

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

VIRTUAL TOWN WORKSHOP MEETING MINUTES

WORKSHOP MEETING

July 1, 2021

The virtual workshop meeting of the Burgess and Commissioners of Middletown was called to order on July 1, 2021, by Burgess Miller at 7:00 p.m. Present via Zoom were: Commissioners Kevin Stottlemeyer, Christopher Goodman, Jennifer Falcinelli, Jean LaPadula, and Rick Dietrick.

PERSONAL REQUESTS FOR AGENDA: None.

STAFF REPORTS:

Deputy Report – The Deputy report was given to Town Board members for review prior to the start of the meeting. Burgess Miller stated that there are two issues that town deputies are addressing, speeding within town limits, and parking in the Middletown Glen subdivision. Since covid restrictions have been lifted deputies are making a more concerted effort to address both.

Staff Planner Report – Cindy reviewed her report.

Engineer’s Report – Bruce reviewed his report.

Main Street Manager Report – Becky reviewed her report.

Zoning Administrator’s Report – Mark reviewed his report.

CONSENT AGENDA:

- **Town Meeting Minutes**
 - *June 3, 2021 – Town Workshop*
 - *June 14, 2021 – Town Meeting*

UNFINISHED BUSINESS:

Comprehensive Plan – Chapter Review – House Bill 1045 requires local jurisdictions to address the need for affordable housing, including work-force housing and low-income housing into the Housing Element of the Comp Plan. The Staff Planner reviewed the information gathered from Frederick City and Thurmont regarding the Housing Element of their respective Comp Plans. Frederick City has a Moderately Priced Dwelling Unit ordinance to provide for more affordable housing choices. The ordinance requires new developments to provide a mixture of affordable units or pay a fee in lieu of constructing the units. The money generated is allocated and used by the Fredrick Community Action Agency. Thurmont’s Comp Plan shows pertinent statistics on housing and affordability in Thurmont and a plan for housing. It is looking to allow accessory apartments and to change the regulations for converting a single-family house to a two-family house. Thurmont’s chapter on the Housing Element will be emulated in Middletown’s Comp Plan. The Staff Planner is in the process of reviewing all the information and gathering Middletown’s statistics as it relates to affordable housing.

AC Jets Annexation Discussion – The draft AC Jets Annexation Resolution was presented to the Town Board. State law requires a draft annexation resolution be created as part of the process when an annexation petition is submitted to a municipality. This document provides general details of the proposed annexation. Specific details would be presented as part of any future annexation agreement. According to

state mandate a public hearing must be held. The developer must update their well testing. When the amendment to the petition was submitted, no exhibit was included identifying where the 144 acres were to be split between commercial zoning and residential zoning. The Town Attorney will provide a legal opinion regarding a timely due process for the petitioner leading to a vote on the annexation.

Review of Loan Options for Broad Street Reconstruction – The Town Board must decide how it will pay for the \$1.6 million-dollar Broad Street Reconstruction Project. There are three types of loans that the Town could utilize:

- Commercial Loan – usually has a higher interest rate but has no penalty for paying it off early.
- Line of Credit (normally used to pay off short term debt) – gives flexibility to pay off at any time. The Town currently has a line of credit with Middletown Valley Bank which has an interest rate of LIBOR plus 2.5%.
- Municipal Bonds (Town or State issued) – has the lowest interest rate but could not be repaid for 10-20 years.

The Town Administrator is collecting information from Middletown Valley Bank, BB&T Bank and PNC Bank and will provide a detailed review on commercial loans and lines of credit at the next meeting.

NEW BUSINESS:

Review of Access Concerns from the Miller Property onto East Green Street – This is not a Town initiated issue. There are safety concerns concerning the rear entrance to the Miller property off East Green Street. The Town Board reviewed the Town Project Manager’s staff report. There are no notations on either the Site Plan or the Improvement Plans for the Miller property stating anything about the gate being closed for any duration or at certain times. The entrance is treated as an access/driveway entrance to the Miller property. This is not an intersection. The Planning Commission was under the impression that it would be a limited access entrance. Currently many drivers use it as a cut through to Main Street. The property owner has ordered signage to be placed at the entrance which will lessen the likelihood of drivers using the property as a cut through.

Review of West Green Street Pocket Park Proposed Plan – This is an eagle scout project. The proposed designs and projected costs for the park were reviewed. It will cost approximately \$11,000.00. The Town has applied for two grants to help defray the cost. One grant was denied. The Boy Scout completing this project is hoping to cover costs through donations if possible. The benches shown in the design could be purchased through the Town’s memorial bench program. The Staff Planner will review what plants and trees are to be planted to insure they are native species.

Discussion of Supplemental America’s Recovery Plan (ARP) Budget – The Town is waiting for final guidance from the US Treasury regarding the expenditure of ARP funds the Town will receive. A list of budget items and their projected costs were reviewed. The list included budgeted items that could not be paid for with ARP monies but could be paid for with monies freed up if ARP funds are used on other projects. This list is a springboard for discussion. Items can be added or deleted. It has been recommended that these monies be set up under a separate account so that records can be kept of their specific expenditures. At the MML conference it was stated that municipalities have a procurement policy, a conflict-of-interest policy, and a fraud policy in place. The Town Board discussed having an application process in place for someone or a business to receive funds. Burgess Miller stated that if there are additional items Commissioners want added to the list to please bring them to the July 12th meeting.

FY2022 Local Parks & Playgrounds Infrastructure Funding (LPPI) – Projects – Frederick County will be allocated \$6,000,000.00 from the LPPI Funding, which will be available for eligible projects in FY22. 50% of the allocation (\$3,000,000.00) will be dedicated to the municipalities. The deadline for submission for these funds is July 16, 2021. The Town Board will have to give its approval at the July 12, 2021, meeting. Commissioner Goodman is developing a list of items to pursue with this funding.

Proposal for Formula Restaurant Changes to the Town Code – The Town Board began discussion regarding protecting the small-town character of Middletown by reviewing the possibility of banning “formula restaurants” within town limits. Those restaurants currently in Middletown that could fall into that category would be grandfathered in. The language would also address stand-alone restaurants and drive thru. The Town Board will continue to review this item.

Petition from Middletown Glen – Parking on Ingalls Drive – Currently there is no parking allowed on Ingalls Drive in Middletown Glen. The Town and community deputies have received multiple complaints regarding cars illegally parked on Ingalls Drive and the safety hazards that presents. The Town has received a proposal from a Middletown Glen resident requesting the Town Board allow parking in identified areas along Ingalls Drive. There is a petition with 55 signatures also requesting the proposed parking. The Director of Public Works reviewed the proposal and provided his opinion. When Middletown Glen was designed the developers reduced the width of the streets in the development to decrease the amount of impervious surface area and meet state stormwater management requirements. The information presented in both the site plan and improvement plans list widths that do not support parking along Ingalls Drive. The street is 26 feet wide which does not support a parking lane on either side. It also becomes a fire and emergency vehicle access issue if parking is allowed. The Director of Public Works recommends continuing not allowing parking along Ingalls Drive.

PUBLIC COMMENTS: None.

ANNOUNCEMENTS:

- *Grand Opening of Oak & Steel Furniture, Saturday, July 3, 2021, with Ribbon Cutting at 10:00AM, 1 West Main Street.*

Workshop adjourned at 9:28 PM.

Respectfully submitted,

Annette Alberghini,
Office Manager