



MINUTES

Mayor and Council Meeting

Thursday, August 18, 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, August 18, 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 Nina Forsythe and seconded by Commissioner Kevin Grove to Approve the Agenda for the August Council Meeting.

6 APPROVAL OF THE MINUTES

a) Minutes from the July Council Meeting.

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

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

Carried

- b) Sealed Minutes and Summary of Closed Meeting on July 21, 2022

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

*Motion and Second to Approve Sealed Minutes and Summary of Closed
Meeting on July 21, 2022*

Carried

7 SPECIAL PRESENTATIONS AND REQUESTS

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) Combined Sewer Overflow Monthly Public Hearing

10 OLD BUSINESS

11 NEW BUSINESS

- a) **RESOLUTION 2022-33** Authorize an Application to the Maryland State Retirement and Pension System for the Law Enforcement Officers Pension System for Police Officers and a preliminary actuarial valuation by the Agency to determine the City's cost of participation. 6

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

*Motion and Second to Approve Resolution 2022-33; PUBLIC COMMENT; Vote
of the Mayor and City Council.*

Carried

[Res. 2022-33 LEOPS Appl. & Acturaial Valuation](#)

- b) **RESOLUTION 2022-34** Approve American Rescue Plan Act Projects/Programs. 7
- Purchase of 2020 Used Freightliner Garbage Truck
 - Refinishing of Armory floor

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

Motion and Second to Approve Resolution 2022-34; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

[Res. 2022-34 ARPA Program Approvals](#)

- c) **RESOLUTION 2022-35** Authorize Purchase of 2020 Used Freightliner Garbage Truck from Maryland Industrial Trucks, Baltimore, MD for \$190,000.00 8

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

Motion and Second to Approve Resolution 2022-35; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

[Res. 2022-35 Purchase Garbage Truck](#)

- d) **RESOLUTION 2022-36** Approve a new job title in the Street Department of Foreman, with no net increase in number of employees. 9

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

Motion and Second to Approve Resolution 2022-36; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

[Res. 2022-36 Street Dept. Foreman.](#)

- e) **RESOLUTION 2022-37** Approve a contract for the implementation of a planned Timber Sale for the Piney Reservoir Watershed, as identified in the Forest Stewardship Plan and in continued partnership with Maryland DNR Forest Service. 10

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

Motion and Second to Approve Resolution 2022-37; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

[Res. 2022-37 Timber Sale Contract](#)

- f) **RESOLUTION 2022-38** Authorize the Purchase of 32 W. Mechanic Street as part of a downtown Municipal Parking Lot project. 11

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

Motion and Second to Approve Resolution 2022-38; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

[Res. 2022-38 Purchase W. Mechanic Property](#)

- g) **RESOLUTION 2022-39** Approve a short-term land lease with Borden Mining Company for the use of their field for parking, adjacent to Field 8 (Cougar Field). 12

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

Motion and Second to Approve Resolution 2022-39; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

[Res. 2022-39 Borden Mining Lease-Field 8](#)

- h) **RESOLUTION 2022-40** Reappoint Jeff Snyder to the Frostburg Planning Commission. 13

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

Motion and Second to Approve Resolution 2022-40; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

[Res. 2022-40 Planning Com. Appt.](#)

- i) **RESOLUTION 2022-41** Amend Personnel Manual to include Health Insurance Opt-Out Payment Policy 14

Moved by Commissioner of Finance Donny Carter, seconded by
Commissioner of Water, Parks, and Recreation Nina Forsythe

*Motion and Second to Approve Resolution 2022-41; PUBLIC COMMENT; Vote
of the Mayor and City Council.*

Carried

[Res. 2022-41 Hlth Ins. Opt Out Policy](#)

12 REPORT OF THE FROSTBURG POLICE DEPARTMENT

Chief Nicholas Costello gave the monthly report for July 2022.

13 OPEN PUBLIC COMMENT

Mayor Flannigan announced there will be an ARPA Work Session on Thursday,
August 25, 2022 at 3:00 pm.

14 ADJOURNMENT

There being no further business, the meeting was adjourned at 7:20 p.m.

Mayor

City Administrator

RESOLUTION 2022-33

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND AUTHORIZING AN APPLICATION TO THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM (LEOPS) AND A PRELIMINARY ACTUARIAL VALUATION BY THE MARYLAND STATE RETIREMENT AND PENSION SYSTEM.

WHEREAS, the City of Frostburg participates in the Employees' Pension System managed by the Maryland State Retirement and Pension System, in which the retirement age for new enrollees is age + years of service = 90 or more; and,

WHEREAS, the majority of law enforcement agencies in the region participate in the Law Enforcement Officer's Pension System (LEOPS), which affords police officers the ability to retire with 25 years of service; and,

WHEREAS, the Mayor and Council understand there are significant costs associated with enrolling the law enforcement officers of the City in the LEOPS Program; and,

WHEREAS, the Mayor and Council recognize that police work is dangerous and stressful and the City evaluate LEOPS in order to better compete with allied agencies to successfully recruit and retain officers.

NOW, THEREFORE BE IT RESOLVED that the Frostburg Mayor & City Council do approve the submission of a Participating Governmental Unit Entry Application to the Maryland State Retirement and Pension System and further authorize the System's actuary must perform a preliminary actuarial valuation to determine the City's cost of participation, estimated to cost \$5,000-\$ 6,700.

BE IT FURTHER RESOLVED, this does not commit the City to participating in LEOPS, but rather will provide the necessary information to the Mayor and Council to evaluate affordability as part of strategic decision making for the Frostburg Police Department.

ADOPTED this 18th day of August, 2022.

Frostburg Mayor and Council

BY 
W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator

RESOLUTION 2022-34

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:

- Purchase of used 2020 Freightliner garbage truck in the amount of \$190,000 to replace 2006 Peterbuilt garbage truck with serious mechanical issues and non-operable, exigent need to continue to provide reliable sanitation services.
- Complete refinishing of gymnasium floor in Armory, not to exceed \$20,000.00.

ADOPTED this 18th day of August, 2022.

Frostburg Mayor and Council

BY



W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator

RESOLUTION 2022-35

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 maintains 2 garbage trucks so that there is a.) Additional capacity if needed and b.) A backup truck in case of a breakdown; and,

WHEREAS, in June 2022 both the 2006 Peterbuilt and the 2017 Mack Garbage trucks suffered mechanical failures and were inoperable; and,

WHEREAS, the Mack truck has had the PTO replaced and is operable but the 2006 Peterbuilt is not; and,

WHEREAS, the City was provided the opportunity to test a used 2020 Freightliner Demo/Rental Garbage Truck for several weeks in July with the option to buy.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of Frostburg, Maryland, hereby approves the purchase of 2020 Freightliner Garbage Truck from Maryland Industrial Trucks in Baltimore, Maryland in the amount of \$190,000.00. The purchase will be funded by the American Rescue Plan Act, in which the guidance suggests cost savings by purchasing quality used equipment.

ADOPTED this 18th day of August, 2022.

Frostburg Mayor and Council

BY


W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator

RESOLUTION 2022-36

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, APPROVING THE CREATION OF A NEW JOB TITLE IN THE STREET DEPARTMENT.

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 Director of Public Works has provided a recommendation to the Council for a new title of Foreman the Street Department due to the size of the department, varied nature of the Departments work: streets, sewer, storm sewer, garbage, and plowing, and to provide additional supervision in the field.

NOW, THEREFORE, BE IT RESOLVED the Mayor and City Council of the City of Frostburg hereby approves the creation of the job title of "Foreman" in the Street Department without a net increase in the number of employees within the Department.

ADOPTED this 18th day of August, 2022.

Frostburg Mayor and Council

BY


W. Robert Planigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator

RESOLUTION 2022-37

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, APPROVING A CONTRACT FOR TIMBER MARKING IN PREPARATION OF A TIMBER SALE AT PINEY RESERVOIR WATERSHED.

WHEREAS, the City has an approved Forest Stewardship Plan for the land owned in the Piney Reservoir watershed; and,

WHEREAS, a timber sale is recommended in accordance with the Plan for an area of 95 acres +/-.

WHEREAS, Maryland Forest Service has recommended the City partnering with a consultant to work with Maryland Forest Service and administer all aspects of timber sale on behalf of the City.

NOW, THEREFORE, BE IT RESOLVED the Mayor and City Council of the City of Frostburg hereby approves a contract with Oak Tree Outdoors, LLC of Lonaconing, Maryland to administer the timber sale for 8% of gross stumpage value received.

ADOPTED this 18th day of August, 2022.

Frostburg Mayor and Council

BY



W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator

RESOLUTION 2022-38

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 32 W. Mechanic Street was presented and the Mayor and Council were able to successfully negotiate a contract for that property that includes the purchase of the property by the City and the City transferring the "City Lot" adjacent to 42 W. Mechanic Street to the seller; 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 32 W. Mechanic in the amount of \$200,000 and transfer of the City Parking Lot adjacent to 42 W. Mechanic, plus any closing costs, and to authorize the Mayor or City Administrator to sign all related documents.


ADOPTED this 18th day of August, 2022.

Frostburg Mayor and Council

BY


W. Robert Planigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator

RESOLUTION 2022-39

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FROSTBURG APPROVING A SHORT TERM LEASE WITH BORDEN MINING COMPANY.

WHEREAS, The City of Frostburg owns and operates Glendening Park; and,

WHEREAS, Field 8, or Cougar Field, is used by the Frostburg Cougar Youth Football team, in which there are over 100 players and additional cheerleaders; and,

WHEREAS, The Cougar families have used the field across from Field 8 without written permission of the landowner, Borden Mining Company for several years.

NOW, THEREFORE BE IT RESOLVED that the Frostburg Mayor & City Council do hereby a lease with Borden Mining Company for a period through January 1, 2023 for the field across from Field 8, 4 acres +/-, in the amount of \$1,000.00.

ADOPTED this 18th day of August, 2022.

Frostburg Mayor and Council

BY


W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator

RESOLUTION 2022-40

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 Planning 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 approve reappointing Jeff Snyder to Planning Commission for a 5 year term expiring August 18, 2027.

ADOPTED this 18th day of August, 2022.

Frostburg Mayor and Council

BY


W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator

RESOLUTION 2022-41

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND AMENDING THE FROSTBURG PERSONNEL MANUAL TO INCLUDE A HEALTH AND DENTAL INSURANCE "OPT-OUT" PAYMENT.

WHEREAS, the City of Frostburg offers health and dental insurance to its employees; and,

WHEREAS, certain employees obtain health and/or dental insurance from their spouse or parent resulting in significant cost savings to the City; and,

WHEREAS, the Mayor and Council seek to offer a financial incentive payment to these employees.

NOW, THEREFORE BE IT RESOLVED that the Frostburg Mayor & City Council do hereby amend the Frostburg Personnel Manual to include the the Health Insurance Opt-Out Payment Policy, attached hereto.

ADOPTED this 18th day of August, 2022.

Frostburg Mayor and Council

BY 
W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator