



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:

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1 CALL TO ORDER

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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

- 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.

9 - 10

Ord. 2022-07 Amend Infrastructure Bond Ord.

- b) Combined Sewer Overflow Monthly Public Hearing

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 Hibatchi	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 Jayei 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	Marin Stanczyk	Marin 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 Warnick	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 Kristan 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., Pharmicare	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