



# MINUTES

## Mayor and Council Meeting

Thursday, April 20, 2023 - 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, April 20, 2023, 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**

Absent Nina Forsythe, Commissioner of of Water, Parks, and Recreation

**5 APPROVAL OF THE AGENDA**

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

**6 APPROVAL OF THE MINUTES**

a) Minutes from the March Council Meeting.

6 - 9

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

*Motion and Second to Approve the Minutes for the March Council Meeting.*

Carried

[Mayor and Council Meeting Minutes 3-16-23](#)

- b) Sealed Minutes and Summary of Closed Meeting on April 13, 2023

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

*Motion and Second to Approve Sealed Minutes and Summary of Closed  
Meeting on April 13, 2023*

Carried

## **7 SPECIAL PRESENTATIONS AND REQUESTS**

- a) Police Department Recognition

## **8 MAYOR AND COMMISSIONERS REPORTS & ANNOUNCEMENTS**

- a) Monthly Reports of the City Departments

Moved by Commissioner of Finance Donny Carter, 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) Constant Yield Tax Rate Hearing:  
*The Mayor and City Council of the City of Frostburg proposes to increase real  
property taxes.*
- 1. For the tax year beginning July 1, 2023, the estimated real property  
assessable base will increase by 5.1%, from \$371,743,156 to  
\$390,946,427.*
  - 2. If the City of Frostburg maintains the current tax rate of \$0.70 per \$100  
of assessment, real property tax revenues will increase by 5.1%  
resulting in \$134,423 of new real property tax revenues.*
  - 3. In order to fully offset the effect of increasing assessments, the real  
property tax rate should be reduced to \$0.6656, the constant yield tax  
rate.*
  - 4. The City is considering not reducing its real property tax rate enough to  
fully offset increasing assessments. The City proposes to adopt a real  
property tax rate of \$0.70 per \$100 of assessment. This tax rate is 5.1%  
higher than the constant yield tax rate and will generate \$134,423 in  
additional property tax revenues.*

Public Comment: Rick Lemmert, 513 Grandview Dr. - tax cut instead of raises,  
fewer employees in each department. He also mentioned about the garbage  
on Main Street.

- b) **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.
- c) **ORDINANCE 2023-02** Amending the City Code regarding Tax Payments.
- d) Combined Sewer Overflow Monthly Public Hearing  
Director of Public Works Hayden Lindsey gave the monthly CSO Report as required by law.

## 10 OLD BUSINESS

- a) **ORDINANCE 2023-02** Amending the City Code regarding Tax Payments. 10 - 11

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. 2023-02 Sec. 3-4 Interest on Taxes](#)

## 11 NEW BUSINESS

- a) **ORDINANCE 2023-03** Fiscal Year 2024 Operating Budget and Schedule of Rates and Fees - Elaine Jones, CPA, Director of Finance

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

*Motion and Second to Approve the Ordinance on First Reading, and set the  
May 18, 2023 Council Meeting as an advertised Public Hearing; PUBLIC  
COMMENT; No Comment. Vote of the Mayor and City Council.*

Carried

- b) **RESOLUTION 2023-16** Authorize a transfer to the Law Enforcement Officers' Pension System. Elizabeth Stahlman, City Administrator 12 - 13

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

*Motion and Second to Approve Resolution 2023-16; PUBLIC COMMENT; No  
Comment. Vote of the Mayor and City Council.*

Carried

[Res. 2023-16 Transfer LEOPS](#)

- c) **RESOLUTION 2023-17** Approve program for employer pick-up all of the mandatory employee contributions for its employees participating in the Maryland State Retirement and Pension System. Elizabeth Stahlman, City Administrator 14 - 16

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

*Motion and Second to Approve Resolution 2023-17; PUBLIC COMMENT; No Comment. Vote of the Mayor and City Council.*

Carried

[Res. 2023-17 Pick up Res. State Retirement](#)

- d) **RESOLUTION 2023-18** Agree to apply for financial assistance with the United States Department of Agriculture, Rural Development to finance the Frostburg Childcare Center Project. Elizabeth Stahlman, City Administrator 17

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

*Motion and Second to Approve Resolution 2023-18; PUBLIC COMMENT; No Comment. Vote of the Mayor and City Council.*

Carried

[Res. 2023-18 Appl Childcare Center](#)

- e) **RESOLUTION 2023-19** Approve a change order for the Frostburg Childcare Center design contract with Bennett, Brewer, and Associates in order for bid documents to be compliant with USDA standards. Elizabeth Stahlman, City Administrator 18

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

*Motion and Second to Approve Resolution 2023-19; PUBLIC COMMENT; No Comment. Vote of the Mayor and City Council.*

Carried

[Res. 2023-19 BB&A Change Order-Childcare](#)

- 12 **REPORT OF THE FROSTBURG POLICE DEPARTMENT**  
Chief Nicholas Costello gave the March 2023 Police Report.

- 13 **OPEN PUBLIC COMMENT**  
There were none.

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

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Mayor

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City Administrator



# MINUTES

## Mayor and Council Meeting

Thursday, March 16, 2023 - 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, March 16, 2023, at 7:00 PM, at the Frostburg Municipal Center, 37 Broadway, with the following members present:

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

**EXCUSED:** Donny Carter, Commissioner of Finance

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 February Council Meeting.

5 - 10

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

*Motion and Second to Approve the Minutes for the February Council Meeting.*

Carried

Mayor and Council Meeting Minutes 2-16-23

**7 SPECIAL PRESENTATIONS AND REQUESTS**

a) Proclamation: Americorps Week

**8 MAYOR AND COMMISSIONERS REPORTS & ANNOUNCEMENTS**

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Page 6 of 18

- a) Monthly Reports of the City Departments

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

*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  
Director of Public Works Hayden Lindsey gave the monthly CSO Report as  
required by law.

**10 OLD BUSINESS**

- a) **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.

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

*Motion and Second to Postpone Hearing for Ordinance 2023-01 to April 20,  
2023; PUBLIC COMMENT; Vote of the Mayor and City Council.*

Carried

**11 NEW BUSINESS**

- a) Presentation of the Draft FY 23/24 Budget. Elaine Jones, CPA, Director of  
Finance
- b) **ORDINANCE 2023-02** Amending the City Code regarding Tax Payments.  
Elaine Jones, CPA, Director of Finance.

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  
April 20, 2023 Council Meeting as an advertised Public Hearing; PUBLIC  
COMMENT; Vote of the Mayor and City Council.*

Carried

- c) **RESOLUTION 2023-12** Accept a proposal for Auditing services for a 3-year period. Elaine Jones, CPA, Director of Finance 11 - 16

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

*Motion and Second to Approve Resolution 2023-12; PUBLIC COMMENT; Vote  
of the Mayor and City Council.*

Carried

Res. 2023-12 Auditing Services Proposal

- d) **RESOLUTION 2023-13** Reappoint a member to the Board of Zoning Appeals. Elizabeth Stahlman, City Administrator 17

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

*Motion and Second to Approve Resolution 2023-13; PUBLIC COMMENT; Vote  
of the Mayor and City Council.*

Carried

Res. 2023-13 Member BOZA

- e) **RESOLUTION 2023-14** Approve American Rescue Plan Act Projects/Programs. Elizabeth Stahlman, City Administrator. 18

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

*Motion and Second to Approve Resolution 2023-14; PUBLIC COMMENT; Vote  
of the Mayor and City Council.*

Carried

Res. 2023-14 ARPA Programs

- f) **RESOLUTION 2023-15** Authorize increased cost for the purchase of the Police Department for in-car ruggedized laptops and mounts, due to the cost of the touchscreen option. Nicholas Costello, Chief of Police 19

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

*Motion and Second to Approve Resolution 2023-15; PUBLIC COMMENT; Vote  
of the Mayor and City Council.*

Carried

Res. 2023-15 Amend Police Purchase-Laptops

**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 7:22 pm

  
\_\_\_\_\_  
Mayor  
\_\_\_\_\_  
City Administrator

## ORDINANCE 2023-02

### AN ORDINANCE TO AMEND THE CITY CODE OF FROSTBURG TO PROVIDE FOR THE ADOPTION OF REGULATIONS PERTAINING TO THE COLLECTION OF TAXES.

**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 III, Section IV of the City Code contains antiquated regulations regarding the calculation of interest on real property and personal property taxes; and,

**WHEREAS:** The Mayor and City Council have indicated their desire to change they manner in which interest is calculated to be consistent with the Annotated Code of Maryland Tax-Property Article, Section 10-102.

#### NOW THEREFORE:

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF FROSTBURG, MARYLAND, that Article 3, Section 4 is repealed and re-enacted with amendments and shall read as follows:

#### **Sec. 3-4. Taxes.**

##### *(a) Real property taxes.*

- (1) *Annual payments.* Except as provided for in subsections (a)(2) and (3) of this section, bills for real property taxes shall be considered delinquent if not paid prior to October 1 of each year. Beginning on October 1 of each year, interest in the amount of one and one-half percent (1.5%) of the unpaid taxes for each month, shall be added to the amount due.
- (2) *Semi-annual payments.* For residential owner-occupied properties for which semi-annual payments are authorized under State law (presently, Md. Real Prop. Code Ann. § 10-204.3(b)), the installments shall be considered delinquent if not paid prior to September 30 and December 31, and interest at the aforesaid rate shall be added to the amount due.
- (3) *Half-year payments.* The bills for real property taxes on properties that are completed or otherwise initially added to the tax roll during the period from July 1 to December 31, both inclusive, shall be considered delinquent if not paid on or before thirty (30) days after the date the tax bill is mailed or made available. Interest at the aforesaid rate shall be applied retroactively to the billing date and shall be added to the amount due for any such delinquent tax bills.

##### *(b) Personal property taxes.*

- (1) Personal property tax may be paid without interest or penalty:


- (a) On or before September 30, if the bill is submitted on or before August 31 of a tax year; or
- (b) On or before the last day of the month following the month the tax bill is issued if the tax bill is submitted after September 1 of the tax year.
- (2) Interest on delinquent personal property taxes shall accrue at the rate of one and one-half percent (1.5%) per month.

[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: March 16, 2023  
Public Hearing: April 20, 2023  
Adopted: April 20, 2023  
Effective: April 20, 2023

MAYOR AND CITY COUNCIL OF FROSTBURG

by   
W. Robert Flanigan, Mayor

ATTEST

  
Elizabeth Stahlman, City Administrator

## **RESOLUTION 2023-16**

### **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FROSTBURG, MARYLAND AUTHORIZING A TRANSFER TO THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM**

**WHEREAS**, the Mayor and City Council of the City of Frostburg, Maryland, on behalf of the City of Frostburg, Maryland (collectively "Frostburg"), has determined it would be in the best interests of the City of Frostburg and its citizens, and the law enforcement officers employed by the Frostburg City Police Department ("Officers"), to withdraw eligible Officers from the Employees' Pension System ("EPS") and transfer them to the Law Enforcement Officers' Pension System ("LEOPS") operated and maintained by the Board of Trustees for the Maryland State Retirement and Pension System ("System") for eligible law enforcement personnel throughout the State of Maryland; and

**WHEREAS**, in accordance with the Annotated Code of Maryland, State Personnel and Pensions Article ("SPP"), § 31-2A-03(a), at least sixty percent (60%) of the eligible Officers have petitioned to become members of LEOPS, and have elected to withdraw and make a transfer from the EPS to the LEOPS under the terms and conditions appertaining thereto; and

**WHEREAS**, in accordance with SPP § 31-2A-03(a)(1), a Resolution of the Mayor and City Council is required by the System to approve and effectuate participation of eligible Officers in the LEOPS.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and City Council, hereby authorize, approve, and agree to implement the LEOPS for eligible Officers in the Frostburg City Police Department, and further agree to the withdrawal of such Officers from the EPS and the transfer of such Officers to the LEOPS; and

**BE IT FURTHER RESOLVED**, that the Mayor and City Council, approve the withdrawal of Officers from the EPS effective on June 30, 2023 at 11:59 p.m., and participation in the LEOPS effective on July 1, 2023 at 12:00 a.m., pursuant to Maryland Annotated Code, State Personnel and Pension Article, § 31-2A-03(a) and § 31-302; and

**BE IT FURTHER RESOLVED**, by the Mayor and City Council, that in accordance with SPP § 26-202(b)(1)(vi)2 and (2), eligible Officers shall join and participate in the LEOPS effective July 1, 2023, by submitting a written application to the State Retirement Agency before July 1, 2023; and

**BE IT FURTHER RESOLVED**, by the Mayor and City Council, that in accordance with SPP §§ 26-201(a)(6), 26-202(a), and 31-2A-03(a)(2)(iii), all eligible Officers hired on or after July 1, 2023 shall not be entitled to join the EPS, but shall be in and part of the LEOPS; and

The above Resolution was introduced and passed at the regularly scheduled meeting of the Mayor and City Council, on April 20, 2023, and shall become effective on July 1, 2023.

INTRODUCED by the Mayor and City Council, at a Regular Meeting on April 20, 2023, at which meeting copies were available to the public for inspection.

ADOPTED by the Mayor and City Council, at a Regular Meeting on April 20, 2023, at which meeting copies were available to the public for inspection.

Adopted: 4/20/23

Attest: 4/20/23



W. Robert Flanigan, Mayor

  
Elizabeth Stahlman, City Administrator



Donny Carter, Commissioner



Adam Ritchey, Commissioner

Nina Forsythe, Commissioner



Kevin Grove, Commissioner

## **RESOLUTION 2023-17**

### **PICK-UP RESOLUTION FOR THE MARYLAND STATE RETIREMENT AND PENSION SYSTEM OF THE CITY OF FROSTBURG, MARYLAND (EPS AND LEOPS)**

The Mayor and City Council of the City of Frostburg, Maryland ("Frostburg") met at a duly called and authorized meeting on the date set forth below, such meeting being duly called pursuant to a notice stating the time, place and purpose of the meeting received by all Council Members, and the following resolutions were made, seconded, and adopted by those present at the meeting.

**WHEREAS**, Frostburg is currently a participating governmental unit in the Employees' Pension System ("EPS"), and has elected to become a participating governmental unit in the Maryland Law Enforcement Officers' Pension System ("LEOPS") effective on July 1, 2023;

**WHEREAS**, all eligible law enforcement officers currently employed by Frostburg ("officers") will be enrolled in the LEOPS effective July 1, 2023, and all eligible new officers hired on or after July 1, 2023 will be enrolled in the LEOPS;

**WHEREAS**, the Mayor and City Council of the City of Frostburg, Maryland has the authority to adopt this resolution on behalf of the City of Frostburg, Maryland;

**WHEREAS**, the State Retirement Agency has adopted procedures for reporting picked-up contributions in order to provide consistency in the administration of State law;

**WHEREAS**, in accordance with Annotated Code of Maryland, State Personnel and Pensions Article ("SPP"), § 21-313, an approved employer may pick-up all of the mandatory employee contributions for its employees participating in the Maryland State Retirement and Pension System; and

**WHEREAS**, the City of Frostburg, Maryland desires to become an approved employer in accordance with SPP § 21-313 with respect to the EPS and LEOPS, and to pick up all of the mandatory employee contributions for Frostburg employees participating in the EPS and Frostburg officers participating in the LEOPS;

**NOW, THEREFORE, BE IT RESOLVED**, that beginning on and after July 1, 2023, which is the effective date of Frostburg's participation in the LEOPS, Frostburg has determined to pick up all of the mandatory contributions by the employees who are members of the EPS and LEOPS through a payroll reduction;

**BE IT FURTHER RESOLVED**, that said picked-up contributions paid by payroll reduction, even though designated as employee contributions for state law purposes, are being paid by Frostburg in lieu of said contributions by the employee;

**BE IT FURTHER RESOLVED**, that the pick-up treatment shall apply to employees of Frostburg who participate in the EPS as well as officers of Frostburg who participate in the LEOPS; and

**BE IT FURTHER RESOLVED**, that said members of the EPS and LEOPS shall not be entitled to any option of choosing to receive the contributed amounts directly instead of having them paid by Frostburg to the EPS and LEOPS. This pick-up applies to mandatory contributions that the employee is required to make to the EPS and LEOPS.

Dated this 20<sup>th</sup> day of April, 2023, and effective July 1, 2023.


Adopted: 4/20/23

Attest: 4/20/23



W. Robert Flanigan, Mayor

  
Elizabeth Stahlman, City Administrator



Donny Carter, Commissioner



Adam Ritchey, Commissioner

Nina Forsythe, Commissioner



Kevin Grove, Commissioner

(Document continues on next page)

Notes:

1. Picked-up contributions will not be included in the gross income of the employees for tax reporting purposes, that is, for federal income tax withholding taxes, until distributed from the EPS and LEOPS.
2. Picked-up contributions will be included in the gross income of the employees, for employment tax purposes, if required, as the contributions are made to the EPS and LEOPS.
3. This resolution is designed to comply with the formal action requirement set forth in Revenue Ruling 2006-43, issued by the Internal Revenue Service. The resolution should only be used where the contributions to be picked up are mandatory employee contributions. This resolution does not apply if a participating employee from and after the date of the “pick-up” has a cash or deferred election right (within the meaning of Section 1.401(k)-1(a)(3)) with respect to designated employee contributions. Thus, for example, participating employees must not be permitted to opt out of the “pick-up”, or to receive the contributed amounts directly instead of having them paid by the employing unit to the System.

**RESOLUTION 2023-18**

**A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND AGREEING TO APPLY FOR FINANCIAL ASSISTANCE WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT TO FINANCE THE FROSTBURG CHILDCARE CENTER PROJECT**

**WHEREAS**, the Mayor and City Council requested Community Project Funding through the offices of Senator Cardin, Senator VanHollen, and Congressman Trone for the Frostburg Childcare Center and the project was selected for federal funding; and,

**WHEREAS**, USDA-RD will administer the federal grant award and as such the City must comply with USDA rules and procedures, including submitting a application for financial assistance.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council of Frostburg, Maryland, hereby agrees to apply for financial assistance with the United States Department of Agriculture, Rural Development to finance the Frostburg Childcare Center Project.

**BE IT FURTHER RESOLVED** that the Mayor and Council of the City of Frostburg authorizes the Mayor and/or the City Administrator to sign all documents relating to the USDA Rural Development loan and/or grant. The applicant point of contact shall be Lydia Claar, Project Manager.

**PASSED and APPROVED** this 20<sup>th</sup> day of April, 2023.

Frostburg Mayor and Council

BY   
W. Robert Flanigan, Mayor

Attest:

  
Elizabeth Stahlman, City Administrator

**RESOLUTION 2023-19**

**A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND APPROVE A CHANGE ORDER FOR THE FROSTBURG CHILDCARE CENTER DESIGN CONTRACT WITH BENNETT, BREWER, AND ASSOCIATES IN ORDER FOR BID DOCUMENTS TO BE COMPLIANT WITH USDA STANDARDS.**

**WHEREAS**, the Mayor and City Council requested Community Project Funding through the offices of Senator Cardin, Senator VanHollen, and Congressman Trone for the Frostburg Childcare Center and the project was selected for federal funding; and,

**WHEREAS**, USDA-RD will administer the federal grant award and as such the City must comply with USDA rules and procedures affecting the preparation of the bid package.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council of Frostburg, Maryland, approves Change Order No. 2 with Bennett, Brewer & Associates, LLC., in the amount \$6,400.00, increasing the total contract to \$74,435.00 to make required changes to the Bid Package for the Frostburg Childcare Center.

**ADOPTED** this 20<sup>th</sup> day of April, 2023.

Frostburg Mayor and Council

BY   
W. Robert Flanigan, Mayor

Attest:

  
Elizabeth Stahlman, City Administrator