

WORK SESSION AND EXECUTIVE SESSION – January 6, 2009

Mayor R. E. Bruchey, II called this Work Session and Executive Session of the Mayor and City Council to order at 4:07 p.m., Tuesday, January 6, 2009, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers M. E. Brubaker, K. S. Cromer, L. C. Metzner, P. M. Nigh and A. Parson-McBean; City Administrator Bruce Zimmerman, City Attorney John Urner, City Attorney William Nairn and D. K. Spickler, City Clerk.

WORK SESSION – January 6, 2009

Mayor Bruchey asked Vinnie DiCola, Rocky's Pizza, to provide an update of progress on his new restaurant. Mr. DiCola reported the restaurant will be located at 40 N. Potomac Street in Hagerstown. Deborah Everhart, Director of Economic Development, and Mayor Bruchey have been assisting him with finding the location and developing a business plan. He stated he will need help with securing permits. He stated people are anxious to have Rocky's back in business.

Ms. Everhart stated this is an important business for downtown. Rocky's has been an icon downtown. The new restaurant will feature an expanded menu.

The Council thanked Mr. DiCola for his dedication.

Review of Federal Agenda and Project Funding Status

Kareem Murphy and Melissa Hyman, The Ferguson Group, LLC, were present to provide a summary of the advocacy work The Ferguson Group (TFG) performed to advance the targeted funding needs established by the City of Hagerstown for calendar year 2008.

The Hagerstown FY 2009 Federal Agenda included 5 appropriations requests and several other funding needs and legislative priorities. The appropriations process came to a grinding halt in July, and many bills were not drafted. Congress adjourned shortly before Christmas, having completed work on only 3 of its appropriations bills for FY 2009. They are expected to complete this work after the 111th Congress is sworn in. Based on the number and amount of earmarks in the three bills that Congress did pass this year, TFG expects that earmarks will be included in the remaining FY 2009 bills.

TFG will continue to work with Hagerstown's Congressional Delegation to advocate for the City's project requests in the pending FY 2009 spending bills, as well as prepare the City for making effective funding requests in the FY 2010 budget and appropriations process.

Mr. Murphy stated there is \$ 100,000 pending in the House bill for minority and women owned businesses. In addition, the Congressional delegation secured \$ 4 million

for the Eastern Boulevard Project. Bruce Zimmerman, City Administrator, clarified the Eastern Boulevard project is the Professional Court Bridge.

Councilmember Parson-McBean stated the minority and women owned business program project will assist the initiative that the City began locally two years ago. Mr. Murphy stated the pending funding for this project represents a tremendous amount of effort to secure.

Councilmember Metzner asked if the proposed economic stimulus bill will have an affect on the funding already being considered. Mr. Murphy stated the Delegation is aware of the City projects that are considered “shovel ready.” These projects include:

1. Frederick Street Box Culvert Extension
2. Cramer’s Alley Widening
3. Roslyn Building Renovations
4. US Route 40 – Construction of Right Turn Lane
5. Jonathan Street- Utility Reconstruction
6. West End Reservoir Tank Phase II
7. R. C. Willson Water Transmission Main Project
8. Collection System Rehabilitation
9. Wastewater Plant UV Disinfection Improvements and Wastewater Plan Headworks Improvements

Councilmember Metzner asked if the Eastern Boulevard/Professional Court project would be separate from an economic stimulus packet. Mr. Murphy indicated the stimulus package and the project are separate.

Councilmember Brubaker stated the funding for Eastern Boulevard emerged from the Federal Agenda process. It is not clear who will implement this project. The City is the only participant that has committed funding in the budget.

Mr. Murphy stated the City engaged TFG and they worked with the Mayor and Council and staff and developed a list of priorities. A partnership with the Delegation was established. The results indicate the Delegation is committed to this strong agenda.

Councilmember Brubaker asked if the Professional Court Bridge funding will remain separate from the Eastern Boulevard funding. Ms. Hyman stated Congress must pass 12 pieces of funding each year. Every five or six years, they authorize multi-year projects. This funding is appropriation money. Mr. Murphy stated the Delegation chose to attempt to fund the project by tapping into funding that was set aside for projects that were no longer viable. This funding was previously approved for a different appropriation.

Mr. Murphy indicated TFG spoke with Senator Cardin in early December. Most members of the Delegation prefer that contacts are made by telephone or email.

Mr. Zimmerman asked about the status of the Water and Wastewater projects. Ms. Hyman indicated the opportunity for transportation funding reauthorization is high. Mr. Murphy stated Congress did not complete a bill for the appropriation request for the water transmission line project during the last session. He expects it may come up during the new session. TFG was also expecting an opportunity for the Water Resources Act to create a work plan, but that did not occur. The House leader has indicated she will give priority to projects that were submitted in 2008. The Wastewater needs of the City are high. TFG hopes to have a bill approved under the Water Resources Development Act of 2008 for inflow and infiltration issues.

TFG will continue to ensure that the projects established by the City meet the criteria established by the Congress. City staff has identified projects that meet the criteria; however, the criterion keeps changing. Mr. Zimmerman stated the lists from Engineering and the Utilities will be sent to Governor O'Malley to reiterate the City's needs.

It is unclear what funding will be sent to the state for distribution to municipalities. It is important that the Delegation be aware of the City's needs so that when, and if, the stimulus package is approved, they are familiar with the City's projects. Mr. Murphy stated TFG is a full service group and will help secure the funding from the distribution organization.

Councilmember Parson-McBean stated it would be good for the Mayor and Council to have a list of what they want in a stimulus package. She thinks about assistance for businesses that are closing. She stated the Mayor and Council, as a group, have to identify the need for the stimulus. Councilmember Brubaker pointed out the City's requests have been submitted to Governor O'Malley. Councilmember Parson-McBean stated she doesn't feel every project has been identified at this point.

Mr. Murphy indicated the House chair is committed to making sure the Technical Funding Bill is approved early in the session.

The Mayor and City Council will make plans to meet with the Federal Delegation in February.

CITY ADMINISTRATOR'S COMMENTS

Bruce Zimmerman, City Administrator, stated the annual Christmas tree collection will begin on January 12, 2009.

MAYOR AND COUNCIL COMMENTS

Councilmember P. M. Nigh thanked Public Works employees for repairing two potholes on December 26, 2008. She thanked the Police Department for assisting people as best they could during a recent ice storm. She stated the Public Works Department has to be proactive in preparing for ice. She thanked all who participated in the Utility Relief Benefit Concert.

Mr. Zimmerman stated Public Works has a snow/ice emergency plan in place. Crews are ready to work different shifts. During the storm on December 24, 2008, the ice stopped and the crews went home. Later, there was more ice and the crews were called back.

Councilmember L. C. Metzner is looking forward to a good year.

Councilmember K. S. Cromer had no additional comments.

Councilmember M. E. Brubaker commended Staff for the detailed letter that was submitted to the State regarding the City's wastewater projects.

Councilmember A. Parson-McBean thanked everyone who participated in and supported the Utility Relief Benefit Concert. She thanked the committee that volunteered to help with applications in order to disperse the funds. She is looking forward to the inauguration of President-elect Barack Obama.

Mayor R. E. Bruchey, II is looking forward to working on the important issues.

EXECUTIVE SESSION – January 6, 2009

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember M. E. Brubaker, the Mayor and City Council unanimously agreed by voice vote to meet in closed session at 5:24 p.m. to consider the acquisition of real property for a public purpose and matters directly related thereto, #3 and to conduct collective bargaining negotiations or consider matters that relate to the negotiations, #9. The following people were in attendance: Mayor R. E. Bruchey, II, Councilmember M. E. Brubaker, Councilmember K. S. Cromer, Councilmember L. C. Metzner, Councilmember A. Parson-McBean, Councilmember P. M. Nigh, City Administrator Bruce Zimmerman, City Attorney John Urner, City Attorney William Nairn, Finance Director Alfred Martin, Deborah Everhart, Director of Economic Development, Larry Bayer, Community Development Department Manager, Rodney Tissue, City Engineer, John Lestitian, Director of Code Administration, Mike Heyser, Chief Code Official, and City Clerk Donna Spickler. The topic was acquisition of property for a redevelopment proposal and to establish a process for conducting negotiations. No formal action was taken at the session. The meeting was adjourned at 6:34 p.m.

Respectfully submitted,

Donna K. Spickler, City Clerk

Approved: February 24, 2009