

WORK SESSION – April 20, 2010

Mayor R. E. Bruchey, II called this Work Session of the Mayor and City Council to order at 4:06 p.m., Tuesday, April 20, 2010, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers W. M. Breichner, M. E. Brubaker, F. Easton, A. C. Haywood, L. C. Metzner; City Administrator Bruce Zimmerman, and D. K. Spickler, City Clerk.

Preliminary Agenda Review

Consent Agenda

- A. Community Affairs: Application Permits:
 - 1. The Maryland Theatre, BluesFest, University Plaza – Thursday, June 3, 2010
 - 2. Conservit, Inc., BluesFest, Central Parking Lot – Friday, June 4, 2010 and Saturday, June 5, 2010
 - 3. M & T Bank, BluesFest, Central Parking Lot – Friday, June 4, 2010 and Saturday, June 5, 2010
 - 4. The Maryland Theatre, BluesFest, Central Parking Lot – Friday, June 4, 2010 and Saturday, June 5, 2010
 - 5. Hagerstown Government Channel Television Equipment – Specialized Communications (Smithsburg, MD) \$ 16,720.00

Karen Giffin, Director of Community Affairs, stated the new equipment for Channel 6 will provide higher reliability, improved graphics, and improved programming. The purchase will be funded through the franchise agreement.

- B. Public Works: Mowing Contact for Right-of-Ways – TK & Sons Enterprise, LLC (Boonsboro, MD) \$ 25,350.00

Councilmember Easton asked if the City has explored using inmate labor for this type of work to help save money. The Herald Mail reported that Williamsport has been using inmate labor and has saved \$ 30,000.00. Eric Deike, Public Works Manager, stated they have looked into this program and he understands that it is not a zero cost program because a supervisor has to be with the crew at all times. A crew that works with Washington County has done some work in Hagerstown. Mayor Bruchey suggested that Mr. Deike contact Williamsport and the Maryland Correctional Training Center to find out more information prior to next week's Mayor and Council meeting.

- C. Wastewater Department: Pump Systems and Control – STH (Frederick, MD) \$ 28,725.00

- D. Engineering:
 - 1. Forest Drive Storm Drain Improvements – J & P Excavating (Adamstown, MD) \$ 12,447.00
 - 2. Laurel Street Storm Drain Improvements – Henson & Son, Inc. (Hagerstown, MD) \$ 11,071.00

- E. Water Department: Water Meters and Transceiver Units – L/B Water Service, Inc. (Chambersburg, PA) \$ 119,341.20

Councilmember Breichner stated he thought all purchases over \$ 100,000.00 would be considered as new business rather than under the consent agenda. It was the general consensus that purchases over \$ 100,000.00 be considered new business. This item will be moved to new business for the April 27, 2010 meeting.

Approval of a Resolution: Authorizing the Approval of the Partners in Economic Progress (PEP) Program for 28 S. Potomac Street

It was noted the money paid out for this project will be retained by the City and applied to outstanding property taxes.

Approval of a Resolution: Approval of NTELOS Cell Tower Lease – Pole Rental and Land Lease for Police Radio Tower

Approval of a Resolution: Approval of NTELOS Cell Tower Lease – Land Lease at Fairgrounds Park

Deborah Everhart, Economic Development Director, and Alfred Martin, Finance Director, reported during the March 23, 2010 meeting, the Mayor and Council approved this company leasing space to another company. In order to complete the sub-lease, NTELOS requires an additional land lease with the City. Annual income for the City for these agreements will be \$ 75,000.00.

Approval of a Memorandum of Understanding: Hagerstown Police Department and Maryland State Police

Approval of a Memorandum of Understanding: Hagerstown Police Department and United States Marshal's Service

Chief Arthur Smith stated the agreement with the Maryland State Police is for a license plate reader that will be placed in the areas where there is a higher number of incidents, i. e. stolen vehicles, and suspended tags. The agreement with the United States Marshal's Service will enable the Hagerstown Police Department to purchase equipment for operations.

Approval of Speed Limit Policy for Very Low Volume Streets

Rodney Tissue, City Engineer, reported residents occasionally request the posted speed limit of 25 MPH be lowered to 15 MPH when a street is very narrow, with parking on both sides of the street, and very limited sight distance. Section 60-11 of the City Code indicates that the “standard” speed limit in the City of Hagerstown shall be 25 MPH unless posted otherwise. This policy would give staff the authority to post speed limits lower than 25 MPH. Copies of the policy were sent to the Fire and Police Departments and the traffic consultant for review. The Board of Traffic & Parking recommended approval of the policy.

It was the general consensus of the Mayor and Council to pass a resolution to establish a “Speed Limit Policy for Very Low Volume Street” for the City.

Approval of Termination of Professional Services Contract With The Ferguson Group

Bruce Zimmerman, City Administrator, stated Kareem Murphy, The Ferguson Group, is aware of the Mayor and Council’s decision to terminate the contract. A formal notification will be submitted following the Mayor and Council’s action on April 27, 2010.

Approval of Rain Insurance Policy for 2010 Western Maryland Blues Fest

Karen Giffin, Director of Community Affairs, and Carl Disque, Chairman of BluesFest, were present to request authorization to purchase rain insurance for Friday, June 4, 2010 and Saturday, June 5, 2010. The total cost of the insurance would be \$ 9,200.00 and would come from the BluesFest Public Functions Budget.

It was the general consensus of the Mayor and Council to approve the purchase of the insurance.

This completed the preliminary agenda review.

Commemoration Proposal – 150th Anniversary of the American Civil War

Karen Giffin, Director of Community Affairs, and Stephen Bockmiller, Development Review Planner/Zoning Administrator, was present to provide information on pending plans for City commemoration of the Civil War sesquicentennial. Hagerstown is part of the “Heart of the Civil War Heritage Area” (HCWHA), which is the state clearinghouse for Maryland’s observance of the 150th Anniversary of the Civil War. The City participates on the HCWHA Board, partially as a means of encouraging history-based tourism to patronize local businesses. Participating in the observances would raise public awareness of local history and heritage and expand tourism commerce, helping local businesses and benefiting the tax base through commerce generation. The HCWHA identifies 2012 as the 150th anniversary of the 1862 Battle of Antietam.

A small working group of City employees began meeting in October, assisted by a local historian, to brainstorm ways that the City could commemorate the sesquicentennial. Some of the ideas discussed are as follows:

1. The City would encourage local businesses, organizations, historic sites, arts organizations and other entities to hold events or programs relevant to their mission that draw attention to the sesquicentennial.
2. Host a Civil War living history encampment/battle re-enactment in City Park in the area around the Jonathan Hager House (2012)
3. Rededication of the Washington Confederate Cemetery (2013)
4. A three-day Civil War “expo” held in a large venue such as Hager Hall that would have displays, booths and demonstrations on anything and everything related to the Civil War period (2014)

All the events would be designed to include the entire Hagerstown community in the commemoration.

Councilmember Metzner recommended including information about the connection Hagerstown had in the underground railroad during this time as well.

It was the general consensus of the Mayor and Council to move forward with planning events to commemorate the Civil War.

Ms. Giffin reminded everyone that the Taste of the Arts event will be held on May 13, 2010 and the Art Walk will be held on May 15, 2010.

Request by the Maryland Theatre to Host Wind Down on South Potomac Street

Karen Giffin, Director of Community Affairs, reported the Maryland Theatre is requesting the closure of the first block of South Potomac Street on June 11, June 18, July 2, July 9, July 16, July 23, July 30 and August 6, August 20 and August 27, 2010. The reason for the street closure request is the Wind Down Fridays Music Program, which is in its third year. The series is very popular and is well received.

The City would utilize Fire Police for the street closure and the setting of the barricades. Therefore, it would be at no cost to the City. The left lane of traffic would not be blocked so that emergency vehicles could pass by, if needed. Because the Maryland Theatre will be serving alcoholic beverages, an application/permit would need to be signed by The Maryland Theatre and the City would have to exempt this event from the Open Containers Law.

Jay Constantz, Executive Director of The Maryland Theatre, stated the street closure would be the first block of S. Potomac Street, from 4:00 p.m. to 10:00 p.m. on the requested dates. The events begin at 5:30 p.m.

Councilmember Brubaker stated he thinks a 4:00 p.m. closure is too early.

Councilmember Haywood stated she fully supports the Wind Down series but she is not in favor of closing the street. She stated businesses not within the closed area saw a decrease in sales during previous events. She is concerned that other vendors are not part of the Wind Down events. She is also concerned that closing the street gives the impression that other areas are inaccessible during that time.

Benito Vattelana, Board Member, stated the intent of these events to not to shut anyone out. Some businesses have expanded their sales to the sidewalk to encourage people to stop by. He stated the intent of Wind Down Fridays is to bring people to downtown.

Councilmember Brubaker suggested having hand outs from other businesses for the people attending the Wind Down.

Mayor Bruchey pointed out that the street closure provides an element of safety for pedestrians moving within the area.

Councilmember Haywood pointed out there is a concert series in front of Sky Line Coffee (her business) every Thursday evening and she has not requested a street closure. She stated this event draws a similar amount of people to downtown.

Councilmember Metzner stated street closures should be anticipated in the Arts and Entertainment District for special events. He pointed out the Fire Police are many events, on a volunteer basis. He thinks there should be some compensation for their services.

There was some discussion about the timing of the closure. It was the general consensus of the Mayor and Council to approve closing the first block of South Potomac Street from 4:30 p.m. to 10:00 p.m. on the requested dates. If the area clears out, for example due to rain, the street could be opened earlier.

Music by the Lake Summer Concerts

Karen Giffin, Director of Community Affairs, reported the Washington County Arts Council (WCAC) is again requesting a partnership with the City of Hagerstown to produce the Music by the Lake summer concert series at Hagerstown City Park. Due to funding constraints, WCAC proposes reducing the concert from five to four this year. The 2010 proposed dates are July 17, July 24, July 31 and August 7. WCAC will contract with the performers and provide volunteers/board members on site at each concert.

There is \$ 5,000.00 in the proposed budget for this event. Out of the designated funds, \$ 4,600.00 is for WCAC for sponsorship of the event and \$ 400.00 is for advertising the concert series. The Community Affairs Department also assists in promoting the concerts. In order to schedule the bands for the series, the Washington County Arts Council would need the Mayor and City Council to approve the funds for these line items.

It was the general consensus to approve the line item to continue the series.

CITY ADMINISTRATOR'S COMMENTS

Bruce Zimmerman, City Administrator, had no additional comments.

MAYOR AND COUNCIL COMMENTS

Councilmember F. W. Easton congratulated the members of the Historic City Park Neighborhood 1st for their work on their website. He stated he is glad that people are participating in the democratic process by showing their support of the Home Store. He stated this doesn't mean he agrees with all the points made, but he is happy people are expressing their opinion. He expressed his concern that the Mayor and Council agreed with three goals during a budget retreat in December, 2009. The plan discussed indicated that the community comes first. He stated the hard questions have not been asked, such as, "Are we overstaffed in some departments?, What departments would citizens be willing to do without?, and How can we do things differently?" He is frustrated that it seems the Mayor and Council is running out of time to discuss these issues. He is especially frustrated that this meeting did not include time to discuss the budget. He urged his fellow Council members to take their duties seriously and devote no less than two, six to eight hour sessions on a Friday, Saturday or Sunday over the next few weeks. He is also concerned that a strategic plan has not been discussed or developed.

Councilmember A. C. Haywood agrees that discussions about the budget need to be more aggressive. If there is a department that shows an overall production decrease it should be discussed.

Councilmember L. C. Metzner stated if anyone has suggestions, they should be willing to voice those opinions for specific budget cuts.

Councilmember W. M. Breichner is willing to meet as necessary.

Councilmember M. E. Brubaker stated he is still reviewing the budget and has made specific recommendations in the past. He agreed that members should be willing to discuss their specific concerns.

It was agreed that a budget session would be held on Saturday, May 1, 2010, beginning at 9:00 a.m. Other Saturday dates were discussed as potential meeting dates.

Mayor R. E. Bruchey, II attended the grand opening of Sufi Acupuncture. This business utilized the PEP program to locate in downtown. He reminded the Councilmembers the proposed budget plan was discussed again in January and the direction to staff was to proceed with the plan, because no concern was expressed at that time. A strategic plan has not been discussed yet because all Strengths, Weaknesses,

Opportunities and Threats analysis have not been turned in. Time will be scheduled to discuss a strategic plan using the analyses that have been submitted.

There being no further information to come before the Mayor and City Council, on a motion duly made, seconded and passed, the meeting was adjourned at 5:38 p.m.

Respectfully submitted,

Donna K. Spickler, City Clerk

Approved: May 25, 2010