



# MINUTES

## Mayor and Council Meeting

Thursday, July 21, 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, July 21, 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 June 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 June Council Meeting.*

Carried

**7 SPECIAL PRESENTATIONS AND REQUESTS**

**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 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) **ORDINANCE 2022-06** To Repeal and Reenact Section 8-2 of the Frostburg  
Code (2018 Edition) pertaining to Property Maintenance Standards.
- b) Combined Sewer Overflow Monthly Public Hearing

**10 OLD BUSINESS**

- a) **ORDINANCE 2022-06** To Repeal and Reenact Section 8-2 of the Frostburg  
Code (2018 Edition) pertaining to Property Maintenance Standards.

6 - 10

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

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

Carried

[Ord. 2022-06 Property Maintenance Code](#)

**11 NEW BUSINESS**

- a) **RESOLUTION 2022-27** Abate taxes for property owned by Frostburg Lions  
Club

11

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

*Motion and Second to Approve Resolution 2022-27; PUBLIC COMMENT; Vote  
of the Mayor and City Council.*

Carried

[Res. 2022-27 Prop. Tax Credit Lion's Club](#)

- b) **RESOLUTION 2022-28** Approve application to the Community Legacy Grant program, administered by the Maryland Department of Housing and Community Development 12 - 13

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

*Motion and Second to Approve Resolution 2022-28; PUBLIC COMMENT; Vote of the Mayor and City Council.*

Carried

[Res. 2022-28 Community Legacy Application](#)

- c) **RESOLUTION 2022-29** Authorize the Mayor to execute Letter of Intent with Gillis Gilkerson, Salisbury, MD, for a 1-year study period for due diligence and planning for Center Street Redevelopment Project. 14 - 19

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

*Motion and Second to Approve Resolution 2022-29; PUBLIC COMMENT; Vote of the Mayor and City Council.*

Carried

[Res. 2022-29 LOI Gillis Gilkerson](#)

- d) **RESOLUTION 2022-30** Approve transfer of property acquired through tax sale foreclosure known as 45 Ormand (Tax Account 26 005469) and recorded in the Land Records of Allegany County in liber 2779 folio 268, to Lorenzo and Tammy Seminerio for \$0, contingent upon the demolition of the structure known as 45 Ormand Street by Mr. and Mrs. Seminerio, as the structure is located on their property at 33 S. Water Street. 20

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

*Motion and Second to Approve Resolution 2022-30; PUBLIC COMMENT; Vote of the Mayor and City Council.*

Carried

[Res. 2022-30 Ormand St. Transfer](#)

- e) **RESOLUTION 2022-31** Acquire a Ford Ranger Crew Cab under the Enterprise Fleet Master Lease Agreement. 21

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

*Motion and Second to Approve Resolution 2022-31; PUBLIC COMMENT; Vote of the Mayor and City Council.*

Carried

[Res. 2022-31 Enterprise Fleet Lease-Ford Ranger](#)

- f) **RESOLUTION 2022-32** Reappoint Constance Loucks to the Frostburg Board of Zoning Appeals. 22

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

*Motion and Second to Approve Resolution 2022-32; PUBLIC COMMENT; Vote of the Mayor and City Council.*

Carried

[Res. 2022-32 BOZA Appointment](#)

**12 REPORT OF THE FROSTBURG POLICE DEPARTMENT**

Chief Nicholas Costello gave the monthly report for June 2022 and announced that National Night Out is schedule for August 2, 2022

a)

**13 OPEN PUBLIC COMMENT**

**14 CLOSING STATEMENT**

Under the Annotated Code of Maryland Article § 3-305(b) (3), a closed session may be held to "consider the acquisition of real property for a public purpose and matters directly related to the acquisition." A closed session is required for the purpose of discussing a property acquisition to facilitate the development of a City downtown parking lot and in order to protect the City's bargaining power in a real estate transaction.

MOTION TO ADJOURN AND ENTER INTO CLOSED SESSION. Motioned by Commissioner Carter, seconded by Commissioner Ritchey to adjourn the Regular Council Meeting at 7:20 pm and enter into the Closed Session.

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Mayor

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City Administrator

**ORDINANCE 2022-06**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FROSTBURG ENTITLED “AN ORDINANCE TO REPEAL AND REENACT SECTION 8-2 OF THE FROSTBURG CODE (2018 EDITION) PERTAINING TO PROPERTY MAINTENANCE STANDARDS.”**

**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 V, Sections 502(11) and 502(54) of the City Charter empower the Mayor and City Council to pass this Ordinance;

**WHEREAS**, as is set forth in Section 8-2 of the Frostburg Code, the City adopts certain codes as its property maintenance standards;

**WHEREAS**, in applying Section 8-2, City staff discovered certain portions thereof in need of amendment;

**WHEREAS**, the purpose of this Ordinance is to amend Section 8-2 in the manner recommended by City Staff.

**NOW, THEREFORE:**

**SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FROSTBURG, MARYLAND**, that Section 8-2 of the Frostburg Code is hereby repealed and reenacted to read as follows:

**Sec. 8-2. Property maintenance standards.**

- (a) *Minimum livability code adopted.* The City adopts the Maryland Minimum Livability Code, COMAR 05.02.03, et seq., as now or hereafter amended, as its standards for the maintenance of all residential, commercial, and institutional properties within the City, subject to the deletions, insertions and additions set forth hereinafter. The Maryland Minimum Livability Code incorporates the 2012 edition of the International Property Maintenance Code (IPMC), subject to the modifications set forth therein. The deletions, insertions and additions set forth hereinafter pertain specifically to the 2012 edition of the IPMC. In the event subsequent editions of the IPMC are adopted as the Maryland Minimum Livability Code, those deletions, insertions and additions shall continue to apply.
- (b) *Deletions from IPMC.* The following sections of the IPMC are deleted:

- (1) Section 111 (Means of Appeal); and
  - (2) Section 302 (Exterior Property Areas) with the exception of Section 302.4 (Weeds), 302.5 (Rodent harborage), 302.6 (Exhaust vents), 302.7 (Accessory structures), 302.8 (Motor vehicles) and 302.9 (Defacement of property)
- (c) *Revisions to IPMC.* The following sections of the IPMC are revised by inserting the language set forth below at the insertion points set forth in the applicable sections:
- (1) Section 101.1. Insert: City.
  - (2) Section 103.5. Insert: Refer to the fee schedule established by the City.
  - (3) Section 112.4. Insert: \$250.00 at the first insertion point and \$500.00 at the second insertion point.
  - (4) Section 302.4. Insert: "12 inches" at the insertion point.
  - (5) Section 304.14. Insert: May 15 to September 15.
  - (6) Section 602.3. Insert: October 1 to May 1.
  - (7) Section 602.4. Insert: October 1 to May 1.
- (d) *Additional standards and provisions.* The following standards and provisions shall apply in addition to those set forth in the IPMC. They shall be interpreted consistently with the IPMC.
- (1) *Trees, shrubs.* It shall be unlawful to allow the limbs or branches of any tree, shrub or other vegetation to grow or hang onto any public right-of-way so as to restrict the flow or obstruct the visibility of traffic.
  - (2) *Used appliances.* No operative or inoperative appliances or appliance parts shall be left on open or unscreened porches, landings or in yard areas.
  - (3) *Furniture.* Only furniture specifically designed and manufactured for outdoor use may be situated and maintained upon open or unscreened porches, landings and yards. No upholstered furniture, designed and manufactured for indoor use, including mattresses, shall be placed, situated or allowed to remain upon open or unscreened porches, landings or in the surrounding yards.
  - (4) *Means of appeal.* Any person directly affected by a decision of the Code Official or a notice or order issued under this section shall have the right to appeal to the City Administrator, provided that a written application for appeal must be filed within ten (10) days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the regulations found in this section have been incorrectly interpreted or do not fully apply. Appeals of notice and orders (other than imminent danger notices) shall stay the enforcement of the notice or order until the appeal is heard by the City Administrator. Any party to the proceeding aggrieved by the decision of the City Administrator shall have the right to note an appeal with the Circuit Court for Allegany County, Maryland; provided, however, that the appeal shall not stay the effect of that decision.
  - (5) *Municipal infraction.* 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.

**SECTION 2: BE IT FURTHER ORDAINED,** that this Ordinance shall be effective the date it is adopted.

Introduced: June 16, 2022  
Public Hearing: July 21, 2022  
Adopted: July 21, 2022  
Effective: July 21, 2022

MAYOR AND CITY COUNCIL OF  
FROSTBURG

By:   
W. Robert Flanigan, Mayor

ATTEST:

  
Elizabeth Stahlman, City Administrator



**FOR INFORMATION PURPOSES ONLY**  
**REVISIONS TO FORMER VERSION OF SECTION 8-2**

**Sec. 8-2. Property maintenance standards.**

- (a) *Minimum livability code adopted.* The City adopts the Maryland Minimum Livability Code, COMAR 05.02.03, et seq., as now or hereafter amended, as its standards for the maintenance of all residential, commercial, and institutional properties within the City, subject to the deletions, insertions and additions set forth hereinafter. The Maryland Minimum Livability Code incorporates the 2012 edition of the International Property Maintenance Code (IPMC), subject to the modifications set forth therein. The deletions, insertions and additions set forth hereinafter pertain specifically to the 2012 edition of the IPMC. In the event subsequent editions of the IPMC are adopted as the Maryland Minimum Livability Code, those deletions, insertions and additions shall continue to apply.
- (b) *Deletions from IPMC.* The following sections of the IPMC are deleted:
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  - (3) Section 112.4. Insert: \$250.00 at the first insertion point and \$500.00 at the second insertion point.
  - (4) Section 302.4. Insert: "12 inches" at the insertion point.
  - (5) Section 304.14. Insert: May 15 to September 15.
  - (6) Section 602.3. Insert: October 1 to May 1.
  - (7) Section 602.4. Insert: October 1 to May 1.
- (d) *Additional standards and provisions.* The following standards and provisions shall apply in addition to those set forth in the IPMC. They shall be interpreted consistently with the IPMC.
- (1) ~~*Trees, shrubs, weeds and grass.* All premises and exterior property shall be maintained free from weeds and plant growth in excess of twelve (12) inches. Weeds and plant growth shall be defined as all grasses, annual plants and vegetation other than trees, shrubs, cultivated flowers and flowers, herbs and vegetables maintained in gardens.~~ It shall be unlawful to allow the limbs or branches of any tree, shrub or other vegetation to grow or hang onto any public right-of-way so as to restrict the flow or obstruct the visibility of traffic.
  - (2) *Used appliances.* No operative or inoperative appliances or appliance parts shall be left on open or unscreened porches, landings or in yard areas.
  - (3) *Furniture.* Only furniture specifically designed and manufactured for outdoor use may be situated and maintained upon open or unscreened porches, landings and yards. No upholstered furniture, designed and manufactured for indoor use, including mattresses, shall be placed, situated or allowed to remain upon open or unscreened porches, landings or in the surrounding yards.
  - (4) *Means of appeal.* Any person directly affected by a decision of the Code Official or a notice or order issued under this section shall have the right to appeal to the City Administrator, provided that a

written application for appeal must be filed within ten (10) days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the regulations found in this section have been incorrectly interpreted or do not fully apply. Appeals of notice and orders (other than imminent danger notices) shall stay the enforcement of the notice or order until the appeal is heard by the City Administrator. Any party to the proceeding aggrieved by the decision of the City Administrator shall have the right to note an appeal with the Circuit Court for Allegany County, Maryland; provided, however, that the appeal shall not stay the effect of that decision.

(Ord. No. 2015-04, 6-19-2015)

- (5) *Municipal infraction.* 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.

(Ord. No. 2015-04, 6-19-2015)

**RESOLUTION 2022-27**

**A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND AUTHORIZING A PROPERTY TAX CREDIT FOR THE PROPERTY OWNED BY THE FROSTBURG LION'S CLUB.**

**WHEREAS,** The City of Frostburg has the authority pursuant to Section 711 of the Charter to grant a property tax credit on the real or personal property or capital stock of any entity to the extent that such credit is authorized by the laws of the State of Maryland; and

**WHEREAS,** The State of Maryland has authorized a property tax credit for property owned by the Frostburg Lion's Club, pursuant to the Maryland Annotated Code, Tax Property Section 9-302 (b)5; and

**WHEREAS,** The Frostburg Mayor and Council desire to grant a property tax credit to property owned by the Frostburg Lion's Club.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of Frostburg, Maryland that a property tax credit be hereby granted for the property owned by the Frostburg Lion's Club.

**ADOPTED** this 21<sup>st</sup> day of July, 2022.

Frostburg Mayor and Council

BY



W. Robert Flanigan, Mayor

Attest:

  
Elizabeth Stahlman, City Administrator

**RESOLUTION 2022-28**

**RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND APPROVING THE APPLICATION AND RECEIPT OF FINANCING FOR COMMUNITY LEGACY AND STRATEGIC DEMOLITION FUND THE PROJECT(S) (THE “PROJECT”) FURTHER DESCRIBED IN THE APPLICATION(S) TO BE SUBMITTED ON OR BEFORE JULY 13, 2022 (THE “APPLICATION”), TO BE FINANCED EITHER DIRECTLY BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (THE “DEPARTMENT”) OF THE STATE OF MARYLAND OR THROUGH OTHER DEPARTMENTS OR AGENCIES OF THE STATE OF MARYLAND.**

**WHEREAS**, the City of Frostburg recognizes that there is a significant need for reinvestment and revitalization of the communities in Allegany County; and,

**WHEREAS**, the Department, either through Community Legacy, Community Legacy-Neighborhood Intervention, Strategic Demolition Fund, Technical Assistance Grant Program, Baltimore Regional Neighborhood Initiative [or other State Revitalization Programs] or through other Programs of the Department, or in cooperation with other State departments or agencies, may provide some or all of the financing for the Project (the “Project Financing”) in order to assist in making it financially feasible; and

**WHEREAS**, the Project is located within a priority funding area under Section 5-7B-02 of the Smart Growth Act and the Project will conform to the local zoning code; and

**WHEREAS**, the applicable law and regulations require approval of the Project and the Project Financing by the City of Frostburg and, where appropriate, by the chief elected executive official of the local subdivision;

**NOW, THEREFORE BE IT RESOLVED THAT**, the Council of the City of Frostburg hereby endorses the Project in the Sustainable Community Area; and,

**HEREBY** approves the request for financial assistance in the form of a grant or loan, up to the amount of up to \$50,000; and

**BE IT FURTHER RESOLVED THAT**, the chief elected executive official be, and is hereby requested to endorse this Resolution, thereby indicating his approval thereof; and,

**BE IT FURTHER RESOLVED THAT**, the Community Development Director and Grants Manager are hereby authorized to execute documents and take any action necessary to carry out the intent of these resolutions; and,


**BE IT FURTHER RESOLVED THAT**, copies of this Resolution are sent to the Secretary of the Department of Housing and Community Development of the State of Maryland.

**ADOPTED** this 21<sup>st</sup> day of July, 2022.

Frostburg Mayor and Council

BY   
W. Robert Flanigan, Mayor

Attest:

  
Elizabeth Stahlman, City Administrator

**RESOLUTION 2022-29**

**A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND AUTHORIZING A LETTER OF INTENT FOR THE DEVELOPMENT OF THE CENTER STREET PROJECT TO BE SIGNED.**

**WHEREAS**, The City of Frostburg has pursued the Center Street Redevelopment Project over a period of several years with funding from Maryland Department of Housing and Community Development Strategic Demolition Funds and Allegany County Community Enhancement Program funds; and,

**WHEREAS**, the City acquired and razed 8 residential rental properties in 2019/2020 with the vision of a mixed-use development to include first floor commercial/office and upper story residential designed for professionals working in the region and at Frostburg State University; and,

**WHEREAS**, the City has engaged with several developers over the last 4 years, and recently was unsuccessful in soliciting a developer through a Request for Proposal process, but through that process continue to engage with interested developers.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of Frostburg authorize the Mayor to sign a Letter of Intent with Gillis Gilkerson of Salisbury, Maryland, granting the firm a 1-year period for due diligence and project development, with the intent to sell the property to Gillis Gilkerson in one year or less, provided all parties are mutually agreeable to project terms and outcomes.

**ADOPTED** this 21<sup>st</sup> day of July, 2022.

Frostburg Mayor and Council

BY   
W. Robert Flanigan, Mayor

Attest:

  
Elizabeth Stahlman, City Administrator



SEPTEMBER 8, 2022

City of Frostburg  
37 S Broadway,  
Frostburg, MD 21532

Re: Letter of Intent ("LOI") for City of Frostburg Center Street Redevelopment Project (the "Project")

Dear Mayor and City Council:

This LOI will outline the principal terms, conditions and contingencies upon which our affiliate, Opportunity Street, LLC and/or assigns ("Buyer") is willing to purchase and develop the real property consisting of eight (8) lots on Center Street which are owned by The City of Frostburg (the "City") and more particularly described in the Exhibit A attached hereto (the said lots hereinafter being referred to collectively as the "Property"). The said purchase and development of the Property are hereinafter referred to as a "Transaction".

Throughout this LOI use of words such as "we", "us" and "our" mean Buyer.

On the basis of the understanding contained in this LOI, we expect that we will work to evaluate a Transaction and determine whether we can proceed to the negotiation and execution of a definitive agreement ("Definitive Agreement") for the consummation of a Transaction. If our negotiations are successful, we would seek to enter into a Definitive Agreement no later than one (1) year from the date this LOI is executed by the City. Our decision to proceed with a Transaction is subject to, among other things, our successful completion of due diligence pursuant to the terms of this LOI and the satisfaction of all contingencies to be set forth in the Definitive Agreement.

Other than an obligation for the parties hereto to negotiate for the terms of a Definitive Agreement in good faith, the terms of Section 11, and the terms of the final sentence of Section 4, this LOI is not binding on the parties hereto. With respect to this LOI, our proposals are:

1. **Project.** The Project shall include the construction of a building (the "Building") on the Property that will be used for a mix of commercial and residential uses. Residential leases shall be for terms of no less than one (1) calendar year.
2. **Buyer/Assigns.** Buyer and its approved assigns may proceed with a Transaction. Assigns of Buyer must be acceptable to the City. The Definitive Agreements shall include the terms upon which the City may evaluate prospective assigns, including assigns' financial wherewithal to complete the Project and their principals' experience with the development of real property similar to the Project. The City may reject potential assigns for good cause.
3. **Purchase Price.** The purchase price for the Property shall be One Dollar (\$1.00).

16



4. **Study/Due Diligence Period.** Buyer shall perform such due diligence as it deems necessary to proceed with a Transaction during the one (1) year period following the date the City executes this LOI. If a Definitive Agreement is entered into prior to the expiration of the due diligence period, the Definitive Agreement should allow for Buyer to continue to perform its due diligence through the expiration of the said one (1) year period. Buyer shall provide the City with copies of all reports prepared by third parties applicable to due diligence performed during the Study/Due Diligence period.
5. **Contingencies.** The Definitive Agreement may include the following contingencies.
  - (a) The performance and acceptable results of such environmental site assessments as Buyer or its lender may require.
  - (b) Buyer's acquisition of financing in an amount that is sufficient to enable it to complete the Project.
  - (c) Buyer's entry into a master lease for the entirety of the first floor of the Building with Frostburg State University ("FSU") and/or directly with a food service vendor that provides food service for FSU students and staff
  - (d) Such other contingencies as Buyer's lender may require.
6. **Lease of FSU Properties.** The City will cooperate with Buyer in its efforts to lease 7 American Ave., Frostburg, MD 21532 and 150 Park Ave., Frostburg, MD 21532.
7. **Settlement.** Settlement shall take place no later than one (1) year from the date of the City's execution of this LOI.
8. **Commissions.** In the event any commissions are payable to third parties in connection with the acquisition of the properties identified herein, the Transaction or the execution and/or consummation of the terms of a Definitive Agreement, they shall be paid by Buyer.
9. **Timeline.** An aspirational timeline for the completion of the Project is attached hereto as Exhibit B.
10. **Notice of Abandonment, Exclusivity.** In the event Buyer decides not to proceed with the Project, it shall notify the City of its decision to do so immediately. At that point, the parties may terminate negotiations for the Transaction and the City shall be permitted to solicit other developers for the development of the Project. Otherwise, Buyer shall have the exclusive right to negotiate with the City for a term of one (1) year from the date of the City's execution of this LOI.

TSK



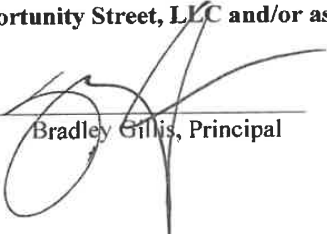


11. **Maryland Law Applies.** This LOI shall be governed and construed according to the laws of the State of Maryland without regard to principles of conflict of laws. It shall be enforceable exclusively by means of an action commenced and maintained in the Circuit Court for Allegany County, Maryland or the District Court of Maryland for Allegany County, and both parties waive the right to claim that such a proceeding is commenced in an inconvenient forum or one that lacks proper venue.

12 **Signing by Facsimile or Other Electronic Means.** Each of the parties hereto expressly authorizes and agrees to sign facsimile and/or other electronically transmitted copies or counterparts of this LOI. Once said facsimile and/or other electronically transmitted signed copies or counterparts are executed by each of the parties hereto, they shall have the same binding effect as would a signed original LOI once delivered to the other party.

Please indicate your agreement to the terms set forth herein by executing this LOI where indicated below.

**Opportunity Street, LLC and/or assigneds**

By:   
Bradley Gillis, Principal

**THE CITY OF FROSTBURG**

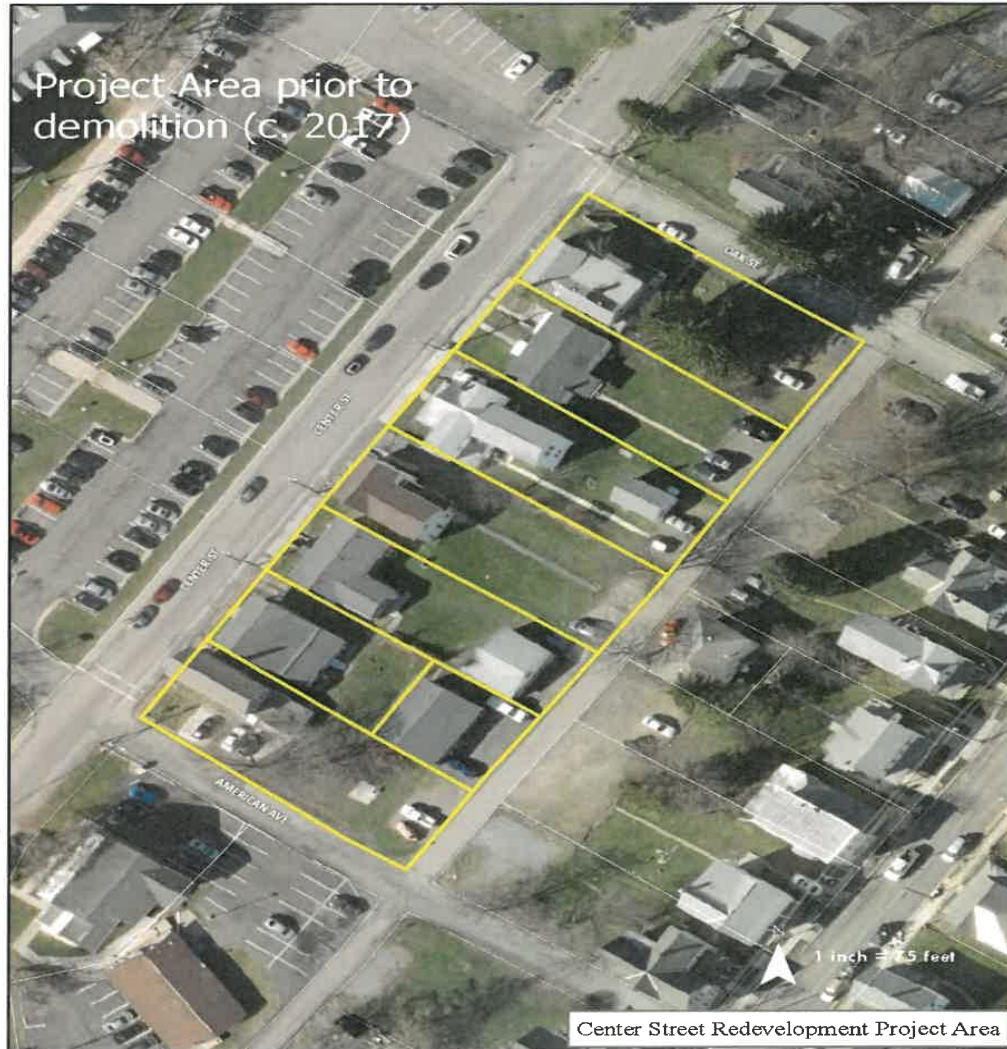
By:   
W. Robert Flanigan, Mayor

  
Date

DK

**Exhibit A**

4 Lots – 19,733SQFT Market & Camden Streets, Parking Lot #15



**Exhibit B  
Conceptual Timeline**



The timeline assumes all requests from Opportunity Street LLC Inc. and/or assigneds to Tenant for information, feedback and input are addressed within 5 business days. Any and all delays from Tenant or Landlord will result in damages to be defined in the Lease. The below timeline reflects the Center Street Redevelopment (Project) contract being awarded to Opportunity Street LLC Inc. and/or assigneds:

<b>July 2022</b>	Fully Executed Letter of Intent for Center Street Redevelopment (Project)
<b>August 2022</b>	Opportunity Street LLC and/or assigneds to provide 2-4 conceptual site drawings
<b>November 2022</b>	City of Frostburg, Frostburg State University, Opportunity Street LLC and/or assigneds to review and agree upon 1 site drawing
<b>December 2022</b>	Opportunity Street LLC and/or assigneds to provide reasonably estimated costs of development for chosen conceptual site drawing; City of Frostburg, Frostburg State University, Opportunity Street LLC and/or assigneds to review and finalize costs projections and next steps
<b>Q1, 2023</b>	Pending conceptual site drawing approval, Landlord to submit for concept site plan approval to Planning and Zoning
<b>Q2, 2023</b>	Full execution of contract between Opportunity Street LLC and/or assigneds and City of Frostburg for Center Street Redevelopment (Project)
<b>Q2, 2023</b>	Opportunity Street LLC and/or assigneds to submit for building permit based on approved drawings
<b>Q3-Q4, 2023</b>	Ongoing attainment of varied licensing, inspections, regulatory components
<b>Q1, 2024</b>	All commercial, third-party lease agreements to be fully executed
<b>Q1-Q2, 2024</b>	Break Ground
<b>Q2-Q3, 2025</b>	Substantial Completion



BRADLEY GILLIS  
Principal

76

**RESOLUTION 2022-30**

**A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND AUTHORIZING TRANSFER OF PROPERTY ACQUIRED THROUGH TAX SALE CERTIFICATE FORECLOSURE.**

**WHEREAS**, The City of Frostburg acquired 45 Ormand Street, a blighted property, through a tax sale certificate foreclosure; and,

**WHEREAS**, after the deed for 45 Ormand Street was recorded in the City's name, it came to the City's attention that the structure at 45 Ormand was located on an adjacent property not owned by the City and the City technically only is in ownership of a vacant, land-locked parcel; and,

**WHEREAS**, the City has discussed the matter with the owners of the property whom the blighted structure is located on and they proposed to demolish the blighted structure at their own cost in exchange for the land.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of Frostburg authorize the transfer of 45 Ormand Street (Tax Account 26 005469) and recorded in the Land Records of Allegany County in liber 2779 folio 268, to Lorenzo and Tammy Seminerio for \$0, provided that the structure known as 45 Ormand Street is contracted to be razed by Mr. and Mrs. Seminerio.

**ADOPTED** this 21<sup>st</sup> day of July, 2022.

Frostburg Mayor and Council

BY   
W. Robert Flanigan, Mayor

Attest:

  
Elizabeth Stahlman, City Administrator

**RESOLUTION 2022-31**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, APPROVING THE EQUITY LEASE OF 1 VEHICLE.**

**WHEREAS**, In July 2020, the City of Frostburg entered into an Master Equity Lease Agreement with Enterprise Fleet Management as a solution for the City's light-duty fleet; and,

**WHEREAS**, The City is able to take advantage of government contract pricing and the Fleet Lease program has been evaluated to save the City money over a ten year period by accessing Enterprise Fleet pricing, reduced maintenance costs, and improved efficiency and safety; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Frostburg hereby authorizes the City Administrator to execute documents for an equity lease with Enterprise Fleet Management for a Ford Ranger Crew Cab XL 4x4 for the use by Public Works and Community Development in an amount estimated to be \$627 per month.

**ADOPTED** this 21<sup>st</sup> day of July, 2022.

Frostburg Mayor and Council

BY   
W. Robert Flanigan, Mayor

Attest:

  
Elizabeth Stahlman, City Administrator

**RESOLUTION 2022-32**

**A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND APPOINTING A MEMBER TO THE BOARD OF ZONING APPEALS.**

**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 Constance Loucks to the Board of Zoning Appeals for a 3 year term expiring July 20, 2025.

**ADOPTED** this 21<sup>st</sup> day of July, 2022.

Frostburg Mayor and Council

BY   
W. Robert Flanigan, Mayor

Attest:

  
Elizabeth Stahlman, City Administrator