

# *BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND*

## VIRTUAL TOWN WORKSHOP MEETING MINUTES

### WORKSHOP MEETING

August 5, 2021

The workshop meeting of the Burgess and Commissioners of Middletown was called to order on August 5, 2021, by Burgess Miller at 7:00 p.m. Present were Commissioners Kevin Stottlemyer, Christopher Goodman, Jennifer Falcinelli, Jean LaPadula, and Rick Dietrick.

### PERSONAL REQUESTS FOR AGENDA: None.

- **Shentel – Broadband Infrastructure** – This is a competitive alternative broadband provider to Comcast with an emphasis on fiber optics. Shentel currently provides services throughout the Mid-Atlantic region. They have a franchise agreement with the City of Frederick with the goal of expanding outwards from there to other areas in Frederick County. Shentel will be coming through Middletown to set up and provide services in the city of Frederick. This will require agreements with the Town and provide the opportunity for offering Shentel's services to residents of Middletown.

### STAFF REPORTS:

**Deputy Report** – Deputy McCarrick reviewed his report.

**Staff Planner Report** – Cindy reviewed her report.

**Engineer's Report** – Bruce reviewed his report.

**Main Street Manager Report** – Becky reviewed her report.

**Zoning Administrator's Report** – Mark reviewed his report.

### CONSENT AGENDA:

- **Town Meeting Minutes**
  - *July 26, 2021 – Town Meeting*

### UNFINISHED BUSINESS:

**Request from Middletown Rec Council to Use Memorial Park for Color Me Autumn** – The Town has received written request from the Middletown Rec Council to use all of Memorial Park for their Color Me Autumn event October 23, 2021. The Park will not be closed to the public. The Town has been asked to provide five trash cans for the event and access to electricity for the singer scheduled to perform. Town Deputies will be notified of the event and asked to have a deputy available during the event (if needed).

**Motion:** Commissioner LaPadula motioned to approve the Middletown Rec Council's request to use Memorial Park for the Color Me Autumn event as discussed. Seconded by Commissioner Goodman. Motion approved (5-0-1), Commissioner Dietrick abstained.

### Discussion of Repeal of Emergency Resolutions

- **Resolution 20-02 – Virtual Meetings** – The Town enacted this resolution during the covid pandemic in order to hold virtual town meetings. This resolution will have to be rescinded. Much

has occurred this past week in regard to Covid19 and an increase in cases. The Town Board decided to table this agenda item for the time being to see what happens further.

- **Resolution 20-03 – Enactment of Emergency Management Plan** – The Town enacted this resolution in response to the covid pandemic. This resolution will have to be rescinded. Much has occurred this past week in regard to Covid19 and an increase in cases. The Town Board decided to table this agenda item for the time being to see what happens further.

**Use of Municipal Center by Community Groups** – Community groups have begun asking for permission to use the Town Hall for their meetings. This item is being tabled while the Town Board waits to see what occurs with the current covid outbreak.

**AC Jets Annexation Discussion** – Previously the petitioner submitted a letter requesting a formal revision to the petition. The Town has received the revision and the corresponding exhibits. The revision shows a decrease in the amount of commercial zoned acreage in the front and an increase in the amount of residential zoned acreage behind it. This revised petition must go before the Planning Commission to check for consistency with the Town’s Comprehensive Plan and growth projection. The petitioner has requested that the town taxes for this property be waived at its future zoning level and taxed as if it were zoned Agricultural until the properties are subdivided. Discussion occurred, by the Town Board, suggesting that taxation should occur once changes to the character of the land has begun instead of waiting for the subdivision plats are recorded. This is an item for Monday night’s Town Board meeting.

**Proposal for Delineators for East Green Street at Elementary School Rear Access** – Installing delineators on East Green Street at the elementary school rear access will address both the traffic flow out of the elementary school at drop off and pick up times, and drivers using the parking lot at Tapias as a cut through to Main Street. The delineators will be placed every five feet on the double yellow line of East Green Street running 110 feet from the center of the elementary school rear entrance east along East Green Street, and 210 feet from the center of the elementary school rear entrance west along East Green Street. This agenda item is time sensitive because of the school year beginning soon. This is an item for Monday night’s Town Board meeting.

**Comprehensive Plan – Chapter Review** – The Staff Planner reviewed the growth boundary map and highlighted that there are 116 acres less than the current 2010 Comp Plan. There was discussion concerning the 2010 Comp Plan’s land use map which shows the proposed land use for properties within the growth boundary. In that plan the property north of Middletown Glen is slated for medium density residential which translates to Town R1 and R2 zoning. That conflicts with the Town’s annexation policy of all residential annexations to come in as R20 zoning. More discussion will be needed as to whether that designation should be changed for this Comp Plan update. The Staff Planner stated that the current Housing and Population chapter is only 3 pages long and does not include any housing goals or objectives. Proposed goals and objectives for this update come from the Town Sustainable Committee’s plan from 2019. The Staff Planner will be attending the August 23, 2021, for further discussion on this topic.

**Revised Washington Streetscape Plans** – This project will provide a safe walking path along Washington Street from the Elm Street parking lot to the downtown core. It includes replacing all curb, gutter, sidewalks, lighting and replacing the asphalt. There will be some storm drain improvements. All proposed improvements would conform with Town standards. The Town Board reviewed the revised plans which included the sidewalk placement as requested by the residents. Once the Town Board

formally approves these revisions the plans will be sent to the Washington Street residents for review and comment once last time.

**ARP Supplemental Budget Items - Updated** –The updated list of budget items and their projected costs was reviewed. It was suggested that the cost for the purchase of the private collection of Middletown history and memorabilia owned by Larry Bussard could be added to this list as it will be used in the museum as part of tourism. The Town will budget according to the first round of ARP funds received. 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.

### **Capital Improvements Program**

- **General Fund CIP** – The proposed FY2022 budget was reviewed. This needs to be approved so that action on these projects can begin as needed. It was suggested that this budget be approved as is and modified once ARP funds become available.
- **Water & Sewer Fund CIP** - The proposed budget was reviewed. Like the General Fund CIP budget, this proposed budget needs to be approved so that action on these projects can begin as needed. It was suggested that the Capital Improvement Reserve Account monies increase from \$200,000.00 to \$500,000.00 annually to cover those outyear projects with limited development. The amount can be adjusted yearly as needed.

### **NEW BUSINESS:**

**Annual Planning Report – Information Only** – The Staff Planner reviewed the Middletown Planning Commission 2020 Annual Report. The information provided is very useful for the Town. Copies will be provided to State and County Planning offices, and Frederick County Public Schools.

**Proposal for Formula Restaurant Changes to the Town Code** – The Town Board is continuing to look at protecting the small-town character of Middletown by reviewing the possibility of banning “formula restaurants” within town limits. The proposal includes allowing restaurants with fewer than 10 locations in the Mid-Atlantic Region but are not franchised, or eateries that have only walk-up locations, are part of a food court area or are clustered with other similar restaurants. Existing restaurants currently in Middletown that could fall into that formula restaurant category would be grandfathered in. This will be discussed at the August 9, 2021, Town Board meeting.

**National Recovery Month – Frederick Goes Purple** – This is a grass roots initiative within the county to reduce substance abuse related deaths and overdoses and supports those in addiction recovery and their families. This observance will occur during the month of September (National Recovery Month). The purple light bulbs will be installed at the Municipal Center. Everyone is encouraged to wear purple every Friday to bring awareness and understanding of mental health and substance abuse disorders, and to celebrate those living in recovery. If any Commissioner is need of a purple shirt, please contact the Office Manager.

**Request for Suggestions for 2022 Legislative Package** – If any Commissioners have ideas for Frederick County’s legislative package for the 2022 General Assembly Session please bring them to the August 9, 2021, Town Board meeting. Ideas must benefit the public at large to be considered. Suggestions tonight included removing the cross wires along downtown Main Street, extending the waterline to Remsburg

Park, and possibly obtaining monies for staffing and repairs on the Middletown Historical Society building.

**Amendments to the Design Manual – Cable Committee** – The temporary Cable Committee submitted a request for updates to the Middletown Design Manual which include the requirement of the installation of conduit when subdivisions are planned and built which would allow future multiple providers access and updated technology installation when it becomes available. The Director of Public Works and the Town Project Manager will review the requests and provide information to the Town Board for a decision.

**PUBLIC COMMENTS:** None.

**ANNOUNCEMENTS:**

- *Movie Night – Saturday, August 21, 2021 – Remsberg Park – “Trolls”*

Workshop adjourned at 9:45 PM.

Respectfully submitted,

Annette Alberghini,  
Office Manager