



MINUTES

Mayor and Council Meeting

Tuesday, April 16, 2024 - 5:30 PM
Frostburg Municipal Center Meeting Room - 37 Broadway

The Mayor and Council Meeting of the City of Frostburg was called to order on Tuesday, April 16, 2024, at 5:30 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

2 PLEDGE OF ALLEGIANCE

3 FROSTBURG BLESSING

*Moment of Silence in Remembrance of former Police Chief Bill Evans
Years of Frostburg Police Department Service: 1972-2010; Chief, 1995-2010*

4 ROLL CALL

5 APPROVAL OF THE AGENDA

Moved by Commissioner Forsythe, seconded by Commissioner Grove to Approve the Agenda.

6 APPROVAL OF THE MINUTES

a) Minutes from the March Council Meeting.

5 - 7

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

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

Carried

[Mayor and Council Meeting Minutes 3-19-24](#)

7 SPECIAL PRESENTATIONS AND REQUESTS

a) Arbor Day 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 Finance Donny Carter

*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 2024-01** Fiscal Year 2025 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 Water, Parks, and Recreation Nina Forsythe

*Motion and Second to Approve the Ordinance on First Reading, and set the
May 20, 2024 Council Meeting as an advertised Public Hearing; PUBLIC
COMMENT; Vote of the Mayor and City Council.*

Carried

- b) **RESOLUTION 2024-17** Approve a contract for the Comprehensive Plan with
Wallace Montgomery in the amount of \$193,022.00. Bethany Fife, Director of
Community Development

8

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

*Motion and Second to Approve Resolution 2024-17; PUBLIC COMMENT; Vote
of the Mayor and City Council.*

Carried

[Res. 2024-17 Comprehensive Plan](#)

- c) **RESOLUTION 2024-18** Approve a Change Order for the Centennial Hill Pumping Station Project with Belt Construction resulting in a credit of \$18,618.00. Hayden Lindsey, Director of Public Works 9

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

Motion and Second to Approve Resolution 2024-18; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

[Res. 2024-18-Centennial Hill Pump CO#2](#)

- d) **RESOLUTION 2024-19** Approve a change order for design services of the salt storage facility with Bennett, Brewer, and Associates, LLC for an increase in total contract amount of \$5,672.50 due to need to adjust scope & scale of facility. Hayden Lindsey, Director of Public Works 10

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

Motion and Second to Approve Resolution 2024-19; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

[Res. 2024-19 Road Salt Enclosure Change Order](#)

- e) **RESOLUTION 2024-20** Award Bid for Road Salt Enclosure Replacement to Lashley Construction in the amount of \$437,000.00. Hayden Lindsey, Director of Public Works 11

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

Motion and Second to Approve Resolution 2024-20; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

[Res. 2024-20 Road Salt Enclosure Const Contract](#)

- f) **RESOLUTION 2024-21** Authorize the Mayor to execute a lease with HRDC at the Frostburg Childcare Center for use as Headstart and Early Headstart childhood development services. Elizabeth Stahlman, City Administrator 12

Motion and Second to Approve Resolution 2024-21; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

[Res. 2024-21 HRDC Lease Childcare Facility](#)

- g) **RESOLUTION 2024-22** Approval contract with Percy Public Affairs for Maryland Government Relations and Representation Services for May 2024-December 2024 in the amount of \$14,000. Elizabeth Stahlman, City Administrator 13

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

Motion and Second to Approve Resolution 2024-22; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

[Res. 2024-22 Percy Public Affairs](#)

- h) **RESOLUTION 2024-23** Approve written exception to deed covenants for a parcel of land previously owned by the City of Frostburg. Elizabeth Stahlman, City Administrator 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 2024-23; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

[Res. 2024-23 Written Deed Exceptions](#)

12 REPORT OF THE FROSTBURG POLICE DEPARTMENT
Chief Nicholas Costello

13 OPEN PUBLIC COMMENT
There were none

14 ADJOURNMENT
There being no further business the meeting was adjourned at 5:55 pm.

Mayor

City Administrator



MINUTES
Mayor and Council Meeting
Tuesday, March 19, 2024 - 5:30 PM
Frostburg Municipal Center Meeting Room - 37 Broadway

The Mayor and Council Meeting of the City of Frostburg was called to order on Tuesday, March 19, 2024, at 5:30 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 Forsythe, seconded by Commissioner Grove to Approve the Agenda.	
6 APPROVAL OF THE MINUTES	
a) Minutes from the February Council Meeting.	4 - 8
Moved by Commissioner of Finance Donny Carter, seconded by Commissioner of Public Works Adam Ritchey	
<i>Motion and Second to Approve the Minutes for the February Council Meeting.</i>	
	Carried
<u>Mayor and Council Meeting Minutes 2-20-24</u>	
7 SPECIAL PRESENTATIONS AND REQUESTS	
8 MAYOR AND COMMISSIONERS REPORTS & ANNOUNCEMENTS	

a) Monthly Reports of the City Departments

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

*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 said that Phase X-A started and the
Phase X-B and X-C will be out for bid late summer.

10 OLD BUSINESS

11 NEW BUSINESS

- a) **RESOLUTION 2024-14** Appoint Karen Krogh to the Frostburg Planning Commission for a 5 year term. Bethany Fife, Director of Community Development 9

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

*Motion and Second to Approve Resolution 2024-14; PUBLIC COMMENT; Vote
of the Mayor and City Council.*

Carried

Res. 2024-14 K. Krogh Planning Comm.

- b) **RESOLUTION 2024-15** Approve Change Order 1 for the Frostburg Childcare Center. Elizabeth Stahlman, City Administrator 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 2024-15; PUBLIC COMMENT; Vote
of the Mayor and City Council.*

Carried

Res. 2024-15 Change Order Childcare Center

- c) **RESOLUTION 2024-16** Approve Frostburg State University Memorandums of Understanding: Law Enforcement Jurisdiction and Public Safety Initiatives. Elizabeth Stahlman, City Administrator 11

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

Motion and Second to Approve Resolution 2024-16; PUBLIC COMMENT; Vote of the Mayor and City Council.

Carried

Res. 2024-16 MOUs with FSU

12 REPORT OF THE FROSTBURG POLICE DEPARTMENT
Chief Nicholas Costello

13 OPEN PUBLIC COMMENT
There were none.

14 ADJOURNMENT
There being no further business the meeting was adjourned at 5:46 p.m.

15 REMINDERS

- a)
- Deadline to File Certificate of Candidacy for Frostburg Municipal Election: Wednesday, March 20, 2024
 - **Frostburg Election Day - Tuesday, June 4, 2024**

UPCOMING MEETINGS AND EVENTS

- Introduction of Budget Ordinance - April 16, 2024
- Beautify the Burg - May 4, 2024



Mayor



City Administrator

RESOLUTION 2024-17

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND APPROVING AN APPROVING A CONTRACT TO PREPARE THE FROSTBURG COMPREHENSIVE PLAN.

WHEREAS, the City of Frostburg is required by Maryland Statute to prepare a Comprehensive Plan once every 10 years; and,

WHEREAS, the Director of Community Development solicited proposals for the Comprehensive Plan through a Request for Proposal process and received three bids; and,

WHEREAS, the proposals were evaluated by a team of reviewers that ranked the proposals in accordance to criteria set forth in the Request for Proposal document.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of Frostburg, Maryland, approves accepting the highest ranked proposal, submitted by Wallace Montgomery, in the amount of \$193,022.00 and further authorize the City Administrator to sign contract documents with Wallace Montgomery.

ADOPTED this 16th day of April 2024.

Frostburg Mayor and Council

BY 

W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator

RESOLUTION 2024-18

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND APPROVING A CHANGE ORDER FOR THE CENTENNIAL HILL PUMPING STATION PROJECT

WHEREAS, the Centennial Hill Pumping Station was funded by American Rescue Plan Act funds and the contract was completed; and,

WHEREAS, certain expenses were not incurred by Carl Belt, Inc., resulting in a credit to the City.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of Frostburg, Maryland, hereby approves Change Order No. 2 from Carl Belt, Inc. for a credit of \$18,618.00.

ADOPTED this 16^h day of April 2024.

Frostburg Mayor and Council

BY 

W. Robert Flanigan, Mayor

Attest:



Elizabeth Stahlman, City Administrator

RESOLUTION 2024-19

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND APPROVING A CHANGE ORDER FOR THE DESIGN OF THE ROAD SALT ENCLOSURE REPLACEMENT

WHEREAS, The Road Salt Enclosure Replacement design had to be amended to align construction costs with available funding; and,

WHEREAS, the Design Consultant, Bennett, Brewer, and Associates, LLC incurred additional costs to modify the design and bid documents.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of Frostburg, Maryland, hereby approves Change Order No. 1 from Bennett, Brewer, and Associates, LLC, in the amount of \$5,672.50, increasing the total contract price for design to \$22,497.50.

ADOPTED this 16th day of April 2024.

Frostburg Mayor and Council

BY 

W. Robert Flanigan, Mayor

Attest:



Elizabeth Stahlman, City Administrator

RESOLUTION 2024-20

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND AWARDING A CONTRACT FOR THE CONSTRUCTION OF A ROAD SALT ENCLOSURE REPLACEMENT

WHEREAS, The City identified the replacement of the Road Salt Enclosure as a priority project due to the poor condition of the current salt dome; and,

WHEREAS, The Mayor and Council approved the Road Salt Enclosure replacement as a project to be funded through the American Rescue Plan Act funding.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of Frostburg, Maryland, hereby awards the construction contract for the Road Salt Enclosure to Lashley Construction with a base bid of \$437,000.00.

BE IT FURTHER RESOLVED that the Add-Alternate bid of \$162,000.00 may be approved and accepted should funding be available prior to the completion of the project.

ADOPTED this 16th day of April 2024.

Frostburg Mayor and Council

BY 
W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator

RESOLUTION 2024-21

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, APPROVING A LEASE FOR 202 S. WATER STREET BY THE ALLEGANY COUNTY HRDC TO HOUSE A HEAD START AND EARLY HEAD START PROGRAM IN FROSTBURG.

WHEREAS, the Allegany County Human Resources Development Commission (HRDC) has worked with the City on the project concept for the Frostburg Childcare Center located at 202 S. Water Street for use as the location for HeadStart, Early HeadStart, and Frostburg Day Camp programs; and,

WHEREAS, the City of Frostburg recognizes the necessity for affordable child care for the childhood development of the young people in our community.

NOW, THEREFORE BE IT RESOLVED that the Frostburg Mayor and Council do hereby approve a lease for the building located at 202 S. Water Street, and further authorize the Mayor to sign the lease agreement prepared by the Frostburg City Attorney.

ADOPTED this 16th day of April 2024.

Frostburg Mayor and Council

BY 

W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator

RESOLUTION 2024-22

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND APPROVING A CONTRACT FOR GOVERNMENT RELATIONS REPRESENTATION.

WHEREAS, the City of Frostburg recognizes that relationships are required for certain legislative requests, resolving administrative issues, and obtaining state funding from time to time; and,

WHEREAS, the City's City contracted with Percy Public Affairs to represent the City during the 2024 Legislative Session and now wishes to continue that relationship for the remainder of the calendar year.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of Frostburg, Maryland, hereby approves a contract with Percy Public Affairs, National Harbor, Maryland, for the period of May 1, 2024 through December 31, 2024 in the amount of \$14,000.00, or \$1,750 per month.

ADOPTED this 16th day of April 2024.

Frostburg Mayor and Council

BY 
W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator

RESOLUTION 2024-23

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND APPROVING WRITTEN EXCEPTIONS TO DEED COVENANTS ON A PROPERTY FORMERLY OWNED BY THE CITY OF FROSTBURG NEAR THE SAVAGE SPRINGS AND WELLS PROPERTY.

WHEREAS, the City of Frostburg obtained property for the purpose of source water protection in Garrett County and then subdivided and sold a 4-acre residential part of the total property; and,

WHEREAS, as recorded in the Land Records of Garrett County, Maryland, liber 2080, folio 397, certain deed covenants and restrictions were included to continue to protect the surrounding property from intensive land use; and,

WHEREAS, prospective buyers of the property have requested written permission to have a small number of livestock, as provided for in the deed.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of Frostburg, Maryland, hereby approves written permission be provided for Dylan and Sara Symons to keep no more than 8 chickens, 4 goats, and 2 horses on the property, in accordance with the provisions set forth in the letter prepared by the City Attorney.

ADOPTED this 16th day of April 2024.

Frostburg Mayor and Council

BY 
W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator