Museums;
16. Medical care facilities.

- C. Special Exceptions in the GC District. The board of appeals may authorize the following principal uses as special exceptions in accordance with the provisions of [Section 17.44.060](#)
1. Residential uses;
  2. Gasoline stations;
  3. Greenhouses, nurseries;
  4. Private and commercial schools—dance, business trade;
  5. Shopping centers;
  6. Lumber and other building material—retail;
  7. Vehicle repairs and services;
  8. Hotels and motels;
  9. Vehicle sales;
  10. Animal kennels and clinics;
  11. Nursery schools and child care centers;
  12. Light vehicle repair limited to a vehicle weight maximum of one-ton capacity. Repair and service shall be limited to lubrication, brakes, exhaust systems, wheel alignment, installation of accessories and parts, and installation of tires;
  13. Self-storage rental spaces for storage of personal goods.

(Ord. No. 15-05-01, § 1, 5-11-2015, eff. 10-1-2015; Ord. 07-12-01 § 1 (part), 2008; Ord. 07-01-01 § 2 (part), 2007: amended after public hearing, 4-6-00; Ord. 182 § 6.1, 1976)

- **17.48.340 - Self-storage.**

Self-storage facilities in the GC and SC\LM commercial districts are subject to the requirements of the district in which the property is located except as provided in this section:

- A. Middletown planning commission shall have architectural review and size limitation authority and may require drawings, elevations and plans as necessary;
- B. The hours to which one may have access to the self-storage facility shall be limited as established by the board of appeals;
- C. The property shall have access to a street which is designated in the town comprehensive plan as an arterial or collector street.
- D. Concept plan, including parking provisions, review and recommendation required by the planning commission;
- E. This use may be permitted only as an accessory use to a primary business.

(Ord. No. 15-08-01, § 1, 8-14-2015, eff. 10-4-2015; Ord. 182 § 10.5.7 (part), 1976)

John D. Miller  
*Burgess*

*Commissioners*  
Jennifer J. Falcinelli  
Larry K. Bussard  
Thomas S. Catania  
Richard L. Dietrick  
Christopher I. Goodman

*Middletown*  
Founded in  
1767



*From the Joint meeting on May 6, 2019*

**Definitions:**

**Self-Storage:**

**Frederick City-**

Self-Storage Center - A building or group of buildings divided into separate compartments to be used for temporary storage space by individuals or businesses.

**Frederick County -**

Self-storage units – a building or group of buildings consisting of individual, self-contained units leased or rented to individuals, organizations, or businesses for self-service storage of personal property and where no commercial transactions are permitted other than the leasing and rental of the storage unit.

**New Market -**

Mini-Storage – A building or group of buildings divided into separate spaces or compartments leased to individuals, organizations or businesses on an individual basis for self-service storage of personal property. Also known as self-storage.

**Walkersville -**

Self-storage warehouse facility – A building or group of buildings divided into separate compartments, designed to be rented or leased on a short-term basis to the general public for private storage of personal goods, materials and equipment.

**Storage:**

Storage - NOUN

1. The action or method of storing something for future use.

‘the chair can be folded flat for easy storage’

as modifier ‘the room lacked storage space’

- 1.1 The retention of retrievable data on a computer or other electronic system.

‘data storage’ as modifier ‘a storage capacity of two megabytes’

- 1.2 Space available for storing something, in particular allocated space in a warehouse.

‘Cooper had put much of the furniture into storage’

- 1.3 The cost of storing something in a warehouse.

- *Oxford Dictionary*

**Principal use or primary use:**

The General Commercial District Code, 17.20.020B addresses permitted uses in the GC District. My interpretation is that the “permitted uses” included would be the “primary or principal use” based on the fact that these are allowed, by Code, without any additional special review or appeal, ex. Board of Appeals.

The General Commercial District Code, 17.20.020C addresses uses allowed by “special exception” in the GC District, these uses would need to go to the Board of Appeals for approval.

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2. Public buildings, structures and services;
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4. Eating and drinking establishments;
5. Personal services—laundry, barber, beauty, funeral;
6. Office and business services—contractor, finance, insurance, real estate, advertising, employment agencies, business management, photocopying, printing;
7. Repair services—electrical appliances, furniture, upholstery, jewelry repair, clothing, shoe;
8. Professional offices and services—medical, dental, legal, engineering, veterinary, architectural, design;
9. Commercial recreation—theaters, bowling alleys, amusements;
10. Places of worship;
11. Light assembly and fabricating: clothing, draperies, curtains, furniture and cabinets, tool and die, bakery, electrical components, toys, books, microbreweries (Subject to Section 17.20.080);
12. Storage, wholesale and warehouse buildings: indoor storage of goods and material which will be sold, processed or disposed of on or off premises. (Not, however, to include auto wrecking, junk or other salvage storage or truck or shipping terminals.) (Subject to Section 17.20.080);
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9. Vehicle sales;
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11. Nursery schools and child care centers;
12. Light vehicle repair limited to a vehicle weight maximum of one-ton capacity. Repair and service shall be limited to lubrication, brakes, exhaust systems, wheel alignment, installation of accessories and parts, and installation of tires;
13. Self-storage rental spaces for storage of personal goods.

***Everett WA:***

“Principal building” means the primary or predominant building on a lot.

“Principal use” means the primary or predominant use of any lot or building.

***Food for thought from ZA:*** Require the developer to submit, during the plan submittal stage, what the Principal use will be.

***Household Good:***

Personal property other than real estate, belonging to an individual or his or her immediate family and including (but not limited to) appliances, books, clothing, furnishings, and furniture.

***Read more:*** <http://www.businessdictionary.com/definition/household-goods.html>

***Personal Goods or Personal Property:***

Possessions other than real estate or buildings. Personal property is movable and includes tangible (appliances, car, furniture, jewelry) and intangible (bonds, right to a benefit, shares or stocks) items whose ownership belongs to the individual. Also called chattels.

***Read more:*** <http://www.businessdictionary.com/definition/personal-property.html>

***Hours of Operations:***

Regarding hours of operations, Town Attorney John Clapp provided an opinion on this issue on October 10, 2012. He found no support in the Town Code to grant “authority of Planning Commission to exercise such authority.” Mr. Clapp went on to say that the Planning Commission only has “those powers expressly given to it by the legislature or the Town Board” and therefore it “does not have the authority to impose hours of operation restrictions as part of the site plan approval.” There are two incidences below that the Planning Commission has been given the power to address hours of operations.

In the ZA’s opinion, allowing Board of Appeals to regulate hours of operations as directed in Town Code provides a checks and balance initiative between The Burgess and Commissioners, Planning Commission and Board of Appeals.

***Middletown Code currently allows the Board of Appeals to address hours of operations in the following sections:***

- 17.48.250 – Vehicle repair and service
- 17.48.330 – Antique malls
- 17.48.340 – Self-storage
- 17.48.270 – Accessory retail sales and repair
- 17.48.350 – Commercial tour bus parking

***Middletown Code currently allows the Planning Commission to address hours of operations in the following sections:***

- 17.20.080 – Fabrication, light assembly and storage uses, due to noise, light and pedestrian or vehicle traffic
- 17.48.390 – Community Centers, places of worship, libraries, and public schools, at time of concept plan submission

MEMORANDUM

Date: 6/3/2019

To: Burgess and Commissioners, Middletown

From: Cynthia K. Unangst, Middletown Staff Planner

RE: Required residential parking regulations for apartments and townhouses

The subject of required residential parking for apartments and townhouses was discussed at the joint workshop of the Middletown Planning Commission and the Town Board on May 6, 2019. The regulations for other municipalities in Frederick County were reviewed at that workshop, and the Town Board decided that perhaps there should be some changes to the Middletown Code in relation to the required parking for apartments and townhouses. Below is the required parking chart showing the regulations for Middletown in relation to other municipalities.

**Required Parking - Residential:**

<i>Municipality</i>	<i>Multifamily dwellings (or apartments)</i>	<i>Townhouses</i>
Middletown	3 per dwelling unit	3 per dwelling unit
Brunswick	2 - 3 per unit depending on # of bedrooms	2 per dwelling unit + 0.5 per bedroom, per unit
Emmitsburg	2 per dwelling unit	2 per dwelling unit
Frederick City	min. 1.5 per dwelling unit max. 2.5 per dwelling unit	min. 2 per dwelling unit max. 3 per dwelling unit
Mount Airy	2 per dwelling unit	3 per dwelling unit
Myersville	2.5 per dwelling unit	2.5 per dwelling unit
New Market	2 per dwelling unit + 0.5 per bedroom over 2 bedrooms	2 per dwelling unit + 0.5 per bedroom over 2 bedrooms
Thurmont	2 per dwelling unit + 1 per five units	2 per dwelling unit + 1 per five units
Walkersville	3 per dwelling unit	3 per dwelling unit
Woodsboro	2 per dwelling unit	2 per dwelling unit