

MAYOR AND COUNCIL MEETING
TUESDAY, OCTOBER 13, 2015 7:00PM

AGENDA

1. CALL TO ORDER, PLEDGE, AND ROLL CALL
2. MAYOR'S REMARKS
 - a. Appointments
 - b. Certificate of Appreciation – Visitor Center Volunteer
 - c. Certificate of Appreciation – Museum Curator
 - d. Veterans Day Proclamation and Parade Update
 - e. Main Street Downtown Development Strategies Presentation
3. APPROVAL OF MINUTES
 - a. Closed Meetings – July 14, August 11, August 25, and September 8, 2015
 - b. Public Hearing – September 8, 2015
 - c. Mayor & Council – September 8, 2015
4. CITIZENS' FORUM (PETITIONS, REMONSTRANCES, AND COMMUNICATIONS)
5. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES
 - a. Resolution 2015-04 – Public Works Mutual Aid Agreement – Vote
 - b. Ordinance 519 – Transportation Network Services Assessment – First Reading
6. REPORT OF OFFICERS - COUNCIL – COMMITTEES
7. CONSENT AGENDA
 - a. Purchase Approval – Waste Water Department
 - b. Gum Springs Estates
 - i. Partial Release and Abandonment of Deed of Easement and Deed of Easement/Maintenance Covenants and Agreement
 - ii. Deed of Easement/Maintenance Covenants and Agreement (Stormwater – ESD)
 - iii. Public Works Agreements – Roads, Sidewalks, Curbs, and Gutters; Stormwater Management; Sediment Erosion Control; Water and Sewer
 - c. Brunswick Crossing – Revision to MOU for Maintenance of Route 17 Gateway Landscaping, Signs, and Amenities
8. UNFINISHED BUSINESS
9. NEW BUSINESS
 - a. Merit/Step Increases - Vote
 - b. TAC Signage Program, Maryland State Highway Administration - Vote
 - c. Tax Equity Workgroup Discussion
 - d. Parking Proposal – 2nd Avenue between A and Potomac Streets Discussion
10. MISCELLANEOUS AND APPROPRIATIONS
11. ADJOURNMENT
10/6/2015 4:41 PM

MAYOR AND COUNCIL MEETING
October 13, 2015

Suggested Motions

Agenda item 2a – Appointments

“I move to concur with the Mayor’s recommendation to appoint Brett Novick to the Economic Development Commission to a term expiring in September 2018.”

Agenda item 3a – 3c – Approval of Minutes

“I move to approve the Closed Meeting minutes from July 14, August 11, August 25, and September 8; the Public Hearing minutes from September 8; and the Mayor and Council Meeting minutes from September 8, 2015.

Agenda item 5a – Public Works Mutual Aid Agreement

“I move to approve Resolution 2015-04, for a Public Works Mutual Aid Agreement.”

Agenda item 7a-c – Consent Agenda

“I move to approve the Consent Agenda.”

Agenda item 9a – Merit/Step Increases

“I move to adopt the merit/step increases for City Employees per staff recommendation dated September 22, 2015.”

Agenda item 9b – TAC Signage Program, Maryland State Highway Administration

“I move to concur with the staff recommendation to not participate in the TAC program at the present time.”

Oath of Office

I, Brett Novick, do solemnly swear that I will support the Constitution of the United States of America and the laws and Constitution of the State of Maryland, and that I will, to the best of my ability, diligently and faithfully execute the duties of my office for the Economic Development Commission, City of Brunswick, Frederick County, Maryland.

Brett Novick

October 13, 2015 – September, 2018

Sworn to and subscribed before me, Mayor of Brunswick, Maryland this 13th day of October, 2015.

Karin B. Tome
Mayor of Brunswick



THE CITY OF BRUNSWICK MARYLAND

1 WEST POTOMAC STREET · BRUNSWICK, MARYLAND 21716 · (301) 834-7500

October 5, 2015

Re: City of Brunswick Economic Development Commission

Dear Brett Novick,

Subject to the advice and consent of the City Council, pursuant to Section 16-31 of the City of Brunswick Charter, I am pleased to appoint you to the *City of Brunswick Economic Development Commission* for a term ending in September, 2018. If, as I hope, the City Council consents to your appointment at its October 13, 2015 meeting, I wish to have you join this important body.

I have attached Ordinance 511, which governs the work of the Commission. The City will provide staff support to the Commission (mainly through Terri Householder), who will assist in prioritizing the tasks laid out for the group.

If you have any questions, please do not hesitate to contact City Hall (CityHall@BrunswickMD.gov) or me directly.

I am so personally grateful for your willingness to serve on this Commission, and believe that this Commission, through its advisory function and related activities, has a critical role in helping with the revitalization of our community and its economy, as well as assuring public confidence in the ethical actions of the leadership of the City of Brunswick. I look forward to working with you.

Thank you in advance,

Karin B. Tome
Mayor

cc. Office Manager
City Administrator

S:\Boards and Commissions\Administrative Documents for Boards & Commissions\Appt letters\Appointment letter - Economic Development Commission - 2015 Novick.docx



Certificate of Appreciation

presented to

Rosane Roe

October 13, 2015

On behalf of the Brunswick community, the Mayor and Council wish to thank you for your monthly volunteer services to the Chesapeake & Ohio Canal National Historic Park Brunswick Visitor Center from September 2014 to August 2015. The donation of your time each month to assure that the Visitor Center was able to open on Thursdays to serve our visitors was invaluable to our tourism efforts.

Thank you too, for your service to the Brunswick Heritage Museum Board of Directors and the Brunswick Main Street Board of Directors.

Karin B. Tome, Mayor



Certificate of Appreciation

presented to

Rebecca O'Leary

October 13, 2015

On behalf of the Brunswick community, the Mayor and Council wish to thank you for your years of service as Curator at the Brunswick Heritage Museum. Your knowledge, dedication, and creativity will leave a lasting legacy at the Museum for years to come. In particular, we'd like to recognize your work in bringing the travelling Smithsonian exhibit "Journey Stories" to Brunswick during your tenure. This popular exhibit increased tourism in Brunswick and provided locals with an important look into our City's history. Best of luck in future endeavors.

Karin B. Tome, Mayor

PROCLAMATION
City of Brunswick, Maryland

Honoring the Veterans of Military Service

Whereas, the 11th day of November 1918 marked the end of World War I; and

Whereas, the Congress of these United States passed a resolution on the 4th day of June 1926, calling for the observance of November 11th to pay tribute to the tragic struggle of World War I; and

Whereas, on the 13th day of May 1938 the United States Congress passed by acclamation for the observance of the 11th day of November as Armistice Day; and

Whereas, the Congress of these United States on the 1st of June 1954 called for the 11th of November to be recognized as Veterans Day; and

Whereas, the Congress of these United States designated this day to pay homage to the veterans of all wars; and

Whereas, the City of Brunswick remembers veterans to assure they are not forgotten and to pay tribute to their sacrifices and service; and

Whereas, the City of Brunswick honors our veterans of the armed services with a Veterans Day Parade on the Sunday before Veterans Day; and

Whereas, the Veterans Day Parade has become a long-standing tradition for Brunswick families and the community, and will attract visitors from far and wide, and

Whereas, this year marks the 83rd Veterans Day Parade in Brunswick;

Therefore, the Mayor and Council of the City of Brunswick do hereby proclaim, Sunday, November 8, 2015 as a day of respect and gratitude for all the veterans of our military.

Mayor and Council of Brunswick

City of Brunswick
Mayor and Council Public Hearing Minutes
Tuesday, September 8, 2015, 7:00 P.M.

The September 8, 2015 City of Brunswick Public Hearing was convened at 7:00 P.M. by Mayor Karin Tome at Brunswick City Hall. The following members and staff were present: Karin Tome, Mayor; Angel White, Mayor Pro Tem; Ellis Burruss, Carroll Jones, Harry Lashley, Jeff Snoots, and Walt Stull, Council Members; Bob McGrory, City Administrator; Milt Frech, Chief of Police; and Carrie Myers, Office Manager.

Ms. Myers described the publication of the hearing notice, and no objections were noted.

Mr. McGrory gave a brief description of Ordinance 518 – Vacant Property.

Public comments were received from the following: Eric Beasley, 27 East E Street. Council Member Burruss also offered comments.

Mr. McGrory gave a brief description of Resolution 2015-02 – Proposed Charter Change.

Public comments were received from the following: Eric Beasley, 27 East E Street; Tom Smith, 211 Wintergreen Lane; Mike Ward, 111 Central Avenue; and Katherine Reig, 115 Fiona Way. Council Members Burruss and Lashley also offered comments.

Both items are to be discussed and voted on at the regular meeting following the public hearing.

Ms. White made a motion to adjourn the public hearing at 7:25 p.m. Mr. Lashley seconded, and the motion passed 6-0.

Submitted by: Carrie Myers

Approved By: _____ Witnessed By: _____
Mayor Date City Administrator Date

City of Brunswick
Mayor and Council Special Meeting Minutes
Tuesday, September 8, 2015, 7:25 P.M.

The September 8, 2015 City of Brunswick Special Mayor and Council meeting was called to order at 7:25 p.m. by Mayor Karin Tome at Brunswick City Hall. The following members and staff were present: Karin Tome, Mayor; Angel White, Mayor Pro Tem; Ellis Burruss, Carroll Jones, Jeff Snoots, and Walt Stull, Council Members; Bob McGrory, City Administrator; Milt Frech, Chief of Police; and Carrie Myers, Office Manager.

Mayor's Remarks

- Mayor Tome discussed the River Mural Project at the Kaplon Building.
- Mayor Tome asked for motions to appoint Sandy Wagerman to the Economic Development Commission and Jennifer Knowles to the Ethics Commission. Mr. Snoots made a motion to appoint Ms. Wagerman. Mr. Lashley seconded the motion, which passed 6-0. Mr. Lashley made a motion to appoint Ms. Knowles. Mr. Burruss seconded the motion, which passed 6-0. Mayor Tome swore in Ms. Wagerman and Ms. Knowles.
- Delegate David Vogt offered comments.
- Lisa Berray, Railroad Days Coordination, presented an overview of this year's festival.

Approval of Minutes

- Public Hearing – August 11, 2015
- Mayor & Council – August 11, 2015
- Mayor & Council Special Meeting – August 25, 2015

Ms. White made a motion to accept the minutes. Mr. Snoots seconded the motion, which passed 6-0.

Mayor Tome read the following statement: The Brunswick City Council met in closed session on September 8, 2015 at 6:00 P.M. at City Hall to discuss personnel matters, consider a matter that concerns a proposal for a business to locate, expand, or remain in the state, and to consider the acquisition of real property for a public purpose and matters related directly thereto. The authority to close this meeting is found in Article 10-508 of the Annotated Code of Maryland. Mayor Tome, Mayor Pro Tem White, Council Members Jones, Lashley, Snoots, and Stull, and City Administrator McGrory were present. All members present voted to close the meeting. Council Member Burruss joined the meeting in progress. The Council discussed the following items:

- Personnel matters – discussed employee transitions in the Police and Administration Departments.
- Business matters – discussed businesses interested in locating or expanding in Brunswick.
- Real Property Acquisition – discussed the possible acquisition of several pieces of real property for a public purpose and the means to facilitate such acquisition.

No actions were taken.

Citizens’ Forum (Petitions, Remonstrances, and Communications)

Comments were offered from Michael Tuthill, 71 Wenner Drive, and Eric Beasley, 27 East E Street.

Introduction and Adoption of Resolutions and Ordinances

- Ordinance 518 – Vacant Property

Mayor Tome read the proposed ordinance. Mr. McGrory discussed the proposed ordinance and Council Members were given a chance to ask questions. Mr. Burruss made a motion to approve Ordinance 518. Ms. White seconded the motion, which passed 6-0.

- Resolution 2015-02 – Proposed Charter Change – section 16-20 Recall of Elected Officers

Council Members were encouraged to voice their positions on this issue. A lengthy discussion ensued regarding taking this issue to referendum or making it a ballot question at the next election. Mr. Jones moved to amend the percentage of voters from 25 to 20. Mr. Stull seconded the motion, which passed 4-2, with Mr. Burruss and Mr. Lashley opposed. Mr. Lashley made a motion to approve the resolution. Mr. Burruss seconded the motion, which passed 4-2, with Mr. Stull and Mr. Jones opposed.

Report of Officers – Council – Committees

Mr. McGrory spoke briefly regarding staff reports.

Council Members provided updates on their Committee activities, including announcements related to the City of Brunswick Economic Development Commission, Brunswick Family Campground, Brunswick Senior Center, Fire Department, Ambulance Department, Greater Brunswick Area Chamber of Commerce, Brunswick Heritage Museum, Canal Towns, Brunswick Main Street, Park Heights Cemetery, and Sustainable Brunswick.

Unfinished Business

- Plan of Organization and Salary Scale

Mr. McGrory discussed the plan or organization, which was updated to reflect current positions. Mr. Snoots made a motion to accept the plan or organization. Mr. Burruss seconded the motion, which passed 6-0.

Mr. McGrory discussed the salary scales for both the Police Department and all other City

employees, which was updated to reflect COLA updates and all recent scale updates. Mr. Burruss made a motion to accept the salary scales. Mr. Lashley seconded the motion, which passed 6-0.

New Business

- Paving Contract

Mr. McGrory described the background of this issue and stated staff was seeking approval for the paving contract at this time. A discussion ensued regarding when the contractor could begin and how long the project would take to complete. Ms. White made a motion to approve the paving contract, adjusting the allowable timeframe for completion of work to nine months. Mr. Snoots seconded the motion, which passed 6-0.

- Sidewalk Restoration Program

Mr. McGrory showed a video of deteriorated sidewalks throughout town. A discussion ensued regarding government verses homeowner expenses. Mr. McGrory indicated he was seeking guidance to develop a proposed sidewalk replacement program for residents. Several options for various plans were discussed. Mr. Lashley made a motion to approve the Sidewalk Restoration Program. Mr. Stull seconded the motion, which passed 6-0.

- Real Estate Purchase Contract Discussion

Mr. McGrory gave a brief background of the process previously used by City staff to purchase property. There were no Council objections to using this process in future acquisitions.

- Tax Equity Workgroup Discussion

Mr. McGrory gave a brief description of this issue, as discussed at the Frederick County Maryland Municipal League meeting recently.

Adjournment

Mr. Stull moved to adjourn the meeting. Mr. Snoots seconded the motion, which passed 6-0. The meeting was adjourned at 9:30 p.m.

Submitted by: Carrie Myers

Approved By: _____
Mayor Date

Witnessed By: _____
City Administrator Date

RESOLUTION 2015-04

A RESOLUTION ADOPTING A PUBLIC WORKS MUTUAL AID AGREEMENT

WHEREAS, the Federal Government, by virtue of the Federal Department of Homeland Security through its Federal Emergency Management Agency, has recommended and actively encourages the formation of mutual aid agreements between local jurisdictions and/or taxing districts for reciprocal disaster response and recovery assistance; and

WHEREAS, the State of Maryland, by virtue of directives from the Governor through the Maryland Emergency Management Agency and the State of Maryland Core Plan for Emergency Operations has fully endorsed the formation and execution of such mutual aid arrangements between public agencies and political subdivisions within the State; and

WHEREAS, in the case of an emergency or disaster that exceeds the resources of the City's Public Works Department it is often desirable and necessary to request additional public works personnel, equipment and/or material from other jurisdictions; and

WHEREAS, in the case of an emergency or disaster that exceeds the resources of another municipality's Public Works Department it is often desirable and appropriate that the City provide public works personnel, equipment and/or material assistance to that municipality; and

WHEREAS, the Mayor and Council recognize that such an emergency or disaster is likely to arise and desire to agree in advance to a system of mutual aid and assistance to meet such a situation, and at the same time to allocate risk and responsibility; and

WHEREAS, it is in the public interest to enhance, foster and maintain a positive working relationship with other local governments as part of the City's emergency management plan.

WHEREAS, the Maryland Municipal Public Works Association has developed an agreement for the purpose of establishing a mutual aid and assistance plan, a copy of which is attached; and

WHEREAS, the Mayor and Council have determined that it is in the public interest that the City enter into such an agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Brunswick that the City shall enter into a Public Works Mutual Aid Agreement, in substantially the form attached, and that the City Administrator be and is hereby authorized to sign said Agreement.

READ AND PASSED this 13th day of October, 2015.

ATTEST:

COUNCIL OF THE CITY OF BRUNSWICK

Bob McGrory
City Administrator

By: _____
Name:
Title:

APPROVED this 13th day of October, 2015.

ATTEST:

Bob McGrory
City Administrator

Karin B. Tome
Mayor

**THE MARYLAND MUNICIPAL PUBLIC WORKS ASSOCIATION
PUBLIC WORKS MUTUAL AID AGREEMENT**

THIS AGREEMENT is entered into this ____ day of, _____ 20____, by and between the undersigned municipalities, hereinafter collectively referred to as the "municipalities" or the "Parties".

WHEREAS, the staff of the Department of Public Works of the Parties are charged with providing public work services to the residents within their respective jurisdictions; and

WHEREAS, the Federal Government, by virtue of the Federal Department of Homeland Security through its Federal Emergency Management Agency, has recommended and actively encourages the formation of mutual aid agreements between local jurisdictions and/or taxing districts for reciprocal disaster response and recovery assistance; and

WHEREAS, the State of Maryland, by virtue of directives from the Governor through the Maryland Emergency Management Agency and the State of Maryland Core Plan for Emergency Operations, has fully endorsed the formation and execution of such mutual aid arrangements between public agencies and political subdivisions within the State, and

WHEREAS, in the case of an emergency or disaster arising within the jurisdictional limits of a signatory municipality hereto, it is often desirable and necessary to require additional public works personnel, equipment and/or material, beyond that which each individual public works department is able to furnish from its own resources, to combat such an emergency or disaster, and

WHEREAS, the signatory municipalities hereto recognize that such an emergency or disaster is likely to arise and desire to agree in advance to a system of mutual aid and assistance to meet such a situation, and at the same time to allocate risk and responsibility among themselves, and

WHEREAS, it is the mutual desire of each of these municipalities to enhance, foster and maintain the positive working relationship currently existing between them.

NOW THEREFORE, in consideration of the foregoing premises and other covenants and conditions herein contained, the adequacy and sufficiency of which is hereby acknowledged, the Parties, by their undersigned officials, do hereby agree as follows:

ARTICLE I – DEFINITIONS

1. **REQUESTING PUBLIC WORKS DEPARTMENT** - This term shall collectively refer to the Party, its authorized agents, employees, volunteers, officers, representatives and servants which requests or requires additional public works resources to combat an emergency or disaster within its jurisdictional limits.

2. **RESPONDING PUBLIC WORKS DEPARTMENT** – This term shall collectively refer to the Party, its authorized agents, employees, volunteers, officers, representatives and servants from whom aid or assistance is requested.
3. **PUBLIC WORKS RESOURCES** – This term shall refer to any personnel, equipment or material, employed or owned by the political subdivision or public agency, used in the performance of public works activities.
4. **DISASTER** – This term shall mean an occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from any natural, technological or manmade cause, including but not limited to fire, flood, earthquake, wind, storm, hazardous materials spill or water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, critical shortages of essential fuels and energy, explosion, riot or hostile military or paramilitary action.
5. **EMERGENCY** – This term shall refer to any situation that requires immediate response by the jurisdiction's first response departments or agencies to save lives, protect property and public health, or to lessen or avert the threat of a disaster. This includes but is not limited to a major disaster or emergency declared by the President, a state of emergency declared by the Governor of the State of Maryland, or the declaration of a local emergency by the chief operating officer of a municipality, or their designees.

ARTICLE II – SCOPE OF AGREEMENT

1. The Governor of Maryland's Homeland Security Declaration #5 (HSD5) provides, in part, that the governing body of any municipality may enter into reciprocal agreements in order to establish and carry into effect a plan to provide mutual aid through furnishing of the services of its public works staff together with all necessary equipment in the event of an emergency, disaster or terrorist threat situation as provided in the Federal Homeland Security Act of 2002, Presidential Directives HSPD 2 through HSPD 12 and the Governor of Maryland's Homeland Security Directive #2 (HSD2). Article 23A, Section 8C, of the Annotated Code of Maryland also authorizes municipal corporations in Maryland to lend or provide the use of tools, vehicles, implements, materials, consultants, services and other assistance to another political subdivision for public purposes that are of benefit to the municipal corporation and the other political subdivision.
2. Pursuant to authorities stated in Article II, Section I, above, the undersigned, as the governing bodies, have determined by their adoption of this Agreement that when an emergency or disaster situation exists and the Department of Public Works for any or all of the Parties, shall have committed, or shall foresee the need to commit, all of their readily available resources to provide reasonable and responsive action to any present or future incident or event, the mutual aid provided herein may be utilized.

ARTICLE III – JURISDICTION

1. In the event of an emergency or disaster, public works staff from the responding public works agencies shall take operational direction from the senior public works official, or his or her designee, of the requesting jurisdiction through the designated representatives of the

responding agencies while operating within the jurisdictions of any other signatory municipality.

2. Mutual aid may be provided under this Agreement when an emergency or disaster situation arises and the public works department of a signatory municipality shall have committed, or shall foresee the need to commit, all of its readily available resources to any present or future incident or event.

ARTICLE IV – AUTHORITY

1. Pursuant to the legislative action approving this Agreement the undersigned, as the governing bodies, as confirmed by the Municipal Resolutions or Ordinances attached hereto, and in accordance with the Governor of Maryland's Homeland Security Directive #5 (HSD5) and Article 23A, Section 8C, of the Annotated Code of Maryland, and by the execution of this Agreement, the public works staff of each signatory municipality shall comply with the following procedures with respect to public works operations and actions within the jurisdiction of any other signatory municipality during any emergency or disaster situation.

2. All calls for service concerning emergency or disaster situations having occurred or presently occurring within the jurisdiction of a public works department of a signatory municipality shall be referred to that department.

3. Pursuant to the terms of this Agreement, public works staff of the public works department of any signatory municipality will function in their normal work descriptions and capacities within the jurisdiction of the public works department of any other signatory municipality in emergency or disaster situations. The designated senior public works officials of the responding public works departments will coordinate with the senior public works official of the requesting public works department to ensure that appropriate and available staff, equipment and/or material is rendered for the most effective recovery from the emergency or disaster.

4. The requesting public works department shall make a joint request for reimbursement on behalf of itself and all responding public works departments, when appropriate, to County, State, Federal or private agencies under a declaration of a State of Emergency or when otherwise available. All documentation required for incident management and reimbursement shall be done in the format, manner and timeliness prescribed by the requesting public works department.

5. Pursuant to the terms of this Agreement, no public works staff of the public works department of a signatory municipality shall engage in any operations or service provision within the boundaries of any other signatory municipality not associated directly with the emergency or disaster for which assistance has been requested. Each public works department must forward copies of any documentation regarding staff, equipment or materials used, or caused to be used, within the jurisdiction of any other signatory municipality to the public works department of that municipality in accordance with the reporting provisions of Article IV, subsection 4 of this Agreement.

6. The requesting public works department shall attempt to use direct radio communications with the responding public works department or departments, if the

technology exists and is operational. In the absence of direct radio communications, responding public works staff shall communicate directly with their respective communications centers that in turn shall communicate directly with the requesting public works department's communication center.

ARTICLE V - USE OF RESOURCES

1. Pursuant to the terms of this Agreement, the senior, on-duty public works official of a public works department of a signatory municipality in charge of any emergency or disaster situation within that jurisdiction is authorized to determine the need for additional public works resources in an emergency or disaster.
2. Once the determination of the need for additional public works resources has been made, said official may request from the senior on-duty public works official of any other public works department of a signatory municipality such resources as may be necessary and available to meet the need. Whenever possible, this request shall be in writing.
3. Pursuant to the terms of this Agreement, the Public Works Director or designee of any public works department of a signatory municipality may determine the need for additional public works resources as may be necessary for any future emergency or disaster situation within that jurisdiction.
4. Once the determination of the need for additional public works resources as may be necessary to address any future emergency or disaster situation has been made, said official may request from the Public Works Director of any other signatory public works department such resources as may be necessary and available to meet that anticipated future need. This request shall be in writing.
5. When a request for aid is made under this Agreement, the Public Works Directors of the responding public works departments of signatory municipalities have the responsibility, the terms of this Agreement notwithstanding, to determine the extent of aid available from their departmental resources which are not required for adequate protection or regular day to day operations of their own jurisdictions.
6. In the event that a request for additional public works resources is made pursuant to Article V, Sections 2 or 4 of this Agreement, the following procedures shall be followed:
 - a. All requests for resources shall include:
 1. The name and position of the public works official making the request,
 2. The nature and location of the emergency or disaster,
 3. The number and type(s) of personnel requested,
 4. The type(s) of equipment and/or material needed, and
 5. The name, title and location of the public works official to whom assisting personnel shall report.
 - b. The public works official receiving such a request shall communicate the request immediately to that official's Public Works Director or designee, who shall consider the circumstances of the request and the capability of the Director's department to provide the

requested assistance. If the Public Works Director determines that the request can be met, the Director shall provide such assistance, including necessary personnel, equipment and/or material, as is consistent with the request, and shall promptly notify the requestor of the number of personnel, and the amount and type of equipment and/or material being provided.

c. If a Public Works Director or designee who receives a request determines that the request cannot be met, the Director has the absolute right to refuse any public works assistance to the requesting department consistent with the responding department's primary responsibility of providing emergency assistance and routine day to day operations to the responding department's own jurisdiction. Such decision shall be final.

d. Nothing contained herein shall be construed to impose a duty on the public works department of any signatory municipality, its staff, employees or agents, to provide public works resources to a requesting public works department under the terms of this Agreement, and no liability shall attach for a failure to do so. In addition, once public works resources have been provided, no liability shall attach for withdrawing such resources, or portions thereof, which withdrawal shall be in the sole and unfettered discretion of the responding public works department.

e. Subject to Article IV of this Agreement, assisting personnel from the responding public works department, together with their equipment and/or materials, shall be under the sole control and direction of the responding public works department. The responding public works department shall designate a representative on the scene to exercise that control and direction including the absolute discretionary right to remove such resources from the emergency or disaster site at any time, but shall not so withdraw the aid without first orally notifying the requesting public works department. All operational directives issued by the requesting public works department on the scene of the emergency or disaster shall be communicated through the responding public works departments' designated representatives.

f. The use, deployment, direction and control of resources under this section shall generally conform to the applicable related sections for the most current version of State of Maryland Core Plan for Emergency Operations.

7. No public works department of a signatory municipality shall send any personnel or other assistance to an incident or event in another signatory municipality unless it is expressly requested pursuant to this Agreement.

8. The public works department of each signatory municipality shall maintain an up-to-date list of available personnel, equipment and material resources which shall be attached as an appendix to this Agreement.

ARTICLE VI – MISCELLANEOUS PROVISIONS

1. Notwithstanding the provisions of this Agreement, nothing herein shall prevent the Public Works Directors of each of the Parties from mutually agreeing upon such operational arrangements or establishing such procedures as may be necessary to carry out the intent of this Agreement.

2. The Public Works Department of any Party, upon receiving any written complaint against its personnel from any other signatory municipality for failure to comply with this Agreement, shall take the necessary action to ensure compliance and, where appropriate, to notify the initiator of the complaint of any action taken as a result of such complaint.
3. A central file shall be maintained by each Public Works Department documenting all actions taken within any other signatory municipality's jurisdiction. The Public Works Directors for the Parties shall meet at least once annually to review actions taken under this Agreement and make such recommendations as may be authorized by their respective municipalities required to advance the goals of this Agreement in accordance with applicable directives, regulations and laws.
4. Each public works department of each signatory municipality shall provide the others with sufficient copies of all manuals, directives, memoranda, training bulletins and any other materials necessary to assist the public works staff of each department in the delivery of its public works services and preparation of written reports pursuant to the terms of this Agreement. All such materials should be updated when necessary to keep the other public works agencies informed of changes in procedure.
5. Each signatory municipality to this Agreement:
 - a. Assumes responsibility and liability for the acts and omissions of that municipality's public works staff, agents and employees when acting as a requesting public works department or a responding public works department under this Agreement, and, except in the case of gross negligence or intentionally wrongful conduct, waives any and all claims against all other signatory municipality to this Agreement for injury or death to persons or damage to property which may arise out of the activities of any of the public works staff, agents and employees of signatory municipality under this Agreement and,
 - b. Agrees to indemnify and save harmless the other signatory municipality to this Agreement, and their respective officials, employees and agents, from all claims by third parties for property damage or injury or death to persons which may arise out of the activities of that municipality's public works department's staff, employees and agents; provided, however, that the municipality need not save harmless and indemnify the another signatory municipality if (1) the other municipality or its public works department does not cooperate in defending against claims by third parties, or (2) the third party claims arise out of the grossly negligent or intentionally wrongful act or omission of the other municipality's staff, employees or agents. The provisions of this Section 5.b. shall in no way be construed to constitute a waiver of any immunity or defense to which any municipality or person may be entitled or enjoy or to the protections of §5-301, *et seq.*, of the Local Government Tort Claims Act, Courts and Judicial Proceedings Article of the Annotated Code of Maryland.
 - c. Shall make no claims for expenditure regarding any actions taken or services received pursuant to this Agreement against any other signatory municipality, except where a joint request for reimbursement is made to County, State, Federal or private agencies under a declaration of a State of Emergency.
6. The signatory municipalities acknowledge that their public works staff, agents and employees, when acting pursuant to the authority of this Agreement beyond the territorial

limits of the municipality in which they are appointed or employed, at all times remain employees or agents of the municipality in which they are appointed or employed, and are entitled to all applicable immunities from liability and exemptions from laws, ordinances, and regulations and are entitled to worker's compensation, disability, death benefits, life insurance, pension, and other benefits enjoyed by them while performing their respective duties within the territorial limits of the municipality in which they are appointed or employed.

ARTICLE VII – EFFECTIVENESS

This Agreement shall be in full force and effect upon receipt of a copy of: (1) the resolutions or ordinances adopted by the respective governing bodies authorizing participation in this Agreement, and; (2) a copy of the signature page containing the duly authorized signatures of the named municipal officials thereon. Additional municipalities may become Parties to this Agreement upon receipt of a copy of: (1) the resolutions or ordinances adopted by their respective governing bodies authorizing participation in this Agreement, and; (2) a copy of the signature page containing the duly authorized signatures of the named municipal officials thereon.

ARTICLE VIII – TERMINATION

1. This Agreement shall be in effect for a term of one (1) year from the date of signature hereof and shall automatically renew for successive one (1) year terms unless terminated in accordance with this Section.
2. Any signatory municipality may withdraw from this Agreement at any time, at its option, by resolution of its governing body.
3. Copies of such resolution withdrawing from this Agreement shall be provided to the remaining signatory municipalities within thirty (30) business days of its passage and approval.

IN WITNESS WHEREOF, this Agreement has been duly executed by the following parties:

WITNESS:

MUNICIPALITY

Title: _____

**MAYOR AND COUNCIL OF BRUNSWICK
ORDINANCE NUMBER 519**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF BRUNSWICK TO AMEND AND REVISE THE
BRUNSWICK CITY CODE TO REFLECT CHANGES TO CHAPTER 5, ARTICLE 1, TITLE 4, TAXICABS.**

WHEREAS, changes to Chapter 5, Article 1, Title 4, Taxicabs of the Code of Ordinances were prepared and submitted to the Mayor and Council of Brunswick and vetted at public meetings on October 13, 2015 and November 10, 2015, and

WHEREAS, the City Council seeks to amend and add language concerning taxicabs and transportation network services, and

WHEREAS, Ordinance 519 was drafted and presented as a first reading at a regular meeting of the Mayor and Council of Brunswick and a Public Hearing and second reading of Ordinance 519 was held on November 10, 2015,

NOW THEREFORE BE IT ENACTED AND ORDAINED by the Mayor and Council of Brunswick, that pursuant to the authority granted to it by the Annotated Code of Maryland, Section 16-3 of the Charter of the City of Brunswick, and Section 1-1204 of the Brunswick City Code,

- 1) Chapter 5, Article 1, Title 4 of the Code is hereby amended to include the attached to this Ordinance as Exhibit A, and
- 2) In accordance with Article 25, Section 25.2 of the Code of the City of Brunswick, this Ordinance shall become effective ten (10) day after the date of the public hearing following its enactment by the Council and its approval by the Mayor, or on the tenth (10th) day following its enactment by the Council over the veto by the Mayor.

Passed this _____ day of _____, 2015 by a vote of ____ for, ____ against, ____ abstaining, and ____ absent.

ATTEST:

Council of the City of Brunswick

Bob McGrory
City Administrator

Angel White
Mayor Pro Tem

Approved this ____ day of _____, 2015.

ATTEST:

Bob McGrory
City Administrator

Karin B. Tome
Mayor

Exhibit A

Title 4. Taxicabs

Section 5-1401. Definitions

The following words and phrases when used in this Title shall have the meanings respectively ascribed to them in this Section, except in those instances where the context clearly indicates a different meaning.

Driver. The person in control of and operating or driving a taxicab on the streets of the Town of Brunswick.

Owner. The person in whose name the taxicab has been registered by the State Department of Motor Vehicles.

Person. An individual, firm, partnership, association, corporation owner or driver as herein described.

Taxicab. Any motor vehicle for hire, designed to carry seven or fewer individuals, including the driver, and used to accept or solicit passengers for transportation for hire between those points along highways in this State as the passengers request.

Transportation Network Service Company. A company permitted by the Public Utilities Commission, operating in the State of Maryland using a digital network to connect passengers to transportation network operators (drivers).

Section 5-1402. Special Taxicab License Required

No taxicab owner shall operate or permit a taxicab to be operated within the corporate limits of the Town of Brunswick without securing a special taxicab license for each vehicle from the ~~Town Clerk~~ City. A photograph of the driver shall be affixed by the owner to each license and a duplicate copy thereof shall be ~~delivered to the Town Police Department~~ kept on file at City Hall.

Section 5-1403. Safety Certificate Required

No special taxicab license renewal application shall be processed without being accompanied by a ~~safety certificate issued by the Town Police Department within 30 days prior to the application~~. Each ~~such certificate shall certify the results of an inspection conducted by the Police Department and shall affirm that the taxicab and all equipment used in connection with its operation is in proper physical condition so as not to present a threat to the safety of passengers or the general public~~. a Maryland inspection certificate.

Section 5-1404. Insurance Required

No taxicab shall operate within the corporate limits of the ~~Town~~ City of Brunswick nor shall any license be issued therefore, unless and until the owner shall deposit with the Town Clerk for each such taxicab a certificate of coverage by a public liability and property damage insurance policy in the sum to be established from time to time by the ~~Town~~ City Council, such insurance policy to be procured from a liability insurance company authorized and licensed to do business in the State of Maryland. No certificate of insurance coverage shall be accepted by the ~~Town~~ City as complying with this Section if it contains any provision relieving the insurance company from liability because of the failure of the owner or driver to notify the insurance company of the happening of any accident resulting in bodily injury or property damage. Each certificate or policy shall contain a clause obligating the insurance company to give twenty days written notice to the ~~Town~~ City before cancellation thereof. The license for the operation of any taxicab issued under this policy shall expire upon the lapse or termination of said policy, subject to re-instatement upon compliance with the provisions of this Section. In the event of re-instatement within the licensing period covered by the license previously issued, no new license fee shall be charged.

Section 5-1405. Display Required

Each taxicab shall display in full public view each of the following:

- (a) Special taxicab license as required by Section 5-1106;
- (b) Rate Schedule Card not less than three inches in width and four inches in length on which shall be printed in letters as large as the space will permit, a clear and understandable schedule of the rates established for the use of such taxicab.

Section 5-1406. Driving Record Restrictions

No person shall drive a taxicab within the ~~Town~~ City who shall have two or more convictions by a court of competent jurisdiction within twelve months for reckless driving or for three convictions by such Court within said period of exceeding speed limits or failure to observe signs or signals erected in accordance with law for the regulation and control of traffic. No person shall drive a taxicab within the Town who shall have been convicted of manslaughter by automobile.

Section 5-1407. Assessment of Fees of Transportation Network Service Companies

Pursuant to the authority of and subject to the terms of Section 10-406 of the Public Utilities Article, commencing on July 1, 2015 and continuing thereafter a fee of twenty five cents (\$.25) shall be assessed for each trip generated by a Transportation Network Service company originating in the City of Brunswick.

REVISOR'S NOTE: See Section 16-69 of the Municipal Charter of Brunswick.

(NOTE: Underlining indicates language added to the Charter, ~~Strikethrough~~ denotes language deleted from the Charter.)



COMPTROLLER
of MARYLAND
Serving the People

Peter Franchot
Comptroller

Wayne P. Green
Director
Revenue Administration Division

October 1, 2015

Mr. Robert McGrory
One West Potomac Street
Brunswick, MD 21716-1112

RE: SENATE BILL 868 – TRANSPORTATION NETWORK SERVICES ASSESSMENT

Dear Mr. Robert McGrory,

This letter is in follow up to correspondence from this office dated May 18, 2015 (and an accompanying Tax Alert), regarding Senate Bill 868. The Comptroller's Office sought, and has received, guidance from the bill sponsors about the intent of the bill. Based on that information, I write to clarify, update, and, in some cases, revise the previous communications with your office about this bill. To the extent that there is a conflict between this letter and any prior communications, this letter controls.

As you are aware, Senate Bill 868 requires transportation network companies ("TNC"), such as Uber, Sidecar, and Lyft, to obtain permits from the Public Service Commission ("PSC"). The bill authorizes counties and municipalities to impose an assessment on transportation network services (the rides) provided by transportation network operators (the drivers) working with a TNC. Transportation network operators are not authorized to provide services unless they are licensed by the Public Service Commission. TNCs that have a permit from the PSC must collect the assessments and remit them quarterly with reports to the Comptroller's Office.

The ability of a county or municipality to impose an assessment is affected by (a) the county's/municipality's past regulation or licensing of taxicabs, (b) timing factors, (c) certain prerequisites to imposing an assessment, (d) a priority rule, and (e) the status of TNC's, all of which will be discussed in detail below. In seeking to distinguish among the counties and municipalities affected by the bill, I use the terms "regulating counties" and "regulating municipalities" and "non-regulating counties" and "non-regulating municipalities." A "regulating county" or a "regulating municipality" refers to a county or municipality that either regulated or licensed taxicabs on or before January 1, 2015. I understand that the following counties would be considered regulating counties: Anne Arundel, Baltimore, Harford, Howard, Montgomery, and Prince George's.

The following municipalities would be considered regulating municipalities: Aberdeen, Bel Air, Havre de Grace, Annapolis, Cambridge, Crisfield, Cumberland, Elkton, Brunswick, Frederick, Thurmont, Hagerstown, La Plata, Mt. Airy, Ocean City, Salisbury and Westminster.

A “non-regulating county” or “non-regulating municipality” is a county or municipality that did not regulate or license taxicabs on or before January 1, 2015.

A final category is an “exempt jurisdiction, which is defined by statute as “a county or municipality that imposed a tax, fee, or charge on for-hire transportation services provided on a per-ride or per-passenger basis in that county or municipality on or before January 1, 2015.” Baltimore City is the only exempt jurisdiction. There is no limitation on the amount of the assessment that an exempt jurisdiction may charge and only the notice requirements to the Comptroller apply to an exempt jurisdiction. An exempt jurisdiction may, however, only impose an assessment on a per-ride or per-passenger basis, but not on both bases.

With that in mind, I shall explain (a) who may impose an assessment and when and (b) certain prerequisites for imposing some assessments, namely the notice requirements.

A. Who May Impose an Assessment and When

Regulating counties and regulating municipalities are immediately authorized to impose an assessment on transportation network services, not to exceed 25 cents, with an effective date of July 1, 2015 or thereafter. These regulating counties and municipalities are Anne Arundel County, Baltimore County, Harford County, Howard County, Montgomery County, Prince George’s County, Aberdeen, Bel Air, Havre de Grace, Annapolis, Cambridge, Crisfield, Cumberland, Elkton, Brunswick, Frederick, Thurmont, Hagerstown, La Plata, Mt. Airy, Ocean City, Salisbury and Westminster.

If a regulating county imposes an assessment before July 2, 2016, it prevents any non-regulating municipality in the county from ever being able to impose an assessment. A regulating municipality in a regulating county may still impose an assessment even if a regulating county has imposed an assessment first; only non-regulating municipalities are capable of having their assessment rights preempted.

A non-regulating county or its non-regulating municipality may impose an assessment with an effective date of July 1, 2015. When a non-regulating county imposes an assessment, it does not prevent a municipality, whether regulating or non-regulating, from later imposing an assessment, although such assessments—if imposed after July 1, 2016—are subject to the notice requirements discussed below in subsection B(1).

An exempt jurisdiction may impose an assessment to be effective July 1, 2015 or thereafter, subject to the notice requirements to the Comptroller discussed below in section B(2).

B. Prerequisites for Certain Assessments

1. Notice to County or Municipality and Fee Sharing

Counties and municipalities that impose assessments after July 1, 2016 have certain notice obligations to one another.

A county that seeks to impose an assessment after July 1, 2016 must notify its municipalities of its intent to impose an assessment and provide the municipalities a reasonable time to pass an ordinance authorizing the imposition of an assessment.

A municipality that seeks to impose an assessment after July 1, 2016 must notify the county in which the municipality is located of its intent to impose an assessment, and if the county has already imposed an assessment, allow the county reasonable time to notify the Comptroller before the municipality's assessment becomes effective.

Counties and municipalities may enter into an agreement to share the assessment revenue and allocate the proceeds in any manner. The Comptroller will not allocate the revenue it distributes in accordance with the terms of a revenue sharing agreement between counties and their municipalities; it is up to the parties to redistribute shared revenue per their agreement.

2. Notice to the Comptroller

All counties and municipalities, whether regulating or non-regulating, must notify the Comptroller in writing of the assessment amount, effective date, and, where applicable, submit (1) a copy of the relevant ordinance or documentation of the appropriate legal action authorizing the assessment and (2) a copy of the notice to the county or municipality, if such notice is required. Notice is effective upon receipt by the Comptroller of all of the above information and materials, and it must be received **at least 120 days before the first day of the calendar month** in which the newly imposed assessment becomes effective. (Please note that this 120-day notice requirement is a change from the Comptroller's Office's prior communications which imposed a 30-day notice period.). The effective date of any assessment passed by a county must be on the first day of a calendar month. If the Comptroller does not receive 120 days' advance notice as described above, collection of the assessment will not begin until the first day of the month after which the Comptroller has had at least 120 days' notice. Counties and municipalities may change the assessment rate in the future but must notify the Comptroller of the change **at least 120 days prior** to the effective date of the rate change. The effective date of any rate change must be the first day of a calendar month. Changes to the rate may not result in an overall rate in excess of 25 cents.

Notice to the Comptroller should be directed to Director of Revenue Administration Division. Notice may be faxed to the director at fax number 410-974-3456 or mailed to:

**DIRECTOR OF REVENUE ADMINISTRATION DIVISION
COMPTROLLER OF MARYLAND
P.O. BOX 1829
ANNAPOLIS, MD 21404-1829**

All correspondence must include the sender or contact person's name, e-mail address, and telephone number.

C. Amount and Priority of Assessments

The assessment imposed by a county or a municipality may not exceed 25 cents. Generally, where both a county and a municipality within such county each impose an assessment, only one assessment will be collected on transportation network services originating within the overlapping jurisdictions. In this letter, the term “priority” is used to refer to the assessment that will be collected when the assessments overlap between a county and municipality. Typically, if a county and municipality each impose an assessment, the municipality’s assessment has priority in the municipality and will be collected on rides originating within the municipality; the county assessment will be collected on rides originating anywhere else in the county.

Examples

1. Regulating County with Non-Regulating Municipalities

A regulating county that has non-regulating municipalities may impose an assessment for the entire county. If a regulating county imposes an assessment before July 2, 2016, then the regulating county has preempted the ability of any non-regulating municipality to ever impose an assessment. For example, if Prince George’s County—a regulating county— imposes an assessment prior to July 2, 2016, such assessment will preclude a non-regulating municipality, such as Greenbelt, from imposing an assessment on rides originating within Greenbelt.

If, however, Prince George’s County does not impose an assessment on or before July 1, 2016, none of its municipalities will be precluded from imposing an assessment. Thus, if Prince George’s County imposes an assessment on July 2, 2016, Greenbelt may impose an assessment as well. Moreover Greenbelt’s assessment will be given priority with respect to rides originating in Greenbelt, assuming Greenbelt complies with the notice requirements enumerated in section B(1) above.

2. Regulating County with Regulating Municipalities

The assessment imposed by a regulating municipality takes priority over the assessment imposed by a regulating county. For example, if the town of Bel Air imposes an assessment on July 1, 2015, and Harford County imposes an assessment on September 1, 2015, Bel Air’s assessment will have priority in the town of Bel Air. Bel Air’s assessment will continue to be collected within Bel Air after Harford County’s assessment goes into effect. If Bel Air imposes its assessment after July 1, 2016, while its assessment will be given priority over the one imposed by the county before that date, the municipality must now comply with the notice requirements set forth in section B(1) above. The notice requirements also apply to a county assessment imposed after July 1, 2016.

3. Non-Regulating County with Non-Regulating Municipalities

The assessment imposed by a non-regulating municipality located within a non-regulating county has priority over a non-regulating county’s assessment, regardless of when the county imposed the assessment, provided the municipality complies with the notice requirements set forth in section B(1) above. If the non-regulating municipality imposes an assessment after the county does, the county’s assessment will remain in effect in the municipality until the municipality’s assessment takes effect. For example, if St. Mary’s County imposes an assessment on July 2, 2016,

and Leonardtown imposes an assessment on September 2, 2016, the county's assessment will be collected in Leonardtown until Leonardtown's assessment goes into effect.

4. Non-Regulating County with Regulating Municipalities

The assessment of a regulating municipality located with a non-regulating county has priority over the non-regulating county's assessment, regardless of when the county may have imposed the assessment, provided the municipality complies with the notice requirements enumerated in section B(1) above.

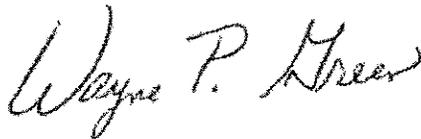
D. Duty of Transportation Networks Companies to Collect Assessments

TNCs must collect the assessments and remit them quarterly with reports to the Office of the Comptroller. A TNC is defined as a company that provides certain enumerated services **and** has been issued a permit by the Public Services Commission. Thus, absent fraud, an intent to evade the requirements of the law, or other intentional dilatory tactics, by statute, a TNC's duty to collect does not begin until it is permitted by the PSC. It is the Comptroller's understanding that no TNC has been issued a permit. Until this occurs, any assessment imposed will not be collected by the TNCs.

The revenue collected by the Comptroller from TNCs will be distributed to the jurisdiction that is the source of the revenue. Jurisdictions must spend the revenue on transportation purposes. The Comptroller shall deposit into an administrative account 5% of gross revenue collected for the purpose of covering the Comptroller's administrative expenses.

Please feel free to contact our office with any questions you may have on the above information. Thank you for your patience and cooperation as the Comptroller's Office assumes these new administration and enforcement duties.

Very truly yours,

A handwritten signature in cursive script that reads "Wayne P. Green".

Wayne P. Green

Tax Alert



COMPTROLLER
of MARYLAND
Serving the People

Comptroller of Maryland Revenue Administration Division 110 Carroll Street Annapolis, Maryland 21411
410-260-7980 from Central Maryland or 1-800-MDTAXES (1-800-638-2937) from elsewhere in Maryland
E-mail: taxhelp@comp.state.md.us World Wide Web: www.marylandtaxes.com

Tax Alert

On May 12, 2015, Senate Bill 868, which revised the Public Utilities Article by adding a regulatory framework for “transportation network services” that encompasses “transportation network companies and transportation network operators,” was signed into law by Governor Hogan. The purpose of this Tax Alert is to clarify, update, and, in some cases, revise the previous communications regarding the Act. To the extent that there is a conflict between this Tax Alert and any prior communications, this Tax Alert controls.

- The Act authorizes a county or municipality to impose an assessment on transportation network services that originate in the county or municipality. Transportation network companies, such as Uber, Lyft and Sidecar, will be issued permits by the Public Utilities Commission and will operate in the State using a digital network to connect passengers to transportation network operators (“drivers”) for transportation network services. Transportation network services are the activities of a driver, which include three periods: (Period 1) the period in which the driver is logged onto and ready to accept a prearranged ride request made through a transportation network company’s digital network application; (Period 2) the period in which the driver accepts a ride request from a passenger that is prearranged through a transportation network company’s digital network application, and is traveling to a predetermined location to pick up the passenger; and (Period 3) the period in which the driver transports the passenger and continuing until the passenger departs the motor vehicle.
- A licensed transportation network company must: collect assessments on behalf of its drivers; collect any assessment, fee, charge, or tax imposed by an exempt jurisdiction on a transportation network service; and submit to the Comptroller (1) the assessments and other revenues collected by the transportation network company on behalf of the drivers; (2) the allocation of the assessments and other revenues attributable to each county or municipality that has imposed an assessment; and (3) under oath, a certification that it has submitted the correct amount of assessments and revenues.
- Except in an exempt jurisdiction, an assessment may not exceed 25 cents per trip. An exempt jurisdiction is a county or municipality that imposed a tax, fee, or charge on for-hire transportation services provided on a per-ride or per-passenger basis operated in that county or municipality on or before January 1, 2015. A county and a municipality may enter into an agreement to share the assessment revenue and allocate the proceeds in any manner. The Comptroller will not allocate the revenue it distributes in accordance with the terms of a revenue sharing agreement between counties and their municipalities; it is up to the parties to redistribute shared revenue per their agreement.
- A jurisdiction’s ability to impose an assessment is affected by its past licensing or regulating of taxi cab services, certain time factors, and certain priority rules.

Assessments by “Regulating” Jurisdictions imposed prior to July 2, 2016

- Counties that licensed or regulating taxi cab services on or before January 1, 2015, either directly or through the Public Service Commission as provided in Section 10-202 of the Public Utilities Article (“regulating counties”) are: Anne Arundel, Baltimore, Harford, Howard, Montgomery, and Prince George’s.
- Municipalities that licensed or regulating taxi cab services on or before January 1, 2015, either directly or through the Public Service Commission as provided in Section 10-202 of the Public Utilities Article (“regulating municipalities”) are: Aberdeen, Bel Air, Havre de Grace, Annapolis, Cambridge, Crisfield, Cumberland, Elkton, Brunswick, Fredrick, Thurmont, Hagerstown, La Plata, Mt. Airy, Ocean City, Salisbury and Westminster. The assessment imposed by a regulating municipality always takes priority over the assessment imposed by a regulating county.

Assessments by all Jurisdictions imposed after July 1, 2016

- A regulating county may preempt a non-regulating municipality from imposing an assessment if the regulating county imposes its assessment **before July 2, 2016**. If a regulating county imposes an assessment after July 1, 2016, there is no preemption of a non-regulating municipality’s ability to impose an assessment in the municipality. In such case, the county must follow the notification requirements explained below and any assessment imposed by a municipality under these circumstances takes priority in the municipality over the county’s assessment (which means only the municipality’s assessment will be collected therein.)
- The assessment imposed by a non-regulating municipality located within a non-regulating county has priority over a non-regulating county’s assessment (which means the municipality’s assessment will be collected on rides originating within the municipality instead of any county assessment), irrespective of when the county imposed the assessment, provided the municipality complies with the notification requirements explained below.
- The assessment imposed by a regulating municipality after July 1, 2016 will take priority over the assessment imposed by a regulating county, provided the municipality complies with the notification requirements explained below.

Notification Requirements

- **Any** county that imposes an assessment after July 1, 2016, must notify its municipalities of its intent to impose an assessment, and provide the municipalities with reasonable time to pass an ordinance authorizing the imposition of an assessment. **Any** municipality that imposes an assessment after July 1, 2016, must notify the county of its intent to impose an assessment, and if the county has already imposed an assessment, allow the county reasonable time to notify the Comptroller before the municipality’s assessment becomes effective.
- Counties and municipalities must notify the Comptroller in writing of the assessment amount, effective date, and, where applicable, submit a copy of the relevant ordinance or documentation of the appropriate legal action authorizing the assessment and the notice issued pursuant to the notification requirement.

Notice is effective upon receipt by the Comptroller, and it must be received at least 120 days before the first day of the calendar month in which the newly imposed assessment becomes effective.

The Comptroller will publish on its website, www.marylandtaxes.com, a rate chart, including effective dates, for transportation network service assessments.



Brunswick Police Department
Call Type Counts Listing
September 1, 2015 to September 30, 2015

Call Type	Counts
ABDUCTION / KIDNAPPING	1
ANIMAL COMPLAINTS	1
ANY SEX OFFENSE / RAPE	2
ASSAULT - OCCURED EARLIER	1
ASSAULT IN PROGRESS - ALERT TONE	1
ASSIST FIRE DEPARTMENT	18
ASSIST OTHER PD (SHERIFF)	17
ATTEMPT TO LOCATE - ADD TO LOOKOUT FILE	13
BURGLARY / BREAKING AND ENTERING IN PROGRESS - ALERT TO	1
CARDIAC ARREST	2
COMMERCIAL	4
COURT - BPD	9
COURT PAPERWORK	1
DESTRUCTION OF PROPERTY / VANDALISM	8
DISABLED VEHICLE	4
DISORDERLY CONDUCT - INTOXICATED SUBJECT	5
DISTURBANCE - ALL GATHERINGS	9
DOMESTIC	5
DOMESTIC IN PROGRESS - ALERT TONE	2
EMERGENCY EVALUATION	4
EVICITION	1
EXTRA DUTY	14
FOLLOW UP - ALL TYPES	40
FOUND PROPERTY	2
FRAUD	6
FUNERAL ESCORT	1
HARRASSMENT	7
HIT AND RUN PROPERTY DAMAGE	1
JUVENILE COMPLAINT	3
MENTAL PERSON	1
MISSING PERSON	2
MUNICIPAL INFRACTION	1



Brunswick Police Department
Call Type Counts Listing
September 1, 2015 to September 30, 2015

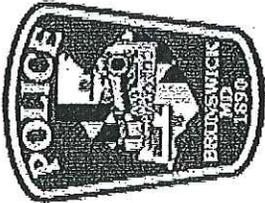
Call Type	Counts
NARCOTICS - FCPD SEND TWO CARS	5
NOTIFICATIONS	1
OPEN OR 911 HANG-UP	37
OVERDOSE - SEND AMBULANCE	3
PARKING VIOLATIONS	10
PATROL CHECK (BRUNSWICK)	462
POLICE INFORMATION	6
POLICE TRAINING / EDUCATION	1
PROPERTY DAMAGE ACCIDENT	5
PROSTITUTION	1
PROWLER	2
REPO / TOW AWAY	2
REQUEST OFFICER	104
RESIDENTIAL	5
RESIDENTIAL BURGLARY - REPORT ONLY	5
RESIDENTIAL BURGLARY IN PROGRESS - ALERT TONE	1
RESIDENTIAL HOLD UP - ALERT TONE	1
ROADWAY HAZARD	2
SCHOOL	1
SELECTIVE ENFORCEMENT TRAFFIC OR SPEED	27
SPECIAL ASSIGNMENTS	26
SUBJECT STOP	4
SUMMONS SERVICE (BPD)	2
SUSPICIOUS ACTIVITY / VEHICLE OR PERSON	13
SUSPICIOUS PERSON	15
SUSPICIOUS VEHICLE	18
TALKS / CRIME PREVENTION / COMMUNITY RELATIONS	6
TEST FOR TRAINING - DO NOT DISPATCH	1
THEFT / STOLEN / SHOPLIFTING - EXCEPT VEHICLE	17
TRAFFIC COMPLAINT/ ALSO TRAFFIC DETAIL	6
TRESPASSING	5
VEHICLE STOP (BRUNSWICK)	66
VERBAL DISPUTE - NON DOMESTIC	2



Brunswick Police Department
Call Type Counts Listing
September 1, 2015 to September 30, 2015

<i>Call Type</i>	<i>Counts</i>
WALKING PATROL	34
WARRANT SERVICE (BPD)	3
WEAPONS VIOLATIONS - FCPD SEND TWO CARS	1
WELFARE CHECKS	6

Total Number of Calls: 1,093



Brunswick Police Department

Listing of Arrests

September 1, 2015 to September 30, 2015

Case ID	Date	Time	Charge	Status	Person Type	Officer	Disposition
2015009411	09/01/2015	23:23	DRIVING UNINSURED VEHICLE	CLOSED/CLEARED	ADULT	CHRISTOPHER HANDLER	CLEARED BY ARREST
2015009381	09/03/2015	06:52	BURGLARY, 4TH DEGREE (TRESPASS)	CLOSED/CLEARED	ADULT	MILTON FRECH	CLEARED BY ARREST
2015009496	09/03/2015	23:19	FAILURE TO APPEAR	CLOSED/CLEARED	ADULT	BRYCE MCGUIRE	CLEARED BY ARREST
2015009452	09/04/2015	00:02	DRIVING ON SUSPENDED LIC AND PRIV	CLOSED/CLEARED	ADULT	WILBUR JESSON	CLEARED BY ARREST
2015009562	09/05/2015	22:02	ASSAULT, 2ND DEGREE (SIMPLE ASSAULT)	CLOSED/CLEARED	ADULT	CHRISTOPHER HANDLER	CLEARED BY ARREST
2015009570	09/06/2015	00:54	DRIVING VEH. WHILE UNDER INFLUENCE OF ALCOHOL (DWI)	CLOSED/CLEARED	ADULT	JAMES LEDWELL	CLEARED BY ARREST
2015009594	09/06/2015	18:42	MATERIALLY ALTERING VEH EQUIPMENT AFTER ERO	CLOSED/CLEARED	ADULT	CHRISTOPHER HANDLER	CLEARED BY ARREST
2015009599	09/07/2015	01:34	DISORDERLY CONDUCT	CLOSED/CLEARED	ADULT	CHRISTOPHER HANDLER	CLEARED BY ARREST
2015007406	09/13/2015	08:20	THEFT, ALL OTHER \$999 OR LESS	CLOSED/CLEARED	ADULT	BRYCE MCGUIRE	CLEARED BY ARREST
2015009801	09/13/2015	10:20	FAILURE TO APPEAR	CLOSED/CLEARED	ADULT	BRYCE MCGUIRE	CLEARED BY ARREST
2015009121	09/16/2015	15:21	SEX OFFENSE, FOURTH DEGREE	CLOSED/CLEARED	ADULT	BRANDON SMITH	CLEARED BY ARREST
2015010050	09/21/2015	16:30	THEFT LESS THAN \$100 (BURGLARY)	CLOSED/CLEARED	ADULT	BRANDON SMITH	CLEARED BY ARREST
2015010157	09/23/2015	23:01	DRIVING ON SUSPENDED OUT OF STATE LICENSE	CLOSED/CLEARED	ADULT	JACQUELYN DRUKTENIS	CLEARED BY ARREST
2015010157	09/23/2015	23:01	OBSTRUCT-HINDERING LAW ENFORCEMENT	CLOSED/CLEARED	ADULT	CHRISTOPHER HANDLER	CLEARED BY ARREST
2015008824	09/24/2015	09:00	TRESPASS, PRIVATE PROPERTY	CLOSED/CLEARED	ADULT	CHRISTOPHER HANDLER	CLEARED BY ARREST
2015008824	09/24/2015	09:00	TRESPASS, PRIVATE PROPERTY	CLOSED/CLEARED	ADULT	CHRISTOPHER HANDLER	CLEARED BY ARREST

Total Number of Arrests: 16



Brunswick Police Department Monthly Report

Reporting Month and Year: September 2015

Traffic Enforcement Activity

	Month	YTD	PY Month	PY YTD
Maryland State Citations:	20	329	30	274
Maryland State SEROS:	8	56	2	40
Warning Citations:	75	656	32	430
Parking Citations:	18	205	55	403

Parking Enforcement Revenue

	Month	YTD	PY Month	PY YTD
Fines Collected:	_____	_____	_____	_____
Meter Collections:	_____	_____	_____	_____

Crime Report

	Month	YTD	PY Month	PY YTD
Calls for Service	1093	10468	1518	13174
Homicide	0	0	0	0
Rape	0	1	0	0
Robbery	0	2	1	1
Assault	5	93	11	36
B&E	6	21	3	14
Theft	13	64	3	46
Auto Theft	0	1	0	3
Motor Vehicle Accidents	6	78	2	42

CITY OF BRUNSWICK MONTHLY WATER FLOW REPORT

	<u>Monthly Total</u>	<u>Daily Average</u>
Water from springs.....	<u>2.90</u>	*M.G. <u>0.10</u> M.G.
Water pumped from Potomac River.....	<u>14.31</u>	M.G. <u>0.48</u> M.G.
Total.....	<u>17.21</u>	M.G. <u>0.58</u> M.G.
Finished water pump from Plant...	<u>14.16</u>	M.G. <u>0.47</u> M.G.

Submitted By _____
Date _____

*Million Gallons

WATER PLANT PROJECTS & MAINTENANCE –September 2015

- 1) Tested all chlorine gas detectors
- 2) Calibrated all chemical feeders
- 3) Cleaned reservoir cover
- 4) Drained and cleaned both sedimentation basins
- 5) Received chemical deliveries for Acid and Caustic Soda
- 6) Mowed, trimmed and cleaned around the fences at the Springs
- 7) Changed the oil in and greased the Rapid mixer and flocculator motors and gear boxes
- 8) Tested for synthetic organic compounds on the WTP effluent
- 9) Added extra shifts and filled the reservoir to prepare for possible flooding and power outages brought on by severe weather
- 10) Prepared for the passing chemical spill in the river by adding extra shifts and sealing the intake influent
- 11) Delivered 150 lbs chlorine gas cylinders to Yourtec Springs

CITY OF BRUNSWICK WWTP MONTHLY FLOW REPORT

Total Influent Flow --- 13.68 Million Gallons
Total Effluent Flow --- 11.67 Million Gallons

Rain --- 5.4 INCHES

Sludge to Landfill --- 111.0 TONS

Submitted By --- Patrick Hoffmaster
Date 10/7/15

- We seen several days of high flows into the WWTP this month from all the rain I & I

Brunswick WWTP Operations & Projects September 2015

- 1) Ran Belt Press twice weekly
- 2) Backflushed SBR's bi-weekly
- 3) Cleaned Pista Grit vacuum bowl weekly
- 4) Assisted Roberts electric motors with replacing the coupling on #2 SBR motive pump
- 4) Staff began re-filling #2 SBR with water in order to do a start up test on the motive pump
- 5) Upgraded the Gayln Manor pumping stations alarm system
- 6) Assisted Micro tech designs in trouble shooting issues with the blowers and SCADA alarm failures
- 7) Patrick and staff instituted new operation technology and testing to help reduce reformation of nitrogen and phosphorus levels in the digesters
- 8) Patrick worked with the platform vendor to finalize the platform design & project. The project is projected to be completed in the first or second week of November



THE CITY OF BRUNSWICK MARYLAND

1 WEST POTOMAC STREET · BRUNSWICK, MARYLAND 21716 · (301) 834-7500

Department of Public Works Mayor & Council Monthly Report for September

Water Line Repairs and Maintenance

New water main on North Maple
New water main on N. Dayton, between W. B St. & Brunswick St.
Chlorination of New Mains
Water cut-offs

Sewer Line Repairs

Pipe patching
Checked on sewer odor
Camera sewer lines

Water Valve Maintenance

Adjusted cla-valves

Fire Hydrant Maintenance

None

Street Repair and Maintenance

Hot and cold mix
Saw cut

CIP Projects

None

Storm Drain Maintenance

Replace storm drain and box at J St.

Miscellaneous Tasks and Maintenance

Painting curbs and cross-walks
Side walk inspections
Work on caboose
Marked 107 Miss Utility tickets

Construction and Contractor Support

Water Meter

Settlements-22, Replacements-4, Repairs-10, High Bill Investigations-2, New Installs-7 Cut offs-26.

Safety

Completed taking inventory of PPE and First aid supplies
Monthly fire extinguisher inspection



THE CITY OF BRUNSWICK MARYLAND

1 WEST POTOMAC STREET · BRUNSWICK, MARYLAND 21716 · (301) 834-7500

September Planning/Code Staff Report **Mayor and Council 10-13-2015**

Planning

- Staff working with engineer and contractor to finalize easements and public works agreements for Gums Springs Estates.
- Staff worked with Contractors on several homes under construction.
- Staff worked with economic development coordinator on events and business development.
- Staff continued working with Ryan Homes at Brunswick Crossing.
- Staff worked with Pleasants on architecture of the Weis and commercial development at Brunswick Crossing and TAC meeting for the October Planning Commission.
- Staff reviewed two addition plats for Brunswick Crossing for October Planning Commission.
- Staff reviewed revisions to MOU documents to switch the responsible party for the Rt 17 corridor improvements along Brunswick Crossing from the HOA to the COA.
- Staff also reviewing documents for Brunswick Self Storage.
- 36 Zoning Certificates issued September
- No U&O's issued September
- No BoA meeting in September and no meeting is scheduled for October.
- No Planning Commission in September meeting is scheduled for October 26th, 2015.

GIS

- Assisted public with property data
- Assisted public works with stormwater, water and sewer mapping data
- Developing various maps for all departments
- Prepared signage for City events

ZC Log 2015

ZC #	Tax ID #	Date Approved	Parcel #	Name of Owner/Applicant	Street #	Street Address	Improvement/Use
175	25-491572	9-1-15	12 HH	Ryan Homes	1408	Volunteer Drive	SFD
176	25-478762	9-2-15	917	Railroad Square LLC	10	W. Potomac St	Signage
177	25-467345	9-3-15	1772	Charles Belser	27	Eight Ave	Renovations
178	25-590951	9-4-15	42KK	Ryan Homes	1139	Long Farm Cir	SFD
179	varies	9-4-15	var	Day to serve		RR Square Park lot	Clean up Event
180	25-487850	9-4-15	311	Robert Hughes	5	Sheridan Ln	Fence
181	Varies	9-9-15		RR Days			Event
182	Varies	9-9-15		Jingle bell run/santa stroll		Sq Corner	Event
183	25-473612	9-9-15	266	Ronald Hadee/Solar City	24	E. Orndorff Dr`	Solar Panel
184	25-491769	9-11-15	14 II	Ryan Home	1310	Volunteer Dr.	SFD
185	25-492676	9-11-15	83 FF	Frederick Fence/Doreen Effan	737	Appalachian Way	Fence
186	25-471105	9-14-15	450	John Webb	11	S. Virginia Ave	Demolition
187	25-491653	9-14-15	5 II	Erin & Michael Rymer/Brick Street Dr	1309	Yourtee Springs Dr	Deck Deck
188	25-589079	9-15-15	4	Gary Sohl/Solar City	1137	Potomac View Pkwy	Solar Panels
189	25-471873	9-17-15	613	David Blackmon/Kevin Smith	228	W. potomac St	Event Beer Gar.
190	25-481410	9-17-15	1234	Eric Moore Gen Cont.	1	E. E St	Renovations
191	25-469720	9-18-2015	1687	Myer Auctioneering	511	9th Ave.	Signage
192	VARIOUS	9-18-15	NA	angel white/Galyn Manor	Var.	Various	Signage
193	25-480465	9-22-15	1881	Mary Neubauer	120	7th Ave	Fence
194	25-470753	9-22-15	1581	Karen Ramirez	402	5th Ave	Yard Sale
195	25-472365	9-22-15	946	Mary George/Key Exchange Frurniture	25	E. Potomac St	Occy Permit
196	25-489861	9-23-15	311	Joanne Peebles/Laura Lornejo	23	Jeffrey Lane	Fence
197	25-469755	9-23-15	449	Rich & Alex Gardner/Frederick Fire & Flood	7/9	S. Virginia Ave	Renovations
198	25-481712	9-24-15	1113	Raymond Hyde/Keystone Remodeling	47	E. B St.	Renovations

ZC Log 2015

ZC #	Tax ID #	Date Approved	Parcel #	Name of Owner/Applicant	Street #	Street Address	Improvement/Use
199	25-590394	9-28-15	98 FF	Ryan Homes	1127	Dargon Quarry	SFD
200	25-491785	9-28-15	16 II	Ryan Homes	1314	Volunteer Drive	SFD
201	25-590969	9-28-15	39NN	Ryan Homes	701	Potomac View Pkw	TH
202	25-590970	9-28-15	40NN	Ryan Homes	703	Potomac View Pkw	TH
203	25-590971	9-28-15	41NN	Ryan Homes	705	Potomac View Pkw	TH
204	25-590972	9-28-15	42NN	Ryan Homes	707	Potomac View Pkw	TH
205	25-590973	9-28-15	43NN	Ryan Homes	709	Potomac View Pkw	TH
206	25-590974	9-28-15	44NN	Ryan Homes	711	Potomac View Pkw	TH
207	25-467892	9-30-15	508	Benancio Morales	12	S Maple Ave	Signage
208	25-591980	9-30-15	27KK	Ryan Homes	1109	Long Farm Cir	SFD
209	25-590393	9-30-15	97FF	Ryan Homes	1129	Dargon Quarry Lane	SFD
210	25-469615	9-30-15	418	Hopwood Enterprises	604	W. Potomac St.	Tank Relocate

MONTHLY CODE ENFORCEMENT REPORT

Violations	September 2015	YTD January thru September 2015	Past January thru September 2014
WARNINGS			
Vehicles/ Vehicle repair	2/0	17/2	22/0
Property trash/ Unsec. prop.	7/0	42/0	42/0
Property Repair/Property Maint.	0/1	4/8	0/4
Overgrowth /Unsanitary Dwell.	18/0	71/2	62/0
Vac. prop.trash/ Unsec.vac prop.	0/0	7/5	8/16
S.walk repair/ S.Walk Trash	0/0	2/0	1/13
Littering	1	4	3
Vacant Overgrowth	1	39	43

Animal Waste / Snow and Ice	0/0	1/272	3/119
Livestock	0	3	3
Trash Cans /Signs	0/0	4/3	2/24
Warning Totals	30	486	365
CITATIONS			
Vehicles/ Vehicle repair	0/0	0/0	7/0
Property trash/ Unsec. prop.	0/0	2/0	5/2
Property Repair/ Property Maint.	0/0	2/23	1/0
Overgrowth/ Unsanitary Dwell.	0/0	2/2	3/0
Vac. prop. trash,/ Unsec. vac. prop.	0/0	3/7	0/1
S walk repair/ S walk trash	0/0	10/0	0/3
Littering	0	0	0
Vacant Overgrowth	1	7	10
Animal Waste/ Snow and Ice	0/0	0/4	0/13
Livestock	1	1	1
Trash Cans	0	0	0
Signs	0	2	0
Citation Totals	2	65	46
Complaints	7	51	75

Merit/Step Increases for City Employees

September 22, 2015

Background

- In June, 2015, the Mayor and City Council adopted the Fiscal Year 2015 Budget. Funds were budgeted to include a merit increase for eligible employees.
- A 2003 City procedure calls for merit pay increases to be “decided during the budget process” (Performance Appraisal Procedure Section 3 C 8 [pp. 7-8] adopted 8/12/2003) and gives examples of merit pay increases differentiated by performance categories.
- In 2007 a pay scale was adopted for Brunswick Police Officers which indicated pay steps of 2.5% based on years of service.
- In 2013 a pay scale was adopted for non-police position titles with steps but did not indicate linkage to years of service.
- In September of 2015, the City Council adopted updated pay scales for Police and Non-Police employees.
- City employees as a group have had only one merit or step increase in the past six years, although there have been cost of living adjustments (COLAs). The merit increase of 2% was effective in January of 2014.
- The 2% increase, while welcomed by employees, had an effect of getting BPD employees off the (COLA adjusted) BPD Pay Scale, in which each step is 2.5% above the prior step.
- The City wishes to integrate and align these disparate documents, and to give BPD sworn employees a step increase to implement the stated goals of retention and recruitment.
- An increase of 3% would place sworn PD employees back on a predictable step scale, as intended.
- Deferring the implementation of this pay increase to the first full pay period in November will align the increase within the amount budgeted.
- Department Heads have had significant discussions over several years about the morale and other implications of implementing various merit pay policies, and have, for this particular year, come to the consensus recommendation that staff rated 2.00 on the appropriate evaluation form should receive the same increase if eligible (within the range for their position).

Recommendation

Merit increases will be implemented as follows:

- For an Overall Performance Appraisal Score of 2.00 or higher, eligible staff may receive an increase to base pay of up to 3%.
 - Police Officers, and Civilian Staff who have completed probationary periods (i.e. are no longer on probation) will receive this increase at the start of the first full pay period in November.
 - Civilian Staff who have not completed probationary periods (i.e. are still on probation) will be eligible to receive a probationary increase commencing at the start of the first full pay period following the end of their probationary period.
- For an Overall Performance Appraisal Score of below 2.00, no merit increase will be given.
- Policy statements will explicitly integrate the application of these various processes so the City may more clearly communicate, during the discussion of future fiscal years' budgets, its intentions with regard to employee compensation in the coming fiscal year.

Draft Motion

I move to adopt merit/step increases for City Employees per staff recommendation dated September 22, 2015.

-Prepared by Bob McGrory, City Administrator



Brunswick
Historic
District

Railroad
Museum

C & O
Canal

MARC



Maple Ave

C&O Canal

Point of Rocks



Catoctin Aqueduct

Visitor Center



Brunswick

Railroad Museum



100



Maryland History
Historic Brunswick

Railroad Museum

C & O Canal

Gathland St. Pk.

NEXT RIGHT



Maryland Municipal League

Frederick County Chapter

Tax Equity Meeting September 16, 2015

Attendees:

Alderman Michael O'Connor – City of Frederick
Mayor Debbie Burgoyne – Burkittsville
Bob McGrory – Brunswick
Katie Barkdoll – City of Frederick
Lacey Gordon – Middletown
Andrew Bowen – Middletown
Jim Humerick – Thurmont
Gloria Rollins – Walkersville
Kelly Weaver – Frederick County Budget Office

Kelly Weaver with the Frederick County Budget Office provided a detailed review of the calculations of tax equity. There are four (4) areas that are used in determining tax equity. They are: (1) Highways, Streets, and Bridges, (2) Police Service, (3) Planning & Zoning, and (4) Parks & Recreation. Each category has a CAP or limit to the amount of funds that can be distributed to the municipalities. In simple terms, the county cannot provide more funds that it receives to the municipalities.

Frederick City and Brunswick added to the discussion possible changes to the tax equity formula centered around two specific topics; (1) Changing the method for calculating the CAP and (2) Adding additional categories for consideration in calculation of tax equity.

The current formula for tax equity calculates a CAP for the overall use in all categories. It was recommended by Frederick City that instead of using an aggregate CAP; to calculate individual CAP's for each of the categories. In addition, looking at distributing allocation of Planning & Zoning funds based on zoning area districts verses strictly by population. Exactly how that calculation would be arrived at and be provided by the municipalities to the county was not resolved.

Additional items to be considered for possible inclusion in the tax equity calculation were also suggested by Frederick City and Brunswick. The additional categories are: economic development; general overhead; and within in the Highways, Streets, and Bridges to include construction management, maintenance, public works administration, and transportation engineering. It was requested that Ms. Weaver provide the percentage used by Frederick County as the overhead charged by the general fund to the proprietary funds. Ms. Weaver stated that the allocation is not a percent allocation, but a complex computation and that cannot be provided in a percentage format.

FISCAL YEAR 2016
FREDERICK COUNTY/MUNICIPAL TAX EQUITY PROGRAM
RECOMMENDED

Distribution Summary FY 2016

	Highways	Police	Planning & Zoning	Parks & Recreation	Total
Brunswick	232,791	557,464	39,084	54,900	884,239
Burkittsville	24,877	0	936	887	26,510
Emmitsburg	120,865	192,364	17,430	35,723	366,372
Frederick	1,769,523	5,957,620	417,690	488,207	8,623,040
Middletown	187,574	292,139	9,910	66,341	555,964
Mt. Airy	156,682	225,890	23,445	53,338	459,155
Myersville	55,384	103,897	10,060	32,804	201,945
New Market	48,115	4,650	0	37,576	90,241
Rosemont	0	9,700	0	3,584	13,284
Thurmont	249,000	545,714	0	54,124	848,838
Walkersville	215,568	477,668	36,359	91,651	821,246
Woodsboro	67,027	0	130	39,746	106,903
Total	3,117,206	8,366,656	555,043	958,841	12,997,686

Tax Differential Summary FY 2016

	Assessable Base Per \$100	County Net Assessable Base Per \$100	Tax Differential	New County Tax Rate	Double Check
Brunswick	4,336,528.28	4,352,149.12	0.2082	0.8568	884,366.70
Burkittsville	126,456.00	134,107.86	0.1977	0.8623	26,513.12
Emmitsburg	1,597,211.00	1,712,667.42	0.2139	0.8461	366,339.56
Frederick	86,334,714.74	88,451,665.98	0.1260	0.9340	8,624,909.91
Middletown	4,772,009.61	5,044,485.39	0.1102	0.9498	555,902.29
Mt. Airy	3,996,984.00	4,011,350.80	0.1145	0.9455	459,289.67
Myersville	1,503,126.00	1,555,923.49	0.1288	0.9302	201,958.87
New Market	1,815,777.33	1,829,731.67	0.0554	1.0046	90,287.13
Rosemont	255,046.00	255,408.00	0.0518	1.0082	13,230.13
Thurmont	4,818,353.63	4,964,488.36	0.1710	0.8890	848,927.51
Walkersville	5,886,670.96	5,898,724.37	0.1441	0.9159	821,186.18
Woodsboro	1,127,097.39	1,138,003.90	0.0939	0.9661	106,952.47
Total	98,949,706.36	100,000,000.00	0.0204	0.9661	12,999,863.54

4,172,701 Amount distributed as rebate

Distribution Summary - Prior Year - FY 2015

	Highways	Police	Planning & Zoning	Parks & Recreation	Total
Brunswick	217,256	563,608	35,154	50,639	866,657
Burkittsville	23,030	0	870	870	23,900
Emmitsburg	112,799	210,270	16,072	32,525	371,666
Frederick	1,622,045	6,055,196	377,685	472,377	8,527,304
Middletown	175,056	321,836	24,485	59,784	581,111
Mt. Airy	146,226	243,028	21,618	48,287	459,159
Myersville	51,688	115,847	9,275	19,700	196,510
New Market	44,904	10,400	0	32,499	87,803
Rosemont	0	6,938	0	3,228	10,166
Thurmont	232,383	565,440	8,950	50,538	857,311
Walkersville	201,182	405,926	33,527	82,554	723,189
Woodsboro	62,554	0	0	34,867	97,421
Total	2,889,123	8,498,480	526,767	888,418	12,802,798

Comparison between Current Year and Last Year

	FY 2016	FY 2015	\$ Change	% Change
Brunswick	884,239	866,657	17,581	2.03%
Burkittsville	26,510	23,900	2,610	10.92%
Emmitsburg	366,372	371,666	(5,294)	-1.42%
Frederick	8,623,040	8,527,304	95,137	1.12%
Middletown	555,964	581,111	(25,147)	-4.33%
Mt. Airy	459,155	459,159	(4)	0.00%
Myersville	201,945	196,510	5,434	2.77%
New Market	90,241	87,803	2,438	2.78%
Rosemont	13,234	10,166	3,068	30.18%
Thurmont	848,838	857,311	(8,473)	-0.99%
Walkersville	821,246	723,189	98,057	13.56%
Woodsboro	106,903	97,421	9,482	9.73%
Total	12,997,686	12,802,798	194,888	1.52%

Police is capped at net expenses of the municipality. Net expenses for police decreased by \$17,916

Police & planning are capped at net expenses. Net expenses for police decreased by \$29,697 and \$13,765 for planning

The country's net police expenditures decreased which is why police decreased. Planning is capped at net expenses. Police is capped at net expenses of the municipality. Net expenses for police increased by \$71,742 for Walkersville.

CAP Factor Calculation

Actual Revenue Attributable to Assessable Base Population Est. Fred. Co. Planning & Zoning						
Total	Source	Net Taxable Income TY 2013	as of 6/11/14	7/2014	Applicable Base	Total
267,846,124	Property Tax		267,846,124			267,846,124
0	Admissions	0				0
174,145,880	Income Tax	174,145,880				174,145,880
15,569,098	Recordation		15,569,098			15,569,098
0	Trailer Park	0				0
1,301,241	Highway Users	650,621			650,621	1,301,241
3,360,551	Licenses & Permits				3,360,551	3,360,551
281,779	Federal Grants				281,779	281,779
1,041,048	Police			1,041,048		1,041,048
0	Parks			0		0
1,518,137	911 Operations				1,518,137	1,518,137
553,517	State Categorical Grants				553,517	553,517
1,033,547	Planning Service Charges				1,033,547	1,033,547
8,369,987	Other Service Charges				8,369,987	8,369,987
52,760	Fines & Forfeitures				52,760	52,760
475,073,669	Subtotal	174,796,501	283,415,222	1,041,048	16,820,899	475,073,669
		36.79%	59.68%	0.22%	3.33%	
1,808,153	Sale of Fixed Assets	665,284	1,078,692	3,962	60,215	1,808,153
247,956	Investment Earnings	91,232	147,923	543	8,257	247,955
2,467,491	Rent-Bldg/Parking				2,467,491	2,467,491
75,504	Contributions				75,504	75,504
(978,040)	Misc. Revenue	-359,856	-583,470	-2,143	-32,571	-978,040
478,694,733	Total	175,193,161	284,058,367	1,043,410	18,399,795	478,694,732

Municipal Percentages

	Net Taxable Income TY 2013	Assessable Base as of 6/11/14	Population Est. Fred. Co. Planning & Zoning 7/2014
Brunswick	110,231,334	433,652,828	6,310
Burkittsville	3,403,568	12,645,600	151
Ermitsburg	42,038,378	169,721,100	2,814
Frederick	1,320,782,818	6,633,471,474	67,435
Middletown	143,832,770	477,200,961	4,300
Myersville	44,094,536	399,898,400	3,785
Mt. Airy	34,323,218	150,312,600	1,624
New Market	121,084,384	161,577,733	1,003
Rosemont	135,950,227	25,504,600	294
Thurmont	25,430,832	481,835,363	6,177
Walkersville	4,700,838	558,667,096	5,870
Woodsboro	101,023,416	112,709,739	1,148
Subtotal	2,086,896,319	9,617,197,494	100,911
Unincorporated	4,089,538,858	16,180,627,262	140,000
Total	6,176,435,177	25,797,824,756	240,911
Municipal as a % of Total	33.79%	37.28%	41.89%

CAP Calculation

	Net Taxable Income TY 2013	Assessable Base as of 6/11/14	Population Est. Fred. Co. Planning & Zoning 7/2014	Total
Revenues	175,193,161	284,058,367	1,043,410	460,294,938
Municipal %	33.79%	37.28%	41.89%	
Municipal Contribution	59,197,769	105,896,959	437,084	165,531,813
Estimate by Revenue Base divided by				165,531,813
Total received by County equals				460,294,938
CAP Factor percentage of:				35.96%

Highways, Streets and Bridges

Operating Expense	14,501,254
Less: Highway Users	1,301,241
Net County General Fund Expenditures	13,200,013

I. Formula:

Net Expenditures	13,200,013
Divided by Total County Miles Maintained	1,289.15
equals	
Cost per Mile	10,239
Multiplied by Total Municipal Miles	304.44
equals	
Total to be distributed (formula)	3,117,204

II. CAP:

Net Expenditures	13,200,013
Multiplied by CAP Percentage	35.96%
equals	
Total to be distributed (CAP)	4,746,725

III. Distribution Rate:

Lesser of Formula vs CAP calculations	3,117,204
Divided by Municipal Miles	304.44
equals	
Highway Distribution per Mile	10,239.3100

IV. Distribution Amount:

	SHA Urban & Rural Mileage	Tax Equity Payment
Brunswick	22.735	232,791
Burkittsville	2.410	24,677
Emmitsburg	11.804	120,865
Frederick	171.840	1,759,523
Middletown	18.319	187,574
Mt. Airy	15.302	156,682
Myersville	5.409	55,384
New Market	4.699	48,115
Rosemont	0.000	0
Thurmont	24.318	249,000
Walkersville	21.053	215,568
Woodsboro	6.546	67,027
Total		3,117,206

Police

Operating Expenses	24,307,444
Less: Police Aid	1,041,048
<hr/>	
Net County General Fund Expenditures	23,266,396

I. Formula:

Net Expenditures	23,266,396
Divided by Population Served	140,151
equals	
Cost per Capita	166.01
Multiplied by Population not Served	100,760
equals	
Total to be distributed (formula)	16,727,168

II. CAP:

Net Expenditures	23,266,396
Multiplied by CAP Percentage	35.96%
equals	
Total to be distributed (CAP)	8,366,596

III. Distribution Rate:

Lesser of Formula vs CAP calculations	8,366,596
Divided by Population not served	100,760
equals	
Police Distribution per Capita	83.0349

IV. Distribution Amount

		Population Est. Fred. Co. Planning & Zoning 7/2014	Tax Equity Calculation	
Brunswick		6,310	523,950	6.26%
Burkittsville	n/a		0	
Emmitsburg		2,814	233,660	2.79%
Frederick		67,435	5,599,458	66.93%
Middletown		4,300	357,050	4.27%
Mt. Airy		3,785	314,287	3.76%
Myersville		1,624	134,849	1.61%
New Market		1,003	83,284	1.00%
Rosemont		294	24,412	0.29%
Thurmont		6,177	512,907	6.13%
Walkersville		5,870	487,415	5.83%
Woodsboro		1,148	95,324	1.14%
Total		100,760	8,366,596	100.00%

FY 2016 Police Supplement

Municipality	Municipal CAFRs FY 2014 Actuals	MD State Police Revenues State Aid 2014 Net Grant	FY 2014 Net Exp	Population Based		Net Expense Based		Remaining to be Distributed	% of Capped Municipalities	Remaining \$ Distribution	FY 16 Distribution
				Tax Equity Calculation	% of Total	Tax Equity Calculation	% of Capped Municipalities				
Brunswick	1,031,356	59,706	971,650	523,950	6.26%	523,950	0	0	7.90%	33,514	557,464
Burkittsville	0	0	0	0	0.00%	0	0	0	0	0	0
Emmitsburg	208,659	16,305	192,354	233,660	2.79%	192,354	41,306	0	0	0	192,354
Frederick City	27,474,144	1,075,079	26,399,065	5,599,458	66.93%	5,599,458	0	0	84.38%	358,162	5,957,620
Middletown	316,375	24,236	292,139	357,050	4.27%	292,139	64,911	0	0	0	292,139
Mount Airy	258,622	32,932	225,690	314,287	3.76%	225,690	88,597	0	0	0	225,690
Myersville	112,811	9,114	103,697	134,849	1.61%	103,697	31,152	0	0	0	103,697
New Market	4,550	0	4,550	83,284	1.00%	4,550	78,734	0	0	0	4,550
Rosemont	9,700	0	9,700	24,412	0.29%	9,700	14,712	0	0	0	9,700
Thurmont	1,009,106	64,220	944,886	512,907	6.13%	512,907	0	0	7.73%	32,807	545,714
Walkersville	508,560	30,892	477,668	487,415	5.83%	477,668	9,747	0	0	0	477,668
Woodsboro	0	0	0	95,324	1.14%	0	95,324	0	0	0	0
TOTAL	30,933,883	1,312,484	29,621,399	8,366,596	100.00%	7,942,113	424,483	424,483	100.00%	424,483	8,366,596

Total Uncapped Municipalities (G) 6,636,315

Mt. Airy - Frederick Co. Percentage of total population

	Population	Total Revenue	Total Expense
Total population	9,713	84,509	663,671
Fred. Co.	3,785	38.97%	38.97%
	38.97%	32,932	258,622

Planning & Zoning

Operating Expenses	2,577,047
Less: Service Charges	1,033,547
Net County General Fund Expenditures	1,543,500

I. Formula:

Net Expenditures	1,543,500
Divided by Population Served	140,000
equals	
Cost per Capita	11.03
Multiplied by Population not Served	100,911
equals	
Total to be distributed (formula)	1,113,048

II. CAP:

Net Expenditures	1,543,500
Multiplied by CAP Percentage	35.96%
equals	
Total to be distributed (CAP)	555,043

III. Distribution Rate:

Lesser of Formula vs CAP calculations	555,043
Divided by Population not served	100,911
equals	
Planning Distribution per Capita	5.5003

IV. Distribution Amount

	Population Est. Fred. Co. Planning & Zoning 7/2014	Tax Equity Calculation	
Brunswick	6,310	34,707	6.25%
Burkittsville	151	831	0.15%
Emmitsburg	2,814	15,478	2.79%
Frederick	67,435	370,914	66.83%
Middletown	4,300	23,651	4.26%
Mt. Airy	3,785	20,819	3.75%
Myersville	1,624	8,933	1.61%
New Market	1,003	5,517	0.99%
Rosemont	294	1,617	0.29%
Thurmont	6,177	33,975	6.12%
Walkersville	5,870	32,287	5.82%
Woodsboro	1,148	6,314	1.14%
Total	100,911	555,043	100.00%

FY 2016 PLANNING AND ZONING SUPPLEMENTAL

Municipality	Municipal Actuals from CAFRs		Revenues	Net Expense	Tax Equity Calculation	Percent of Total	Net Exp based Distribution	Percent of Total	Remaining to be Dist	% Capped Municipalities	Distrib Remaining \$	FY 2016 Distribution
	Expenses											
Brunswick	228,547	23,093	205,454		34,707	6.25%	34,707	6.25%	0	7.17%	4,377	39,084
Burkittsville	2,106	0	2,106		831	0.15%	831	0.15%	0	0.17%	105	936
Emmitsburg	158,114	6,870	151,244		15,478	2.79%	15,478	2.79%	0	3.20%	1,952	17,430
Frederick City	1,168,087	267,589	901,498		370,914	66.83%	370,914	66.83%	0	76.64%	46,778	417,690
Middletown	48,593	39,883	9,910		9,910	4.26%	9,910	4.26%	13,741	0	0	9,910
Mount Airy	73,432	14,036	59,396		20,819	3.75%	20,819	3.75%	0	4.30%	2,626	23,445
Myersville	58,571	7,299	51,272		8,933	1.61%	8,933	1.61%	0	1.85%	1,127	10,060
New Market	7,907	59,407	(51,500)		5,517	0.99%	5,517	0.99%	5,517	0	0	0
Rosemont	0	0	0		1,617	0.29%	1,617	0.29%	1,617	0	0	0
Thurmont	13,333	20,555	(7,222)		33,975	6.12%	33,975	6.12%	33,975	0	0	0
Walkersville	64,085	10,889	53,196		32,287	5.82%	32,287	5.82%	0	6.67%	4,072	36,359
Woodsboro	330	200	130		130	1.14%	130	1.14%	6,184	0	0	130
TOTAL	1,825,105	449,621	1,375,484		555,043	100.00%	494,009	100.00%	61,034	100.00%	61,034	555,043

Total uncapped Municipalities (H) 483,969

Frederick Co. Percentage of total population			
	Population	Total Revenue	Total Expense
Total population	9,713	36,018	188,439
Fred. Co.	3,785	38.97%	38.97%
	38.97%	14,036	73,432

Parks and Recreation

Operating Expenses	4,277,609
Less: Administrative Costs & Interagency grounds maint	1,611,200
Net County General Fund Expenditures	2,666,409

I. Formula:

Net Expenditures	2,666,409
Divided by Unincorporated Acres Maintained	2,074
equals	
Cost per Acre	1,286
Multiplied by Municipal acres	1,629
equals	
Total to be distributed (formula)	2,094,016

II. CAP:

Net Expenditures	2,666,409
Multiplied by CAP Percentage	35.96%
equals	
Total to be distributed (CAP)	958,841

III. Distribution Rate:

Lesser of Formula vs CAP calculations	958,841
Less FY03 amount to be distributed by population	424,005
equals	
To be distributed on basis of acreage	534,836

IV. Distribution Amount

	Population Est. Fred. Co. Planning & Zoning 7/2014	Distribution Based on Population	Total Park Acreage	Distribution of Remainder by Acreage	Total FY 16 Distribution
Brunswick	6,310	26,513	86.45	28,387	54,900
Burkittsville	151	634	0.80	263	897
Emmitsburg	2,814	11,824	72.78	23,899	35,723
Frederick	67,435	283,347	623.88	204,860	488,207
Middletown	4,300	18,068	147.01	48,273	66,341
Mt. Airy	3,785	15,904	114.00	37,434	53,338
Myersville	1,624	6,824	79.12	25,980	32,804
New Market	1,003	4,214	101.60	33,362	37,576
Rosemont	294	1,235	7.00	2,299	3,534
Thurmont	6,177	25,954	85.79	28,170	54,124
Walkersville	5,870	24,664	204.00	66,987	91,651
Woodsboro	1,148	4,824	106.35	34,922	39,746
Total	100,911	424,005	1,628.77	534,836	958,841

County and Municipal Data
Updated for FY 2016

Net Taxable Income TY 2013	Assessable Base as of 6/1/14	Population Est. Fred. Co. Planning & Zoning 7/2014	SHA Urban & Rural Mileage 12/31/2013	Total Park Acreage	Notes	
					6/1/14	7/2014
Brunswick	110,231,334	433,652,828	6,310	22,735	86.45	per Kim Miller on 12/8/14
Burkittsville	3,403,568	12,645,600	151	2,410	0.60	Per Deb Burgoyne
Emmitsburg	42,098,378	189,721,100	2,814	11,804	72.78	Per e-mail from Donna DesPres on 1/8/13. No reply for this yr.
Fredrick	1,320,782,818	6,633,471,474	67,435	171,840	623.88	Per Gerry Kolbfleish
Middletown	143,832,770	477,200,961	4,300	18,319	147.01	Per Drew Bowen
Mt. Airy	44,094,536	399,898,400	3,785	15,302	114.00	Per Charlene Singleton. See e-mail on 10/8/14
Myersville	34,323,218	150,312,500	1,624	5,409	79.12	Per Kristin Aleshire on 12/31/14
New Market	121,084,384	161,577,733	1,003	4,699	101.60	Per Deb Butler on 10/30/14
Rosemont	135,950,227	25,504,600	294	0,000	7.00	per phone conversation Tom Watson, Rosemont Burgess
Thurmont	23,430,832	481,835,353	6,177	24,318	85.79	Per Tracy Schurr's e-mail
Walkersville	4,700,838	588,667,096	5,870	21,053	204.00	Per e-mail from Gloria on 12/31/14
Woodsboro	101,023,416	112,709,738	1,148	6,546	106.35	Per e-mail on 10/3/14
Subtotal Municipalities	2,086,896,319	9,617,197,494	100,911	304,435	1,628.77	
Unincorporated	4,089,598,858	18,180,627,262	140,000	1,289,151	2,074.00	E-mail from Bob Hicks on 12/5/14
Total County	6,176,435,177	25,797,824,756	240,911	1,593,586	3,702.77	

Frederick County Revenues/Expenditures for FY14 Source: CAFR June 30, 2014; Exhibit II-A-7
General Fund Revenue

Property Tax	287,846,124	
Admissions	0	
Income Tax	174,145,880	
Recordation	15,569,098	
Trailer Park	0	
Highways Users	1,301,241	
Licenses & Permits	3,360,551	
Federal Grants	281,779	
Police	1,041,048	
Parks	0	
911 Operations	1,518,137	
State Categorical Grants	563,517	
Planning Service Charges	1,093,547	
Other Service Charges	8,389,987	
Fines & Forfeitures	52,760	
Subtotal	475,073,669	
Sale of Fixed Assets	1,808,153	
Investment Earnings	247,956	
Rent - Bldg/Parking	2,467,491	
Contributions	75,504	
Misc Revenue	(978,040)	
Total	478,694,733	479,410,428

FY14 Administrative Costs and Grounds Maintenance
 Budgeted Admin costs and grounds maint
 FY14 amended budget 10-4501-000000
 FY14 actuals 10-4501-000000
 % actuals to budget
 Est actual admin & grounds maint

FY14 Adopted Info from FY15 Program budget
 4,287,868 From FY14 Org Budget
 4,277,609 From FY14 Org Budget
 0.9975
 1,611,200

Expenditures

Highways, Streets, Bridges	14,501,254
Police	24,307,444
Planning & Zoning	2,577,047
Parks	4,277,609
Total	45,663,354

BASE TOTALS
(ASSESSMENTS)

As of 6/11/14

Election Districts Totals		Inc. Towns Totals
DIST. 01	1,491,401,200	001 433,652,828
DIST. 02	6,639,386,007	002 12,645,600
DIST. 03	1,118,537,061	003 169,721,100
DIST. 04	117,592,100	004 6,633,471,474
DIST. 05	398,871,413	005 477,200,961
DIST. 06	212,625,630	006 399,898,400
DIST. 07	2,186,026,244	007 150,312,600
DIST. 08	268,941,373	008 161,577,733
DIST. 09	2,850,066,779	009 25,504,600
DIST. 10	197,537,840	010 481,835,363
DIST. 11	349,278,315	011 558,667,096
DIST. 12	192,914,164	012 112,709,739
DIST. 13	274,846,600	
DIST. 14	477,299,735	9,617,197,494
DIST. 15	735,955,563	
DIST. 16	470,665,700	
DIST. 17	210,001,782	001 Brunswick
DIST. 18	1,091,355,035	002 Burkittsville
DIST. 19	198,935,000	003 Emmitsburg
DIST. 20	341,332,531	004 Frederick
DIST. 21	693,052,300	005 Middletown
DIST. 22	176,518,800	006 Mt. Airy
DIST. 23	598,967,500	007 Myersville
DIST. 24	470,197,610	008 New Market
DIST. 25	433,652,828	009 Rosemont
DIST. 26	835,221,598	010 Thurmont
DIST. 27	802,298,999	011 Walkersville
DIST. 28	1,964,345,049	012 Woodsboro

25,797,824,756 Unincorporated Total 16,180,627,262

TAX EQUITY CALCULATION DETAIL

Police and Planning Distributions:

The distributions for police and planning are determined by calculating the county's net expenditures per capita for each service. The county's per capita expense is then applied to the municipal population. This amount is then compared to the CAP calculation to determine the amount to be distributed. The total amount to be distributed is allocated to each municipality base on the municipality's population. The distribution per municipality cannot exceed the net expenditures for that service. The formula is as follows:

County Expenditures – Dedicated Revenue = Net County Expenditures

Net county expenditures / county population receiving county police services (non municipal population) = county cost per capita

County cost per capita * population not served by county (those receiving police service from municipality) = total to be distributed (a)

Calculate CAP distribution: (see below for calculation of CAP percentage)

Net county expenditures * cap calculation = total amount to be distributed per CAP (b)

The lesser of (a) or (b) is the total amount to be distributed (c)

Total amount to be distributed (c) * the population not served by the county (those residents receiving police/planning services from the municipality) = distribution per capita

Distribution per capita * each municipality's population = the distribution per municipality (d).

If distribution per municipality (d) < municipality's net expenditures, then the distribution is per the above calculation (d).

If distribution per municipality > municipality's net expenditures, then the distribution is "capped" at the net expenditure amount (e).

The total of the amount to be distributed (c) less the total distributed for all municipality's (d+e) is allocated to uncapped municipalities

Parks Distribution:

The distribution for Parks is determined by calculating the county's net expenditures per acre for park service. The county's per acre expense is then applied to the municipal acreage to determine the amount to be distributed per the formula. This amount is then compared to the CAP calculation to determine the amount to be distributed. \$424,005 of the total amount to be distributed is allocated based on the municipality's population. The remaining amount to be distributed is allocated based on the municipal park acreage. The formula is as follows:

Parks (not including recreation programs) expenses – Administrative Costs – Grounds Maintenance =
Net County Expenditures

Net County Expenditures / unincorporated parks acreage = county cost per acre

County Cost per acre * total municipal acres = total to be distributed per formula (a)

Calculate CAP distribution: (see below for calculation of CAP percentage)

Net county expenditures * cap calculation = total amount to be distributed per CAP (b)

The lesser of (a) or (b) is the total amount to be distributed (c)

Distribution based on population:

\$424,005 of the total amount to be distributed (c) will be based on population

Proportion of each municipality's population to the total municipal population * the amount to be distributed by population (\$424,005) = municipality's total share of the distribution based on population

Distribution based on Acreage:

Total amount to be distributed (c) - \$424,005 (the amount distributed based on FY03 population) =
amount to be distributed by acreage (d)

Proportion of each municipality's park acreage to total of municipal park acreage * amount to be distributed by acreage (d) = each municipality's share of the distribution by acreage

Add the distribution amount by population (c) and the distribution amount by acreage (d) to get the municipality's total share of the parks distribution

Highway Distribution:

The distribution for Highways is determined by calculating the county's net expenditures per mile. The county's per mile expense is then applied to the municipal mileage to determine the amount to be distributed per the formula. This amount is then compared to the CAP calculation to determine the amount to be distributed. The total amount to be distributed is allocated to each municipality base on the municipality's mileage. The formula is as follows:

County Expenditures – Highway Users Revenue = Net County Expenditures

Net county expenditures / total county miles maintained = county cost per mile

County cost per mile * miles maintained by municipalities = total to be distributed per formula (a)

Calculate CAP distribution: (see below for calculation of CAP percentage)

Net county expenditures * cap calculation = total amount to be distributed per CAP (b)

Lesser of (a) or (b) / by the municipal miles = distribution per mile

Distribution per mile * municipality's rural mileage = the distribution per municipality

CAP Calculation

County revenues are allocated based on whether they apply to net taxable income, assessable base or population. Revenues not in one of these categories are excluded from the CAP calculation.

The municipal portion of net taxable income, assessable base and population are calculated and multiplied by the total revenue in the categories above to come up with the municipal contribution toward each of those revenues.

The total municipal contribution is divided by the county total of the 3 revenue categories to calculate the CAP percentage.

Traffic Control Request – Grace Episcopal Church

October 13, 2015

Background

Rev. Anjel Scarborough, on behalf of Grace Episcopal Church, has submitted a traffic control request form she believes will alleviate a negative parking situation around the church. Rev. Scarborough indicates parking during Sunday services has become increasingly difficult for elderly members of the church. Rev. Scarborough suggests the following options:

- Painting the curb blue and painting blue markings in the street for the existing handicap parking space to bring more awareness to this space, and to avoid having non-handicap drivers park in the space.
- Installing “Church Parking Only: Sundays 6am-2pm” signage in front of the church.
- Changing the traffic pattern on 2nd Avenue between A Street and Potomac Street to one way heading southbound and striping one side of the street with diagonal parking.
- Marking spaces behind the church in Mooseheart Drive as “Church Parking Only” to have space for members and staff during the week.

Chief Frech has reviewed these options and is not opposed to painting the handicap space curb and street. The Chief is also agreeable to limiting alley parking only on Sundays, but is skeptical about diagonal parking and one-way traffic pattern changes. He requested the opinion of Public Works in this matter. John Gerstner, Public Works Superintendent measured the roadway. After allowing 25 feet for diagonal parking spaces, only 18 feet of roadway would remain. In John’s opinion, these measurements would only allow for one-way traffic.

Recommendation

Staff recommends that Council Members visit the site in question and familiarize themselves with this issue, which will be brought back at the November meeting for a vote.

memo

Grace Episcopal Church

To: Mayor Karin Tome
Bob McGrory, City Administrator
Ellis Burruss
Harry Lashley
Carroll Jones
Jeff Snoots
Angel White

From: The Rev. Anjel Scarborough, Rector

CC: Chief Milton Frech

Date: 3/16/2015

Re: Proposed change in parking and traffic routing on 2nd Avenue between A Street & Potomac Street

Grace Episcopal Church has experienced resurgence in membership and renewed growth in the past 4 years. As such, we are experiencing difficulty in providing parking on Sunday mornings for worship along A Street and 2nd Avenue. Like many churches, some of our elderly members have mobility issues which require them to park along A Street to minimize the risk of walking on hills. Currently, Grace only has one handicapped parking space – right at the corner of 2nd Avenue and A Streets. This parking space is only marked by a sign and we often find cars parked there which do not display the handicapped tags.

Earlier this year, I had a conversation with Chief Frech regarding possible solutions to the parking shortage around Grace and how we could better address the mobility issues of our members. We concurred that the following options would likely be feasible in alleviating the problem:

1. For the existing handicapped parking space: paint the curb blue and paint blue markings in the street to mark this spot more clearly as a handicapped space.
2. Install signs in front of the church stating: "Church Parking Only: Sundays 6AM - 2PM". This would allow our elderly members to access the church with greater ease by clearly marking the spots directly in front of the church as church parking during the main worship time.
3. Change the traffic pattern on 2nd Avenue between A Street & Potomac Street to one way heading southbound (towards Potomac) and stripe one side of the street with diagonal/perpendicular parking spaces for the length of the street. Diagonal parking allows more cars to be parked along a stretch of street than parallel parking does.
4. Mark the spaces behind the church and rectory on Mooseheart Drive as "Church Parking Only" to have space for members and staff during the week.

We respectfully ask the City to consider this proposal for alleviating the parking congestion around Grace Episcopal Church.