



MAYOR AND CITY COUNCIL OF FROSTBURG

Mayor W. Robert Flanigan

Donald L. Carter, Jr., Commissioner of Finance

Kevin G. Grove, Commissioner of Public Safety

Nina Forsythe, Commissioner of Water, Parks and Recreation

Adam Ritchey, Commissioner of Public Works

AGENDA

MAYOR AND COUNCIL MEETING

Thursday, February 16, 2023 at 7:00 PM

Frostburg Municipal Center Meeting Room - 37 Broadway

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1. CALL TO ORDER	
2. PLEDGE OF ALLEGIANCE	
3. FROSTBURG BLESSING	
4. ROLL CALL	
5. APPROVAL OF THE AGENDA	
6. APPROVAL OF THE MINUTES	
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10.	OLD BUSINESS	
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11.2.	ORDINANCE 2023-01 Amending the City's Zoning Ordinance to Add Restaurants as Special Exception Uses in the T-LI (Technology/Light Industrial) Zoning District, subject to specified conditions. Motion and Second to Approve the Ordinance on First Reading, and set the March 16, 2023 Council Meeting as an advertised Public Hearing; PUBLIC COMMENT; Vote of the Mayor and City Council. 2023-01 Text Amendments Ordinance	107 - 108
11.3.	RESOLUTION 2023-02 Approve American Rescue Plan Act Projects/Programs. Motion and Second to Approve Resolution 2023-02; PUBLIC COMMENT; Vote of the Mayor and City Council. Resolution 2023-02 American Rescue Plan Act Project Approvals	109
11.4.	RESOLUTION 2023-03 Approve mid-year Budget Amendments. Elaine Jones, CPA, Director of Finance Motion and Second to Approve Resolution 2023-03; PUBLIC COMMENT; Vote of the Mayor and City Council. Resolution 2023-03 Mid Year Budget Amendments FY23 budget amendments-Feb 2023 Res 2023-03	110 - 113
11.5.	RESOLUTION 2023-04 Approve a Contract with SPECS, Inc. for the engineering and design of Phase X-B and X-C of the Combined Sewer Overflow Separation Projects. Hayden Lindsey, Director of Public Works Motion and Second to Approve Resolution 2023-04; PUBLIC COMMENT; Vote of the Mayor and City Council. Resolution 2023-04 SPECS, Inc. X-B,C Design Contract Proposal COF Phase X-B 2023-02-13 Proposal COF Phase X-C 2023-02-13	114 - 124
11.6.	RESOLUTION 2023-05 Approve a Contract for with Bennett, Brewer, and Associates for the engineering and design of the Mechanic Street Downtown Parking Lot. Hayden Lindsey, Director of Public Works	125

Motion and Second to Approve Resolution 2023-05; PUBLIC COMMENT; Vote of the Mayor and City Council.

[Resolution 2023-05 BB&A Parking Lot Design](#)

- 11.7. **RESOLUTION 2023-06** Approve various Change Orders for 3 projects: CSO Separation Phase IX-C; Street Department Roof Replacement; Bulk Storage Tank at WTP Replacement. Hayden Lindsey, Director of Public Works 126

Motion and Second to Approve Resolution 2023-02; PUBLIC COMMENT; Vote of the Mayor and City Council.

[Resolution 2023-06 Change Orders PW Projects](#)

- 11.8. **RESOLUTION 2023-07** Authorize purchases for the Police Department to include Tasers and in-car ruggedized laptops and mounts. Nicholas Costello, Chief of Police 127

Motion and Second to Approve Resolution 2023-07; PUBLIC COMMENT; Vote of the Mayor and City Council.

[Resolution 2023-07 Police Purchase Taser and Laptop](#)

- 11.9. **RESOLUTION 2023-08** Authorize Frostburg Fire Department and allied agencies to use various residential acquired structures owned by the City for training purposes and further authorize the City Administrator to enter into Hold Harmless Agreements related to these properties. Elizabeth Stahlman, City Administrator. 128

Motion and Second to Approve Resolution 2023-08; PUBLIC COMMENT; Vote of the Mayor and City Council.

[Resolution 2023-08 Hold Harmless Agreements FFD](#)

- 11.10. **RESOLUTION 2023-09** Appoint members to the Planning Commission and Recreation Commission. Elizabeth Stahlman, City Administrator 129

Motion and Second to Approve Resolution 2023-09; PUBLIC COMMENT; Vote of the Mayor and City Council.

[Resolution 2023-09 Planning and Recreation Commission Appointment](#)

- 11.11. **RESOLUTION 2023-10** Adopt City policies pertaining to mileage reimbursement, per diem meal costs, and credit card issuance. Elizabeth Stahlman, City Administrator 130

Motion and Second to Approve Resolution 2023-10; PUBLIC COMMENT; Vote of the Mayor and City Council.

[Resolution 2023-10 Per Diem Mileage and Credit Card Policy](#)

- 11.12. **RESOLUTION 2023-11** Approve a new personnel position to address current staffing needs, a full-time position to work part-time as Permits Clerk and Code Enforcement Officer and part-time as an MEO in the Parks and Recreation Department. Elizabeth Stahlman, City Administrator 131

Motion and Second to Approve Resolution 2023-11; PUBLIC COMMENT; Vote of the Mayor and City Council.

[Resolution 2023-11 Parks and Code Enforcement Split Position](#)

12. REPORT OF THE FROSTBURG POLICE DEPARTMENT
Chief Nicholas Costello
13. OPEN PUBLIC COMMENT

14. ADJOURNMENT



MINUTES

Mayor and Council Meeting

Tuesday, December 20, 2022 - 7:00 PM
Frostburg Municipal Center Meeting Room - 37 Broadway

The Mayor and Council Meeting of the City of Frostburg was called to order on Tuesday, December 20, 2022, at 7:00 PM, at the Frostburg Municipal Center, 37 Broadway, with the following members present:

PRESENT: Adam Ritchey, Commissioner of Public Works
Donny Carter, Commissioner of Finance
Kevin Grove, Commissioner of Public Safety
Nina Forsythe, Commissioner of Water, Parks, and Recreation
W. Robert Flanigan, Mayor

EXCUSED:

Page

1 CALL TO ORDER

2 PLEDGE OF ALLEGIANCE

3 FROSTBURG BLESSING

4 ROLL CALL

5 APPROVAL OF THE AGENDA

Moved by Commissioner of Water, Parks and Recreation Nina Forsythe, seconded by Commissioner of Public Safety Kevin Grove.

6 APPROVAL OF THE MINUTES

a) Minutes from the November Council Meeting.

6 - 8

Moved by Commissioner of Public Works Adam Ritchey, seconded by Commissioner of Water, Parks, and Recreation Nina Forsythe

Motion and Second to Approve the Minutes for the November Council Meeting.

Carried

[Mayor and Council Meeting Minutes 11-17-22](#)

7 SPECIAL PRESENTATIONS AND REQUESTS

- a) Spirit of Frostburg Award Presentation to Dr. Kara Rogers-Thomas
- b) Certificate of Appreciation Presentation to Allegany County Tourism

- c) Certificate of Appreciation to Western Maryland Scenic Railroad for a successful 2022 PEx Operation
- d) Police Department Introductions
 - Officer Tyler Davis
 - Officer Joshua Delaney
 - Officer Wesley Miller
 - Cadet Avery Painter
 - Appointment of Police Dept. Chaplain - Pastor Kristin Beeman, Trinity Assembly of God Midlothian
- e) Police Department Awards/Recognition
 - Sergeant Matthew Beeman - Outstanding Leadership and Service, MPTC Instructor of the Year
 - Corporal Jordan Cook - Life Saver & Outstanding Service (Two Recognitions)
 - Sergeant Nathan Curry - Recognition for MADD DWI/DUI Enforcement Award
 - Corporal Brooke McCarty - Recognition for Cumberland Valley Optimist Club LE Award
 - Sergeant Christopher Mullaney - Outstanding Leadership and Service
 - PCO II Mary Gracie - PCO of the Year 2022
 - Benito Reyes - Outstanding Community Member of the Year 2022

8 MAYOR AND COMMISSIONERS REPORTS & ANNOUNCEMENTS

- a) Small Town Christmas with Megan Alexander in Frostburg on UPtv: Watch again on Thursday at 10:30 am on UPtv. Where to watch:
<https://uptv.com/episodes/frostburg-md/>

- b) Monthly Reports of the City Departments

Moved by Commissioner of Public Safety Kevin Grove, seconded by
Commissioner of Public Works Adam Ritchey

*Motion and Second to Approve Monthly Reports of the City Departments; Vote
of the Mayor and City Council.*

Carried

9 PUBLIC HEARINGS

- a) Combined Sewer Overflow Monthly Public Hearing

10 OLD BUSINESS

11 NEW BUSINESS

- a) **ORDINANCE 2022-08** Amending City Code Article II, Section II (The City of Frostburg Ethics Law)

Moved by Commissioner of Water, Parks, and Recreation Nina Forsythe, seconded by Commissioner of Public Safety Kevin Grove

Motion and Second to Approve the Ordinance on First Reading, and set the February 15, 2023 Council Meeting as an advertised Public Hearing; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

- b) **ORDINANCE 2022-09** Amending the City Code to Provide for the Adoption of Regulations Pertaining to Solicitors and Mobile Business Vehicles

Moved by Commissioner of Public Works Adam Ritchey, seconded by Commissioner of Water, Parks, and Recreation Nina Forsythe

Motion and Second to Approve the Ordinance on First Reading, and set the February 15, 2023 Council Meeting as an advertised Public Hearing; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

- c) **RESOLUTION 2022-55** Appoint member to the Board of Zoning Appeals. Elizabeth Stahlman, City Administrator

9

Moved by Commissioner of Public Safety Kevin Grove, seconded by Commissioner of Water, Parks, and Recreation Nina Forsythe

Motion and Second to Approve Resolution 2022-55; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

[Res. 2022-55 Member Planning Commission](#)

- d) **RESOLUTION 2022-56** Approve American Rescue Plan Act Projects/Programs. Nick Costello, Chief of Police and Elizabeth Stahlman, City Administrator 10
- Police Livescan Fingerprinting Hardware/Software
 - Disc Golf Course equipment for installation at Hoffman Park
 - Frostburg Fire Department - Ladder Truck Grant for \$500,000 subject to agreement between City and FFD

Moved by Commissioner of Public Safety Kevin Grove, seconded by Commissioner of Public Works Adam Ritchey

Motion and Second to Approve Resolution 2022-56; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

[Res. 2022-56 ARPA Funds-Projects](#)

- e) **RESOLUTION 2022-57** Approve 51 LED Light Kits for Street Lights from Tri-State Electric. 11

Moved by Commissioner of Public Safety Kevin Grove, seconded by Commissioner of Public Works Adam Ritchey

Motion and Second to Approve Resolution 2022-57; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

[Res. 2022-57 LED Light Kits for Street Lights](#)

- f) **RESOLUTION 2022-58** Authorize the Purchase of 34 W. Mechanic Street as part of a downtown Municipal Parking Lot project. Elizabeth Stahlman, City Administrator 12

Moved by Commissioner of Public Works Adam Ritchey, seconded by Commissioner of Water, Parks, and Recreation Nina Forsythe

Motion and Second to Approve Resolution 2022-58; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

[Res. 2022-58 W. Mechanic St. Parking Lot](#)

- g) **RESOLUTION 2022-59** Certify businesses to participate in the Enterprise Zone Program. Elizabeth Stahlman, City Administrator 13 - 14

Moved by Commissioner of Water, Parks, and Recreation Nina Forsythe,
seconded by Commissioner of Public Safety Kevin Grove

*Motion and Second to Approve Resolution 2022-59; PUBLIC COMMENT; Vote
of the Mayor and City Council.*

Carried

[Res. 2022-59 Enterprise Zone Certificate List](#)

- 12 **REPORT OF THE FROSTBURG POLICE DEPARTMENT**
Chief Nicholas Costello

- 13 **OPEN PUBLIC COMMENT**
Fire Department Chief Nick Green gave the Monthly Report.

- 14 **ADJOURNMENT**
There being no further business the meeting was adjourned at 8:00 pm

Mayor

City Administrator



MINUTES Mayor and Council Meeting

Thursday, November 17, 2022 - 7:00 PM
Frostburg Municipal Center Meeting Room - 37 Broadway

The Mayor and Council Meeting of the City of Frostburg was called to order on Thursday, November 17, 2022, at 7:00 PM, at the Frostburg Municipal Center, 37 Broadway, with the following members present:

PRESENT: Adam Ritchey, Commissioner of Public Works
Donny Carter, Commissioner of Finance
Kevin Grove, Commissioner of Public Safety
Nina Forsythe, Commissioner of Water, Parks, and Recreation
W. Robert Flanigan, Mayor

EXCUSED:

Page

1 CALL TO ORDER

2 PLEDGE OF ALLEGIANCE

3 FROSTBURG BLESSING

4 ROLL CALL

5 APPROVAL OF THE AGENDA

Moved by Commissioner of Water, Parks and Recreation Nina Forsythe, seconded by Commissioner of Public Safety Kevin Grove.

6 APPROVAL OF THE MINUTES

- a) Minutes from the October Council Meeting.

4 - 8

Moved by Commissioner of Finance Donny Carter, seconded by Commissioner of Public Works Adam Ritchey

Motion and Second to Approve the Minutes for the October Council Meeting.

Carried

Mayor and Council Meeting Minutes 10-20-22

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- b) Sealed Minutes and Summary of Closed Meeting on October 13, 2022

Moved by Commissioner of Public Works Adam Ritchey, seconded by
Commissioner of Finance Donny Carter

*Motion and Second to Approve Sealed Minutes and Summary of Closed
Meeting on October 13, 2022*

Carried

7 SPECIAL PRESENTATIONS AND REQUESTS

- a) Municipal Government Works Month Proclamation

Commissioner of Public Works Adam Ritchey presented Director of Public
Works, Hayden Lindsey with a Proclamation.

8 MAYOR AND COMMISSIONERS REPORTS & ANNOUNCEMENTS

- a) Monthly Reports of the City Departments

Moved by Commissioner of Public Safety Kevin Grove, seconded by
Commissioner of Water, Parks, and Recreation Nina Forsythe

*Motion and Second to Approve Monthly Reports of the City Departments; Vote
of the Mayor and City Council.*

Carried

9 PUBLIC HEARINGS

- a) **ORDINANCE 2022-07** Amending Ordinance 2019-07 to amend the definition
of "Project" used therein to include the acquisition and demolition of certain
residential rental properties and the design, engineering and construction of a
new public parking lot.
Ord. 2022-07 Amend Infrastructure Bond Ord.
- b) Combined Sewer Overflow Monthly Public Hearing

9 - 10

10 OLD BUSINESS

- a) **ORDINANCE 2022-07** Amending Ordinance 2019-07 to amend the definition of "Project" used therein to include the acquisition and demolition of certain residential rental properties and the design, engineering and construction of a new public parking lot. 11 - 12

Moved by Commissioner of Finance Donny Carter, seconded by
Commissioner of Public Works Adam Ritchey

*Motion and Second to Approve the Ordinance on Second Reading; Vote of the
Mayor and City Council.*

Carried

Ord. 2022-07 Amend Infrastructure Bond Ord.

11 NEW BUSINESS

- a) **RESOLUTION 2022-54** Authorize additional staff member as a "Retirement Coordinator" with the Maryland State Pension System 13

Moved by Commissioner of Finance Donny Carter, seconded by
Commissioner of Public Safety Kevin Grove

*Motion and Second to Approve Resolution 2022-54; PUBLIC COMMENT; Vote
of the Mayor and City Council.*

Carried

Res. 2022-54 Retirement Coordinator Designation

12 REPORT OF THE FROSTBURG POLICE DEPARTMENT
Chief Nicholas Costello

13 OPEN PUBLIC COMMENT

14 ADJOURNMENT

There being no further business the meeting was adjourned at 7:09 pm.



Mayor



City Administrator

RESOLUTION 2022-55

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND APPOINTING A MEMBER TO THE FROSTBURG PLANNING COMMISSION.

WHEREAS, the City of Frostburg has a number of Boards and Commissions established for specific purposes; and,

WHEREAS, certain vacancies and expired terms have been identified on the Frostburg Board of Zoning Appeals; and,

WHEREAS, staff have verified the interest of certain residents or, where appropriate, technical specialists, for appointment to these Boards and Commissions.

NOW, THEREFORE BE IT RESOLVED that the Frostburg Mayor & City Council do hereby approve reappointing Julia Williams to Board of Zoning Appeals for a 3 year term expiring December 20, 2025.

ADOPTED this 20th day of December, 2022.

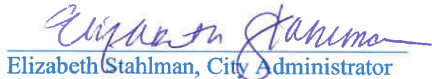
Frostburg Mayor and Council

BY



W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator

RESOLUTION 2022-56

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, APPROVING CERTAIN PROJECTS AND PROGRAMS TO BE IMPLEMENTED USING THE AMERICAN RESCUE PLAN ACT FUNDS.

WHEREAS, The City of Frostburg has been allocated \$8.379 M through the State and Local Coronavirus Relief Funds as part of the American Rescue Plan Act; and,

WHEREAS, The City is to spend these funds in accordance with the Final Rule and supplementary guidelines issued by the U.S. Treasury; and,

WHEREAS, the Council will review projects and approve staff to proceed with project or program implementation in order to obligate the entirety of the funds by December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Frostburg approves the use of American Rescue Plan Act funds for the following programs and projects:

- Police Livescan Fingerprinting Hardware/Software
- Disc Golf Course Equipment for installation at Hoffman Park
- Frostburg Fire Department Ladder Truck - \$500,000 (subject to agreement between City and FFD)

ADOPTED this 20th day of December, 2022.

Frostburg Mayor and Council

BY 
W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator

RESOLUTION 2022-57

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND AUTHORIZING THE PURCHASE OF LED LIGHT KITS FOR STREETS LIGHTS.

WHEREAS, The City of Frostburg's maintains many of the decorative street lights throughout the City; and,

WHEREAS, the City obtained grants over the last 10 or more years to convert the street lights to LED; and,

WHEREAS, the first generation lights that were installed have exceeded their useful life and are in needed of replacement.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and City Council of Frostburg, Maryland authorize the purchase of 51 HADCO LED Light Kits from Capital Electric, as a sole source purchase due to the brand name light kit required and the vendor is the local distributor for HADCO, in the amount of \$25,092.000

ADOPTED this 20th day of December, 2022.

Frostburg Mayor and Council

BY



W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator

RESOLUTION 2022-58

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FROSTBURG APPROVING THE PURCHASE OF A PROPERTY ON W. MECHANIC STREET FOR THE PURPOSE OF CONSTRUCTING A DOWNTOWN MUNICIPAL PARKING LOT.

WHEREAS, The City of Frostburg has identified the need to create downtown parking opportunities from resident and business owner feedback in addition to parking available for the employees working at the Frostburg Municipal Center and visitors to City Place; and,

WHEREAS, The opportunity to purchase 34 W. Mechanic Street was presented and the Mayor and Council were able to successfully negotiate a contract; and,


WHEREAS, this are in close proximity to 37 Broadway, downtown businesses, and City Place, and has been identified as an ideal spot for construction of a parking area.

NOW, THEREFORE BE IT RESOLVED that the Frostburg Mayor & City Council do hereby approve the purchase of 34 W. Mechanic in the amount of \$115,000 and to authorize the Mayor or City Administrator to sign all related documents.

ADOPTED this 20th day of December, 2022.

Frostburg Mayor and Council

BY



W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator

RESOLUTION 2022-59

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, CERTIFYING PROPERTIES ELIGIBLE FOR PROPERTY TAX AND INCOME TAX CREDITS UNDER THE STATE OF MARYLAND'S ENTERPRISE ZONE PROGRAM.

WHEREAS, The Secretary of the Maryland Department of Business and Economic Development has approved an application by the City of Frostburg for re-designation of the Frostburg Enterprise Zone as of December 15, 2014 for a ten-year term expiring December 14, 2024; and

WHEREAS, A business entity meeting the requirements of Property Tax Article 9-103 of the Annotated Code of Maryland may benefit from property tax credits if the entity undertakes capital improvements to its property in the Frostburg Enterprise Zone; and a business entity meeting the requirements of General Tax Article 10-702 of the Annotated Code of Maryland may benefit from income tax credits if the entity hires employees for new positions at a property located in the Frostburg Enterprise Zone when the governing body of the City of Frostburg identifies eligible business entities and properties based on staff determination that the business entities have requested certification and are qualified to receive such property tax or income tax credits; and

WHEREAS, The City wishes to take action by resolution at its December 2022 public meeting to identify and certify eligibility of Frostburg Enterprise Zone properties or firms for both property and income tax credits to Allegany County and the State by the end of calendar year 2022.

NOW, THEREFORE BE IT RESOLVED THAT, the Frostburg Mayor and Council do hereby certify to Allegany County and the State of Maryland that the attached list of property owners or operating businesses are a) located in the Frostburg Enterprise Zone; b) have met all local Enterprise Zone standards; and c) have either completed - or have indicated a firm commitment to the City to complete – a) a capital investment or b) the hiring of new employees as would trigger a tax credit benefit under the Annotated Code of Maryland, Section 9-103 for Part 1, Property Tax Credits, or Section 10-702 for Part 2, Income Tax Credits.

ADOPTED this 20th day of December, 2022.

Frostburg Mayor and Council

BY


W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator

Frostburg Enterprise Zone Certification List
Calendar Year 2022

Property Account #	Street Address	Property Owner	Current Operating Company(s)	Certification Date	Located In Focus Area	Capital Credit Eligible	New Jobs Credit Eligible
1	112008643 227 E. Main St.	ADK Enterprises	Frostburg Rental & Sales	2014	No	Y	N
2	111003192 104 E. Main	BHB Enterprises LLC	Shogun Hibachi	2014	No	Y	Y
3	124011771 1 Science Park	Allegany Co. (Bs. Pk.)	Hamilton Relay	2014	No	Y	Y
4	126004322 22 Water Street	Sky Vapors LLC	The Vapor Room	2014	No	Y	Y
5	126002327 131 Bowery Street	Spencer William P-Marianne D	Bills Grub Hub	2015	No	N	Y
6	126004330 2 W. Main Street	Jenkins Bros Realty, LLC	The Law Offices of Jayci Duncan	2016	No	N	Y
7	128003873 16 Maple Street	Evergreen Associates, LLC	Mountain City Center for the Arts, LLC	2016	No	N	Y
8	124104514 10800 Laurel Hill Drive	Five 5 Ninety LLC	Journey Pet Services LLC	2017	No	Y	Y
9	124011631 10 Hampton Inn Drive	Marlin Stanczyk	Marlin Stanczyk	2017	No	N	Y
10	126002621 15 Broadway	Clatter LLC (Jon & Lesley Felton)	Clatter, LLC	2017	No	Y	Y
11	128004621 37 E. Main Street	James and Alice Senka	Pet Wants Mountain Maryland	2017	No	N	Y
12	124000826 11046 New Georges Creek Road	Stacey & Kevin Wamick	School Therapy Services, Inc.	2017	No	Y	Y
13	112005725 297-307 E. Main Street	NCR Properties LLC	Valero and Rikki Ann's Family Hair Care	2018	No	Y	Y
14	126004292 114 W. Main Street	Evergreen Associates	Shoe's Diesel Performance, LLC	2018	No	Y	Y
15	111000479 19 Depot Street	Allegany Co. (Depot)	West. MD Adventures, LLC, Go Out & Play	2018	No	N	Y
16	128004176 4-6 Broadway	Mountain City Investments, LLC	Carter and Roque	2019	No	Y	Y
17	128006713 115 E. Main	Guthrie Real Estate LLC	LG's Pizzeria & Subs	2019	No	Y	Y
18	128003994 27 E. Main Street	Jason and Teresa Shook	J & S Pawn Shop	2019	No	Y	Y
19	124010317 10701 New Georges Creek Rd	Penmark Frostburg Holdings LLC (Frostburg Plaza)	Frostburg Plaza businesses, Dollar Tree	2020	No	Y	Y
20	111004350 9 W. Main Street	Hotel Gunter 2018 LLC, Donny and Kristian Carter	Hotel Gunter and Toasted Goat Winery	2020	No	Y	Y
21	124010325 101 Frostburg Industrial Park	John A. Smith	Smitty's Tire	2020	No	Y	Y
22	124010937 11020 New Georges Creek Rd	Julie Christopher	Bedford Road Pharmacy, Inc., Pharmcare	2021	No	Y	Y
23	126009049 14 W. Main Street	14 West Main, LLC	The Deep End	2021	No	Y	Y
24	124104626 1 Quantum Circle	Allegany County Commissioners/Berkley Springs Instruments	Berkley Springs Instruments	2022	No	Y	Y
25	124000818 11201 Hoffman Hollow Road	Calumet Enterprises LLC	Calumet Enterprises LLC	2022	No	Y	Y
26	124010317 10701 New Georges Creek Rd	Penmark Frostburg Holdings LLC (Frostburg Plaza)	Goodwill Industries	2022	No	Y	Y
27	124010317 10701 New Georges Creek Rd	Penmark Frostburg Holdings LLC (Frostburg Plaza)	Big Lots	2022	No	Y	Y
28	124004694 351 E Main Street	Allegany Coal and Land Co.	Somerset Trust Company	2022	No	Y	Y
29	124104298 6 Hampton Inn Drive	KB Fast Foods LLC	KB Fast Foods LLC (Burger King)	2022	No	Y	Y



MINUTES

Mayor and Council Work Session Meeting

Thursday, January 5, 2023 - 3:00 PM

Frostburg Municipal Center Meeting Room - 37 Broadway

The Mayor and Council Work Session Meeting of the City of Frostburg was called to order on Thursday, January 5, 2023, at 3:00 PM, at the Frostburg Municipal Center, 37 Broadway, with the following members present:

PRESENT:

EXCUSED:

Page

1. CALL TO ORDER

2. ROLL CALL

3. ACTION ITEMS

- 3.1. **RESOLUTION 2023-01** Approve timber harvest at the Piney Reservoir Watershed and Award Contract to high bidder, Sisler Lumber. Hayden Lindsey, Director of Public Works

3

Motion by Commissioner of Water, Parks and Recreation Nina Forsythe and Second by Commissioner of Public Safety Kevin Grove to Approve Resolution 2023-01; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

[Res. 2023-01 Timber Harvest Bid](#)

4. DISCUSSION ITEMS

- 4.1. Combined Sewer Overflow Separation Projects: Progress overview, funding update, planning discussion.
- 4.2. General Discussion: Mayor and Council

5. ADJOURNMENT

There being no further business the meeting was adjourned at 3:40 pm

REMINDERS

1. NO Regular Work Session or Council Meeting in January. Next meeting: Work Session 2/9/23

Mayor and Council Work Session
January 5, 2023

CAO

Mayor

RESOLUTION 2023-01

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, APPROVING THE AWARD OF TIMBER HARVEST BID

WHEREAS, the City of Frostburg manages the timber assets of the Piney Watershed through a Forest Management Plan prepared by the Forest Service of the Maryland Department of Natural Resources; and

WHEREAS, the Forest Management Plan has the stated objectives to maintain or improve the watershed as a source of high quality water, promote the health of the forest while supplying a sustained yield of high quality timber products as a source of income to the City, develop and improve wildlife habitat and promote recreational and educational use of the land as a means to better appreciate and understand the environment; and

WHEREAS, a Timber Harvest Bid for 2 tracts totaling 97 acres of regeneration harvest was advertised during the fall of 2022 and 4 firms submitted bids at a bid opening held on December 20, 2022.

NOW, THEREFORE, be it resolved that the Council of the City of Frostburg hereby approves the award of a Timber Harvest Contract of Tract #1 and Tract #2 to high bidder, Sisler Lumber Company, Inc. of New Creek, WV in the amount of \$221,000.00

ADOPTED this 5th day of January, 2023.

Frostburg Mayor and Council

BY



W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator

SUMMARY OF CLOSED SESSION HELD ON DECEMBER 8, 2022

1. Statement of the time, place, and purpose of the closed session:

Time of closed session: 3:36 pm

Place (location) of closed session: 37 Broadway, Frostburg Municipal Center, Meeting Room 100

Purpose of the closed session: To consider the acquisition of real estate

2. Record of the vote of each member as to closing the session:

Names of members voting aye: Flanigan, Grove, Ritchey, Carter (Forsythe absent)

Members opposed: None Abstaining: None

3. Statutory authority to close session:

This meeting was closed under the following provisions of General Provisions Art. § 3-305(b):

→ **Topic #1:** § 3-305(b) (3) → **Topic #2:** § 3-305(b) () → **Topic #3:** § 3-305(b) ()
(add others as needed)

4. Listing of each topic actually discussed, persons present, and each action taken in the session:

Topic description	Persons present for discussion	Action Taken/Each Recorded Vote
#1: Real estate offer	Mayor Flanigan, Commissioner Carter, Commissioner Grove, Commissioner Ritchey Staff: E. Stahlman Varis Ransi and Gary Bennett	Negotiated purchase price for consideration at upcoming council meeting.
#2:		
#3:		

MINUTES CLOSED SESSION HELD ON FEBRUARY 9, 2023

1. *Statement of the time, place, and purpose of the closed session:*

Time of closed session: 4:52 pm

Place (location) of closed session: 37 Broadway, Frostburg Municipal Center, Meeting Room 100

Purpose of the closed session: To discuss specific employees and their compensation and to consider the acquisition of real estate

2. *Record of the vote of each member as to closing the session:*

Names of members voting aye: Flanigan, Grove, Ritchey, Carter, Forsythe

Members opposed: None Abstaining: None

3. *Statutory authority to close session:*

This meeting was closed under the following provisions of General Provisions Art. § 3-305(b):

→ **Topic #1:** § 3-305(b) (3) → **Topic #2:** § 3-305(b) (1) → **Topic #3:** § 3-305(b) ()
(add others as needed)

4. *Listing of each topic actually discussed, persons present, and each action taken in the session:*

Topic description	Persons present for discussion	Action Taken/Each Recorded Vote
#1: Real Estate Offer	Mayor Flanigan, Commissioner Carter, Commissioner Grove, Commissioner Ritchey, Commissioner Forsythe Staff: E. Stahlman, B. Fife	Property 1: Chose no action after reviewing. Property 2: Consensus to make an offer.
#2: Personnel	Mayor Flanigan, Commissioner Carter, Commissioner Grove, Commissioner Ritchey, Commissioner Forsythe Staff: E. Stahlman	Employee 1 & 2: Salary increase, permanent position status.
#3:		

City of Frostburg
Monthly Reports



For the month of January 2023
Reports from the Departments of:

Community Development
Finance
Parks and Recreation
Police
Street
Water

CITY OF FROSTBURG

Monthly Report: Community Development Department

For the Month of: January 2023

Submitted by: Bethany Fife, Planner / Interim Community Development Director; Taylor Richards, Rental Housing Program Coordinator; Jay Hovatter, Permits Clerk/Code Enforcement Officer

Permits

Please see attached permit report.

Rental Housing

- Rental Licenses have been processed for the first month of the year. Some property owners will continue submitting their materials at the increased rate through the month of February.
- Owner agent forms were sent to those who needed to make updates.
- Inspections continue as we finalize catching up from the Governor's hold on inspections during the pandemic.
- Welcome packets were sent out to new and potential rental property owners
- Phone meetings were conducted for new rental property owners to go over the RH program.
- Owner and Agent list was provided to citizens who requested assistance with housing in Frostburg.
- Combined effort with Code Enforcement was made for non-compliant properties.
- Confirmation of zero outstanding issues was given by RH and CE for per our Finance Department's request for property transfers.
- Updates have been made to all systems reflecting property transfers and changes. Pending changes will be updated upon confirmation from Finance.
- Updates have been made to reflect new Owner's Agents information
- Rental Housing Coordinator attended the HRDC Board of Director's meeting for the month of January.

Code Enforcement

- Detailed code enforcement action reports are attached. Please note that the Phone Call/Emails in the Activity Report reflect calls and emails from complainants, property owners, and/or tenants related to code enforcement matters.

Boards and Commissions

- *Historic District Commission* – The Historic District Commission did not meet in January due to no applications received.
- *Planning Commission* – The Frostburg Planning Commission met on January 11 to consider a proposed text amendment to permit restaurant uses in the T-LI zoning district. The Commissioners voted to forward the text amendment to the City Attorney and subsequently to the Mayor and Council for adoption.
- *Board of Zoning Appeals* – The Board of Zoning Appeals held a public hearing on January 4 to consider a request for a Variance and Special Exception process in relation to the expansion of an existing family childcare home. The applicant requested to increase their occupancy from 8 children to 12 children, increase the square footage of their home that was permitted to be used for home occupation use, and requested a Special Exception to permit a small-scale private pre-school in the home. The Variance and Special Exception were both granted unanimously.

Director's Report:

Meetings, Webinars, Conferences, and Trainings Attended:

- January 4: BOZA hearing
- January 5: MHT Historic Preservation Capital Grant Workshop
- January 7: Big Lots ribbon cutting ceremony
- January 11: Planning Commission
- January 12: Mechanic Street Parking Lot design meeting with BBA
- January 24: Webinar – Creating a Sourcing Project in eMMA (E-Maryland Marketplace)
- January 25: FrostburgFirst Promotions Committee meeting
- January 25: Webinar – Preparing a Solicitation in eMMA
- January 31: Green Team meeting

Planning & Economic Development:

Sustainable Communities redesignation is complete and under review by the DHCD review team. This 5-year designation creates an Action Plan for sustainable initiatives to help Frostburg become a more livable community, and also allows the City to be eligible for several grant programs through the Maryland Department of Housing and Community Development (DHCD).

Ongoing Subdivision development occurring at Prichard Farms and Sand Spring Run Phase 1 as well as Phase 2.

Ongoing development in the Industrial Park: The 58,000 SF addition to Sierra Hygiene is nearing completion. Final plans for Smitty's fuel stop are on hold. We worked in conjunction with Allegany County to determine potential needs for stop lighting and intersection improvements at Rte. 36 and Village Parkway. An updated traffic study for a signal light warrant has been completed by Bennett, Brewer and Associates and no current warrants for signal lighting have been satisfied.

Collaboration underway with Allegany Arts Council, Allegany County Tourism, and Frostburg First to improve the Depot Gateway to the Business District. Application for funds made to DHCD, and Frostburg First is applying MSAC funds. Improvements currently based on public art projects including stenciling the sidewalk up to the business district with a timeline of Frostburg's history, improving way finding signage toward the business district, updating the "phone booth" adjacent to the turntable, and muralizing the wall below the Shogun rear deck area. Future plans include determining the best route to improve the rear deck area and building façade at the Shogun location.

On the Radar:

- Subdivision and Land Use Regulations rewrite/update
- Comprehensive Plan & Housing Element – RFP being prepared related to a full rewrite of the 10-year Comprehensive Plan, a document required by state law.
- FY24 department budgeting



Case Activity Report

01/01/2023 - 01/31/2023

Completed Date	Compliance Deadline	Parcel Address	Description	Activity Type	Main Status
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Group: Inspection

1/6/2023	10/14/2022	34 MAPLE ST	Untagged BMW	Inspection	Resolved
1/6/2023	12/23/2022	150 MAPLE ST	Untagged vehicle	Inspection	Resolved

Group Total: 2

Group: Issue Citation

1/5/2023	9/28/2022 (court); 10/08/2022 (fine)	40 MCCULLOH ST	High Grass	Issue Citation	Monitoring

Group Total: 1

Group: Re-Inspection

1/9/2023	12/09/2022	164-166 MAPLE ST	Damaged canopies and trash in back yard	Re-Inspection	Second Warning
1/9/2023	12/28/2022	187 GLEN ST	Untagged vehicle	Re-Inspection	Resolved
1/6/2023	12/28/2022	142 MAPLE ST	Untagged Nissan Titan	Re-Inspection	Resolved

Group Total: 3

Group: Send Letter

1/9/2023		26 W COLLEGE AVE	Trash storage	Send Letter	Verbal/Courtesy Warning

Group Total: 1

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Total Records: 7

2/3/2023

Page: 1 of 1



Case Detail Report

01/01/2023 - 01/31/2023

Case Date	Compliance Deadline	Parcel Address	Description	Main Status
1/23/2023		106 Broadway	Tree down	Problem Tree
1/11/2023		26 W COLLEGE AVE	Trash storage	Verbal/Courtesy Warning
1/9/2023	01/19/2023	75 LOCUST ST	Furniture on front porch	First Warning
1/9/2023	ASAP	60 ORMAND ST	Snapped off Tree	Resolved

Total Records: 4

2/3/2023



Permit Report

01/01/2023 - 01/31/2023

Permit Type	Permit Sub Type	Parcel Address	Description	Main Status
Use & Occupancy		225 Redstone Terrace	Residential Use & Occupancy	Closed
Sign		18 E MAIN ST, STE. 1	Installation of Projecting Sign up to 30"x23"	Pending
Certificate of Appropriateness		18 E MAIN ST, STE. 1	Installation of Projecting Sign up to 30"x23"	Closed
Burning		206 WELSH HILL ROAD		Closed
Building	Accessory Structure	248 TALCOTT AVE	Fence Permit	Open
Building	Solar	11201 HOFFMAN HOLLOW ROAD SW	Rooftop solar system on existing building	Pending
Building	Accessory Structure	26 BRADDOCK ROAD	12x28 Accessory Structure	Open
Use & Occupancy		121 MCCULLOH ST	Use and Occupancy Permit-Family Childcare for up to 12 children - see BOZA Case #2616	Pending
Building	Accessory Structure	102 TEABERRY LANE	Accessory Storage Shed	Open
Burning		104 SUMMIT PL	Burning Brush	Closed

Permit Type	Permit Sub Type	Parcel Address	Description	Main Status
Use & Occupancy		95 Candlewick Court	Residential Use & Occupancy	Closed
Use & Occupancy		225 Redstone Terrace	Residential Use and Occupancy	Abandoned Project

Total Records: 12

2/3/2023

2023

Assets		
01-000-1000	CASH	51,199.28
01-000-1001	OPERATING CASH - POLICE DEPT	100.00
01-000-1003	OPERATING CASH - TAX CLERK	200.00
01-000-1004	CASH - CORPORATE (STC)	12,448,249.32
01-000-1006	RESTRICTED CASH CD - PLAYGROUND FUN	25,714.05
01-000-1007	RESTRICTED CASH CD - SANDSPRING	10,762.20
01-000-1010	CASH - PAYROLL	0.01
01-000-1050	INVESTMENTS - CDS	100,838.44
01-000-1100	ACCOUNTS RECEIVABLE	200,422.00
01-000-1101	ACCTS REC - POLICE TICKETS/CIT	13,700.00
01-000-1140	TAXES RECEIVABLE - REAL ESTATE	335,404.10
01-000-1141	TAXES RECEIVABLE - PERSONAL PROPERTY	1,452.65
01-000-1143	TAXES RECEIVABLE - CORPORATION	75,484.12
01-000-1200	PREPAID EXPENSE	11,432.65
01-000-1220	LEASE RECEIVABLE	897,720.51
01-000-1230	ACCRUED INTEREST RECEIVABLE	5,156.38
01-000-1250	RECEIVABLE FROM BOND ISSUANCE	214,412.00
01-000-1500	FIXED ASSETS	22,836,364.46
01-000-1504	WIP - CHILDCARE CENTER	55,896.18
01-000-1506	WIP - GATEWAY IMPROVEMENT	639,358.80
01-000-1507	WORK IN PROCESS - MISC PROJECTS	4,570.00
01-000-1570	RIGHT OF USE ASSETS	347,705.27
01-000-1580	INTANGIBLE ASSETS	206,323.69
01-000-1600	RESERVE FOR DEPRECIATION	8,847,792.65-
01-000-1605	ACCUMULATED DEPRECIATION-ROU	76,370.50-
01-000-1650	RESERVE FOR AMORTIZATION	72,213.26-
01-000-1900	DEFERRED FINANCING OUTFLOW	491,788.00
01-000-1910	DEFERRED FINANCING OUTFLOW - OPEB	55,710.00
	Total Assets	30,033,587.70
Liabilities & Fund Balance		
01-000-2000	ACCOUNTS PAYABLE	37,991.21
01-000-2005	CUSTOMER REFUND	23.02
01-000-2220	LEASE LIABILITY	268,638.03
01-000-2250	UNEARNED REVENUE	124,217.85
01-000-2251	UNEARNED REV - PLAYGROUND	25,714.05
01-000-2252	PERFORMANCE BOND LIABILITY	10,762.20
01-000-2253	UNEARNED REVENUE - ARPA	6,433,298.76
01-000-2450	DEFERRED FINANCING INFLOW	549,178.00
01-000-2451	DEFERRED FINANCING INFLOW - OPEB	27,552.00
01-000-2452	DEFERRED FINANCING INFLOW-LEASES	899,276.17
01-000-2700	COMPENSATED ABSENCES	338,094.45
01-000-2855	OPEB OBLIGATION	413,706.00
01-000-2860	NET PENSION LIABILITY	989,941.00
01-000-2901	BONDS PAYABLE	2,450,000.00
01-000-2905	BOND PREMIUM	267,946.52
	Total Liabilities	12,836,339.26
01-000-3000	INVESTED IN FIXED ASSETS	12,295,052.16
01-000-3200	FUND BALANCE	4,397,759.85
	Total	16,692,812.01

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City of Frostburg
CORPORATE FUND
BALANCE SHEET
AS OF: 01/31/23

Page No: 2

2023

Revenue	5,279,241.17
Less Expenses	<u>4,774,804.74</u>
Net	<u>504,436.43</u>
Total Fund Balance	<u>17,197,248.44</u>
Total Liabilities & Fund Balance	<u><u>30,033,587.70</u></u>

2023

Assets		
02-000-1000	CASH	549,871.52
02-000-1030	RESTRICTED CASH - WATERSHED IMPROVE	55,238.82
02-000-1100	ACCOUNTS RECEIVABLE	6,062.20
02-000-1102	WATER ACCOUNTS RECEIVABLE	103,998.40
02-000-1140	INTEREST RECEIVABLE - WATER	3,090.16
02-000-1500	FIXED ASSETS	3,714,113.49
02-000-1520	WORK IN PROGRESS	121,963.63
02-000-1570	RIGHT OF USE ASSETS	93,804.85
02-000-1600	RESERVE FOR DEPRECIATION	2,940,771.04-
02-000-1605	ACCUMULATED DEPRECIATION-ROU	14,756.70-
02-000-1900	DEFERRED FINANCING OUTFLOW	79,017.00
02-000-1910	DEFERRED FINANCING OUTFLOW - OPEB	10,836.00
	Total Assets	<u>1,782,468.33</u>
Liabilities & Fund Balance		
02-000-2000	ACCOUNTS PAYABLE	5,171.42
02-000-2220	LEASE LIABILITY	80,240.45
02-000-2450	DEFERRED FINANCING INFLOW	88,409.00
02-000-2451	DEFERRED FINANCING INFLOW - OPEB	5,359.00
02-000-2700	COMPENSATED ABSENCES	100,650.11
02-000-2855	OPEB OBLIGATION	80,467.00
02-000-2860	NET PENSION LIABILITY	<u>159,363.00</u>
	Total Liabilities	519,659.98
02-000-3000	INVESTED IN FIXED ASSETS	793,202.65
02-000-3250	FUND BALANCE	<u>400,246.92</u>
	Total	1,193,449.57
	Revenue	968,141.10
	Less Expenses	<u>898,782.32</u>
	Net	<u>69,358.78</u>
	Total Fund Balance	<u>1,262,808.35</u>
	Total Liabilities & Fund Balance	<u>1,782,468.33</u>

2023

Assets		
03-000-1000	CASH	1,401,168.33
03-000-1040	BAY RESTORATION FUND CASH	24,378.70
03-000-1041	CSO CASH	109,037.45
03-000-1100	ACCOUNTS RECEIVABLE	207,036.98
03-000-1103	SEWER ACCOUNTS RECEIVABLE	191,820.13
03-000-1120	BAY RESTORATION FUND RECEIVABLE	24,370.62
03-000-1121	CSO SURCHARGE RECEIVABLE	44,275.10
03-000-1141	INTEREST REC - CSO SURCHARGE	2,118.27
03-000-1142	INTEREST RECEIVABLE - SEWER	5,283.38
03-000-1500	FIXED ASSETS	23,729,545.22
03-000-1529	WIP - CENTENNIAL PUMP STATION	363,757.55
03-000-1536	WIP - PHASE IX-B	2,124,520.21
03-000-1537	WIP - PHASE IX-C	677,307.52
03-000-1538	WIP - PHASE X-A	35,326.50
03-000-1600	RESERVE FOR DEPRECIATION	8,566,086.70-
03-000-1900	DEFERRED FINANCING OUTFLOW	62,951.00
03-000-1910	DEFERRED FINANCING OUTFLOW - OPEB	7,734.00
	Total Assets	<u>20,444,544.26</u>
Liabilities & Fund Balance		
03-000-2000	ACCOUNTS PAYABLE	5,542.90
03-000-2030	BAY RESTORATION FUND PAYABLE	11,753.94
03-000-2450	DEFERRED FINANCING INFLOW	70,427.00
03-000-2451	DEFERRED FINANCING INFLOW - OPEB	3,825.00
03-000-2700	COMPENSATED ABSENCES	73,135.09
03-000-2855	OPEB OBLIGATION	57,435.00
03-000-2860	NET PENSION LIABILITY	126,950.00
03-000-2900	NOTES PAYABLE	239,827.15
	Total Liabilities	<u>588,896.08</u>
03-000-3000	INVESTED IN FIXED ASSETS	17,126,340.66
03-000-3200	FUND BALANCE	1,522,207.59
	Total	<u>18,648,548.25</u>
	Revenue	2,046,494.61
	Less Expenses	839,394.68
	Net	<u>1,207,099.93</u>
	Total Fund Balance	<u>19,855,648.18</u>
	Total Liabilities & Fund Balance	<u>20,444,544.26</u>

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City of Frostburg
PINEY SURCHARGE FUND
BALANCE SHEET
AS OF: 01/31/23

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2023

Assets		
04-000-1000	CASH	1,057,537.73
04-000-1130	SURCHARGE INTEREST RECEIVABLE	3,324.11
04-000-1131	WATER SURCHARGE RECEIVABLE	73,412.79
04-000-1500	FIXED ASSETS	28,443,962.14
04-000-1540	LAND	164,021.96
04-000-1600	RESERVE FOR DEPRECIATION	18,630,774.27
	Total Assets	<u>11,111,484.46</u>
Liabilities & Fund Balance		
04-000-2005	CUSTOMER REFUND	372.52
04-000-2250	UNEARNED REVENUE	3,981.97
04-000-2900	NOTES PAYABLE	<u>3,617,274.03</u>
	Total Liabilities	3,621,628.52
04-000-3000	INVESTED IN FIXED ASSETS	6,333,272.24
04-000-3250	FUND BALANCE	<u>373,425.81</u>
	Total	6,706,698.05
	Revenue	835,291.00
	Less Expenses	<u>52,133.11</u>
	Net	<u>783,157.89</u>
	Total Fund Balance	<u>7,489,855.94</u>
	Total Liabilities & Fund Balance	<u>11,111,484.46</u>

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City of Frostburg
GARBAGE FUND
BALANCE SHEET
AS OF: 01/31/23

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2023

Assets		
05-000-1000	CASH	141,540.22
05-000-1135	TRASH & GARBAGE RECEIVABLE	52,214.95
05-000-1140	INTEREST RECEIVABLE - TRASH	3,278.95
05-000-1500	FIXED ASSETS	406,937.03
05-000-1600	RESERVE FOR DEPRECIATION	288,294.70-
05-000-1900	DEFERRED FINANCING OUTFLOW	36,810.00
05-000-1910	DEFERRED FINANCING OUTFLOW - OPEB	4,641.00
	Total Assets	<u>357,127.45</u>
Liabilities & Fund Balance		
05-000-2000	ACCOUNTS PAYABLE	2,979.14
05-000-2450	DEFERRED FINANCING INFLOW	41,207.00
05-000-2451	DEFERRED FINANCING INFLOW - OPEB	2,295.00
05-000-2700	COMPENSATED ABSENCES	39,968.82
05-000-2855	OPEB OBLIGATION	34,461.00
05-000-2860	NET PENSION LIABILITY	74,280.00
	Total Liabilities	<u>195,190.96</u>
05-000-3000	INVESTED IN FIXED ASSETS	118,642.33
05-000-3200	FUND BALANCE	7,237.84
	Total	<u>125,880.17</u>
	Revenue	460,838.82
	Less Expenses	<u>424,782.50</u>
	Net	<u>36,056.32</u>
	Total Fund Balance	<u>161,936.49</u>
	Total Liabilities & Fund Balance	<u>357,127.45</u>

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City of Frostburg
COMM DEVELOPMENT SPECIAL PROJECTS FUND
BALANCE SHEET
AS OF: 01/31/23

Page No: 7

2023

Assets		
07-000-1000	CASH	<u>56,790.83</u>
	Total Assets	<u><u>56,790.83</u></u>
Liabilities & Fund Balance		
	Total Liabilities	<u>0.00</u>
07-000-3200	FUND BALANCE	<u>56,742.36</u>
	Total	<u>56,742.36</u>
	Revenue	48.47
	Less Expenses	<u>0.00</u>
	Net	<u>48.47</u>
	Total Fund Balance	<u>56,790.83</u>
	Total Liabilities & Fund Balance	<u><u>56,790.83</u></u>

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City of Frostburg
OPIOID SETTLEMENT FUND
BALANCE SHEET
AS OF: 01/31/23

Page No: 8

2023

Assets		
08-000-1000	CASH	<u>7,783.08</u>
	Total Assets	<u><u>7,783.08</u></u>
Liabilities & Fund Balance		
	Total Liabilities	<u>0.00</u>
	Revenue	7,783.08
	Less Expenses	<u>0.00</u>
	Net	<u>7,783.08</u>
	Total Fund Balance	<u>7,783.08</u>
	Total Liabilities & Fund Balance	<u><u>7,783.08</u></u>

CITY OF FROSTBURG
MONTHLY REPORT - TAXES
FOR THE MONTH ENDING JANUARY 31, 2023

Tax Type - Year	Principal Receivable at 12/31/22	Billings	Receipts Principal	Interest	Abatements/ Adjustments	Principal Receivable at 01/31/23
Real Estate - 17/18	\$ 227.70	\$ -	\$ -	\$ -	\$ -	\$ 227.70
Real Estate - 18/19	230.34	-	-	-	-	230.34
Real Estate - 19/20	566.30	-	117.85	-	-	448.45
Real Estate - 20/21	21,344.65	-	2,295.46	1,067.33	-	19,049.19
Real Estate - 21/22	67,335.03	-	1,550.76	637.57	-	65,784.27
Real Estate - 22/23	279,988.86	-	30,324.71	2,579.20	-	249,664.15
Real Estate Total	<u>\$ 369,692.88</u>	<u>\$ -</u>	<u>\$ 34,288.78</u>	<u>\$ 4,284.10</u>	<u>\$ -</u>	<u>\$ 335,404.10</u>
Personal Prop - 20/21	\$ 293.45	\$ -	\$ -	\$ -	\$ -	\$ 293.45
Personal Prop - 21/22	388.50	-	-	-	-	388.50
Personal Prop - 22/23	770.70	-	-	-	-	770.70
Personal Property	<u>\$ 1,452.65</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,452.65</u>
Public Utility - 22/23	<u>\$ 69.60</u>	<u>\$ -</u>	<u>\$ 69.60</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Corporation - 19/20	\$ 40.36	\$ -	\$ -	\$ -	\$ -	\$ 40.36
Corporation - 20/21	2,246.32	-	-	-	-	2,246.32
Corporation - 21/22	21,491.66	-	412.59	92.26	-	21,079.07
Corporation - 22/23	53,353.17	4,743.75	5,996.55	35.20	18.00	52,118.37
Corporation Total	<u>\$ 77,131.51</u>	<u>\$ 4,743.75</u>	<u>\$ 6,409.14</u>	<u>\$ 127.46</u>	<u>\$ 18.00</u>	<u>\$ 75,484.12</u>
Total	<u>\$ 448,346.64</u>	<u>\$ 4,743.75</u>	<u>\$ 40,767.52</u>	<u>\$ 4,411.56</u>	<u>\$ 18.00</u>	<u>\$ 412,340.87</u>

CITY OF FROSTBURG
JANUARY 2023 BUDGET REPORT

Account Id	Account Description	Budget	Jan 2023 Rev/Expd	YTD Rev/Expd	% of Budget
01-000-4000	TAXES-REAL ESTATE	2,557,000	-	2,602,958.90	101.8
01-000-4001	PERSONAL PROPERTY TAXES	12,000	-	8,431.80	70.3
01-000-4002	PUBLIC UTILITY TAXES	190,000	-	93,261.60	49.1
01-000-4003	CORPORATION TAXES	130,000	4,743.75	124,366.73	95.7
01-000-4004	PRIOR YEAR TAXES	2,000	-	(227.31)	(11.4)
01-000-4005	TRAILER TAX	1,600	140.00	840.00	52.5
01-000-4010	INTEREST ON TAXES	50,000	4,411.56	22,049.88	44.1
01-000-4011	TAX CREDITS	(2,000)	-	(2,277.10)	-
01-000-4012	TAX ABATEMENTS	(3,000)	-	(1,121.99)	-
01-000-4013	ENTERPRISE ZONE CREDIT REIMBURS	1,000	-	-	-
01-000-4020	MARYLAND INCOME TAXES	575,000	22,078.70	267,437.36	46.5
01-000-4021	ADMISSION TAXES	20,000	-	15,407.51	77.0
01-000-4022	HOTEL MOTEL TAX	130,000	14,584.14	86,028.36	66.2
01-000-4023	HIGHWAY USE TAX	343,700	68,524.27	106,683.61	31.0
01-000-4024	COAL TAX	2,500	-	-	-
01-000-4025	HOUSING AUTHORITY	12,000	-	-	-
01-000-4027	PAYMENT IN LIEU OF TAXES	3,900	-	-	-
01-000-4031	LIQUOR LICENSES	10,000	-	389.50	3.9
01-000-4032	TRADERS LICENSES	10,000	16.83	2,172.86	21.7
01-000-4040	POLICE GRANTS	40,200	759.72	13,833.58	34.4
01-000-4041	PARKING METERS	18,000	2,337.24	10,452.59	58.1
01-000-4043	POLICE PROTECTION GRANTS	135,000	-	73,918.00	54.8
01-000-4045	FINES & FORFEITURES	15,000	1,880.00	8,450.00	56.3
01-000-4046	METER VIOLATIONS	2,000	-	300.00	15.0
01-000-4047	FROSTBURG STATE UNIV - MOU	200,000	-	100,000.00	50.0
01-000-4049	SCHOOL RESOURCE REIMBURSEMENT	30,000	-	15,000.00	50.0
01-000-4050	PERMITS, PLANNING, ETC	2,500	80.00	1,650.00	66.0
01-000-4051	BUILDING PERMITS	2,500	50.00	835.00	33.4
01-000-4052	RENTAL REGISTRATION	74,000	27,480.00	27,920.00	37.7
01-000-4054	CONSTRUCTION INSPECTIONS	15,000	-	15,995.65	106.6
01-000-4055	CODE ENFORCEMENT CITATIONS	1,750	250.00	500.00	28.6
01-000-4056	COMM DEV GRANT REVENUE	50,000	14,388.62	57,136.70	114.3
01-000-4060	SWIMMING POOL	50,000	-	29,254.00	58.5
01-000-4062	DAY CAMP REGISTRATIONS	12,000	-	7,037.00	58.6
01-000-4063	RECREATION ACTIVITIES	15,000	2,200.00	11,060.43	73.7
01-000-4200	OPERATING TRANSFER - WATER FUND	137,650	11,471.00	80,297.00	58.3
01-000-4201	OPERATING TRANSFER - SEWER FUND	224,750	18,729.25	131,104.75	58.3
01-000-4202	OPERATING TRANSFER - GARBAGE FUND	16,850	1,404.25	9,829.75	58.3
01-000-4250	NSF FEES	-	60.00	373.00	-
01-000-4301	RENTS	97,500	8,124.86	56,874.02	58.3
01-000-4302	HRD APPROPRIATION	10,350	-	2,550.00	24.6
01-000-4303	FRANCHISES - GAS, TV, ETC	88,000	-	22,349.46	25.4
01-000-4304	MISCELLANEOUS REVENUE	1,000	515.00	1,786.81	178.7
01-000-4306	PROJECT REIMBURSEMENT	1,350,000	-	904,973.85	67.0
01-000-4307	INSURANCE REIMBURSEMENTS	-	1,166.80	2,751.86	-
01-000-4315	PROCEEDS FROM FUND BALANCE	99,860	-	-	-
01-000-4317	SPECIAL REVENUE	826,000	-	165,366.20	20.0
01-000-4600	INTEREST INCOME	15,000	52,048.46	201,239.81	1,341.6
CORPORATE FUND Revenue Total		7,575,610	257,444.45	5,279,241.17	

**CITY OF FROSTBURG
JANUARY 2023 BUDGET REPORT**

Account Id	Account Description	Budget	Jan 2023 Rev/Expd	YTD Rev/Expd	% of Budget
	EXECUTIVE				
01-100-5000	SALARIES	22,200	1,850.00	12,950.00	58.3
01-100-5010	SOCIAL SECURITY	1,700	141.55	990.85	58.3
01-100-5012	WORKERS COMP	175	10.75	99.25	56.7
01-100-5050	LEGISLATIVE CONTINGENCIES	5,000	-	1,019.92	20.4
01-100-5104	INSURANCE - PUBLIC OFFICIALS	10,000	-	6,656.00	66.6
01-100-5150	TRAINING	2,500	-	475.00	19.0
01-100-5160	TRAVEL	3,500	-	1,217.80	34.8
01-100-5185	PROFESSIONAL FEES	5,000	-	4,988.78	99.8
	Department Total	50,075	2,002.30	28,397.60	
	ADMINISTRATIVE				
01-110-5000	SALARIES	188,500	11,310.00	79,575.43	42.2
01-110-5001	SALARIES - BONUS	-	-	50,700.00	-
01-110-5010	SOCIAL SECURITY	14,375	840.54	9,771.81	68.0
01-110-5011	PENSION	13,800	-	15,400.00	111.6
01-110-5012	WORKERS COMP	575	42.25	3,255.75	566.2
01-110-5013	INSURANCE - HEALTH	41,800	1,574.77	14,620.82	35.0
01-110-5014	INSURANCE - HEALTH RETIREE	22,200	1,905.83	13,767.36	62.0
01-110-5015	CONTRIBUTION - 457	1,875	105.46	738.22	39.4
01-110-5030	EMPLOYEE WELLNESS	7,500	837.81	2,357.82	31.4
01-110-5050	RESERVE FOR CONTINGENCIES	2,000	2,914.11	11,732.44	586.6
01-110-5100	INSURANCE - AUTO	600	-	527.00	87.8
01-110-5102	INSURANCE - GEN LIAB	150	-	86.00	57.3
01-110-5105	INSURANCE - PROPERTY	8,000	-	5,908.98	73.9
01-110-5106	INSURANCE - AD&D AND LIFE	4,200	300.00	2,448.00	58.3
01-110-5111	CONTRIBUTIONS - TOURISM	95,000	1,400.52	62,471.18	65.8
01-110-5150	TRAINING	1,500	-	602.50	40.2
01-110-5160	TRAVEL	500	-	80.20	16.0
01-110-5185	PROFESSIONAL FEES	1,600	-	200.00	12.5
01-110-5191	COMMUNICATIONS	13,320	499.52	3,627.28	27.2
01-110-5192	CITY CODE HOSTING	3,000	-	984.53	32.8
01-110-5200	ADVERTISING	6,000	367.54	3,012.27	50.2
01-110-5205	LEGAL	34,500	-	11,545.73	33.5
01-110-5207	PENSION ADMINISTRATIVE FEE	8,000	-	3,737.46	46.7
01-110-5210	OFFICE SUPPLIES	11,000	1,030.57	5,559.72	50.5
01-110-5220	POSTAGE	14,000	-	7,224.59	51.6
01-110-5230	COMPUTER EXP	17,500	1,502.00	4,544.00	26.0
01-110-5232	IT LICENSING AND FEES	25,000	-	18,913.16	75.7
01-110-5235	DIGITAL ENGAGEMENT	5,000	87.00	7,911.80	158.2
01-110-5300	BOARD EXPENSE	11,000	-	10,212.13	92.8
01-110-5391	PRINCIPAL AND INTEREST ON DEBT SERVICE	154,900	-	25,292.98	16.3
01-110-5500	BUILDING - ARMORY	12,000	306.32	3,446.68	28.7
01-110-5502	BUILDING MAINTENANCE	10,100	205.53	13,380.69	132.5
01-110-5550	UTILITIES - BUILDING	16,000	1,490.26	5,688.28	35.6
01-110-5700	BANK FEES	-	198.90	1,298.83	-
01-110-5807	CAPITAL OUTLAY	1,500,000	5,706.00	652,903.93	43.5
	Department Total	2,245,495	32,624.93	1,053,527.57	

CITY OF FROSTBURG
JANUARY 2023 BUDGET REPORT

Account Id	Account Description	Budget	Jan 2023 Rev/Expd	YTD Rev/Expd	% of Budget
	FINANCE				
01-120-5000	SALARIES	68,700	5,352.40	37,722.46	54.9
01-120-5010	SOCIAL SECURITY	5,225	400.42	2,808.90	53.8
01-120-5011	PENSION	6,300	-	5,613.00	89.1
01-120-5012	WORKERS COMP	200	12.25	113.75	56.9
01-120-5013	INSURANCE - HEALTH	15,500	1,040.15	8,016.44	51.7
01-120-5015	CONTRIBUTION - 457	675	23.08	161.39	23.9
01-120-5102	INSURANCE - GEN LIAB	125	-	86.00	68.8
01-120-5105	INSURANCE - PROPERTY	2,900	-	2,871.00	99.0
01-120-5150	TRAINING	1,000	-	-	-
01-120-5185	PROFESSIONAL FEES	700	170.00	554.00	79.1
01-120-5310	AUDITING	52,000	-	-	-
01-120-5311	ACTUARIAL STUDY	4,000	-	-	-
01-120-5313	TAX COLLECTION	2,800	42.33	125.99	4.5
01-120-5810	RETSA OBLIGATION	750	-	-	-
Department Total		160,875	7,040.63	58,072.93	
	COMMUNITY DEV				
01-130-5000	SALARIES	59,200	4,272.01	45,031.23	76.1
01-130-5010	SOCIAL SECURITY	4,500	307.18	3,260.89	72.5
01-130-5011	PENSION	5,400	-	4,836.00	89.6
01-130-5012	WORKERS COMP	175	10.75	99.25	56.7
01-130-5013	INSURANCE - HEALTH	7,900	406.06	12,660.48	160.3
01-130-5015	CONTRIBUTION - 457	575	-	-	-
01-130-5102	INSURANCE - GEN LIAB	150	-	86.00	57.3
01-130-5105	INSURANCE - PROPERTY	4,950	-	3,828.00	77.3
01-130-5150	TRAINING	500	-	-	-
01-130-5160	TRAVEL	700	-	492.33	70.3
01-130-5185	PROFESSIONAL FEES	850	-	879.00	103.4
01-130-5320	ECONOMIC DEVELOPMENT	8,000	500.00	3,810.00	47.6
01-130-5322	PLANNING	150,000	-	-	-
01-130-5323	PUBLIC ART	2,000	-	-	-
01-130-5820	COMMUNITY LEGACY PROJECTS	50,000	-	64,239.40	128.5
01-130-5822	SPECIAL PROJECTS	4,000	-	-	-
Department Total		298,900	5,496.00	139,222.58	
	CODE ENFORCEMENT				
01-140-5000	SALARIES	75,100	3,731.20	24,944.86	33.2
01-140-5010	SOCIAL SECURITY	5,700	275.08	1,820.85	31.9
01-140-5011	PENSION	6,875	-	6,135.00	89.2
01-140-5012	WORKERS COMP	225	13.75	127.25	56.6
01-140-5013	INSURANCE - HEALTH	23,200	549.79	5,575.87	24.0
01-140-5015	CONTRIBUTION - 457	750	-	-	-
01-140-5102	INSURANCE - GEN LIAB	150	-	86.00	57.3
01-140-5105	INSURANCE - PROPERTY	3,200	-	2,871.00	89.7
01-140-5150	TRAINING	2,400	-	-	-
01-140-5160	TRAVEL	600	-	7.59	1.3
01-140-5185	PROFESSIONAL FEES	300	-	-	-

**CITY OF FROSTBURG
JANUARY 2023 BUDGET REPORT**

Account Id	Account Description	Budget	Jan 2023 Rev/Expd	YTD Rev/Expd	% of Budget
01-140-5231	SOFTWARE AND SUBSCRIPTIONS	11,700	-	11,649.90	99.6
01-140-5330	CODE ENFORCEMENT	5,000	-	-	-
01-140-5331	CONSTRUCTION INSPECT	14,000	680.00	15,366.00	109.8
01-140-5332	RENTAL INSPECTION	28,550	2,450.00	33,250.00	116.5
Department Total		177,750	7,699.82	101,834.32	
PUBLIC WORKS ADMIN					
01-150-5000	SALARIES	53,400	4,146.00	29,617.59	55.5
01-150-5010	SOCIAL SECURITY	4,050	312.88	2,224.38	54.9
01-150-5011	PENSION	4,900	-	4,363.00	89.0
01-150-5012	WORKERS COMP	175	10.75	99.25	56.7
01-150-5013	INSURANCE - HEALTH	9,600	629.79	5,137.19	53.5
01-150-5015	CONTRIBUTION - 457	525	14.46	100.62	19.2
01-150-5102	INSURANCE - GEN LIAB	150	-	86.00	57.3
01-150-5105	INSURANCE - PROPERTY	2,200	-	1,913.99	87.0
01-150-5150	TRAINING	1,500	2,775.70	5,565.58	371.0
01-150-5160	TRAVEL	1,000	-	982.54	98.3
01-150-5185	PROFESSIONAL FEES	2,100	-	400.00	19.1
01-150-5193	ONE CALL CONCEPTS	1,000	43.14	810.70	81.1
01-150-5340	ENGINEERING EQUIPMENT	3,000	-	513.17	17.1
01-150-5341	MAPPING SUPPLIES	7,500	-	5,634.94	75.1
01-150-5342	PUBLIC WORKS	7,400	-	1,130.26	15.3
Department Total		98,500	7,932.72	58,579.21	
PUBLIC SAFETY					
01-160-5000	SALARIES	998,200	74,869.54	500,136.26	50.1
01-160-5002	SALARIES - POLICE GRANTS	25,000	2,739.22	28,861.97	115.5
01-160-5003	COURT TIME	13,000	957.22	7,829.72	60.2
01-160-5010	SOCIAL SECURITY	79,200	5,705.11	38,865.25	49.1
01-160-5011	PENSION	95,250	-	84,653.00	88.9
01-160-5012	WORKERS COMP	142,000	8,721.00	80,675.00	56.8
01-160-5013	INSURANCE - HEALTH	234,300	18,178.76	149,589.88	63.9
01-160-5015	CONTRIBUTION - 457	44,000	1,884.74	14,819.90	33.7
01-160-5100	INSURANCE - AUTO	5,500	-	4,740.00	86.2
01-160-5102	INSURANCE - GEN LIAB	900	-	702.00	78.0
01-160-5103	INSURANCE - POLICE PROFESSIONAL	12,000	-	11,552.00	96.3
01-160-5105	INSURANCE - PROPERTY	6,000	-	4,727.23	78.8
01-160-5150	TRAINING	25,500	-	7,965.78	31.2
01-160-5170	UNIFORMS	15,000	2,914.02	5,134.79	34.2
01-160-5180	SAFETY EQUIPMENT	1,200	79.95	579.06	48.3
01-160-5181	LAW ENFORCEMENT EQUIPMENT	18,500	1,741.25	9,811.32	53.0
01-160-5191	COMMUNICATIONS	30,160	1,896.38	15,645.45	51.9
01-160-5206	C3I CLERICAL SUPPORT	6,000	1,430.74	2,431.04	40.5
01-160-5210	OFFICE SUPPLIES	5,000	427.68	2,985.91	59.7
01-160-5350	FSU MOU	25,000	-	15,000.00	60.0
01-160-5380	POLICE REFORM	11,200	-	-	-
01-160-5390	MISCELLANEOUS EXPENSE	4,000	168.51	1,948.58	48.7
01-160-5400	GAS, OIL, GREASE	33,000	1,716.78	12,388.00	37.5
01-160-5401	AUTO EXPENSE	18,000	319.29	7,271.06	40.4

**CITY OF FROSTBURG
JANUARY 2023 BUDGET REPORT**

Account Id	Account Description	Budget	Jan 2023 Rev/Expd	YTD Rev/Expd	% of Budget
01-160-5420	FLEET LEASE	22,000	3,496.65	21,601.93	98.2
01-160-5502	JAIL AND OFFICE MAINTENANCE	4,000	(2,626.26)	1,859.55	46.5
01-160-5550	UTILITIES - PUBLIC SAFETY	10,000	993.52	3,815.93	38.2
01-160-5700	PARKING METERS	2,000	-	-	-
01-160-5705	TRAFFIC CONTROL	2,000	-	-	-
01-160-5851	FIRE DEPT APPROPRIATION	236,980	59,245.00	177,735.00	75.0
Department Total		2,124,890	184,859.10	1,213,325.61	

PUBLIC WORKS - STREET					
01-170-5000	SALARIES	243,300	19,059.95	126,635.33	52.1
01-170-5010	SOCIAL SECURITY	18,600	1,392.70	9,123.78	49.1
01-170-5011	PENSION	21,300	-	19,877.00	93.3
01-170-5012	WORKERS COMP	16,800	1,031.75	9,544.25	56.8
01-170-5013	INSURANCE - HEALTH	71,000	5,182.96	39,088.79	55.1
01-170-5015	CONTRIBUTION - 457	2,200	11.80	11.80	0.5
01-170-5018	UNEMPLOYMENT	1,000	-	-	-
01-170-5100	INSURANCE - AUTO	7,200	-	6,121.00	85.0
01-170-5102	INSURANCE - GEN LIAB	625	-	431.00	69.0
01-170-5105	INSURANCE - PROPERTY	5,600	-	4,466.86	79.8
01-170-5150	TRAINING	5,000	-	4,788.68	95.8
01-170-5170	UNIFORMS	8,000	392.59	4,188.10	52.4
01-170-5180	SAFETY EQUIPMENT	7,200	427.95	2,968.83	41.2
01-170-5191	COMMUNICATIONS	6,000	178.47	1,226.07	20.4
01-170-5210	OFFICE SUPPLIES	1,000	15.28	15.28	1.5
01-170-5400	GAS, OIL, GREASE	28,500	2,822.77	12,488.73	43.8
01-170-5420	FLEET LEASE	42,000	2,375.86	16,631.02	39.6
01-170-5550	UTILITIES - BUILDING	6,000	1,592.38	3,870.44	64.5
01-170-5711	SALT & ABRASIVES	150,000	28,965.12	51,200.95	34.1
01-170-5712	SIGN MAINTENANCE	8,000	-	2,316.83	29.0
01-170-5713	STREET EQUIPMENT MAINTENANCE	90,000	2,991.01	44,277.99	49.2
01-170-5714	STREET LIGHTING	155,000	8,136.76	46,316.41	29.9
01-170-5715	STREET MAINTENANCE REPAIRS	105,625	1,272.50	45,806.43	43.4
01-170-5716	STREET SHOP EQUIPMENT	90,000	4,987.86	25,391.30	28.2
01-170-5717	STREET LIGHTING REPAIRS	30,000	460.00	14,744.39	49.2
01-170-5800	CAPITAL OUTLAY	60,000	-	80,060.00	133.4
01-170-5861	STREET PAVING	600,000	-	1,162,105.03	193.7
01-170-5865	PARKING LOT MAINTENANCE	15,000	-	350.75	2.3
Department Total		1,794,950	81,297.71	1,734,047.04	

RECREATION					
01-180-5000	SALARIES	205,750	16,740.63	114,834.26	55.8
01-180-5010	SOCIAL SECURITY	15,750	1,224.07	8,335.88	52.9
01-180-5011	PENSION	13,400	-	16,809.00	125.4
01-180-5012	WORKERS COMP	14,225	873.75	8,082.25	56.8
01-180-5013	INSURANCE - HEALTH	55,300	4,029.40	34,461.30	62.3
01-180-5015	CONTRIBUTION - 457	2,000	50.06	350.42	17.5
01-180-5100	INSURANCE - AUTO	2,500	-	2,073.00	82.9
01-180-5102	INSURANCE - GEN LIAB	450	-	344.00	76.4
01-180-5105	INSURANCE - PROPERTY	11,000	-	10,357.11	94.2

**CITY OF FROSTBURG
JANUARY 2023 BUDGET REPORT**

Account Id	Account Description	Budget	Jan 2023 Rev/Expd	YTD Rev/Expd	% of Budget
01-180-5150	TRAINING	300	-	-	-
01-180-5160	TRAVEL	750	-	-	-
01-180-5170	UNIFORMS	4,000	261.36	2,445.20	61.1
01-180-5180	SAFETY EQUIPMENT	500	-	-	-
01-180-5400	GAS, OIL, GREASE	7,000	470.25	5,885.63	84.1
01-180-5420	FLEET LEASE	11,000	388.31	2,718.17	24.7
01-180-5503	ARMORY EXPENSE - GYM	10,000	1,592.37	3,801.54	38.0
01-180-5504	COMMUNITY CENTER	12,000	1,457.18	5,815.32	48.5
01-180-5510	CITY PLACE	9,500	1,980.89	6,005.58	63.2
01-180-5720	BEAUTIFY THE BURG EXPENSE	2,000	-	281.70	14.1
01-180-5721	REC EQUIPMENT MAINTENANCE	5,000	605.81	2,639.15	52.8
01-180-5722	REC LEAGUE APPROPRIATIONS	3,000	-	-	-
01-180-5723	REC PARK MAINTENANCE EXPENSE	68,000	2,422.19	45,174.44	66.4
01-180-5724	STREET TREE MAINTENANCE	7,500	-	5,232.58	69.8
01-180-5725	TRAILHEAD MAINTENANCE EXPENSE	2,000	-	766.00	38.3
01-180-5726	RECREATIONAL PROGRAMS	9,000	40.00	4,438.03	49.3
01-180-5800	CAPITAL OUTLAY	-	7,894.00	44,671.14	-
Department Total		471,925	40,030.27	325,521.70	
	RECREATION-POOL				
01-181-5000	SALARIES	66,000	-	36,705.68	55.6
01-181-5010	SOCIAL SECURITY	5,050	-	2,808.00	55.6
01-181-5012	WORKERS COMP	4,600	282.50	2,613.50	56.8
01-181-5018	UNEMPLOYMENT	500	-	-	-
01-181-5507	POOL OPERATING	35,000	1,246.18	17,249.23	49.3
Department Total		111,150	1,528.68	59,376.41	
	RECREATION - DAY CAMP				
01-182-5000	SALARIES	21,300	-	12,573.90	59.0
01-182-5010	SOCIAL SECURITY	1,650	-	961.96	58.3
01-182-5012	WORKERS COMP	1,500	92.00	851.00	56.7
01-182-5018	UNEMPLOYMENT	500	-	-	-
01-182-5507	DAY CAMP OPERATIONS	500	-	229.59	45.9
Department Total		25,450	92.00	14,616.45	
	RECREATION - SEASONAL				
01-183-5000	SALARIES	13,200	1,368.00	12,903.88	97.8
01-183-5010	SOCIAL SECURITY	1,025	104.66	987.17	96.3
01-183-5012	WORKERS COMP	925	56.75	525.25	56.8
01-183-5108	UNEMPLOYMENT	500	-	484.20	96.8
Department Total		15,650	1,529.41	14,900.50	
CORPORATE FUND Expend Total		7,575,610	372,133.57	4,801,421.92	
02-000-4000	WATER SERVICE REVENUE	1,420,000	104,387.91	732,065.89	51.6
02-000-4001	INTEREST EARNED - WATER	1,500	389.83	2,918.42	194.6
02-000-4313	GAIN ON DISPOSAL OF ASSETS	-	-	9,342.50	-
02-000-4315	PROCEEDS FROM FUND BALANCE	92,475	-	-	-
02-000-4317	SPECIAL REVENUE	750,000	-	193,457.82	25.8
02-000-4402	SALE OF METERS	6,000	475.00	3,625.00	60.4

**CITY OF FROSTBURG
JANUARY 2023 BUDGET REPORT**

Account Id	Account Description	Budget	Jan 2023 Rev/Expd	YTD Rev/Expd	% of Budget
02-000-4403	TAPPING FEES	7,000	-	2,500.00	35.7
02-000-4404	SUNDRY SALES	20,000	4,181.47	17,354.18	86.8
02-000-4408	SUNDRY SALES - CASH BASIS	-	500.00	500.00	-
02-000-4600	INTEREST INCOME	-	5.16	6,377.29	-
WATER FUND Revenue Total		2,296,975	109,939.37	968,141.10	
WATER - ADMIN					
02-190-5000	SALARIES	57,500	4,445.20	31,330.73	54.5
02-190-5010	SOCIAL SECURITY	4,350	326.68	2,296.46	52.8
02-190-5011	PENSION	5,250	-	4,698.00	89.5
02-190-5012	WORKERS COMP	175	10.75	99.25	56.7
02-190-5013	INSURANCE - HEALTH	12,450	831.42	7,194.71	57.8
02-190-5015	CONTRIBUTION - 457	575	36.65	256.83	44.7
02-190-5313	COLLECTION EXPENSE	2,500	30.23	89.99	3.6
02-190-5370	FMHA BOND	750	-	666.00	88.8
02-190-5600	CORPORATE OVERHEAD	137,650	11,471.00	80,297.00	58.3
Department Total		221,200	17,151.93	126,928.97	
WATER - FILTRATION					
02-192-5102	INSURANCE - GEN LIAB	1,100	-	862.00	78.4
02-192-5105	INSURANCE - PROPERTY	11,500	-	9,177.52	79.8
02-192-5106	INSURANCE - BOILER & MACHINERY	4,900	-	4,545.60	92.8
02-192-5521	PUMPING SYSTEM EXPENSE	60,000	5,891.61	27,510.93	45.9
02-192-5522	PURIFICATION PLANT MAINTENANCE	190,000	-	1,396.18	0.7
02-192-5710	FILTRATION CONTRACT PAYMENT	564,000	-	257,634.57	45.7
Department Total		831,500	5,891.61	301,126.80	
WATER - SUPPLY					
02-194-5000	SALARIES	27,700	2,238.40	15,772.72	56.9
02-194-5010	SOCIAL SECURITY	2,100	171.24	1,206.63	57.5
02-194-5011	PENSION	2,500	-	2,263.00	90.5
02-194-5012	WORKERS COMP	1,900	116.75	1,080.25	56.9
02-194-5015	CONTRIBUTION - 457	275	-	-	-
02-194-5506	HYDRO FACILITY EXPENSE	5,000	-	170.97	3.4
02-194-5550	UTILITIES / WATER SUPPLY	5,000	409.13	1,715.75	34.3
02-194-5730	WATER SUPPLY EXPENSE	50,000	(4,292.84)	32,107.14	64.2
Department Total		94,475	(1,357.32)	54,316.46	
WATER - DISTRIBUTION					
02-196-5000	SALARIES	212,400	18,566.14	117,767.82	55.5
02-196-5010	SOCIAL SECURITY	16,250	1,371.03	8,616.76	53.0
02-196-5011	PENSION	19,550	-	17,352.00	88.8
02-196-5012	WORKERS COMP	14,700	902.75	8,351.25	56.8
02-196-5013	INSURANCE - HEALTH	55,700	4,845.96	34,194.77	61.4
02-196-5015	CONTRIBUTION - 457	2,050	27.74	194.18	9.5
02-196-5100	INSURANCE - AUTO	3,600	-	3,398.00	94.4
02-196-5102	INSURANCE - GEN LIAB	1,300	-	862.00	66.3
02-196-5105	INSURANCE - PROPERTY	3,300	-	2,294.38	69.5
02-196-5150	TRAINING	500	-	116.95	23.4

**CITY OF FROSTBURG
JANUARY 2023 BUDGET REPORT**

Account Id	Account Description	Budget	Jan 2023 Rev/Expd	YTD Rev/Expd	% of Budget
02-196-5170	UNIFORMS	4,000	246.28	1,600.82	40.0
02-196-5180	SAFETY EQUIPMENT	4,100	79.95	559.65	13.7
02-196-5191	COMMUNICATIONS	9,200	532.23	6,472.71	70.4
02-196-5210	OFFICE SUPPLIES	500	135.68	584.73	117.0
02-196-5390	MISCELLANEOUS EXPENSE	28,550	-	11,038.30	38.7
02-196-5400	GAS, OIL, GREASE	8,000	3,026.70	9,154.45	114.4
02-196-5420	FLEET LEASE	24,000	1,722.00	12,169.64	50.7
02-196-5505	CRESTVIEW PUMPING STATION EXPENSE	12,500	369.21	1,691.22	13.5
02-196-5550	UTILITIES - WATER DISTRIBUTION	2,600	903.47	2,135.46	82.1
02-196-5700	DISTRIBUTION EXPENSE	90,000	9,633.31	68,908.54	76.6
02-196-5701	DISTRIBUTION PIPE EXPENSE	5,000	-	5,866.92	117.3
02-196-5702	EQUIPMENT MAINTENANCE	5,000	432.00	510.97	10.2
02-196-5703	FIRE HYDRANTS EXPENSE	15,000	-	1,857.50	12.4
02-196-5704	TRANSMISSION MAINS EXPENSE	12,000	4,750.00	57,853.07	482.1
02-196-5740	METERS EXPENSE	190,000	1,754.91	30,427.00	16.0
02-196-5800	CAPITAL OUTLAY	410,000	12,431.00	113,342.13	27.6
Department Total		1,149,800	61,730.36	517,321.22	
WATER FUND Expend Total		2,296,975	83,416.58	999,693.45	
03-000-4000	SEWER CHARGES	1,925,000	124,836.39	872,618.85	45.3
03-000-4001	INTEREST EARNED - SEWER	2,700	632.58	5,008.00	185.5
03-000-4317	SPECIAL REVENUE	654,000	-	64,131.17	9.8
03-000-4404	SUNDRY SALES	1,500	319.10	1,236.17	82.4
03-000-4501	BAY RESTORATION FUND REVENUE	-	13,525.00	127,299.70	-
03-000-4503	SEWER TAP FEES	7,500	-	2,500.00	33.3
03-000-4530	PROJECT REIMBURSEMENTS	71,000	-	-	-
03-000-4600	INTEREST INCOME	-	-	14,906.60	-
Department Total		2,661,700	139,313.07	1,087,700.49	
03-220-4520	CSO SURCHARGE REVENUE	405,000	27,811.00	274,820.91	67.9
03-220-4521	INTEREST EARNED - CSO SURCHARGE	1,000	79.09	924.21	92.4
03-220-4530	PROJECT REIMBURSEMENTS	2,461,450	372,189.00	683,049.00	27.8
Department Total		2,867,450	400,079.09	958,794.12	
SEWER FUND Revenue Total		5,529,150	539,392.16	2,046,494.61	
SEWER - ADMIN					
03-210-5000	SALARIES	57,500	4,445.20	31,330.73	54.5
03-210-5010	SOCIAL SECURITY	4,350	326.68	2,296.46	52.8
03-210-5011	PENSION	5,250	-	4,698.00	89.5
03-210-5012	WORKERS COMP	175	10.75	99.25	56.7
03-210-5013	INSURANCE - HEALTH	12,450	831.28	7,187.69	57.7
03-210-5015	CONTRIBUTION - 457	575	36.65	256.83	44.7
03-210-5313	COLLECTION EXPENSE	2,500	30.23	89.99	3.6
Department Total		82,800	5,680.79	45,958.95	
SEWER - OPERATING					
03-211-5000	SALARIES	151,200	14,766.45	81,639.45	54.0
03-211-5010	SOCIAL SECURITY	11,550	1,062.44	5,740.21	49.7
03-211-5011	PENSION	17,175	-	15,269.00	88.9

**CITY OF FROSTBURG
JANUARY 2023 BUDGET REPORT**

Account Id	Account Description	Budget	Jan 2023 Rev/Expd	YTD Rev/Expd	% of Budget
03-211-5012	WORKERS COMP	10,500	645.00	5,063.02	48.2
03-211-5013	INSURANCE - HEALTH	59,000	4,041.71	31,756.22	53.8
03-211-5015	CONTRIBUTION - 457	1,800	103.16	722.12	40.1
03-211-5100	INSURANCE - AUTO	2,000	-	304.00	15.2
03-211-5102	INSURANCE - GEN LIAB	625	-	420.00	67.2
03-211-5105	INSURANCE - PROPERTY	5,000	-	4,125.51	82.5
03-211-5150	TRAINING	1,000	-	100.00	10.0
03-211-5170	UNIFORMS	3,000	108.76	970.62	32.4
03-211-5180	SAFETY EQUIPMENT	1,000	-	378.98	37.9
03-211-5191	COMMUNICATIONS	2,400	135.30	1,263.42	52.6
03-211-5396	BAY RESTORATION FUND EXPENSE	-	43,129.62	89,693.37	-
03-211-5400	GAS, OIL, GREASE	9,750	391.01	5,614.56	57.6
03-211-5520	PUMPING STATION MAINTENANCE	6,000	-	-	-
03-211-5600	CORPORATE OVERHEAD	224,750	18,729.25	131,104.75	58.3
03-211-5761	SANITARY COMMISSION CHARGES	1,220,000	65,461.03	369,443.91	30.3
03-211-5762	SANITARY COMM-TRANSMISSION PROJECTS	11,800	2,929.05	8,787.15	74.5
03-211-5763	SEWER OPERATING EXPENSE	55,000	18,878.06	35,700.56	64.9
03-211-5764	SEWER PUMPING EXPENSE	6,000	72.34	3,706.32	61.8
03-211-5800	CAPITAL OUTLAY - SEWER PROJECTS	725,000	79,577.10	114,233.86	15.8
Department Total		2,524,550	250,030.28	906,037.03	
CSO					
03-220-5391	INTEREST EXPENSE	3,650	1,214.99	1,632.56	44.7
03-220-5392	DEBT REDEMPTION	23,150	23,138.18	23,138.18	99.9
03-220-5800	CAPITAL OUTLAY	2,895,000	-	860,830.45	29.7
Department Total		2,921,800	24,353.17	885,601.19	
SEWER FUND Expend Total		5,529,150	280,064.24	1,837,597.17	
04-000-4000	WATER TAP SURCHARGE	913,000	65,665.65	605,531.44	66.3
04-000-4001	INTEREST EARNED SURCHARGE	1,600	126.64	1,439.98	90.0
04-000-4317	SPECIAL REVENUE	175,000	-	-	-
04-000-4600	INTEREST INCOME	-	-	7,319.58	-
04-000-4603	RECEIPTS - OTHER	-	221,000.00	221,000.00	-
PINEY SURCHARGE FUND Revenue Total		1,089,600	286,792.29	835,291.00	
WATER SURCHARGE					
04-200-5313	COLLECTION EXPENSE	2,500	12.09	35.99	1.4
04-200-5390	MISCELLANEOUS EXPENSE	-	17,680.00	17,680.00	-
04-200-5391	INTEREST EXPENSE	79,625	989.05	29,437.97	37.0
04-200-5392	DEBT REDEMPTION	766,400	17,426.69	26,663.56	3.5
04-200-5800	CAPITAL OUTLAY	175,000	-	-	-
04-200-5802	CAPITAL REPAIRS	66,075	4,979.15	4,979.15	7.5
PINEY SURCHARGE FUND Expend Total		1,089,600	41,086.98	78,796.67	
05-000-4000	TRASH & GARBAGE CHARGES	368,000	26,281.00	266,145.35	72.3
05-000-4001	INTEREST EARNED - TRASH	1,200	47.74	1,013.79	84.5
05-000-4315	PROCEEDS FROM FUND BALANCE	44,500	-	-	-
05-000-4317	SPECIAL REVENUE	-	-	190,705.42	-
05-000-4404	SUNDRY SALES	1,000	100.00	1,100.00	110.0

**CITY OF FROSTBURG
JANUARY 2023 BUDGET REPORT**

Account Id	Account Description	Budget	Jan 2023 Rev/Expd	YTD Rev/Expd	% of Budget
05-000-4600	INTEREST INCOME	-	-	1,874.26	-
GARBAGE FUND Revenue Total		414,700	26,428.74	460,838.82	
	GARBAGE ADMIN.				
05-230-5000	SALARIES	57,500	4,445.23	31,330.52	54.5
05-230-5010	SOCIAL SECURITY	4,350	326.68	2,296.42	52.8
05-230-5011	PENSION	5,250	-	4,698.00	89.5
05-230-5012	WORKERS COMP	175	10.75	99.25	56.7
05-230-5013	INSURANCE - HEALTH	12,450	831.38	7,188.21	57.7
05-230-5015	CONTRIBUTION - 457	575	36.66	256.83	44.7
05-230-5313	COLLECTION EXPENSE	2,500	6.05	18.01	0.7
Department Total		82,800	5,656.75	45,887.24	
	GARBAGE OPERATING				
05-232-5000	SALARIES	85,600	7,626.35	47,217.22	55.2
05-232-5010	SOCIAL SECURITY	6,550	547.57	3,343.27	51.0
05-232-5011	PENSION	7,875	-	6,993.00	88.8
05-232-5012	WORKERS COMP	5,925	364.00	3,367.00	56.8
05-232-5013	INSURANCE - HEALTH	24,900	1,842.47	14,456.76	58.1
05-232-5015	CONTRIBUTION - 457	825	53.96	377.72	45.8
05-232-5100	INSURANCE - AUTO	2,200	-	1,754.00	79.7
05-232-5102	INSURANCE - GEN LIAB	400	-	262.00	65.5
05-232-5105	INSURANCE - PROPERTY	3,600	-	2,976.82	82.7
05-232-5170	UNIFORMS	3,075	80.56	608.45	19.8
05-232-5180	SAFETY EQUIPMENT	500	-	324.98	65.0
05-232-5210	OFFICE SUPPLIES	500	113.26	297.33	59.5
05-232-5400	GAS, OIL, GREASE	12,600	2,074.02	7,126.31	56.6
05-232-5600	CORPORATE OVERHEAD	16,850	1,404.25	9,829.75	58.3
05-232-5770	ASH DUMPSTER	3,500	1,073.90	3,296.04	94.2
05-232-5771	BULK CLEANUP EXPENSE	10,000	-	-	-
05-232-5772	LANDFILL CHARGES	130,000	8,842.05	64,427.30	49.6
05-232-5773	SANITATION OPERATING EXPENSE	17,000	240.26	22,237.31	130.8
05-232-5800	CAPITAL OUTLAY	-	-	190,000.00	-
Department Total		331,900	24,262.65	378,895.26	
GARBAGE FUND Expend Total		414,700	29,919.40	424,782.50	

CITY OF FROSTBURG

Parks and Rec Monthly report

For the Month of January, 2023

Submitted by: Gene Bittinger maintenance Supervisor

Jan 3 2023

Checked parks

Went to Staff meeting

Put cutting edge on Bobcat

Put new vibrator on salt spreader

Worked on salt spreader

Put Flamingos and Lions away

Jan 4 2023

Checked parks

Jan 4 2023

Checked parks

Put elephants away

Checked all cameras in parks

Cleared trees off walking trails

Took picnic table to Glendening walking trail

Jan 5 2023

Checked parks

Tore down more of Lyons bathrooms

Welded ground probe for water dept.

Jan 6 2023

Checked parks

Meant with Overhead Door

Took solar panel down at Rifle Range

Took Christmas lights down at City Hall

Jan 9 2023

Checked parks

Put solar panel back on Rifle Range roof

Jan 10 2023

Checked parks

Meant with Brian at the pool

Started digging the footer for new pool building

Jan 11 2023
Checked parks
Picked up rebar
Dug some more footer at new pool building
Checked City Hall generator
Took hand truck to City Hall
Fixed paper towel holder in 2nd floor kitchen at City Hall
Checked heating duck in Angels office
Jan 12 2023
Checked parks
Dug on new pool building
Got things ready for wreath removal
Worked on truck 41 window switch
Came out for wreath removal
Jan 13 2023
Off for the day
Jan 17 2023
Checked parks
Went to Staff meeting
Ordered parts for truck #41
Unloaded garage door for new building
Worked on tearing down old bathrooms at Lyons Park
Put man baskets away
Jan 18 2023
Checked parks
Tore more of Lyons bathrooms down
Took bobcat to Lyons
Went to enterprise meeting
Jan 19 2023
Checked parks
Went through house on Bowery
Worked in shop
Fixed flat tires on Bobcat
Jan 20 2023
Checked parks
Replaced window switch on truck 41
Meant with Shane
Welded for Water Dept
Salted sidewalks and lots
Got the trucks ready for weekend snow storm

Jan 23 2023
Checked parks
Finished checking cameras in all parks
Salted lots and sidewalks
Jan 24 2023
Checked parks
Salted sidewalks
Worked on Lyons bathrooms
Meant with Shane
Ordered block for new pool building
Jan 25 2023
Checked parks
Salted and shoveled sidewalks
Plowed lots
Jan 26 2023
Checked parks
Salted and shovel sidewalks
Salted parking lots
Put new front brakes on truck 40
Fixed salt spreader
Turned heat up and checked furnace at Community Center
Jan 27 2023
Checked parks
Salted lots
Shoveled and salted sidewalks
Fixed two snow blowers for Street Dept
Picked up skids and heater at City Place
Hauled card board from City Place
Fixed handle on portable heater
Jan 30 2023
Checked parks
Separated wood from concrete block at Lyons bathrooms
Put Christmas trees and stages away at City Place
Took scaffold to City Place
Checked freezer at Hoffman
Built new post for plaque at Police Dept. lot
Had extra keys made for generator
Jan. 31 2023
Checked parks
Went to Staff meeting
Worked on new Pool building
Replaced plaque at Police Dept. lot
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CITY OF FROSTBURG

Monthly Report: Police Department


For the Month of: January 2023

Submitted by: PCO Mary Gracie & Chief Nicholas Costello

IDENTIFIED INCIDENTS & COMPLAINTS for the Month

	2021	524	2022	590
ARRESTS	On-View/Citations		9	
	Warrants Served/Obtained		1	
	Summonses Served		1	
	Juvenile Arrests & Citations		1	
	TOTAL		12	
C3I INVESTIGATIONS	Cases		0	
COMMUNITY POLICING	Logged Activities		6	
PARKING	Parking Violations		93	
PRISONERS	Custodial Arrests		7	
PUBLIC SERVICE	Well-Being Checks		15	
	Emergency Petitions		5	
	Assist Other Agency		19	
	Request for Officer		36	
	Follow-Ups		11	
	Disturbance (Multiple Inc. Types)		37	
TRAFFIC	M/V Crashes		7	
	Traffic Details		76	
	DWI/DUI Arrests		4	
TRAFFIC STOPS	Total Number of Stops		78	
	Citations		28	
	Warnings		71	
	SEROs		2	
COLLECTIONS	Parking Meter Fines		\$0.00	
	Other Parking Fines		\$1,850.00	
	Parking Meter Collections		\$2,334.79	
	Municipal Infractions Paid		\$0.00	
	Parking Permits		\$20.00	
	Miscellaneous		\$80.00	
	Park Mobile Dec. 2022		\$2.45	
This month year prior:	\$1,515.00		TOTAL	\$4,287.24

Respectfully Submitted,


Chief of Police

CITY OF FROSTBURG

Monthly Report: Street Department

For the Month of: January 2023

Submitted by: Shane Elliott

January 1, 2023 – Sunday – Checked all CSO locations

January 2, 2023 – Monday – Off for New Years

January 3, 2023 – Tuesday

- Picked up garbage route on west end of town
- Attended staff meeting at city hall
- Removed dead animal in roadway on Main Street
- Took invoices to be paid to city hall
- Removed litter on Main Street
- Checked troublesome sewer main on Mt Pleasant Street – added water to flush system
- Started new monthly report and sent out old one
- Checked all sewer pumping stations
- Patched potholes around town with cold patch
- Marked miss utility tickets and checked them in on computer
- Remove street sign and post on Frost Avenue
- Cleaned off catch basin grates around town where needed
- Picked up supplies from PVIS in Cumberland
- Checked and emptied all city trash cans where needed
- Patched water line repair site in Prichard Farm due to complaint
- Cleaned off all work benches in garage area
- Picked up parts from Carquest
- Took both garbage truck to landfill and added fluids where needed
- Cleaned off lunch room countertops and tables

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January 4, 2023 – Wednesday

- Picked up garbage route on east end of town
- Marked emergency miss utility ticket for Water Dept.
- Picked up supplies from Lowes and Tractor Supply
- Changed oil and filters on Enterprise fleet vehicles
- Marked miss utility tickets and checked them in on computer
- Installed new mapping system on message board
- Picked up litter on Main Street
- Added degreaser to all pumping stations
- Checked all sewer pumping stations – ran electrical test at Centennial pumping station
- Patched more potholes with cold patch where needed
- Removed banner and election sign on Main Street
- Cleaned up debris and curbing on Grandview Drive
- Worked on electrical issue on wheel loader
- Checked on sewer odor complaint on Armstrong Avenue – checked surrounding area for issues or leaks on pressurized line and took water samples
- Installed new street sign and post on First Street

January 5, 2023 – Thursday

- Picked up garbage route in center section of town
- Checked tree complain along ditch line on North Water Street
- Loaded up trailer with mini excavator and material
- Checked all sewer pumping stations
- Made a repair to sewer main on Armstrong Avenue and backfilled work area
- Cleaned out bed and spreader box on chevy one ton dump truck
- Removed wood and debris in roadway on East Main Street
- Marked miss utility tickets and checked them in on computer
- Put down cold patch on Armstrong Avenue
- Changed fluid and filters in police dept. fleet vehicle
- Removed litter on Main Street
- Checked on sewer complaint on Bowery Street
- Attended sewer training meeting at city hall
- Removed tree limb in roadway on Aspal Street
- Called in an order to Best Line Equipment for specialty parts
- Washed off all sewer repair equipment after use

P.3

January 6, 2023 – Friday

- Picked up litter on Main Street
- Installed new sewer cap in alleyway
- Picked up Christmas trees all over town
- Checked all sewer pumping stations
- Met with homeowner on Bowery Street to discuss sewer issues-ran sewer camera in main to inspect for any issues
- Cleaned up debris at Lions Park and put into garbage truck
- Emptied all city trash cans where needed
- Checked on sewer complaint on Maple Street – popped manholes in surrounding area to check for any issues
- Handed out meal money to employees
- Washed off sewer camera equipment after use
- Marked miss utility tickets and checked them in on computer
- Swept and mopped lunch room & rest room floors

January 7, 2023 – Saturday

January 8, 2023 – Sunday

January 9, 2023 – Monday

- Flushed out sewer line on Mt Pleasant Street
- Swept grit off sidewalks on Depot Street
- Checked on broken catch basin grate complaint on Spring Street
- Picked up auger bearings at Frostburg Rental
- Checked all sewer pumping stations
- Straightened sign post on McCulloh Street
- Removed litter on Main Street
- Checked sewer complaint on Hilltop Drive – checked sewer main for issues
- Marked miss utility tickets and checked them in on computer
- Ran sewer camera in sewer system in Alleyway just off College Avenue
- Checked and emptied city trash cans on Main Street where needed
- Two employees went and got safety work boots
- Used bobcat and dump trucks to clean up leaves and debris along curb lines on Frost Avenue
- Washed off all sewer camera equipment after use

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January 10, 2023 – Tuesday

- Picked up garbage route on west end of town
- Took down Christmas Tree at St. Michaels and disposed of
- Ordered new truck parts at Carquest
- Removed stuck rock between garbage truck rear wheels
- Checked all sewer pumping stations
- Marked miss utility tickets and checked them in on computer
- Inspected rifle range road to evaluate necessary repairs
- Checked fuel and oil in chainsaw and adjusted chain
- Marked 2 emergency Miss Utility tickets for the Water Dept. and contractor
- Patched several holes with cold patch on Mechanic and Summit
- Ran camera in sewer line just off Bowery St.
- Went to have grate made at Ruby's and took measurements
- Checked on sewer complaint on Linden Street – met with plumber
- Installed new headlight bulb in Loader
- Checked on a sign complaint of a missing stop sign - installed new sign and post
- Fixed broken blacktop around water stop on Brady St.
- Met with contractor to discuss sewer issue on Bowery Street

January 11, 2023 – Wednesday

- Picked up garbage route on east end of town
- Helped Water Dept. make repairs to exhaust on their dump truck
- Checked all sewer pumping stations
- Retrieved a broken street sign and brought back to garage
- Cleaned up debris in roadway on College Avenue
- Picked up new grating from Ruby's Welding Shop
- Checked status of sewer line repair on Bowery Street
- Marked miss utility tickets and checked them in on computer
- Installed new grating on catch basin on Spring Street
- Removed litter and glass on Main Street
- Installed new sewer cleanout cap on sewer main
- Made repairs to street name sign on Grandview Dr.
- Removed more debris from sidewalks on Depot Street
- Emptied box of recyclable material from office
- Took both garbage trucks to landfill and dumped
- Patched holes with cold-patch on Talcot and Alley 32

P.5

January 12, 2023 – Thursday

- Picked up garbage route in center section of town
- Turned in invoices to be paid to city hall
- Installed new sign and pole on College Avenue
- Checked all sewer pumping stations
- Reinstalled a stop sign and pole on Mechanic Street at Bowery Street
- Marked emergency miss utility ticket on Main Street
- Removed tree limb in roadway on North Water Street
- Checked all CSO locations after rain event
- Picked up litter on Main Street
- Cleaned the rest of the sidewalks off on Depot Street
- Marked miss utility tickets and checked them in on computer
- Picked up chain saws after repairs were made at Carquest
- Cleaned off catch basin grates where needed
- Removed broken visors and installed new ones on truck #3
- Installed new headlight housing on wheel loader
- Removed litter all over town in city streets
- Made repairs to street sign and post on Depot Street
- A few employees helped Rec. Dept. take down Christmas wreaths on Main Street

January 13, 2023 – Friday

- Had special garbage pickup at 104 Wood Street
- Removed litter on Main Street, Bowery, and Center Street
- Cleaned up leaves and debris on sidewalks and curb lines on Center Street
- Had meeting with Daystar at Police Station to discuss sewer line and investigate sewer line locations and issues
- Checked and emptied all city trash cans on Main Street
- Marked miss utility tickets and checked them in on computer
- Checked all sewer pumping stations
- Emptied all trash cans in garage area and swept out garage bays
- Cleaned rest room and lunchroom
- Made repairs to spreader box pins on Truck 350
- Removed the tree limbs on the side of the road on Spring Street
- Picked up limbs in roadway on Pine St.
- Patched potholes with cold patch on High and Green Streets
- Trimmed broken tree limbs away from road on Bowery

P.6

January 14, 2023 – Saturday

January 15, 2023 – Sunday

January 16, 2023 – Monday - Martin Luther King Day

January 17, 2023 – Tuesday

- Picked up garbage route on west end of town
- Checked all CSO locations during rain event
- Removed litter in roadway on Main Street
- Picked up trash missed during garbage route
- Attended staff meeting at city hall
- Installed new parking meter on Main Street
- Marked miss utility tickets and checked them in on computer
- Removed more tree limbs and stump from Spring Street
- Checked all sewer pumping stations – ran weekly electrical tests and put degreaser in all pumping stations
- Took all invoices to be paid to city hall
- Cleaned off catch basin grates around town where needed
- Drained water from diesel safety tank
- Contacted suppliers for price quotes on budget worksheets
- Removed dead animal in roadway on First Street
- Checked signage complaint on College Avenue
- Put air in backhoe tires due to slow leak
- Straightened twisted sign post on McCulloh Street
- Put Bluebook pipe clamp delivery away

P.7

January 18, 2023 – Wednesday

- Picked up garbage route on east end of town
- Attended Enterprise fleet meeting at City Hall
- Performed oil changes on 2 Police Department vehicles
- Removed litter on Main Street
- Swept out garage bays and clean up salt build up on floor
- Patched a few potholes around town with cold patch
- Marked miss utility tickets and checked them in on computer
- Cleaned up debris in roadway on College Avenue
- Picked up garbage missed during route
- Called in an order for a skid of cold patch
- Worked on air leak on truck #4 air system
- Checked all sewer pumping stations
- Inspected new roof installation over Armory Building (street dept)
- Checked on catch basin complaint on Center Street
- Replaced missing street sign on Bowery Street
- Checked sewer main on Jenkins and Mt Pleasant for any issues

January 19, 2023 – Thursday

- Picked up garbage route in center section of town
- Had meeting with Mid-Atlantic Waste System
- Picked up supplies from Carquest and Frostburg Rent All
- Jetted storm line in parking lot at street dept. due to roof drains being clogged
- Ran sewer camera to inspect lines coming off roof top to manhole
- Made repairs and installed a cleanout out main drain coming off rooftop
- Removed litter on Main Street
- Checked all CSO locations due to rain event
- Filled water tanks on jetter truck and check other fluids
- Reinstalled fluid storage tanks in garage area
- Washed off all sewer camera equipment after use
- Marked miss utility tickets and checked them in on computer
- Applied cleaning detergent to garage floors and cleaned up debris – pressure washed garage afterwards
- Loaded up plow trucks and checked all fluids
- Washed off wheel loader after use

P.8

January 20, 2023 – Friday

- Salted streets and alleyways where needed
- Removed dead animal in roadway on West Main Street
- Cleaned lunch room & rest room
- Performed oil change and tire rotation on police cruiser
- Emptied out all trash cans in shop area
- Cleaned up glass in roadway on West College Avenue
- Had Smitty's come to repair a blown-out steer tire on Truck 6
- Removed litter on Main Street, Bowery, Center, and College Avenue
- Picked up Christmas trees all around town
- Checked and emptied all city trash cans where needed on Main Street
- Unloaded a delivery of cold patch with bobcat
- Checked ash dumpster and reset both sets of steps
- Marked miss utility tickets and checked them in on computer
- Checked all sewer pumping stations

January 21, 2023 – Saturday

January 22, 2023 – Sunday

January 23, 2023 – Monday

- Checked and emptied city trash cans on Main Street
- Made repairs to locking chain/ gate on dump road
- Ordered new locks at Frostburg Rental
- Checked sewer backup complaint on Washington Street – found no issues
- Picked up litter on Main Street
- Salted streets due to snow and ice event
- Checked all sewer pumping stations - ran weekly electrical tests
- Worked on 2023/2024 budget worksheet
- Washed off loader after use
- Greased both garbage trucks and checked all fluids
- Marked miss utility tickets and checked them in on computer
- Checked all CSO locations and made a report
- Repaired plow cylinder on truck #6 and added fluids
- Cleaned out rear slides on both garbage trucks

P.9

January 24, 2023 – Tuesday

- Picked up west end of town garbage route
- Removed tree limb off Depot Street
- Checked all sewer pumping stations
- Picked up invoices and insurance papers from city hall
- Removed litter on Main Street
- Checked sewer main on Standish Street for any issues
- Straightened stop sign on Washington Street
- Marked miss utility tickets and checked them in on computer
- Put insurance papers in all the equipment
- Had special garbage pick-up on West Main Street
- Removed tree limb in roadway on Route 36
- Checked fluids in all snow removal equipment
- Picked up busted exhaust system laying in roadway on North Water Street
- Loaded up all plow trucks and tightened tire chains
- Patched a few potholes with cold patch
- Removed dead animal in roadway on Mechanic Street

January 25, 2023 – Wednesday

- Came out early and salted streets and alleyways before snow event
- Picked up east end of town garbage route
- Salted MDE parking lot
- Checked all sewer pumping stations
- Tightened fuel rail on truck #4 due to fuel leak
- Used V-plows to plow alleyways
- Marked miss utility tickets and checked them in on computer
- Replaced pin on spreader box of Truck 14
- Used loader to clear snow in garage parking lot
- Ran sewer camera in service line on Mt Pleasant Street
- Placed an order for Road Salt
- Plowed and salted streets and alleyways throughout the day
- Cleaned off work benches in garage area
- Organized tire chains for dump trucks
- Ordered a new wheel for Truck 6

P.10

January 26, 2023 – Thursday

- Salted and plowed city streets due to snow event
- Checked all sewer pumping stations
- Pushed up grit pile with Bobcat
- Marked miss utility tickets and checked them in on computer
- Picked up Truck 5 from Chevy garage following repairs
- Fueled up plow trucks and Bobcat after use
- Organized spare snow plow cutting edges and cover plates
- Unloaded delivery from Beltway International
- Checked sewer complaint on Crestview Drive-popped manholes in surrounding area to check for any flow issues
- Called in an order of antiskid and rock salt
- Took tire and wheel to Smitty's to have mounted
- Made repairs to gate outside garage
- Checked and filled fluids in loader
- Plowed off parking lot and intersections

January 27, 2023 – Friday

- Called out to salt streets throughout the night
- Took both garbage trucks to landfill
- Checked and emptied city trash cans where needed
- Marked miss utility tickets and checked them in on computer
- Removed litter on Main Street where visible
- Salted streets and alleyways where needed
- Pushed up antiskid deliveries as they arrived
- Emptied out all shop trash cans
- Took all invoices to be paid to city hall
- Installed different snow plow on truck #8 and made repairs to other one
- Cleaned breakroom, office, and bathroom
- Used snow blower to clean off sidewalks on Depot Road
- Made up new hydraulic lines for plow truck
- Plowed back parking lot on Depot Road
- Installed new pins in plow rigging
- Put Fastenal delivery away
- Checked ash dumpster and moved steps

P.11

January 28, 2023 – Saturday

January 29, 2023 – Sunday

January 30, 2023 – Monday

- Checked all sewer pumping stations – ran weekly electrical tests
- Installed new equipment wash down hose on hose reel
- Emptied all city trash cans where needed
- Checked drainage ditch complaint on west end of town
- Marked miss utility tickets and checked them in on computer
- Loaded up debris from Lions Field building into garbage truck
- Removed litter on Main Street
- Washed out bed and sprayed off Truck 350
- Removed plow and chains from Truck 6
- Met at new city parking lot to discuss signage installments
- Helped Rec. Dept. with Christmas trees
- Placed an order for truck parts for Truck 8
- Patched potholes with cold patch on Armstrong Ave.
- Pushed up salt deliveries as they came in

January 31, 2023 – Tuesday

- Picked up garbage route on west end of town
- Attended staff meeting at city hall
- Removed litter on Main Street
- Marked miss utility tickets and checked them in on computer
- Pushed up salt deliveries as they arrived
- Called in an order for bobcat parts
- Took plow truck #6 to Truck Enterprise in WV for repairs
- Checked all sewer pumping stations
- Removed dead animal in roadway on Main Street
- Cleaned and organized tool box
- Salted streets where needed
- Picked up parts and discussed new Bobcat at American Rent All
- Looked at curbing complaint on Victoria Lane
- Gathered up 3 riser rings left behind from blacktopping crew
- Washed off wheel loader after use
- Installed new cutting edge on Bobcat

City of Frostburg

Monthly Report: Water Department

For the Month of January, 2023

Submitted by: Jim Williams, Supervisor

January 3, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Read quarterly meters readings
- Repaired water meter Broadway
- Reread water meter Broadway
- Installed new meter Bowery St.
- Reread 12 meters due to High Consumption or Did not Transmit

January 4, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Read quarterly meters readings
- Repaired a 6in water line Centennial St.
- Turn water off Maple St.
- Repaired water meter Mill St.
- Reread 12 meters due to High Consumption or Did not Transmit
- Tried to turn water off for plumber on Centennial St. needs dug up

January 5, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Read quarterly meters readings
- Read monthly master meters
- Leak detection in town

January 6, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Read quarterly meters readings
- Repaired Leak Tisdale St
- Dug up and repaired curb box & rod Centennial St.
- Checked leak E. Main St
- Final reading Broadway St
- Read 5 meters possible leak

January 9, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Read quarterly meters readings
- Checked for water leak chart out
- Located & raised up curb stop on Catherine St. under blacktop in driveway

January 10, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Changed meter East College Ave.
- Replaced two broken valves Washington St.

- Flushed water lines McCulloh St., and Washington St.
- Repaired leaking valve East main St.

January 11, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Installed cold mix in sidewalk E. Main St.
- Changed fuel filter and air filter in Dump truck
- Repaired exhaust pipe on dump truck
- 8 quarterly meter re-reads

January 12, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Missed Utility Tickets
- Read quarterly meters readings
- Repaired water leak on E. Main St

January 13, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Read quarterly meters readings
- 4 loads of crusher run delivered and pushed on Pile
- Turn Water off on Bowery and Maple for leaks in residence
- Assisted with Leak Detection contractors
- Turn Water on East St. for realtor

January 16, 2023

- Martin Luther King Jr. Holiday Observed
- Called out for busted meter on Bowery St

January 17, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Data log on Master Meter at end of Depot St
- Installed new charting device at Crestview Pump Station
- Cleaned Shop and removed garbage
- Truck 17 to Red Ridge for oil change
- 2 loads of crusher run delivered and pushed on Pile

January 18, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Final reading E. Main St.
- Retrieved Data Log S. Broadway
- Took Cold Mix to Patch divot Prichard Farms
- Received Shipment L.B Water
- Lent Hydrant meter to Lonaconing

January 19, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Turned water back on for plumber
- Replaced brass base of meter due to freezing
- Over Head Door repaired garage door
- Obtain reading for homeowner had leak needed new reading

- Repaired meter on Washington St. Transmitter Issues

January 20, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Final reading East St
- Reread 10 meters for property manager
- Assist contractor from leak detection
- Turn water off Center St ruptured pipes due to cold weather
- Check residents water pressure on Allegany St
- Replaced meter due to transmitter issues

January 23, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Reading on Bealls Ln. property had leak inside
- Turned water off for homeowner Bealls Ln
- Inspected meter on Bealls Ln

January 24, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Cleaned shop and got rid of trash
- Final reading on Bowery St
- Received shipment from Core & Main
- Obtained Data Log on Beall St
- Replaced Meter on Beall St. Meter stopped
- Reread meter on Broadway high consumption

January 25, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Went to meet property manager on W. Mechanic. Property manager never showed
- Plowed snow from parking lot at shop
- Installed snow chains on back hoe

January 26, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Met with property manager at 34 W. Mechanic
- Replaced stopped meter

January 27, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Final Reading Ormand St
- Obtained Data Log on Blair St

January 30, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Repaired 6" main on Uhl St
- Turned water off for plumber Tarn Terrace
- Saw cut concrete slab on E. College Ave

January 31, 2023

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Cleaned Shop and got rid of trash
- Met with property manager about transmission issues on Bowery St
- Replaced 2 Meters on Bowery St.
- Received shipment from L.B Water

ORDINANCE 2022-____

AN ORDINANCE TO AMEND THE CITY CODE ARTICLE II, SECTION II (THE CITY OF FROSTBURG ETHICS LAW)

WHEREAS, The City of Frostburg is a municipal corporation of the State of Maryland, organized and operating under a Charter adopted in accordance with Article XI-E of the Constitution of Maryland and the Local Government Article of the Annotated Code of Maryland, as amended from time to time;

WHEREAS, Article II, Section II of the City Code of The City of Frostburg establishes the Frostburg Ethics Commission and sets forth rules and regulations relative to public ethics;

WHEREAS, from the Maryland General Assembly passed legislation effective October 1, 2011 (Md. State Govt. Code Ann. §§ 15-804(b) & 15-805(b)(2) requiring that local governments enact public ethics regulations for elected local officials relative to conflicts of interest and financial disclosure that are equivalent to or exceed State law standards;

WHEREAS, from time to time, the Maryland General Assembly passes legislation mandating changes to public ethics laws consistent with the standards set in the aforesaid 2011 enactments;

WHEREAS, in accordance with the regulations promulgated pursuant to the State law enactments, the City provided the State Ethics Commission with a draft of the revisions to the City of Frostburg's Ethics Code for its review and approval;

WHEREAS, by correspondence dated September 21, 2018, the State Ethics Commission notified the City Attorney that it reviewed the aforesaid revisions to the and determined that they comply with applicable State law provisions; and

WHEREAS, the City Code has been rewritten and recodified and, upon the passage of an ordinance adopting the City Code as rewritten and recodified, the City of Frostburg Ethics Law will appear in the City Code as Section 3.2. That is why the reenacted provisions are referred to as Section 3.2 rather than Article II, Section 2.

NOW THEREFORE:

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF FROSTBURG, MARYLAND, that Article 3, Section 3-2 is repealed and re-enacted with amendments and shall read as follows:

Sec. 3-2. - City of Frostburg Ethics Code.

(a) *Short title/applicability.*

(1) This section may be cited as the City of Frostburg Public Ethics Law.

- (2) The provisions of this section apply to all City elected officials, employees, and appointees to boards and commissions of the City.

(b) *Definitions.*

(1) *Designated second home* means:

- a. If an individual owns one (1) second home, the individual's second home; or
- b. If an individual owns more than one (1) second home, any one (1) second home the individual identifies to the Commission as the individual's designated second home.

(2) *Home address* means the address of an individual's:

- a. Principal home; and
- b. Designated second home, if any.

(3) *Interest* means a legal or equitable economic interest, whether or not subject to an encumbrance or a condition, that is owned or held, in whole or in part, jointly or severally, directly or indirectly.

- a. For purposes of this section, interest includes any interest held at any time during the reporting period.
- b. Interest does not include:
 1. An interest held in the capacity of a personal agent, custodian, fiduciary, personal representative, or trustee, unless the holder has an equitable interest in the subject matter;
 2. An interest in a time or demand deposit in a financial institution;
 3. An interest in an insurance policy, endowment policy, or annuity contract under which an insurer promises to pay a fixed amount of money either in a lump sum or periodically for life or a specified period;
 4. A common trust fund or a trust which forms part of a pension or profit sharing plan which has more than twenty-five (25) participants and which has been determined by the Internal Revenue Service to be a qualified trust under the Internal Revenue Code;
 5. A college savings plan under the Internal Revenue Code; or
 6. A mutual fund or exchange-traded fund that is publicly traded on a national scale unless the mutual fund or exchange-traded fund is composed primarily of holdings of stocks and interests in a specific sector or area that is regulated by the individual's governmental unit.

(4) *Principal home* means the sole residential property that an individual occupies as the individual's primary residence, whether owned or rented by the individual.

(5) *Qualified relative* means a spouse, parent, child, brother, or sister.

(6) *Quasi-governmental entity* means an entity that is created by state statute, that performs a public function, and that is supported in whole or in part by the state but is managed privately.

(7) *Second home* means a residential property that:

- a. An individual occupies for some portion of the filing year; and
- b. Is not a rental property or a time share.

(c) *The Ethics Commission.*

- (1) There is a Frostburg Ethics Commission (the "Commission") that consists of five (5) members appointed by the Mayor and City Council. The Commission shall be the advisory body

responsible for interpreting this section and advising persons subject to this section as to its application.

(2) The Commission shall:

- a. Devise, receive and maintain all forms required by this section;
- b. Develop procedures and policies for advisory opinion requests and provide published advisory opinions to persons subject to this section as to the applicability of the provisions of this section to them;
- c. Develop procedures and policies for the processing of complaints and make appropriate determinations regarding complaints filed by any person alleging violations of this section;
- d. Conduct a public information program regarding the purposes and application of this section;
- e. Determine if changes to this Section are required to be in compliance with the requirements of General Provisions Article, Title 5, Subtitle 8, Annotated Code of Maryland, and forward any recommended amendments to the City Council; and
- f. Certify to the State Ethics Commission on or before October 1 of each year that the City is in compliance with the requirements of Ann. Code of Md., General Provisions Article, Title 5, Subtitle 8, for elected officials.

(3) The City attorney shall advise the Commission.

(4) The Commission may adopt other policies and procedures to assist in the implementation of its programs established in this section.

(d) *Conflicts of interest.*

(1) *[Applicability.]* This subsection applies to all City elected officials, officials appointed to boards and commissions, and employees.

(2) *Participation prohibitions.* Except as permitted by Commission regulation or opinion, a City official or employee may not participate, except in a ministerial or administrative capacity that does not affect the disposition of the matter, in any matter in which:

- a. To the knowledge of the official or employee, the official or employee or a qualified relative of the official or employee has an interest.
- b. Any of the following is a party:
 1. A business entity in which the official or employee has a direct financial interest of which he or she may reasonably be expected to know;
 2. A business entity of which the official, employee, or qualified relative of the official or employee is an officer, director, trustee, partner, or employee;
 3. A business entity with which the official or employee or, to the knowledge of the official or employee, a qualified relative is negotiating employment or has made any arrangement regarding prospective employment;
 4. A business entity that is a party to an existing contract with the official or employee or, to the knowledge of the official or employee, a qualified relative, to the extent that the contract could reasonably be expected to create a conflict between the private interests and official duties of the official or employee;
 5. An entity doing business with the City, in which a direct financial interest is owned by another entity in which the official or employee has a direct financial interest, if the official or employee could reasonably be expected to know of both direct financial interests; or

6. A business entity that the official or employee knows is a creditor or obligee of the official or employee or a qualified relative of the official or employee with respect to a thing of economic value and that is in a position to directly and substantially affect the interest of the official or employee or qualified relative.
- c. An official or employee who is disqualified from participation pursuant to paragraphs a or b of this subsection shall disclose the nature of the conflict and may participate or act if:
 1. The disqualification leaves a body with less than a quorum capable of acting;
 2. The disqualified official or employee is required by law to act; or
 3. The disqualified official or employee is the only person authorized to act.
 - d. A former regulated lobbyist who is or becomes subject to this section as an employee or official, other than an elected official or an appointed official, may not participate in a case, contract, or other specific matter as an employee or official, other than an elected official or appointed official, for one (1) calendar year after the termination of the registration of the former regulated lobbyist if the former regulated lobbyist previously assisted or represented another party for compensation in the matter.
- (3) *Employment and financial interest restrictions.*
- a. Except as permitted by regulation of the Commission when the interest is disclosed or when the employment does not create a conflict of interest or appearance of conflict, an official or employee may not:
 1. Be employed by or have a financial interest in any entity:
 - A. Subject to the authority of the official or employee or the City agency, board, commission with which the official or employee is affiliated; or
 - B. That is negotiating or has entered a contract with the agency, board, or commission with which the official or employee is affiliated; or
 2. Hold any other employment relationship that would impair the impartiality or independence of judgment of the official or employee.
 3. Hold any outside employment that impairs the employee's ability to perform or availability for the performance of the employee's job duties with the City,
 4. Wear the uniform of another employer or any other clothing with the name, logo or any other reference to the other employer.
 5. Solicit work for the employee's outside employer.
 - b. The prohibitions of paragraph a of this subsection do not apply to:
 1. An official or employee who is appointed to a regulatory or licensing authority pursuant to a statutory requirement that persons subject to the jurisdiction of the authority be represented in appointments to the authority;
 2. Subject to other provisions of law, a member of a board or commission in regard to a financial interest or employment held at the time of appointment, provided the financial interest or employment is publicly disclosed to the appointing authority and the Commission;
 3. An official or employee whose duties are ministerial, if the private employment or financial interest does not create a conflict of interest or the appearance of a conflict of interest, as permitted by and in accordance with regulations adopted by the Commission; or
 4. Employment or financial interests allowed by regulation of the Commission if the employment does not create a conflict of interest or the appearance of a conflict of interest or the financial interest is disclosed.

- (4) *Post-employment limitations and restrictions.*
- a. A former official or employee may not assist or represent any party other than the City for compensation in a contract, case, or other matter involving the City if that matter is one in which the former official or employee significantly participated as an official or employee.
 - b. A former elected official may not assist or represent another party for compensation in a matter that is the subject of legislative action for one (1) calendar year after the elected official leaves office.
- (5) *Contingent compensation.* Except in a judicial or quasi-judicial proceeding, an official or employee may not assist or represent a party for contingent compensation in any matter before or involving the City.
- (6) *Use of prestige of office.* Except for the performance of usual and customary constituent services by an elected official without additional compensation:
- a. An official or employee may not intentionally use the prestige of office or public position for the private gain of himself or herself or the private gain of another, or to influence the award of a state or local contract to a specific person.
 - b. An official may not directly or indirectly initiate a solicitation for a person to retain the compensated services of a particular regulated lobbyist or lobbying firm.
 - c. An official, other than an elected official, or employee may not use public resources or the title of the official or employee to solicit a contribution as that term is defined in the Election Law Article.
 - d. An elected official may not use public resources to solicit a contribution as that term is defined in the Election Law Article.
- (7) *Solicitation and acceptance of gifts.*
- a. An official or employee may not solicit any gift.
 - b. An official or employee may not directly solicit or facilitate the solicitation of a gift, on behalf of another person, from an individual regulated lobbyist.
 - c. An official or employee may not knowingly accept a gift, directly or indirectly, from a person who the official or employee knows or has reason to know:
 1. Is doing business with or seeking to do business with the City office, agency, board, or commission with which the official or employee is affiliated;
 2. Has financial interests that may be substantially and materially affected, in a way distinguishable from the general public, by the performance or nonperformance of the duties of the official or employee;
 3. Is engaged in an activity regulated or controlled by the official's or employee's governmental unit;
 4. Is a lobbyist with respect to matters within the jurisdiction of the official or employee; or
 5. Is an association, or any entity acting on behalf of an association that is engaged only in representing counties or municipal corporations.
 - d. Paragraph e of this subsection does not apply to a gift:
 1. That would tend to impair the impartiality and independence of judgment of the official or employee receiving the gift;
 2. Of significant value that would give the appearance of impairing the impartiality and independence of judgment of the official or employee; or

3. Of significant value that the recipient official or employee believes or has reason to believe is designed to impair the impartiality and independence of judgment of the official or employee.
- e. Notwithstanding paragraph c of this subsection, an official or employee may accept the following:
1. Meals and beverages consumed in the presence of the donor or sponsoring entity;
 2. Unsolicited gifts of nominal value, not exceeding \$20.00 in cost or trivial items of informational value;
 3. Ceremonial gifts or awards with insignificant monetary value;
 4. Reasonable expenses for food, travel, lodging, and scheduled entertainment given in return for the participation of the official or employee in a panel or speaking engagement;
 5. Free tickets or admission to a charitable, cultural, or political event extended as a courtesy to an elected official's office;
 6. A specific gift or class of gifts exempted by the Commission upon a written finding that the gift or class of gifts is purely personal and private in nature and that acceptance of the gift or class of gifts would not be detrimental to the impartial conduct of the business of the City;
 7. Gifts from a person related to the official or employee by blood or marriage, or any other individual who is a member of the household of the official or employee; or
 8. Honoraria for speaking to or participating in a meeting, provided that the offering of the honorarium is not related in any way to the official's or employee's official position.
- (8) *Disclosure of confidential information.* Other than in the discharge of official duties, an official or employee or former official or employee may not disclose or use confidential information, that the official or employee acquired by reason of the individual's public position or former public position and that is not available to the public, for the economic benefit of the official or employee or that of another person.
- (9) *Participation in procurement.* An individual or a person that employs an individual who assists a City agency in the drafting of specifications, an invitation for bids, or a request for proposals for a procurement may not submit a bid or proposal for that procurement or assist or represent another person, directly or indirectly, who is submitting a bid or proposal for the procurement. The Commission may establish exemptions from the requirements of this paragraph for providing descriptive literature, sole source procurements, and written comments solicited by the procuring agency.
- (10) *Retaliation prohibited.* An official or employee may not retaliate against an individual for reporting or participating in an investigation of a potential violation of the local ethics law or ordinance.
- (e) *Financial disclosure—Elected officials and candidates to be elected officials.*
- (1) *Applicability/financial disclosure statements.*
- a. This subsection applies to all local elected officials and candidates to be local elected officials.
 - b. A local elected official or a candidate to be a local elected official shall file the financial disclosure statement required under this section:
 1. On a form provided by the City Administrator;
 2. Under oath or affirmation; and

3. With the City Administrator, who shall forward a copy of the financial statement to the Commission.

(2) *Deadlines for filing statements.*

- a. An incumbent local elected official shall file a financial disclosure statement annually no later than April 30 of each year for the preceding calendar year.
- b. An individual who is appointed to fill a vacancy in an office for which a financial disclosure statement is required and who has not already filed a financial disclosure statement shall file a statement for the preceding calendar year within thirty (30) days after appointment.
- c. An individual who, other than by reason of death, leaves an office for which a statement is required shall, within sixty (60) days after leaving the office, file a statement that covers the calendar year immediately preceding the year in which the individual left office, unless a statement covering that year has already been filed by the individual; and the portion of the current calendar year during which the individual held the office.

(3) *Candidates to be local elected officials.*

- a. Except for an official who has filed a financial disclosure statement under another provision of this subsection for the reporting period, a candidate to be an elected local official shall file a financial disclosure statement each year beginning with the year in which the certificate of candidacy is filed through the year of the election.
- b. The statement shall be filed:
 1. In the year the certificate of candidacy is filed, no later than the filing of the certificate of candidacy;
 2. In the year of the election, on or before the earlier of April 30 or the last day for the withdrawal of candidacy; and
 3. In all other years for which a statement is required, on or before April 30.
- c. A candidate to be an elected official shall file the statement required under paragraph (3) of this subsection with the City Administrator.
- d. If a statement required to be filed by a candidate is overdue and not filed within eight (8) days after written notice of the failure to file is provided by the City Administrator, the candidate shall be deemed to have withdrawn the candidacy.
- e. The City Administrator may not accept any certificate of candidacy unless a statement has been filed in proper form.
- f. Within thirty (30) days of the receipt of a statement required under this section, the City Administrator shall forward the statement to the Commission.

(4) *Public record.*

- a. The City Administrator shall maintain all financial disclosure statements filed under this section.
- b. Financial disclosure statements shall be made available during normal office hours for examination and copying by the public subject to reasonable fees and administrative procedures established by the City.
- c. If an individual other than a Commission member examines or copies a financial disclosure statement, the City Administrator shall record:
 1. The name and home address of the individual reviewing or copying the statement; and
 2. The name of the person whose financial disclosure statement was examined or copied.

- d. Upon request by the official or employee whose financial disclosure statement was examined or copied, the City Administrator shall provide the official with a copy of the name and home address of the person who reviewed the official's financial disclosure statement.
- e. For statements filed after January 1, 2019, the City Administrator may not provide public access to an individual's home address that the individual has designated as the individual's home address.
- f. The City Administrator shall not provide public access to information related to consideration received from:
 - 1. The University of Maryland Medical System;
 - 2. A governmental entity of the State or a local government in the State; or
 - 3. A quasi-governmental entity of the State or local government in the State.
- g. Retention requirements. The City Administrator shall retain financial disclosure statements for four (4) years from the date of receipt.
- h. An individual who is required to disclose the name of a business under this section shall disclose any other names that the business is trading as or doing business as.

(5) *Contents of Statement.*

- a. *Interests in real property.* A statement filed under this section shall include a schedule of all interests in real property wherever located. For each interest in real property, the schedule shall include:
 - 1. The nature of the property and the location by street address, mailing address, or legal description of the property;
 - 2. The nature and extent of the interest held, including any conditions and encumbrances on the interest;
 - 3. The date when, the manner in which, and the identity of the person from whom the interest was acquired;
 - 4. The nature and amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired;
 - 5. If any interest was transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received for the interest, and the identity of the person to whom the interest was transferred; and
 - 6. The identity of any other person with an interest in the property.
- b. *Interests in corporations and partnerships.* A statement filed under this subsection shall include a schedule of all interests in any corporation, partnership, limited liability partnership, or limited liability corporation, regardless of whether the corporation or partnership does business with the City. For each interest reported under this paragraph, the schedule shall include:
 - 1. The name and address of the principal office of the corporation, partnership, limited liability partnership, or limited liability corporation.
 - 2. The nature and amount of the interest held, including any conditions and encumbrances on the interest.
 - 3. With respect to any interest transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the

consideration received for the interest, and, if known, the identity of the person to whom the interest was transferred.

4. With respect to any interest acquired during the reporting period, the date when, the manner in which, and the identity of the person from whom the interest was acquired; and the nature and the amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired.
 5. An individual may satisfy the requirement to report the amount of the interest held under item (b)(ii) of this paragraph by reporting, for an equity interest in a corporation, the number of shares held, and unless the corporation's stock is publicly traded, the percentage of equity interest held; or for an equity interest in a partnership, the percentage of equity interest held.
- c. *Interests in business entities doing business with the City.* A statement filed under this subsection shall include a schedule of all interests in any business entity that does business with the City, other than interests reported under paragraph b of this subsection. For each interest reported under this paragraph, the schedule shall include:
1. The name and address of the principal office of the business entity;
 2. The nature and amount of the interest held, including any conditions to and encumbrances on the interest;
 3. With respect to any interest transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received in exchange for the interest, and, if known, the identity of the person to whom the interest was transferred; and
 4. With respect to any interest acquired during the reporting period; when, how, and from whom the interest was acquired; and the nature and the amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired.
- d. *Gifts.* A statement filed under this section shall include a schedule of each gift in excess of \$20.00 in value or a series of gifts totaling \$100.00 or more received during the reporting period from or on behalf of, directly or indirectly, any one (1) person who does business with or is regulated by the City or from an association, or any entity acting on behalf of an association that is engaged only in representing counties or municipal corporations. For each gift reported, the schedule shall include:
1. A description of the nature and value of the gift; and
 2. The identity of the person from whom, or on behalf of whom, directly or indirectly, the gift was received.
- e. *Employment with or interests in entities doing business with the City.* A statement filed under this section shall include a schedule of all offices, directorships, and salaried employment by the individual or member of the immediate family of the individual held at any time during the reporting period with entities doing business with the City. For each position reported under this paragraph, the schedule shall include:
1. The name and address of the principal office of the business entity;
 2. The title and nature of the office, directorship, or salaried employment held and the date it commenced; and
 3. The name of each City agency with which the entity is involved.
- f. *Indebtedness to entities doing business with or regulated by the individual's City unit or department.* A statement filed under this section shall include a schedule of all liabilities, excluding retail credit accounts, to persons or entities doing business with or regulated by

the individual's City unit or department owed at any time during the reporting period by the individual or by a member of the immediate family of the individual if the individual was involved in the transaction giving rise to the liability. For each liability reported under this paragraph, the schedule shall include:

1. The identity of the person to whom the liability was owed and the date the liability was incurred;
 2. The amount of the liability owed as of the end of the reporting period;
 3. The terms of payment of the liability and the extent to which the principal amount of the liability was increased or reduced during the year; and
 4. The security given, if any, for the liability.
- g. *Employment of immediate family members.* A statement filed under this section shall include a schedule of the immediate family members of the individual employed by the City in any capacity at any time during the reporting period.
- h. *Sources of earned income.* A statement filed under this section shall include:
1. A schedule of the name and address of each place of employment and of each business entity of which the individual or a member of the individual's immediate family was a sole or partial owner and from which the individual or member of the individual's immediate family received earned income, at any time during the reporting period.
 2. A minor child's employment or business ownership need not be disclosed if the agency that employs the individual does not regulate, exercise authority over, or contract with the place of employment or business entity of the minor child.
 3. For a statement filed on or after January 1, 2019, if the individual's spouse is a lobbyist regulated by the City, the individual shall disclose the entity that has engaged the spouse for lobbying purposes.
- i. *Relationship with University of Maryland Medical System, State or Local Government, or Quasi-Governmental Entity.*
1. An individual shall disclose the information specified in General Provisions Article §5-607(j)(1), Annotated Code of Maryland, for any financial or contractual relationship with:
 - (i) The University of Maryland Medical System;
 - (ii) A governmental entity of the State or a local government in the State; or
 - (iii) A quasi-governmental entity of the State or local government in the State.
 2. For each financial or contractual relationship reported, the schedule shall include:
 - (i) A description of the relationship;
 - (ii) The subject matter of the relationship; and
 - (iii) The consideration.
- j. *[Additional interests disclosure.]* A statement filed under this section may also include a schedule of additional interests or information that the individual making the statement wishes to disclose.
- k. *[Interests of individual for consideration.]* For the purposes of subsection (E)(5)(a), (b), and (c), of this section, the following interests are considered to be the interests of the individual making the statement:

1. An interest held by a member of the individual's immediate family, if the interest was, at any time during the reporting period, directly or indirectly controlled by the individual.
 2. An interest held, at any time during the applicable period, by:
 - (i) A business entity in which the individual held a 10% or greater interest;
 - (ii) A business entity described in item (i) of this subsection in which the business entity held a 25% or greater interest;
 - (iii) A business entity described in item (ii) of this subsection in which the business entity held a 50% or greater interest; and
 - (iv) A business entity in which the individual directly or indirectly, through an interest in one or a combination of other business entities, holds a 10% or greater interest.
 3. An interest held by a trust or an estate in which, at any time during the reporting period, the individual held a reversionary interest or was a beneficiary; or, if a revocable trust, the individual was a settlor.
- (6) *Compliance.*
- a. The City Administrator shall review the financial disclosure statements submitted under this subsection for compliance with the provisions of this subsection and shall notify an individual submitting the statement of any omissions or deficiencies.
 - b. The City Administrator or the Commission may take appropriate enforcement action to ensure compliance with this subsection.
- (f) *Financial disclosure—Employees and appointed officials.*
- (1) This subsection applies only to the following appointed officials and employees:
 - a. City Administrator.
 - b. Director of Community Development.
 - c. Chief of Police.
 - d. Director of Finance.
 - e. Director of Public Works.
 - (2) A statement filed under this section shall be filed with the Commission under oath or affirmation.
 - (3) On or before April 30 of each year during which an official or employee holds office, an official or employee shall file a statement disclosing gifts received during the preceding calendar year from any person that contracts with or is regulated by the City, including the name of the donor of the gift and the approximate retail value at the time of receipt.
 - (4) An official or employee shall disclose employment and interests that raise conflicts of interest or potential conflicts of interest in connection with a specific proposed action by the employee or official sufficiently in advance of the action to provide adequate disclosure to the public.
 - (5) The Commission shall maintain all disclosure statements filed under this subsection as public records available for public inspection and copying as provided in subsection (e)(4) of this section.
- (g) *Lobbying.*
- (1) A person shall file a lobbying registration statement with the Commission if the person:
 - a. Personally appears before a City official or employee with the intent to influence that person in the performance of the official duties of the official or employee; and

- b. In connection with the intent to influence, expends or reasonably expects to expend in a given calendar year in excess of \$200.00 on food, entertainment, or other gifts for officials or employees of the City.
- (2) A person shall file a registration statement required under this section on or before the later of January 15 of the calendar year or within five (5) days after first performing an act that requires registration in the calendar year.
- (3) The registration statement.
 - a. The registration statement shall identify:
 - 1. The registrant;
 - 2. Any other person on whose behalf the registrant acts; and
 - 3. The subject matter on which the registrant proposes to make appearances specified in paragraph (1)a. of this subsection.
 - b. The registration statement shall cover a defined registration period not to exceed one (1) calendar year.
- (4) Within thirty (30) days after the end of any calendar year during which a person was registered under this section, the person shall file a report with the Commission disclosing:
 - a. The value, date, and nature of any food, entertainment, or other gift provided to a City official or employee; and
 - b. If a gift or series of gifts to a single official or employee exceeds \$100.00 in value, the identity of the official or employee.
- (5) The City Administrator shall maintain the registrations and reports filed under this section as public records available for public inspection and copying for four (4) years after receipt by the City Administrator.
- (h) *Exemptions and modifications.* The Commission may grant exemptions and modifications to the provisions of subsections (d) and (f) of this section to employees and to appointed members of City boards and commissions when the Commission finds that an exemption or modification would not be contrary to the purposes of this section, and the application of this section would:
 - (1) Constitute an unreasonable invasion of privacy; and
 - (2) Significantly reduce the availability of qualified persons for public service.
- (i) *Enforcement.*
 - (1) The Commission or the City Administrator may:
 - a. Assess a late fee of \$5.00 per day up to a maximum of \$500.00 for a failure to timely file a financial disclosure statement required under subsection (e) or (f) of this section;
 - b. Assess a late fee of \$10.00 per day up to a maximum of \$1,000.00 for a failure to file a timely lobbyist registration or lobbyist report required under subsection (g) of this section; and
 - c. Issue a cease and desist order against any person found to be in violation of this section.
 - (2) Upon a finding of a violation of any provision of this section, the Commission or City Administrator may:
 - a. Issue an order of compliance directing the respondent to cease and desist from the violation;
 - b. Issue a reprimand; or
 - c. Recommend to the appropriate authority other appropriate discipline of the respondent, including censure or removal if that discipline is authorized by law.

- (3) If the Commission or City Administrator finds that a respondent has violated subsection (f) of this section, the Commission or City Administrator may:
- a. Require a respondent who is a registered lobbyist to file any additional reports or information that is reasonably related to the information that is required under subsection G of this section;
 - b. Impose a fine not exceeding \$5,000.00 for each violation; and
 - c. Suspend the registration of an individual registered lobbyist if the Commission or City Administrator finds that the lobbyist has knowingly and willfully violated subsection (g) of this section or has been convicted of a criminal offense arising from lobbying activities.
- (4) Upon request by the Commission or City Administrator, the City Attorney may file a petition for injunctive or other relief in the Circuit Court for Allegany County, Maryland, or in any other court having proper venue for the purpose of requiring compliance with the provisions of this section.
- a. The court may:
 1. Issue an order to cease and desist from the violation;
 2. Except as provided in subparagraph b. of this paragraph, void an official action taken by an official or employee with a conflict of interest prohibited by this section when the action arises from or concerns the subject matter of the conflict and if the legal action is brought within ninety (90) days of the occurrence of the official action, if the court deems voiding the action to be in the best interest of the public; or
 3. Impose a fine of up to \$5,000.00 for any violation of the provisions of this section, with each day upon which the violation occurs constituting a separate offense.
 - b. A court may not void any official action appropriating public funds, levying taxes, or providing for the issuance of bonds, notes, or other evidences of public obligations.
- (5) In addition to any other enforcement provisions in this section, a person who the Commission, the City Administrator or a court finds has violated this section:
- a. Is subject to termination or other disciplinary action; and
 - b. May be suspended from receiving payment of salary or other compensation pending full compliance with the terms of an order of the Commission, City Administrator or a court.
- (6) A City official or employee found to have violated this section is subject to disciplinary or other appropriate personnel action, including removal from office, disciplinary action, suspension of salary, or other sanction.
- (7) Violation of subsection (g) of this section shall be a misdemeanor subject to a fine of up to \$10,000.00 or imprisonment of up to one (1) year.
- (8) A finding of a violation of this section by the Commission or the City Administrator is public information.

[NOTE: A document showing the text changes to the City of Frostburg Ethics Code effected by this Ordinance is attached hereto for reference purposes]

SECTION 2: AND BE IT FURTHER ORDAINED BY THE MAYOR AND CITY COUNCIL OF FROSTBURG, MARYLAND, that this Ordinance shall take effect from the date of its passage.

Introduced:
Second Hearing:
Adopted:
Effective:

FROSTBURG MAYOR AND CITY COUNCIL

By: _____
W. Robert Flanigan, Mayor

ATTEST:

Elizabeth Stahlman, City Administrator

ORDINANCE 2022-__

AN ORDINANCE TO AMEND THE CITY CODE OF FROSTBURG TO PROVIDE FOR THE ADOPTION OF REGULATIONS PERTAINING TO SOLICITORS AND MOBILE BUSINESS VEHICLES.

WHEREAS: The City of Frostburg is a municipal corporation of the State of Maryland, organized and operating under a charter ("Charter") adopted in accordance with Article XI-E of the Constitution of Maryland and Article 23-A of the Annotated Code of Maryland, as amended; and,

WHEREAS: Article VI, Section I of the City Code contains antiquated regulations regarding food and beverage sales upon or above any sidewalks; and,

WHEREAS: The Mayor and City Council have indicated their desire to change the way door-to-door solicitors are regulated by changing the authorization process from permit issuance to registration, increasing the amount of information acquired from solicitors, and enhancing the penalties for persons who violate these provisions on more than two (2) occasions, all for the purpose of protecting the public.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of Frostburg, in consideration of the foregoing do hereby amend the City Code of the City of Frostburg by repealing Subsections (a)(c)(d) and (e) of Section 7-1 in their entirety and reenacting them to read as follows:

(a) *Solicitor registration.*

(1) *Activities regulated.* Before engaging in the following activities, persons must register with the City:

- (i) Door-to-door solicitation or canvassing of orders for any goods, wares or merchandise, for subscriptions to magazines or periodicals, or for the rendition of any service;
- (ii) Door-to-door purchase and/or sale of goods, wares or merchandise; and
- (iii) Door-to-door solicitation of business or contributions, monetary or non-monetary, for any cause or purpose, charitable or non-charitable, but excluding religious purposes or fundraising solicitations by school age children.

(2) *Information to be provided.* At the time of registration, a registrant must fill out a form that requires the production of the following information:

- (i) The registrant's name, home address, home and cell phone numbers, and all email addresses, whether personal or work-related;
- (ii) If the registrant plans to engage in solicitations on behalf of an organization or employer, the organization's name, address, telephone number and website address and the name, telephone number and email address of the solicitor's employer; and
- (iii) A registrant must produce a copy of the registrant's driver's license or age of majority card for copying.

(3) *Annual registration.* Registrations are effective from the date of registration through the balance of the calendar year.

....

- (c) *Permit fees.* The fees for the permits and registrations described in this section shall be established in the Schedule of Municipal Fees in the annual budget ordinance.
- (d) *Compliance with other laws.* Permit holders and registrants under this section are required to comply with all applicable local, State and federal laws and regulations applicable to their businesses. Registration or issuance of a permit under this section shall not constitute or be deemed to be evidence of such compliance.
- (e) *Violations.* Any person who violates the provisions of this section shall be guilty of a municipal infraction and shall be subject to the penalties provided in this Code. Additionally, any person failing to register under subsection (a) on more than two (2) occasions shall be banned from engaging in door-to-door solicitation for the balance of the then-current calendar year and for the entire following calendar year and such persons shall be guilty of a misdemeanor punishable by ten (10) days incarceration and a five hundred (\$500.00) fine for each day solicitation activities are conducted without registration. These penalties are in addition to any civil or criminal penalties which may be imposed under other laws.

Introduced:
Public Hearing:
Adopted:
Effective:

MAYOR AND CITY COUNCIL OF FROSTBURG

by _____
W. Robert Flanigan, Mayor

ATTEST

Elizabeth Stahlman, City Administrator

ORDINANCE 2022-____

AN ORDINANCE TO AMEND THE CITY CODE ARTICLE II, SECTION II (THE CITY OF FROSTBURG ETHICS LAW)

WHEREAS, The City of Frostburg is a municipal corporation of the State of Maryland, organized and operating under a Charter adopted in accordance with Article XI-E of the Constitution of Maryland and the Local Government Article of the Annotated Code of Maryland, as amended from time to time;

WHEREAS, Article II, Section II of the City Code of The City of Frostburg establishes the Frostburg Ethics Commission and sets forth rules and regulations relative to public ethics;

WHEREAS, from the Maryland General Assembly passed legislation effective October 1, 2011 (Md. State Govt. Code Ann. §§ 15-804(b) & 15-805(b)(2) requiring that local governments enact public ethics regulations for elected local officials relative to conflicts of interest and financial disclosure that are equivalent to or exceed State law standards;

WHEREAS, from time to time, the Maryland General Assembly passes legislation mandating changes to public ethics laws consistent with the standards set in the aforesaid 2011 enactments;

WHEREAS, in accordance with the regulations promulgated pursuant to the State law enactments, the City provided the State Ethics Commission with a draft of the revisions to the City of Frostburg's Ethics Code for its review and approval;

WHEREAS, by correspondence dated September 21, 2018, the State Ethics Commission notified the City Attorney that it reviewed the aforesaid revisions to the and determined that they comply with applicable State law provisions; and

WHEREAS, the City Code has been rewritten and recodified and, upon the passage of an ordinance adopting the City Code as rewritten and recodified, the City of Frostburg Ethics Law will appear in the City Code as Section 3.2. That is why the reenacted provisions are referred to as Section 3.2 rather than Article II, Section 2.

NOW THEREFORE:

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF FROSTBURG, MARYLAND, that Article 3, Section 3-2 is repealed and re-enacted with amendments and shall read as follows:

Sec. 3-2. - City of Frostburg Ethics Code.

(a) *Short title/applicability.*

(1) This section may be cited as the City of Frostburg Public Ethics Law.

- (2) The provisions of this section apply to all City elected officials, employees, and appointees to boards and commissions of the City.

(b) *Definitions.*

(1) *Designated second home* means:

- a. If an individual owns one (1) second home, the individual's second home; or
- b. If an individual owns more than one (1) second home, any one (1) second home the individual identifies to the Commission as the individual's designated second home.

(2) *Home address* means the address of an individual's:

- a. Principal home; and
- b. Designated second home, if any.

(3) *Interest* means a legal or equitable economic interest, whether or not subject to an encumbrance or a condition, that is owned or held, in whole or in part, jointly or severally, directly or indirectly.

- a. For purposes of this section, interest includes any interest held at any time during the reporting period.
- b. Interest does not include:
 1. An interest held in the capacity of a personal agent, custodian, fiduciary, personal representative, or trustee, unless the holder has an equitable interest in the subject matter;
 2. An interest in a time or demand deposit in a financial institution;
 3. An interest in an insurance policy, endowment policy, or annuity contract under which an insurer promises to pay a fixed amount of money either in a lump sum or periodically for life or a specified period;
 4. A common trust fund or a trust which forms part of a pension or profit sharing plan which has more than twenty-five (25) participants and which has been determined by the Internal Revenue Service to be a qualified trust under the Internal Revenue Code;
 5. A college savings plan under the Internal Revenue Code; or
 6. A mutual fund or exchange-traded fund that is publicly traded on a national scale unless the mutual fund or exchange-traded fund is composed primarily of holdings of stocks and interests in a specific sector or area that is regulated by the individual's governmental unit.

(4) *Principal home* means the sole residential property that an individual occupies as the individual's primary residence, whether owned or rented by the individual.

(5) *Qualified relative* means a spouse, parent, child, brother, or sister.

(6) *Quasi-governmental entity* means an entity that is created by state statute, that performs a public function, and that is supported in whole or in part by the state but is managed privately.

(7) *Second home* means a residential property that:

- a. An individual occupies for some portion of the filing year; and
- b. Is not a rental property or a time share.

(c) *The Ethics Commission.*

- (1) There is a Frostburg Ethics Commission (the "Commission") that consists of five (5) members appointed by the Mayor and City Council. The Commission shall be the advisory body

responsible for interpreting this section and advising persons subject to this section as to its application.

(2) The Commission shall:

- a. Devise, receive and maintain all forms required by this section;
- b. Develop procedures and policies for advisory opinion requests and provide published advisory opinions to persons subject to this section as to the applicability of the provisions of this section to them;
- c. Develop procedures and policies for the processing of complaints and make appropriate determinations regarding complaints filed by any person alleging violations of this section;
- d. Conduct a public information program regarding the purposes and application of this section;
- e. Determine if changes to this Section are required to be in compliance with the requirements of General Provisions Article, Title 5, Subtitle 8, Annotated Code of Maryland, and forward any recommended amendments to the City Council; and
- f. Certify to the State Ethics Commission on or before October 1 of each year that the City is in compliance with the requirements of Ann. Code of Md., General Provisions Article, Title 5, Subtitle 8, for elected officials.

(3) The City attorney shall advise the Commission.

(4) The Commission may adopt other policies and procedures to assist in the implementation of its programs established in this section.

(d) *Conflicts of interest.*

(1) *[Applicability.]* This subsection applies to all City elected officials, officials appointed to boards and commissions, and employees.

(2) *Participation prohibitions.* Except as permitted by Commission regulation or opinion, a City official or employee may not participate, except in a ministerial or administrative capacity that does not affect the disposition of the matter, in any matter in which:

- a. To the knowledge of the official or employee, the official or employee or a qualified relative of the official or employee has an interest.
- b. Any of the following is a party:
 1. A business entity in which the official or employee has a direct financial interest of which he or she may reasonably be expected to know;
 2. A business entity of which the official, employee, or qualified relative of the official or employee is an officer, director, trustee, partner, or employee;
 3. A business entity with which the official or employee or, to the knowledge of the official or employee, a qualified relative is negotiating employment or has made any arrangement regarding prospective employment;
 4. A business entity that is a party to an existing contract with the official or employee or, to the knowledge of the official or employee, a qualified relative, to the extent that the contract could reasonably be expected to create a conflict between the private interests and official duties of the official or employee;
 5. An entity doing business with the City, in which a direct financial interest is owned by another entity in which the official or employee has a direct financial interest, if the official or employee could reasonably be expected to know of both direct financial interests; or

6. A business entity that the official or employee knows is a creditor or obligee of the official or employee or a qualified relative of the official or employee with respect to a thing of economic value and that is in a position to directly and substantially affect the interest of the official or employee or qualified relative.
- c. An official or employee who is disqualified from participation pursuant to paragraphs a or b of this subsection shall disclose the nature of the conflict and may participate or act if:
 1. The disqualification leaves a body with less than a quorum capable of acting;
 2. The disqualified official or employee is required by law to act; or
 3. The disqualified official or employee is the only person authorized to act.
 - d. A former regulated lobbyist who is or becomes subject to this section as an employee or official, other than an elected official or an appointed official, may not participate in a case, contract, or other specific matter as an employee or official, other than an elected official or appointed official, for one (1) calendar year after the termination of the registration of the former regulated lobbyist if the former regulated lobbyist previously assisted or represented another party for compensation in the matter.
- (3) *Employment and financial interest restrictions.*
- a. Except as permitted by regulation of the Commission when the interest is disclosed or when the employment does not create a conflict of interest or appearance of conflict, an official or employee may not:
 1. Be employed by or have a financial interest in any entity:
 - A. Subject to the authority of the official or employee or the City agency, board, commission with which the official or employee is affiliated; or
 - B. That is negotiating or has entered a contract with the agency, board, or commission with which the official or employee is affiliated; or
 2. Hold any other employment relationship that would impair the impartiality or independence of judgment of the official or employee.
 3. Hold any outside employment that impairs the employee's ability to perform or availability for the performance of the employee's job duties with the City,
 4. Wear the uniform of another employer or any other clothing with the name, logo or any other reference to the other employer.
 5. Solicit work for the employee's outside employer.
 - b. The prohibitions of paragraph a of this subsection do not apply to:
 1. An official or employee who is appointed to a regulatory or licensing authority pursuant to a statutory requirement that persons subject to the jurisdiction of the authority be represented in appointments to the authority;
 2. Subject to other provisions of law, a member of a board or commission in regard to a financial interest or employment held at the time of appointment, provided the financial interest or employment is publicly disclosed to the appointing authority and the Commission;
 3. An official or employee whose duties are ministerial, if the private employment or financial interest does not create a conflict of interest or the appearance of a conflict of interest, as permitted by and in accordance with regulations adopted by the Commission; or
 4. Employment or financial interests allowed by regulation of the Commission if the employment does not create a conflict of interest or the appearance of a conflict of interest or the financial interest is disclosed.

- (4) *Post-employment limitations and restrictions.*
- a. A former official or employee may not assist or represent any party other than the City for compensation in a contract, case, or other matter involving the City if that matter is one in which the former official or employee significantly participated as an official or employee.
 - b. A former elected official may not assist or represent another party for compensation in a matter that is the subject of legislative action for one (1) calendar year after the elected official leaves office.
- (5) *Contingent compensation.* Except in a judicial or quasi-judicial proceeding, an official or employee may not assist or represent a party for contingent compensation in any matter before or involving the City.
- (6) *Use of prestige of office.* Except for the performance of usual and customary constituent services by an elected official without additional compensation:
- a. An official or employee may not intentionally use the prestige of office or public position for the private gain of himself or herself or the private gain of another, or to influence the award of a state or local contract to a specific person.
 - b. An official may not directly or indirectly initiate a solicitation for a person to retain the compensated services of a particular regulated lobbyist or lobbying firm.
 - c. An official, other than an elected official, or employee may not use public resources or the title of the official or employee to solicit a contribution as that term is defined in the Election Law Article.
 - d. An elected official may not use public resources to solicit a contribution as that term is defined in the Election Law Article.
- (7) *Solicitation and acceptance of gifts.*
- a. An official or employee may not solicit any gift.
 - b. An official or employee may not directly solicit or facilitate the solicitation of a gift, on behalf of another person, from an individual regulated lobbyist.
 - c. An official or employee may not knowingly accept a gift, directly or indirectly, from a person who the official or employee knows or has reason to know:
 1. Is doing business with or seeking to do business with the City office, agency, board, or commission with which the official or employee is affiliated;
 2. Has financial interests that may be substantially and materially affected, in a way distinguishable from the general public, by the performance or nonperformance of the duties of the official or employee;
 3. Is engaged in an activity regulated or controlled by the official's or employee's governmental unit;
 4. Is a lobbyist with respect to matters within the jurisdiction of the official or employee; or
 5. Is an association, or any entity acting on behalf of an association that is engaged only in representing counties or municipal corporations.
 - d. Paragraph e of this subsection does not apply to a gift:
 1. That would tend to impair the impartiality and independence of judgment of the official or employee receiving the gift;
 2. Of significant value that would give the appearance of impairing the impartiality and independence of judgment of the official or employee; or

3. Of significant value that the recipient official or employee believes or has reason to believe is designed to impair the impartiality and independence of judgment of the official or employee.
- e. Notwithstanding paragraph c of this subsection, an official or employee may accept the following:
1. Meals and beverages consumed in the presence of the donor or sponsoring entity;
 2. Unsolicited gifts of nominal value, not exceeding \$20.00 in cost or trivial items of informational value;
 3. Ceremonial gifts or awards with insignificant monetary value;
 4. Reasonable expenses for food, travel, lodging, and scheduled entertainment given in return for the participation of the official or employee in a panel or speaking engagement;
 5. Free tickets or admission to a charitable, cultural, or political event extended as a courtesy to an elected official's office;
 6. A specific gift or class of gifts exempted by the Commission upon a written finding that the gift or class of gifts is purely personal and private in nature and that acceptance of the gift or class of gifts would not be detrimental to the impartial conduct of the business of the City;
 7. Gifts from a person related to the official or employee by blood or marriage, or any other individual who is a member of the household of the official or employee; or
 8. Honoraria for speaking to or participating in a meeting, provided that the offering of the honorarium is not related in any way to the official's or employee's official position.
- (8) *Disclosure of confidential information.* Other than in the discharge of official duties, an official or employee or former official or employee may not disclose or use confidential information, that the official or employee acquired by reason of the individual's public position or former public position and that is not available to the public, for the economic benefit of the official or employee or that of another person.
- (9) *Participation in procurement.* An individual or a person that employs an individual who assists a City agency in the drafting of specifications, an invitation for bids, or a request for proposals for a procurement may not submit a bid or proposal for that procurement or assist or represent another person, directly or indirectly, who is submitting a bid or proposal for the procurement. The Commission may establish exemptions from the requirements of this paragraph for providing descriptive literature, sole source procurements, and written comments solicited by the procuring agency.
- (10) *Retaliation prohibited.* An official or employee may not retaliate against an individual for reporting or participating in an investigation of a potential violation of the local ethics law or ordinance.
- (e) *Financial disclosure—Elected officials and candidates to be elected officials.*
- (1) *Applicability/financial disclosure statements.*
- a. This subsection applies to all local elected officials and candidates to be local elected officials.
 - b. A local elected official or a candidate to be a local elected official shall file the financial disclosure statement required under this section:
 1. On a form provided by the City Administrator;
 2. Under oath or affirmation; and

3. With the City Administrator, who shall forward a copy of the financial statement to the Commission.

(2) *Deadlines for filing statements.*

- a. An incumbent local elected official shall file a financial disclosure statement annually no later than April 30 of each year for the preceding calendar year.
- b. An individual who is appointed to fill a vacancy in an office for which a financial disclosure statement is required and who has not already filed a financial disclosure statement shall file a statement for the preceding calendar year within thirty (30) days after appointment.
- c. An individual who, other than by reason of death, leaves an office for which a statement is required shall, within sixty (60) days after leaving the office, file a statement that covers the calendar year immediately preceding the year in which the individual left office, unless a statement covering that year has already been filed by the individual; and the portion of the current calendar year during which the individual held the office.

(3) *Candidates to be local elected officials.*

- a. Except for an official who has filed a financial disclosure statement under another provision of this subsection for the reporting period, a candidate to be an elected local official shall file a financial disclosure statement each year beginning with the year in which the certificate of candidacy is filed through the year of the election.
- b. The statement shall be filed:
 1. In the year the certificate of candidacy is filed, no later than the filing of the certificate of candidacy;
 2. In the year of the election, on or before the earlier of April 30 or the last day for the withdrawal of candidacy; and
 3. In all other years for which a statement is required, on or before April 30.
- c. A candidate to be an elected official shall file the statement required under paragraph (3) of this subsection with the City Administrator.
- d. If a statement required to be filed by a candidate is overdue and not filed within eight (8) days after written notice of the failure to file is provided by the City Administrator, the candidate shall be deemed to have withdrawn the candidacy.
- e. The City Administrator may not accept any certificate of candidacy unless a statement has been filed in proper form.
- f. Within thirty (30) days of the receipt of a statement required under this section, the City Administrator shall forward the statement to the Commission.

(4) *Public record.*

- a. The City Administrator shall maintain all financial disclosure statements filed under this section.
- b. Financial disclosure statements shall be made available during normal office hours for examination and copying by the public subject to reasonable fees and administrative procedures established by the City.
- c. If an individual other than a Commission member examines or copies a financial disclosure statement, the City Administrator shall record:
 1. The name and home address of the individual reviewing or copying the statement; and
 2. The name of the person whose financial disclosure statement was examined or copied.

- d. Upon request by the official or employee whose financial disclosure statement was examined or copied, the City Administrator shall provide the official with a copy of the name and home address of the person who reviewed the official's financial disclosure statement.
- e. For statements filed after January 1, 2019, the City Administrator may not provide public access to an individual's home address that the individual has designated as the individual's home address.
- f. The City Administrator shall not provide public access to information related to consideration received from:
 - 1. The University of Maryland Medical System;
 - 2. A governmental entity of the State or a local government in the State; or
 - 3. A quasi-governmental entity of the State or local government in the State.
- g. Retention requirements. The City Administrator shall retain financial disclosure statements for four (4) years from the date of receipt.
- h. An individual who is required to disclose the name of a business under this section shall disclose any other names that the business is trading as or doing business as.

(5) *Contents of Statement.*

- a. *Interests in real property.* A statement filed under this section shall include a schedule of all interests in real property wherever located. For each interest in real property, the schedule shall include:
 - 1. The nature of the property and the location by street address, mailing address, or legal description of the property;
 - 2. The nature and extent of the interest held, including any conditions and encumbrances on the interest;
 - 3. The date when, the manner in which, and the identity of the person from whom the interest was acquired;
 - 4. The nature and amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired;
 - 5. If any interest was transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received for the interest, and the identity of the person to whom the interest was transferred; and
 - 6. The identity of any other person with an interest in the property.
- b. *Interests in corporations and partnerships.* A statement filed under this subsection shall include a schedule of all interests in any corporation, partnership, limited liability partnership, or limited liability corporation, regardless of whether the corporation or partnership does business with the City. For each interest reported under this paragraph, the schedule shall include:
 - 1. The name and address of the principal office of the corporation, partnership, limited liability partnership, or limited liability corporation.
 - 2. The nature and amount of the interest held, including any conditions and encumbrances on the interest.
 - 3. With respect to any interest transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the

consideration received for the interest, and, if known, the identity of the person to whom the interest was transferred.

4. With respect to any interest acquired during the reporting period, the date when, the manner in which, and the identity of the person from whom the interest was acquired; and the nature and the amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired.
 5. An individual may satisfy the requirement to report the amount of the interest held under item (b)(ii) of this paragraph by reporting, for an equity interest in a corporation, the number of shares held, and unless the corporation's stock is publicly traded, the percentage of equity interest held; or for an equity interest in a partnership, the percentage of equity interest held.
- c. *Interests in business entities doing business with the City.* A statement filed under this subsection shall include a schedule of all interests in any business entity that does business with the City, other than interests reported under paragraph b of this subsection. For each interest reported under this paragraph, the schedule shall include:
1. The name and address of the principal office of the business entity;
 2. The nature and amount of the interest held, including any conditions to and encumbrances on the interest;
 3. With respect to any interest transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received in exchange for the interest, and, if known, the identity of the person to whom the interest was transferred; and
 4. With respect to any interest acquired during the reporting period; when, how, and from whom the interest was acquired; and the nature and the amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired.
- d. *Gifts.* A statement filed under this section shall include a schedule of each gift in excess of \$20.00 in value or a series of gifts totaling \$100.00 or more received during the reporting period from or on behalf of, directly or indirectly, any one (1) person who does business with or is regulated by the City or from an association, or any entity acting on behalf of an association that is engaged only in representing counties or municipal corporations. For each gift reported, the schedule shall include:
1. A description of the nature and value of the gift; and
 2. The identity of the person from whom, or on behalf of whom, directly or indirectly, the gift was received.
- e. *Employment with or interests in entities doing business with the City.* A statement filed under this section shall include a schedule of all offices, directorships, and salaried employment by the individual or member of the immediate family of the individual held at any time during the reporting period with entities doing business with the City. For each position reported under this paragraph, the schedule shall include:
1. The name and address of the principal office of the business entity;
 2. The title and nature of the office, directorship, or salaried employment held and the date it commenced; and
 3. The name of each City agency with which the entity is involved.
- f. *Indebtedness to entities doing business with or regulated by the individual's City unit or department.* A statement filed under this section shall include a schedule of all liabilities, excluding retail credit accounts, to persons or entities doing business with or regulated by

the individual's City unit or department owed at any time during the reporting period by the individual or by a member of the immediate family of the individual if the individual was involved in the transaction giving rise to the liability. For each liability reported under this paragraph, the schedule shall include:

1. The identity of the person to whom the liability was owed and the date the liability was incurred;
 2. The amount of the liability owed as of the end of the reporting period;
 3. The terms of payment of the liability and the extent to which the principal amount of the liability was increased or reduced during the year; and
 4. The security given, if any, for the liability.
- g. *Employment of immediate family members.* A statement filed under this section shall include a schedule of the immediate family members of the individual employed by the City in any capacity at any time during the reporting period.
- h. *Sources of earned income.* A statement filed under this section shall include:
1. A schedule of the name and address of each place of employment and of each business entity of which the individual or a member of the individual's immediate family was a sole or partial owner and from which the individual or member of the individual's immediate family received earned income, at any time during the reporting period.
 2. A minor child's employment or business ownership need not be disclosed if the agency that employs the individual does not regulate, exercise authority over, or contract with the place of employment or business entity of the minor child.
 3. For a statement filed on or after January 1, 2019, if the individual's spouse is a lobbyist regulated by the City, the individual shall disclose the entity that has engaged the spouse for lobbying purposes.
- i. *Relationship with University of Maryland Medical System, State or Local Government, or Quasi-Governmental Entity.*
1. An individual shall disclose the information specified in General Provisions Article §5-607(j)(1), Annotated Code of Maryland, for any financial or contractual relationship with:
 - (i) The University of Maryland Medical System;
 - (ii) A governmental entity of the State or a local government in the State; or
 - (iii) A quasi-governmental entity of the State or local government in the State.
 2. For each financial or contractual relationship reported, the schedule shall include:
 - (i) A description of the relationship;
 - (ii) The subject matter of the relationship; and
 - (iii) The consideration.
- j. *[Additional interests disclosure.]* A statement filed under this section may also include a schedule of additional interests or information that the individual making the statement wishes to disclose.
- k. *[Interests of individual for consideration.]* For the purposes of subsection (E)(5)(a), (b), and (c), of this section, the following interests are considered to be the interests of the individual making the statement:

1. An interest held by a member of the individual's immediate family, if the interest was, at any time during the reporting period, directly or indirectly controlled by the individual.
 2. An interest held, at any time during the applicable period, by:
 - (i) A business entity in which the individual held a 10% or greater interest;
 - (ii) A business entity described in item (i) of this subsection in which the business entity held a 25% or greater interest;
 - (iii) A business entity described in item (ii) of this subsection in which the business entity held a 50% or greater interest; and
 - (iv) A business entity in which the individual directly or indirectly, through an interest in one or a combination of other business entities, holds a 10% or greater interest.
 3. An interest held by a trust or an estate in which, at any time during the reporting period, the individual held a reversionary interest or was a beneficiary; or, if a revocable trust, the individual was a settlor.
- (6) *Compliance.*
- a. The City Administrator shall review the financial disclosure statements submitted under this subsection for compliance with the provisions of this subsection and shall notify an individual submitting the statement of any omissions or deficiencies.
 - b. The City Administrator or the Commission may take appropriate enforcement action to ensure compliance with this subsection.
- (f) *Financial disclosure—Employees and appointed officials.*
- (1) This subsection applies only to the following appointed officials and employees:
 - a. City Administrator.
 - b. Director of Community Development.
 - c. Chief of Police.
 - d. Director of Finance.
 - e. Director of Public Works.
 - (2) A statement filed under this section shall be filed with the Commission under oath or affirmation.
 - (3) On or before April 30 of each year during which an official or employee holds office, an official or employee shall file a statement disclosing gifts received during the preceding calendar year from any person that contracts with or is regulated by the City, including the name of the donor of the gift and the approximate retail value at the time of receipt.
 - (4) An official or employee shall disclose employment and interests that raise conflicts of interest or potential conflicts of interest in connection with a specific proposed action by the employee or official sufficiently in advance of the action to provide adequate disclosure to the public.
 - (5) The Commission shall maintain all disclosure statements filed under this subsection as public records available for public inspection and copying as provided in subsection (e)(4) of this section.
- (g) *Lobbying.*
- (1) A person shall file a lobbying registration statement with the Commission if the person:
 - a. Personally appears before a City official or employee with the intent to influence that person in the performance of the official duties of the official or employee; and

- b. In connection with the intent to influence, expends or reasonably expects to expend in a given calendar year in excess of \$200.00 on food, entertainment, or other gifts for officials or employees of the City.
- (2) A person shall file a registration statement required under this section on or before the later of January 15 of the calendar year or within five (5) days after first performing an act that requires registration in the calendar year.
- (3) The registration statement.
 - a. The registration statement shall identify:
 - 1. The registrant;
 - 2. Any other person on whose behalf the registrant acts; and
 - 3. The subject matter on which the registrant proposes to make appearances specified in paragraph (1)a. of this subsection.
 - b. The registration statement shall cover a defined registration period not to exceed one (1) calendar year.
- (4) Within thirty (30) days after the end of any calendar year during which a person was registered under this section, the person shall file a report with the Commission disclosing:
 - a. The value, date, and nature of any food, entertainment, or other gift provided to a City official or employee; and
 - b. If a gift or series of gifts to a single official or employee exceeds \$100.00 in value, the identity of the official or employee.
- (5) The City Administrator shall maintain the registrations and reports filed under this section as public records available for public inspection and copying for four (4) years after receipt by the City Administrator.
- (h) *Exemptions and modifications.* The Commission may grant exemptions and modifications to the provisions of subsections (d) and (f) of this section to employees and to appointed members of City boards and commissions when the Commission finds that an exemption or modification would not be contrary to the purposes of this section, and the application of this section would:
 - (1) Constitute an unreasonable invasion of privacy; and
 - (2) Significantly reduce the availability of qualified persons for public service.
- (i) *Enforcement.*
 - (1) The Commission or the City Administrator may:
 - a. Assess a late fee of \$5.00 per day up to a maximum of \$500.00 for a failure to timely file a financial disclosure statement required under subsection (e) or (f) of this section;
 - b. Assess a late fee of \$10.00 per day up to a maximum of \$1,000.00 for a failure to file a timely lobbyist registration or lobbyist report required under subsection (g) of this section; and
 - c. Issue a cease and desist order against any person found to be in violation of this section.
 - (2) Upon a finding of a violation of any provision of this section, the Commission or City Administrator may:
 - a. Issue an order of compliance directing the respondent to cease and desist from the violation;
 - b. Issue a reprimand; or
 - c. Recommend to the appropriate authority other appropriate discipline of the respondent, including censure or removal if that discipline is authorized by law.

- (3) If the Commission or City Administrator finds that a respondent has violated subsection (f) of this section, the Commission or City Administrator may:
- a. Require a respondent who is a registered lobbyist to file any additional reports or information that is reasonably related to the information that is required under subsection G of this section;
 - b. Impose a fine not exceeding \$5,000.00 for each violation; and
 - c. Suspend the registration of an individual registered lobbyist if the Commission or City Administrator finds that the lobbyist has knowingly and willfully violated subsection (g) of this section or has been convicted of a criminal offense arising from lobbying activities.
- (4) Upon request by the Commission or City Administrator, the City Attorney may file a petition for injunctive or other relief in the Circuit Court for Allegany County, Maryland, or in any other court having proper venue for the purpose of requiring compliance with the provisions of this section.
- a. The court may:
 1. Issue an order to cease and desist from the violation;
 2. Except as provided in subparagraph b. of this paragraph, void an official action taken by an official or employee with a conflict of interest prohibited by this section when the action arises from or concerns the subject matter of the conflict and if the legal action is brought within ninety (90) days of the occurrence of the official action, if the court deems voiding the action to be in the best interest of the public; or
 3. Impose a fine of up to \$5,000.00 for any violation of the provisions of this section, with each day upon which the violation occurs constituting a separate offense.
 - b. A court may not void any official action appropriating public funds, levying taxes, or providing for the issuance of bonds, notes, or other evidences of public obligations.
- (5) In addition to any other enforcement provisions in this section, a person who the Commission, the City Administrator or a court finds has violated this section:
- a. Is subject to termination or other disciplinary action; and
 - b. May be suspended from receiving payment of salary or other compensation pending full compliance with the terms of an order of the Commission, City Administrator or a court.
- (6) A City official or employee found to have violated this section is subject to disciplinary or other appropriate personnel action, including removal from office, disciplinary action, suspension of salary, or other sanction.
- (7) Violation of subsection (g) of this section shall be a misdemeanor subject to a fine of up to \$10,000.00 or imprisonment of up to one (1) year.
- (8) A finding of a violation of this section by the Commission or the City Administrator is public information.

[NOTE: A document showing the text changes to the City of Frostburg Ethics Code effected by this Ordinance is attached hereto for reference purposes]

SECTION 2: AND BE IT FURTHER ORDAINED BY THE MAYOR AND CITY COUNCIL OF FROSTBURG, MARYLAND, that this Ordinance shall take effect from the date of its passage.

Introduced:
Second Hearing:
Adopted:
Effective:

FROSTBURG MAYOR AND CITY COUNCIL

By: _____
W. Robert Flanigan, Mayor

ATTEST:

Elizabeth Stahlman, City Administrator

ORDINANCE 2022-__

AN ORDINANCE TO AMEND THE CITY CODE OF FROSTBURG TO PROVIDE FOR THE ADOPTION OF REGULATIONS PERTAINING TO SOLICITORS AND MOBILE BUSINESS VEHICLES.

WHEREAS: The City of Frostburg is a municipal corporation of the State of Maryland, organized and operating under a charter (“Charter”) adopted in accordance with Article XI-E of the Constitution of Maryland and Article 23-A of the Annotated Code of Maryland, as amended; and,

WHEREAS: Article VI, Section I of the City Code contains antiquated regulations regarding food and beverage sales upon or above any sidewalks; and,

WHEREAS: The Mayor and City Council have indicated their desire to change the way door-to-door solicitors are regulated by changing the authorization process from permit issuance to registration, increasing the amount of information acquired from solicitors, and enhancing the penalties for persons who violate these provisions on more than two (2) occasions, all for the purpose of protecting the public.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of Frostburg, in consideration of the foregoing do hereby amend the City Code of the City of Frostburg by repealing Subsections (a)(c)(d) and (e) of Section 7-1 in their entirety and reenacting them to read as follows:

(a) *Solicitor registration.*

(1) *Activities regulated.* Before engaging in the following activities, persons must register with the City:

- (i) Door-to-door solicitation or canvassing of orders for any goods, wares or merchandise, for subscriptions to magazines or periodicals, or for the rendition of any service;
- (ii) Door-to-door purchase and/or sale of goods, wares or merchandise; and
- (iii) Door-to-door solicitation of business or contributions, monetary or non-monetary, for any cause or purpose, charitable or non-charitable, but excluding religious purposes or fundraising solicitations by school age children.

(2) *Information to be provided.* At the time of registration, a registrant must fill out a form that requires the production of the following information:

- (i) The registrant’s name, home address, home and cell phone numbers, and all email addresses, whether personal or work-related;
- (ii) If the registrant plans to engage in solicitations on behalf of an organization or employer, the organization’s name, address, telephone number and website address and the name, telephone number and email address of the solicitor’s employer; and
- (iii) A registrant must produce a copy of the registrant’s driver’s license or age of majority card for copying.

(3) *Annual registration.* Registrations are effective from the date of registration through the balance of the calendar year.

....

- (c) *Permit fees.* The fees for the permits and registrations described in this section shall be established in the Schedule of Municipal Fees in the annual budget ordinance.
- (d) *Compliance with other laws.* Permit holders and registrants under this section are required to comply with all applicable local, State and federal laws and regulations applicable to their businesses. Registration or issuance of a permit under this section shall not constitute or be deemed to be evidence of such compliance.
- (e) *Violations.* Any person who violates the provisions of this section shall be guilty of a municipal infraction and shall be subject to the penalties provided in this Code. Additionally, any person failing to register under subsection (a) on more than two (2) occasions shall be banned from engaging in door-to-door solicitation for the balance of the then-current calendar year and for the entire following calendar year and such persons shall be guilty of a misdemeanor punishable by ten (10) days incarceration and a five hundred (\$500.00) fine for each day solicitation activities are conducted without registration. These penalties are in addition to any civil or criminal penalties which may be imposed under other laws.

Introduced:
Public Hearing:
Adopted:
Effective:

MAYOR AND CITY COUNCIL OF FROSTBURG

by _____
W. Robert Flanigan, Mayor

ATTEST

Elizabeth Stahlman, City Administrator

City of Frostburg
Fiscal Year 2023-24
Budget Preparation Schedule

February 3, 2023	Staff Budget Process <ul style="list-style-type: none">• Departmental Requests Due; Requests must be prepared in consultation with Commissioners
February 9, 2023	Work Session <ul style="list-style-type: none">• Presentation of Budget Schedule• Presentation of Requests from Departments/Commissioners• Discussion of Council's Budget Priorities• Council Discussion on Tax and Utility Rates - in consultation with Utility Rate Study Consultant NewGen•
February 16, 2023	Monthly City Council Meeting <ul style="list-style-type: none">• Hotel/Motel Tax Revenue request (no meeting hearing)
March 9, 2023	Work Session <ul style="list-style-type: none">• Council Review and Discussion on Draft Budget• Council Discussion on Setting the Tax Rate• Council Discussion on Setting Utility Rates and Other Fees - in consultation with Utility Rate Study Consultant NewGen
March 16, 2023	Monthly City Council Meeting <ul style="list-style-type: none">• Special Presentation on Tax and Utility Rates• Presentation of Draft Budget• Public Comment on Draft Budget
April 13, 2023	Work Session <ul style="list-style-type: none">• Council Review and Discussion of Budget Ordinance
April 20, 2023	Monthly City Council Meeting <ul style="list-style-type: none">• Constant Yield Tax Rate Public Hearing• Introduction of Budget Ordinance – Public Comment
May 11, 2023	Work Session <ul style="list-style-type: none">• Final Review of Budget Ordinance• Discussion of any Proposed Amendments
May 18, 2023	Monthly City Council Meeting <ul style="list-style-type: none">• Public Hearing on the Budget Ordinance - Advertised• Second Reading, Public Comment and Vote to Approve; Ordinance becomes effective in 20 Days

ORDINANCE 2023-01

AN ORDINANCE TO AMEND THE CITY'S ZONING ORDINANCE (APPENDIX A OF THE FROSTBURG CODE) TO ADD RESTAURANTS AS SPECIAL EXCEPTION USES IN THE T-LI (TECHNOLOGY/LIGHT INDUSTRIAL) ZONING DISTRICT, SUBJECT TO SPECIFIED CONDITIONS.

WHEREAS, the City of Frostburg is a municipal corporation of the State of Maryland, organized and operating under a charter ("Charter") adopted in accordance with Article XI-E of the Constitution of Maryland and Article 23-A of the Annotated Code of Maryland, as amended;

WHEREAS, Article V, Sections 501 and 502 of the Charter empowers the City to regulate matters of zoning within the City;

WHEREAS, the City of Frostburg Zoning Ordinance (the "Zoning Ordinance") is set forth in Appendix A of the Frostburg Code;

WHEREAS, the Department of Community Development proposed text changes, to add all types of restaurants as special exception uses in the T-LI District, but only if they are on lots with front lot lines abutting arterial or collector streets, as defined in Section 4.2 of the Frostburg Subdivision and Land Development Regulations (Appendix B of the Frostburg Code);

WHEREAS, the recommended changes would necessitate renumbering Subsection (6) of Section 3.11(C) of the Zoning Ordinance as Subsection (7) and inserting a new Subsection (6) to read as follows:

- (6) Restaurants. Special Exception use applies only to lots with a front lot line abutting an arterial or collector street, as defined by Article IV, Definitions, of the Frostburg Subdivision and Land Development Regulations.

WHEREAS, the Frostburg Planning Commission reviewed the proposed text changes during its January 11, 2023 public meeting and voted to recommend to the Mayor and Council that it adopt them; and

WHEREAS, by this Ordinance, the Mayor and Council are accepting those recommendations, subject to amendments, and are amending the Zoning Ordinance as set forth below.

NOW, THEREFORE,

SECTION 1: BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF FROSTBURG, that the Mayor and Council, having introduced the amendments to the Zoning Ordinance, having conducted one advertised Public Meeting, and having determined that additional special exception uses shall be permitted in the "T-LI"

Technology Light Industrial Zoning District, do hereby amend Section 3.11(C) of the Zoning Ordinance by renumbering Subsection (6) as Subsection (7) and inserting a new Subsection (6) to read as follows:

(6) Restaurants, Drive-In or Drive-Through, Fast Food, and Standard, but only if they are on lots with front lot lines abutting arterial or collector streets, as defined in Section 4.2 of the Frostburg Subdivision and Land Development Regulations (see Appendix B of the Frostburg Code).

SECTION 2: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect twenty (20) days from the date of its passage.

MAYOR AND CITY COUNCIL OF FROSTBURG

By: _____
W. Robert Flanigan, Mayor

Elizabeth Stahlman, City Administrator

Introduced: _____, 2023
1st Hearing: _____, 2023
Adopted: _____, 2023
Effective: _____, 2023

RESOLUTION 2023-02

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, APPROVING CERTAIN PROJECTS AND PROGRAMS TO BE IMPLEMENTED USING THE AMERICAN RESCUE PLAN ACT FUNDS.

WHEREAS, The City of Frostburg has been allocated \$8.379 M through the State and Local Coronavirus Relief Funds as part of the American Rescue Plan Act; and,

WHEREAS, The City is to spend these funds in accordance with the Final Rule and supplementary guidelines issued by the U.S. Treasury; and,

WHEREAS, the Council will review projects and approve staff to proceed with project or program implementation in order to obligate the entirety of the funds by December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Frostburg approves the use of American Rescue Plan Act funds for the following programs and projects:

- Rescind approval of Savage Well Rehab
- Rescind approval of Rental Housing Relief Program
- Coal Miner Memorial Park
- Welcome Sign
- City Smoke Testing and Mapping
- Design for Mechanic Street Parking Lot
- Centennial Street Water Line Replacement
- Police Taser Upgrade
- Police Incar Computer Upgrade
- CSO Elimination Phase X-A
- Childcare Center Construction

ADOPTED this 16th day of February, 2023.

Frostburg Mayor and Council

BY _____
W. Robert Flanigan, Mayor

Attest:

Elizabeth Stahlman, City Administrator

RESOLUTION 2023-03

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND APPROVING AN AMENDMENT TO THE FISCAL YEAR 2022-2023 BUDGET.

WHEREAS, The Mayor and Council approved the Operating Budget for Fiscal Year 2022-2023 in May 2023; and,

WHEREAS, During the course of the first half of Fiscal Year 2022/2023 certain revenues and expenses occurred, are expected to occur, or will not occur as predicted at the time the budget was developed and approved; and,

WHEREAS, The Director of Finance has presented a proposed Budget Amendment that details the changes known as of the mid-point of the budget year to the Council for consideration.

NOW, THEREFORE BE IT RESOLVED that the Frostburg Mayor & City Council do hereby approve a Budget Amendment to the Fiscal 2022/2023 Operating Budget, which Amendment is attached hereto and made a part hereof this Resolution.

ADOPTED this 16th day of February, 2023.

Frostburg Mayor and Council

BY _____
W. Robert Flanigan, Mayor

Attest:

Elizabeth Stahlman, City Administrator

CITY OF FROSTBURG
OPERATING BUDGET FOR THE YEAR ENDING JUNE 30, 2023
BUDGET AMENDMENTS - RESOLUTION 2023-03

Account	Account Description	Original Budget	Proposed Amendment	Amended Budget
	CORPORATE FUND			
01-000-4056	COMM DEV GRANT REVENUE	\$ 50,000	\$ 17,000	\$ 67,000
01-000-4306	PROJECT REIMBURSEMENT	1,350,000	61,000	1,411,000
01-000-4315	PROCEEDS FROM FUND BALANCE	99,860	254,000	353,860
01-000-4317	SPECIAL REVENUE	826,000	(165,000)	661,000
01-000-4600	INTEREST INCOME	15,000	360,000	375,000
	CORPORATE FUND Revenue Total	2,340,860	527,000	2,867,860
	ADMINISTRATIVE			
01-110-5001	SALARIES - BONUS	-	51,000	51,000
01-110-5011	PENSION	13,800	1,600	15,400
01-110-5012	WORKERS COMP	575	3,000	3,575
01-110-5050	RESERVE FOR CONTINGENCIES	2,000	8,000	10,000
01-110-5111	CONTRIBUTIONS - TOURISM	95,000	12,500	107,500
01-110-5235	DIGITAL ENGAGEMENT	5,000	4,000	9,000
01-110-5502	BUILDING MAINTENANCE	10,100	6,000	16,100
01-110-5700	BANK FEES	-	2,700	2,700
01-110-5807	CAPITAL OUTLAY	1,500,000	(575,000)	925,000
	Administrative	1,626,475	(486,200)	1,140,275
	FINANCE			
01-120-5310	AUDITING	52,000	8,700	60,700
	Finance	52,000	8,700	60,700
	COMMUNITY DEV			
01-130-5013	INSURANCE - HEALTH	7,900	7,100	15,000
01-130-5322	PLANNING	150,000	(150,000)	-
01-130-5820	COMMUNITY LEGACY PROJECTS	50,000	17,000	67,000
	Community Dev	207,900	(125,900)	82,000
	CODE ENFORCEMENT			
01-140-5013	INSURANCE - HEALTH	23,200	(7,100)	16,100
01-140-5331	CONSTRUCTION INSPECT	14,000	6,000	20,000
01-140-5332	RENTAL INSPECTION	28,550	7,500	36,050
	Code Enforcement	65,750	6,400	72,150
	PUBLIC WORKS ADMIN			
01-150-5150	TRAINING	1,500	4,200	5,700
	Public Works Admin	1,500	4,200	5,700

CITY OF FROSTBURG
OPERATING BUDGET FOR THE YEAR ENDING JUNE 30, 2023
BUDGET AMENDMENTS - RESOLUTION 2023-03

Account	Account Description	Original Budget	Proposed Amendment	Amended Budget
	PUBLIC SAFETY			
01-160-5002	SALARIES - POLICE GRANTS	\$ 25,000	\$ 15,200	\$ 40,200
01-160-5181	LAW ENFORCEMENT EQUIPMENT	18,500	78,000	96,500
01-160-5230	COMPUTERS	-	31,000	31,000
01-160-5390	MISCELLANEOUS EXPENSE	4,000	7,200	11,200
	Public Safety	47,500	131,400	178,900
	PUBLIC WORKS - STREET			
01-170-5800	CAPITAL OUTLAY	60,000	218,500	278,500
01-170-5861	STREET PAVING	600,000	570,000	1,170,000
	Public Works - Street	660,000	788,500	1,448,500
	RECREATION			
01-180-5011	PENSION	13,400	3,500	16,900
01-180-5800	CAPITAL OUTLAY	-	191,000	191,000
	Recreation	13,400	194,500	207,900
	RECREATION - SEASONAL			
01-183-5000	SALARIES	13,200	5,000	18,200
01-183-5010	SOCIAL SECURITY	1,025	400	1,425
	Recreation - Seasonal	14,225	5,400	19,625
	CORPORATE FUND Expend Total	2,688,750	527,000	3,215,750
	WATER FUND			
02-000-4315	PROCEEDS FROM FUND BALANCE	92,475	(11,000)	81,475
02-000-4600	INTEREST INCOME	-	11,000	11,000
	WATER FUND Revenue Total	92,475	-	92,475
	WATER - DISTRIBUTION			
02-196-5210	OFFICE SUPPLIES	500	500	1,000
02-196-5400	GAS, OIL, GREASE	8,000	7,000	15,000
02-196-5701	DISTRIBUTION PIPE EXPENSE	5,000	3,000	8,000
02-196-5704	TRANSMISSION MAINS EXPENSE	12,000	54,500	66,500
02-196-5740	METERS EXPENSE	190,000	(110,000)	80,000
02-196-5800	CAPITAL OUTLAY	410,000	45,000	455,000
	WATER FUND Expend Total	625,500	-	625,500

CITY OF FROSTBURG
OPERATING BUDGET FOR THE YEAR ENDING JUNE 30, 2023
BUDGET AMENDMENTS - RESOLUTION 2023-03

Account	Account Description	Original Budget	Proposed Amendment	Amended Budget
	SEWER FUND			
03-000-4317	SPECIAL REVENUE	\$ 654,000	\$ 194,500	\$ 848,500
03-000-4600	INTEREST INCOME	-	25,000	25,000
	SEWER FUND Revenue Total	654,000	219,500	873,500
	SEWER - OPERATING			
03-211-5763	SEWER OPERATING EXPENSE	55,000	212,800	267,800
03-211-5800	CAPITAL OUTLAY - SEWER PROJECTS	725,000	6,700	731,700
	SEWER FUND Expend Total	780,000	219,500	999,500
	PINEY SURCHARGE FUND			
04-000-4317	SPECIAL REVENUE	175,000	(175,000)	-
04-000-4600	INTEREST INCOME	-	12,000	12,000
04-000-4603	RECEIPTS - OTHER	-	221,000	221,000
	PINEY SURCHARGE FUND Revenue Total	175,000	58,000	233,000
	WATER SURCHARGE			
04-200-5390	MISCELLANEOUS EXPENSE	-	17,700	17,700
04-200-5802	CAPITAL REPAIRS	66,075	40,300	106,375
	PINEY SURCHARGE FUND Expend Total	66,075	58,000	124,075
	GARBAGE FUND			
05-000-4315	PROCEEDS FROM FUND BALANCE	44,500	11,500	56,000
05-000-4317	SPECIAL REVENUE	-	192,000	192,000
05-000-4600	INTEREST INCOME	-	3,500	3,500
	GARBAGE FUND Revenue Total	44,500	207,000	251,500
	GARBAGE OPERATING			
05-232-5770	ASH DUMPSTER	3,500	4,000	7,500
05-232-5773	SANITATION OPERATING EXPENSE	17,000	13,000	30,000
05-232-5800	CAPITAL OUTLAY	-	190,000	190,000
	GARBAGE FUND Expend Total	20,500	207,000	227,500

Note: Only accounts impacted by proposed budget amendments are presented. For the complete Operating Budget, please refer to Ordinance 2022-04.

RESOLUTION 2023-04

**A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION
OF THE STATE OF MARYLAND, APPROVING A CONTRACT FOR DESIGN
SERVICES FOR CSO PROJECT PHASES X-B AND X-C.**

WHEREAS, the City of Frostburg undertaken a 20 year, \$25 million commitment to reduce Combined Sewer Overflows, as required by Court Order; and

WHEREAS, the City's has assembled funding packages through the Maryland Department of the Environment to include low-interest loan, loan principal forgiveness, and grant funding for both projects; and,

WHEREAS, the SPECS Consulting Engineers has been providing Design Services for the City's CSO Projects and has significant familiarity with the City and these projects and has provided a proposal Phase X-B and X-C.

NOW, THEREFORE, be it resolved that the Council of the City of Frostburg hereby approves a contract with SPECS Consulting Engineers and Surveyors for CSO Phase X-B at a cost for Design and Bidding Services of \$136,820.00 as detailed in the proposal dated February 13, 2023 and CSO Phase X-C at a cost for Design and Bidding Services of \$159,000 as detailed in the proposal dated February 13, 2023.

ADOPTED this 16th day of February, 2023.

Frostburg Mayor and Council

BY _____
W. Robert Flanigan, Mayor

Attest:

Elizabeth Stahlman, City Administrator



February 13, 2023

Mr. Hayden Lindsey
Director of Public Works
City of Frostburg
Municipal Building
P.O. Box 440
Frostburg, MD 21532

**RE: Proposal for Engineering Design Services
Frostburg CSO Elimination Phase X-B**

Dear Mr. Lindsey:

We are pleased to present this proposal for the design of Phase X-B. This project includes the area bounded by Green Street on the west, Main Street on the north, Sleeman Street to the east and Phase X-A to the south. The work includes designing a replacement sanitary and storm system in this area with the purpose of reducing Combined Sewer Overflows. The entire design area is approximately 16 acres. Waterlines, if identified in the schematic design phase by the owner, will also be re-designed and incorporated in the design documents.

We anticipate that one or two storm outfalls will need to be permitted through MDE Waterways. The new storm lines will require installing safe outfalls to Georges Creek. Any easements required will be identified as they become apparent.

We will approach this project in a similar manner to our previous projects. Our anticipated approach is as follows:

1. Pre-Design Phase:

- 1.1 Conduct a field topo survey to establish base maps. The field-run topography allows us to locate manholes, cleanouts and other physical features and is more accurate than the available aerial topography. Field topo to extend 10 feet beyond rights-of-way. Remaining areas will be supplemented with County GIS topo.
- 1.2 Prepare base drawings using field run topography and topographic features.

2. Schematic Design Phase:

- 2.1 Conduct team meeting with City.
- 2.2 Prepare Schematic plans and specifications to identify general quantities and to further solidify budget for construction.
- 2.3 Meet with MDE waterways to determine potential permitting for outfalls if required.

3. Construction Document Phase:

- 3.1 Prepare Construction Documents including plans and specifications.
- 3.2 Prepare Cost Estimate with breakdown for eligible/non eligible funding packages for MDE.
- 3.3 Submit Construction Drawings, Specifications and Calculations to MDE.
- 3.4 Submit Joint Application to MDE Waterways.

4. Bidding Phase:

- 4.1 Schedule and direct pre-bid meeting.

105 S. CENTRE ST., SUITE 100 • CUMBERLAND, MD 21502		
PHONE: 301.777.2510 • FAX: 301.777.8419		

Mr. Hayden Lindsey
Director of Public Works
Proposal for Engineering Design Services
Frostburg CSO Elimination Phases X-B
February 13, 2023

Page 2 of 5

- 4.2 Issue addenda and answer questions as necessary.
- 4.3 Receive bids and prepare bid recommendation.

PROPOSED FEE SUMMARY

Based on the above scope of services, we are proposing the following not-to-exceed fees:

Design and Bidding Services Cemetery Sewer:
One Hundred Thirty-Six Thousand, Eight Hundred Twenty Dollars (\$136,820.00)

Costs for printing, photocopying, overnight express mail, out-of-town travel, and miscellaneous expenses will be billed at our current billing rate in addition to the proposed fees. Cost for sub-consultants is actual cost plus 10%. Invoicing for services will be processed on a monthly basis and may or may not match milestone events. Payment is expected within thirty (30) days from receipt of invoice. Additional services beyond those indicated above will be identified in writing at the time those services are required. If the scope of work changes, we reserve the right to adjust the proposed fee to account for those changes.

Estimated Reimbursable Fees: \$1000.00

DELIVERABLES

Our deliverables for this project will include one (1) set of final plans of the civil/site plans and related specification sections necessary for bidding and construction. Progress and review prints will be invoiced at our current billing rates as reimbursable expenses.

Upon completion of the design, we will release the digital PDF files Owner's record. Other drawings, specifications and documents prepared by SPECS, Inc. are instruments of the Engineer's service and are for the Owner's use solely with respect to this Project. SPECS, Inc. shall retain all common law, statutory and other reserved rights, including the copyright. Upon completion of the Project or termination of this Agreement, the Owner's right to use the instruments of service shall cease. When transmitting copyright-protected information for use on the Project, the transmitting party represents that it is either the copyright owner of the information or has permission from the copyright owner to transmit the information for its use on the Project. Autocad base drawings will be provided to the City for their use with storm and sanitary mapping.

PROPOSAL ASSUMPTIONS

Items not listed under the scope of services or unforeseen at this time are considered as additional work and, as such, would require compensation at our current billing rates or at a negotiated fee at the time such services would be required. During the preparation of this proposal, we have assumed the following:

Mr. Hayden Lindsey
Director of Public Works
Proposal for Engineering Design Services
Frostburg CSO Elimination Phases X-B
February 13, 2023

Page 3 of 5

1. Services are not included for performing archeological, pavement, environmental or historical investigations.
2. Permit fees, regulatory agency review fees, or other associated costs will be paid by others.
3. Services are not included to attend or prepare for Public meetings such as Planning and Zoning Commissions, Zoning Appeals Boards, Historic District, etc. This will be billed on an hourly basis.
4. Easement coordination with property owners and preparation of easement drawings are not included in our fees.
5. Services to perform property line surveying are not included. Property lines will be established from County GIS models. Existing Road rights-of-ways will be field verified.
6. As-Built or Record drawings for archiving, etc. is not included.
7. Revisions of documents due to changes in scope, quality, or budget of the project will require additional services.
8. Renderings, models, or other presentation work is excluded.
9. Identification, discovery, presence, handling, removal or disposal of hazardous materials in any form, or any exposure of any persons thereto, at the project site is excluded.
10. Services beyond submission of plans are not included and it is assumed these will be negotiated as more details involving the funding and timing is revealed.
11. Construction Administration is not included for any of the phases accepted as specifically noted herein.
12. This proposal does not include the design of site retaining walls.
13. The Client will designate one person to act as coordinator between the Client and SPECS, Inc. for the Project. This coordinator will be responsible for providing all applicable and available drawings, specifications and other data related to the Project site, including surveys, reports and design documents from other design disciplines.
14. Either party, upon seven (7) days' written notice to the other party, may terminate this agreement. If the Project is suspended or abandoned in whole or in part for more than three (3) months, SPECS, Inc. will be compensated for all services performed and expenses incurred prior to receipt of written notice from the Client of such suspension or abandonment. If the Client requests SPECS, Inc. to resume services after suspension of services for more than three (3) months, the Client and SPECS, Inc. will have the right to negotiate compensation for services as defined at the time of re-mobilization for Project work.
15. If SPECS, Inc. services are suspended or terminated prior to the completion of the services described herein, use of any interim reports or other documentation is limited to the Client's internal purposes and no distribution thereof to others will be made without SPECS, Inc. specific written authorization.
16. SPECS, Inc. will not be responsible for delays beyond its control. SPECS, Inc. will be responsible for the work performed directly by its employees or those consultants or persons retained by SPECS, Inc. to perform work in conjunction with this Project. SPECS, Inc. will not be responsible for the act or omissions of the Client or any of the Client's other consultants, contractor(s), subcontractor(s), their agents or employees or other persons performing any of the work.
17. All newspaper, magazine and other media articles, announcements, statements,

Mr. Hayden Lindsey
Director of Public Works
Proposal for Engineering Design Services
Frostburg CSO Elimination Phases X-B
February 13, 2023

Page 4 of 5

- exhibitions and advertising (collectively "publicity") issued or published by the Client in connection with the Project will accurately credit SPECS, Inc. participation as described in the scope of services of this Agreement. If such publicity is issued or published by parties other than the Client, but of which the Client has prior knowledge, then the Client will make reasonable efforts to have such parties include such credit.
18. Additional services will be provided only with the prior knowledge and consent of the Client. Additional services may include but are not limited to: Governmental action involving changes to codes enacted after the conclusion of any design phase, conditions not reasonably foreseen at this time on the basis of a visual inspection changes to the project design resulting from the failure of consultants other than those under contract with SPECS, Inc.; additional design schemes or re-design required by changes to the Project scope, size, complexity, schedule or budget after Client approval of a design phase construction administration involving more than the agreed-upon regular site meetings and re-mobilization of project team if work is delayed or suspended for more than one week due to Client delay or due to the Project account being in arrears over 60 days from earliest outstanding invoice date. Additional Services will be provided on an hourly basis until such time as the scope of work can be defined, at which time a lump sum fee will be submitted for review and approval.
 19. The Client and SPECS, Inc. agree that the liability of SPECS, Inc., its directors, officers, agents and employees, due to any of their actions or omissions in connection with the scope of this project, will be limited to a sum equal to the total amount actually paid to SPECS, Inc. under this Agreement. This will be the exclusive remedy of the Client. SPECS, Inc. will not be liable for any other damages to Client alleged to result directly or indirectly from causes beyond the reasonable control of SPECS, Inc.
 20. Final deliverables, including, but not limited to, drawings, specifications and reports will not be distributed or dispersed until final payment and all prior invoices are paid to SPECS, Inc.
 21. Standard rates used to calculate fees for services provided on an hourly basis are subject to review and update on January 1st of each year. Rates for hourly services shall be those in effect at the time those services are rendered.
 22. Construction Services may be declined by SPECS, Inc. and/or team.
 23. This proposal is valid for 60 days from the date on the first page.

Mr. Hayden Lindsey
Director of Public Works
Proposal for Engineering Design Services
Frostburg CSO Elimination Phases X-B
February 13, 2023

Page 5 of 5

Should questions arise regarding this proposal, please contact me at 301.777.2510x15.

Sincerely,
SPECS, Inc.



Raymond C. Rase, PE, PLS
Firm Principal

I/We hereby authorize SPECS, Inc. to proceed in accordance with the above outlined proposal.

Date: _____

Mr. Hayden Lindsey
City of Frostburg

\\SERVER\DATA\ADMINISTRATION\PROPOSALS\CITY OF FROSTBURG\2023 PHASE X-B AND C\PROPOSAL COF PHASE X-B 2023-02-13.DOCX



February 13, 2023

Mr. Hayden Lindsey
Director of Public Works
City of Frostburg
Municipal Building
P.O. Box 440
Frostburg, MD 21532

**RE: Proposal for Engineering Design Services
Frostburg CSO Elimination Phase X-C**

Dear Mr. Lindsey:

We are pleased to present this proposal for the design of Phase X-B. This project includes the area bounded by Sleeman Street on the west, Main Street on the north, Mountain Ridge High School to the east and Phase X-A to the south. The work includes designing a replacement sanitary and storm system in this area with the purpose of reducing Combined Sewer Overflows. The entire design area is approximately 16 acres. Waterlines, if identified in the schematic design phase by the owner, will also be re-designed and incorporated in the design documents.

We anticipate that one or two storm outfalls will need to be permitted through MDE Waterways. The new storm lines will require installing safe outfalls to Georges Creek. Any easements required will be identified as they become apparent.

We will approach this project in a similar manner to our previous projects. Our anticipated approach is as follows:

1. Pre-Design Phase:

- 1.1 Conduct a field topo survey to establish base maps. The field-run topography allows us to locate manholes, cleanouts and other physical features and is more accurate than the available aerial topography. Field topo to extend 10 feet beyond rights-of-way. Remaining areas will be supplemented with County GIS topo.
- 1.2 Prepare base drawings using field run topography and topographic features.

2. Schematic Design Phase:

- 2.1 Conduct team meeting with City.
- 2.2 Prepare Schematic plans and specifications to identify general quantities and to further solidify budget for construction.
- 2.3 Meet with MDE waterways to determine potential permitting for outfalls if required.

3. Construction Document Phase:

- 3.1 Prepare Construction Documents including plans and specifications.
- 3.2 Prepare Cost Estimate with breakdown for eligible/non eligible funding packages for MDE.
- 3.3 Submit Construction Drawings, Specifications and Calculations to MDE.
- 3.4 Submit Joint Application to MDE Waterways.
- 3.5 Coordinate with SHA. Submit Drawings to Maintenance for permits.

105 S. CENTRE ST., SUITE 100 • CUMBERLAND, MD 21502	
PHONE: 301.777.2510 • FAX: 301.777.8419	

Mr. Hayden Lindsey
Director of Public Works
Proposal for Engineering Design Services
Frostburg CSO Elimination Phases X-C
February 13, 2023

Page 2 of 5

4. **Bidding Phase:**

- 4.1 Schedule and direct pre-bid meeting.
- 4.2 Issue addenda and answer questions as necessary.
- 4.3 Receive bids and prepare bid recommendation.

PROPOSED FEE SUMMARY

Based on the above scope of services, we are proposing the following not-to-exceed fees:

Design and Bidding Services Cemetery Sewer:
One Hundred Fifty-Nine Thousand Dollars (\$159,000.00)

Costs for printing, photocopying, overnight express mail, out-of-town travel, and miscellaneous expenses will be billed at our current billing rate in addition to the proposed fees. Cost for sub-consultants is actual cost plus 10%. Invoicing for services will be processed on a monthly basis and may or may not match milestone events. Payment is expected within thirty (30) days from receipt of invoice. Additional services beyond those indicated above will be identified in writing at the time those services are required. If the scope of work changes, we reserve the right to adjust the proposed fee to account for those changes.

Estimated Reimbursable Fees: \$1000.00

DELIVERABLES

Our deliverables for this project will include one (1) set of final plans of the civil/site plans and related specification sections necessary for bidding and construction. Progress and review prints will be invoiced at our current billing rates as reimbursable expenses.

Upon completion of the design, we will release the digital PDF files Owner's record. Other drawings, specifications and documents prepared by SPECS, Inc. are instruments of the Engineer's service and are for the Owner's use solely with respect to this Project. SPECS, Inc. shall retain all common law, statutory and other reserved rights, including the copyright. Upon completion of the Project or termination of this Agreement, the Owner's right to use the instruments of service shall cease. When transmitting copyright-protected information for use on the Project, the transmitting party represents that it is either the copyright owner of the information or has permission from the copyright owner to transmit the information for its use on the Project. Autocad base drawings will be provided to the City for their use with storm and sanitary mapping.

PROPOSAL ASSUMPTIONS

Items not listed under the scope of services or unforeseen at this time are considered as additional work and, as such, would require compensation at our current billing rates or at a negotiated fee at the time such services would be required. During the preparation of this proposal, we have

Mr. Hayden Lindsey
Director of Public Works
Proposal for Engineering Design Services
Frostburg CSO Elimination Phases X-C
February 13, 2023
assumed the following:

Page 3 of 5

1. Services are not included for performing archeological, pavement, environmental or historical investigations.
2. Permit fees, regulatory agency review fees, or other associated costs will be paid by others.
3. Services are not included to attend or prepare for Public meetings such as Planning and Zoning Commissions, Zoning Appeals Boards, Historic District, etc. This will be billed on an hourly basis.
4. Easement coordination with property owners and preparation of easement drawings are not included in our fees.
5. Services to perform property line surveying are not included. Property lines will be established from County GIS models. Existing Road rights-of-ways will be field verified.
6. As-Built or Record drawings for archiving, etc. is not included.
7. Revisions of documents due to changes in scope, quality, or budget of the project will require additional services.
8. Renderings, models, or other presentation work is excluded.
9. Identification, discovery, presence, handling, removal or disposal of hazardous materials in any form, or any exposure of any persons thereto, at the project site is excluded.
10. Services beyond submission of plans are not included and it is assumed these will be negotiated as more details involving the funding and timing is revealed.
11. Construction Administration is not included for any of the phases accepted as specifically noted herein.
12. This proposal does not include the design of site retaining walls.
13. The Client will designate one person to act as coordinator between the Client and SPECS, Inc. for the Project. This coordinator will be responsible for providing all applicable and available drawings, specifications and other data related to the Project site, including surveys, reports and design documents from other design disciplines.
14. Either party, upon seven (7) days' written notice to the other party, may terminate this agreement. If the Project is suspended or abandoned in whole or in part for more than three (3) months, SPECS, Inc. will be compensated for all services performed and expenses incurred prior to receipt of written notice from the Client of such suspension or abandonment. If the Client requests SPECS, Inc. to resume services after suspension of services for more than three (3) months, the Client and SPECS, Inc. will have the right to negotiate compensation for services as defined at the time of re-mobilization for Project work.
15. If SPECS, Inc. services are suspended or terminated prior to the completion of the services described herein, use of any interim reports or other documentation is limited to the Client's internal purposes and no distribution thereof to others will be made without SPECS, Inc. specific written authorization.
16. SPECS, Inc. will not be responsible for delays beyond its control. SPECS, Inc. will be responsible for the work performed directly by its employees or those consultants or persons retained by SPECS, Inc. to perform work in conjunction with this Project. SPECS, Inc. will not be responsible for the act or omissions of the Client or any of the Client's other consultants, contractor(s), subcontractor(s), their agents or employees or other persons performing any of the work.

Mr. Hayden Lindsey
Director of Public Works
Proposal for Engineering Design Services
Frostburg CSO Elimination Phases X-C
February 13, 2023

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17. All newspaper, magazine and other media articles, announcements, statements, exhibitions and advertising (collectively "publicity") issued or published by the Client in connection with the Project will accurately credit SPECS, Inc. participation as described in the scope of services of this Agreement. If such publicity is issued or published by parties other than the Client, but of which the Client has prior knowledge, then the Client will make reasonable efforts to have such parties include such credit.
18. Additional services will be provided only with the prior knowledge and consent of the Client. Additional services may include but are not limited to: Governmental action involving changes to codes enacted after the conclusion of any design phase, conditions not reasonably foreseen at this time on the basis of a visual inspection changes to the project design resulting from the failure of consultants other than those under contract with SPECS, Inc.; additional design schemes or re-design required by changes to the Project scope, size, complexity, schedule or budget after Client approval of a design phase construction administration involving more than the agreed-upon regular site meetings and re-mobilization of project team if work is delayed or suspended for more than one week due to Client delay or due to the Project account being in arrears over 60 days from earliest outstanding invoice date. Additional Services will be provided on an hourly basis until such time as the scope of work can be defined, at which time a lump sum fee will be submitted for review and approval.
19. The Client and SPECS, Inc. agree that the liability of SPECS, Inc., its directors, officers, agents and employees, due to any of their actions or omissions in connection with the scope of this project, will be limited to a sum equal to the total amount actually paid to SPECS, Inc. under this Agreement. This will be the exclusive remedy of the Client. SPECS, Inc. will not be liable for any other damages to Client alleged to result directly or indirectly from causes beyond the reasonable control of SPECS, Inc.
20. Final deliverables, including, but not limited to, drawings, specifications and reports will not be distributed or dispersed until final payment and all prior invoices are paid to SPECS, Inc.
21. Standard rates used to calculate fees for services provided on an hourly basis are subject to review and update on January 1st of each year. Rates for hourly services shall be those in effect at the time those services are rendered.
22. Construction Services may be declined by SPECS, Inc. and/or team.
23. This proposal is valid for 60 days from the date on the first page.

Mr. Hayden Lindsey
Director of Public Works
Proposal for Engineering Design Services
Frostburg CSO Elimination Phases X-C
February 13, 2023

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Should questions arise regarding this proposal, please contact me at 301.777.2510x15.

Sincerely,
SPECS, Inc.



Raymond C. Rase, PE, PLS
Firm Principal

I/We hereby authorize SPECS, Inc. to proceed in accordance with the above outlined proposal.

Date: _____

Mr. Hayden Lindsey
City of Frostburg

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RESOLUTION 2023-05

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, APPROVING A CONTRACT FOR DESIGN SERVICES FOR A CHILDCARE FACILITY TO BE LOCATED IN THE COMMUNITY PARK.

WHEREAS, The City of Frostburg has been allocated \$8.379 M through the State and Local Coronavirus Relief Funds as part of the American Rescue Plan Act; and,

WHEREAS, the City seeks to use a portion of those funds to develop a parking lot in downtown Frostburg to serve City employees, Senior Center patrons, visitors to City buildings, the general community and provide for overnight parking for downtown residents without off-street parking; and,

WHEREAS, environmental testing needs to be completed on the existing buildings acquired by the City before they are razed and design services are needed to engineer and design a functional parking lot with lighting, green space, etc.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of Frostburg hereby approves a professional services agreement with Bennett, Brewer, and Associates for the environmental testing, engineering and landscape design services, and construction documentation preparation for a child care facility in the amount not to exceed \$50,000.00

ADOPTED this 16th day of February, 2023.

Frostburg Mayor and Council

BY _____
W. Robert Flanigan, Mayor

Attest:

Elizabeth Stahlman, City Administrator

RESOLUTION 2023-06

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, APPROVING CHANGE ORDERS FOR VARIOUS PUBLIC WORKS PROJECTS.

WHEREAS, the City of Frostburg manages various construction projects and at one time, and occasionally there are changes to the scope of work occur during construction projects due to discovering previous unknowns or identifying areas for improvement during the execution of the contract; and,

WHEREAS, the Director of Public Works has recommends several change orders to address issues during the CSO Phase IX-B Project, Street Department Roof Replacement, and Chlorine tank replacement at the Water Treatment Plant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Frostburg hereby approve the following change orders in the respective amounts:

CSO Phase IX-B

Lashley Construction Co. Inc.

Change Order 2 \$67,677.00

Change Order 3 (\$1,279.07)

Street Department Roof

Vertex Roofing Contractors Inc.

Change Order 1 \$2,800.00

Change Order 2 \$39,500.00

Chlorine Tank Replacement at WTP

COM-BRO Contracting Inc.

Change Order 1 \$4,425.00

Change Order 2 \$24,235.00

Change Order 3 not to exceed \$39,110 (to add treatment capacity)

ADOPTED this 16th day of February, 2023.

Frostburg Mayor and Council

BY _____
W. Robert Flanigan, Mayor

Attest:

Elizabeth Stahlman, City Administrator

RESOLUTION 2023-07

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, AUTHORIZING THE PURCHASE OF EQUIPMENT.

WHEREAS, the City recognizes the need to replace equipment and/or purchase equipment from time to time; and,

WHEREAS, the City's Police Department has equipment that has exceeded its useful life, which needs replaced.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of Frostburg, Maryland, hereby approves the purchase 10 ruggedized Dell Laptops through the City's IT Service provider, Allegany Computers in the amount of \$30,637.76, and the purchase of 15 Tasers and related accessories and training certifications from Axon Enterprise, Inc. in the amount of \$63,369.00. These purchases will be funded by the American Rescue Plan Act funds.

ADOPTED this 14th day of February, 2023.

Frostburg Mayor and Council

BY _____
W. Robert Flanigan, Mayor

Attest:

Elizabeth Stahlman, City Administrator

RESOLUTION 2023-08

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, APPROVING A HOLD HARMLESS AGREEMENTS BETWEEN THE CITY OF FROSTBURG AND THE FROSTBURG FIRE DEPARTMENT FOR THE PURPOSE OF TRAINING EXERCISES IN CITY OWNED ACQUIRED STRUCTURES.

WHEREAS, The City of Frostburg has acquired various residential structures to be razed for infrastructure projects; and,

WHEREAS, the Frostburg Fire Department seeks training opportunities in acquired structures; and,

WHEREAS, to limit the City's liability and provide for various hands-on training opportunities, the City seeks to enter into a hold harmless agreement with the FFD to allow training in multiple buildings.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of Frostburg hereby authorizes the Mayor to sign hold harmless and release agreements for 167 Bowery Street and 28-32 W. Mechanic Street.

ADOPTED this 16th day of February, 2023.

Frostburg Mayor and Council

BY _____
W. Robert Flanigan, Mayor

Attest:

Elizabeth Stahlman, City Administrator

RESOLUTION 2023-09

**A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION
OF THE STATE OF MARYLAND APPOINTING A MEMBER TO THE FROSTBURG
PLANNING COMMISSION AND MEMBERS TO THE RECREATION COMMISSION**

WHEREAS, the City of Frostburg has a number of Boards and Commissions established for specific purposes; and,

WHEREAS, certain vacancies and expired terms have been identified on the Frostburg Planning Commission and Recreation Commission; and,

WHEREAS, staff have verified the interest of certain residents or, where appropriate, technical specialists, for appointment to these Boards and Commissions.

NOW, THEREFORE BE IT RESOLVED that the Frostburg Mayor & City Council do hereby appoint:

Planning Commission

- Eric Stevens for a 5 year term to expire February 16, 2028

Recreation Commission

- Mark Roque for a 2 year term to expire February 16, 2025.
- Dottie Turner for a 2 year term to expire February 16, 2025.
- Sean White for a 2 year term to expire February 16, 2025.

ADOPTED this 16th day of February 2023.

Frostburg Mayor and Council

BY _____
W. Robert Flanigan, Mayor

Attest:

Elizabeth Stahlman, City Administrator

RESOLUTION 2023-10

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND APPROVING POLICIES RELATED TO TRAVEL EXPENSES AND CREDIT CARDS

WHEREAS, the City of Frostburg's employees travel from time to time and incur various costs related to meals and mileage on personal vehicles; and,

WHEREAS, the City seeks to authorize additional supervisors and members of the Council to possess City credit cards to reduce confusion and increase accountability; and,

WHEREAS, policies related to these matters have been prepared for the Mayor and Council's consideration.

NOW, THEREFORE BE IT RESOLVED that the Frostburg Mayor & City Council do hereby approve a per diem policy, a mileage reimbursement policy, and a credit card issuance policy effective March 1, 2023.

ADOPTED this 16th day of February 2023.

Frostburg Mayor and Council

BY _____
W. Robert Flanigan, Mayor

Attest:

Elizabeth Stahlman, City Administrator

RESOLUTION 2023-11

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, APPROVING THE ADDITION OF AN EMPLOYEE TO CITY HALL STAFF.

WHEREAS, from time to time the City has the opportunity to evaluate positions and work load which may demonstrate areas where improvement are needed; and,

WHEREAS, the City Administrator has provided a recommendation to the Council for a staffing change to meet the current workload and that employee has been working on a contractual basis for several months.

NOW, THEREFORE, BE IT RESOLVED the Mayor and City Council of the City of Frostburg hereby approves a full-time, permanent position in which the employee works part time for the Community Development Department as the Code Enforcement Officer/Permits Clerk and part time for the Parks and Recreation Department as an MEO.

ADOPTED this 16th day of February, 2023.

Frostburg Mayor and Council

BY _____
W. Robert Flanigan, Mayor

Attest:

Elizabeth Stahlman, City Administrator