

WORK SESSION AND EXECUTIVE SESSION – May 18, 2010

Mayor R. E. Bruchey, II called this Work Session and Executive Session of the Mayor and City Council to order at 4:08 p.m., Tuesday, May 18, 2010, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers W. M. Breichner, M. E. Brubaker, F. W. Easton, A. C. Haywood, L. C. Metzner; City Administrator Bruce Zimmerman, City Attorney William Nairn and D. K. Spickler, City Clerk.

Acceptance of Donation For Community Garden from Keller Williams Premier Realty

The agents of Keller Williams Premier Realty selected Hagerstown's Community Garden as the project for their 2010 RED (Renew, Energize and Donate) Project. Red Day is a service initiative dedicated to improving local communities. The agents donated their time to plant seedlings in the Community Garden and held yard sales at their office on Mount Aetna Road. The proceeds of \$ 500.00 were donated to the City for items for the garden.

Proclamation – Ride Your Bike to Work Week

Mayor Bruchey read a proclamation naming May 17-21, 2010 as Ride Your Bike to Work Week, with May 21, 2010 being specifically Ride Your Bike to Work Day.

Historic Preservation Month Awards

Mayor Bruchey, Stephen Bockmiller, Zoning Administrator, and Robert Hershey, Chairman of the Historic District Commission, presented the following awards in recognition of Historic Preservation Month:

1. 213 South Prospect Street
Winslow and Judith Wheeler, Owners; Cushwa and Stouffer, Architects,
and A.V. Routh & Sons, Inc., contractors
2. 457 North Potomac Street
Revest, LLC, Owners and developers
3. 7-11 South Potomac Street
Washington County Public Schools; HNPD, owner; Cho Benn Holback
and Associates, Architects, and Waynesboro Construction Company, Inc,
contractor
4. 37 South Prospect Street
37 South Prospect Street Development, LLC, owner and Cushwa &
Stouffer, Architects.

Citizens Police Academy Graduation Certificates

Mayor Bruchey, Chief Arthur Smith and Officer Gerard Kendle presented graduation certificates to the following members of the third Citizens Police Academy: James Burdett, Robert Cronk, Scott Fuller, Donald Haynie, Alen Holman, Heather Holman, Maylon Jones, Lora McGraw, Junior McLeod, Joseph Miller, Robert Naugle, Marvin Niswander, Michael Pannill, Edward Pipkin, Tom Sterrett, David Washington, James West and Jessica Henesy.

Preliminary Agenda Review

Consent Agenda

- A. Fire Department;
 - 1. Acceptance of \$ 16,000.00 Department of Homeland security Fire Prevention and Safety Grant with a City match of \$ 1,600.00
 - 2. Acceptance of \$ 51,305.00 Department of Homeland Security Assistance to Firefighter Grant with a City match \$ 5,130.00
- B. Public Works: Emergency Purchase: Traffic Signal Control Cabinet – Econolite Control Products, Inc. (Hanover, MD) \$ 10,900.00
- C. Light Department: Transformers – WESCO Distribution (Richmond, VA) \$ 72,864.00
- D. Water Department: Miscellaneous Inventory – HD Supply Waterworks, LTD (Martinsburg, WV) \$ 42,275.37
- E. Wastewater Department:
 - 1. Annual Maintenance of Compressors – Atlas Copco Edmac Customer Center (Thorofare, NJ) \$ 31,170.00
 - 2. Emergency Purchase: Muffin Monster Repair – JWC Environmental (Buford, GA) \$ 16,011.07
- F. Community Development: Rehabilitation of House at 25 E. Lee Street – Alfred Hobbs (Hagerstown, MD) \$ 52,696.00

Approval of a Resolution: Naming Alley 2-128 as “DoNut Alley”

A petition was submitted to the City Engineer requesting that the alley running north and south between the 900 block of Maryland Avenue and Spruce Street be named “Do-Nut Alley.” Rodney Tissue, City Engineer, stated the request is in honor of the donut shop celebrating 60 years in business at their location in the alley. The request was circulated to all of the departments that may have an issue with the name change. No negative comments were received.

It was the general consensus of the Mayor and City Council to move forward with renaming alley #2-128 to DoNut Alley.

Max Krumpke stated if the name is approved, they would like to hold a celebration stating this has occurred.

**Approval of Memorandum of Understanding – Department of Corrections
Maryland Correctional Training Center for Use of Inmate Labor Crews**

Eric Deike, Manager of Public Works, reported an agreement was reached in the use of inmate labor with the Maryland Correctional Training Center (MCTC). It is necessary to complete a Memorandum of Understanding (MOU) with MCTC. The MOU will provide the following: transportation to and from the City's facility on Memorial Boulevard, bagged lunches and workers compensation. The City provides transportation on site, tools and personal protective gear (gloves, safety goggles, etc.)

It was the general consensus to include the approval of an MOU with MCTC on the regular session agenda.

This completed the review of the preliminary agenda.

North Potomac Street Streetscape Project

Rodney Tissue, City Engineer, was present to provide an update on the North Potomac Street Streetscape Project. Dr. Teresa Roberts, Art Director at the Barbara Ingram School for the Arts, was also present.

Mr. Tissue indicated bids for the streetscape contract were opened this week. The low bid by Concrete Central of Hagerstown is \$ 133,720.00, significantly below the \$ 211,527.00. Funding for the project is as follows:

\$ 100,000	Maryland Heritage Area Grant (100% match)
\$ 85,240	Maryland State Aid
<u>\$ 26,287</u>	CDBG Funds
\$ 211,527	Total

Since the funding from the Maryland Heritage Grant requires a 100% match, the City needs to expand the scope-of-work to at least \$ 200,000 or concede some of the grant back to the State. Some suggestions to expand the scope include:

1. Assisting with artwork at Alcove (estimated at \$ 5,000 +/-)
2. Re-paving street similar to 000-block of South Potomac Street (estimated at \$ 45,000)
3. Pavement art similar to South Potomac Street (estimated at \$ 10,000)
4. Expanding the brick sidewalks to other blocks in the area as funds allow.

The BISFA has been approached with the idea of improving the alcove at the North Potomac Street Parking Deck. Staff would like to introduce the idea of partnering with the BISFA to improve this space.

Mayor Bruchey suggested enhancing the alley on N. Potomac Street at Bikle's store. Lighting and landscaping would help make this alley more pedestrian friendly. Mr. Tissue will look into the possibility of including the alley in the project.

It was the general consensus to increase the scope of the project in order to use the full grant funding from the State of Maryland. The project will include the artwork presented for the alcove at the parking deck.

Dr. Roberts indicated the students are excited about the possibility of being included in this project. She stated the students are talking to people (especially bicyclists) in Hagerstown to create a design that is uniquely Hagerstown.

Mr. Tissue stated a design would be presented to the Mayor and City Council for formal approval at a later date. He recommended awarding the construction contract in order to start the project. It was the general consensus of the Mayor and Council to include approval of the construction contract on the agenda for May 25, 2010.

Annexation Request – Aristodemos Capital Group, LLC, 19330 Leitersburg Pike, Case No. A-2010-01

Stuart Bass, Comprehensive Planner, stated a petition has been presented to annex 19330 Leitersburg Pike into the City of Hagerstown. The purpose is to expand the corporate limits to include this parcel. The property consists of a parcel located adjacent to the Long Meadow Shopping Center.

The property is contiguous with the existing municipal boundary. An existing commercial building is located on the subject property. It formerly held the Long Meadow Bowling Alley and the Razors Edge barbershop. The building has recently undergone some renovations under the auspices of the County. The City's Comprehensive Plan shows the property as Commercial on the Future Land Use map. The area of annexation is approximately 2.07 acres.

The proposed zoning district is C2 (General Commercial), the purpose of which is to provide locations for businesses of a general nature to serve the community. This district allows for commercial businesses, retail, and offices, but not regional shopping center (i.e. "big box") development. The current zoning district in the County is BL (Business-Local). The Planning Commission has reviewed the proposal and recommends approval per the proposed zoning classification.

Two issues of concern have been raised by City staff regarding this annexation:

1. The subject property fronts on both Oak Hill Avenue and MD 60 (Potomac Avenue). There exists a singular entrance onto Oak Hill Avenue, but the access point on MD 60 is adjacent to the subject property and shared with the shopping center, (currently next to the Hagerstown Trust bank building). It has been used for decades as a means of accessing

MD 60, but there is no recorded easement to be found that formalizes this situation. The City Engineer indicated that it would be important to resolve the access issue, particularly given the improvements that have been made to MD 60 and the site alterations that were made on the shopping center property for Hagerstown Trust. The entrance is a formal part of the Overall Site Improvements Plan for the Long Meadow Shopping Center, which was approved by the Planning Commission on March 25, 2009. The applicant has indicated they are planning to record a prescriptive easement for this entrance.

2. The Police Chief has expressed concerns about the possibility of increased calls for service that could be created by annexation of this property, based on past uses located at this site under different ownership.

Mr. Bass stated the owner has indicated his intent to reopen the bowling alley, but all permitted uses could be considered. If annexed, the property would be considered as an existing use/building and parking requirements would be grandfathered in. He indicated the County would most likely have to grant express approval of the proposed City zoning in order for the project to move forward.

Councilmember Easton asked if it would be appropriate to discuss the potential uses of the property. Councilmember Haywood asked if the liquor license is current for the property. Mayor Bruchey stated he had information he could share with the Council during the executive session.

Mr. Bass stated the applicant has also requested tax abatement for five years if the annexation is approved.

Introduction of the Annexation Resolution will be scheduled for May 25, 2010, along with approval of the Annexation Plan. After introduction of the resolution, staff will advertise the proposed annexation for public hearing.

Proposed Amendments to the City Code – Chapter 60 (Vehicles and Traffic)

Chief Arthur Smith, Hagerstown Police Department, was present to discuss several amendments to Chapter 60, Vehicles and Traffic.

One amendment extends the enforcement of parking regulations under Chapter 60 to private property that is used by the public in general. (i.e. shopping centers) The proposed change will allow parking violations to be cited using the City of Hagerstown's parking citation in place of the State citation by either a law enforcement officer or parking enforcement personnel.

Another amendment regarding towing and impounding of vehicles reflects the transfer of the call taking and dispatch functions to the Washington County Emergency Communication Center (Center). This amendment adopts the guidelines, requirements

and policies as set by the Center pertaining to vehicles towed by the Hagerstown City Police or from private parking lots as governed by this section. A copy of their policy is attached and incorporates most of the old HPD policy (all vehicles towed by HPD will be taken to storage facilities within City limits).

The Fire Department has recommended changes concerning fire lanes and fire hydrants.

The amendment regarding the parking deck creates a new parking offense for leaving a City parking deck without paying. This is a more useful way to enforce this violation than the current practice which requires a criminal investigation and court time.

These proposed changes will have a positive fiscal impact on the city due to the issuance of City parking citations (payable to the City) in lieu of State citations (payable to the State). The transfer of management responsibility for towing oversight to the new Center will eliminate administrative staff time at HPD. The new violation for non-payment of parking fees will save investigative and court time.

Councilmember Breichner asked how many parking spaces would be affected by increasing the size of the fire lane. Rodney Tissue, City Engineer, was asked to determine the effect on parking spaces. This amendment will be discussed further and not included in the ordinance at this time.

It was the general consensus to include introduction of the ordinance on the agenda for May 25, 2010.

Budget Public Hearing Follow Up Discussion

Alfred Martin, Director of Finance, was present to discuss any adjustments the Mayor and City Council wished to make to the proposed budget following the public hearing that was held on May 11, 2010.

No changes were made and the ordinances, as introduced, will be placed on the May 25, 2010 agenda.

A recess was taken at this time.

Mayor and Council Department Review Process and Schedule

During the course of the budget process, the Mayor and Council expressed interest in scheduling future meetings with departments for additional review and discussion. These department review sessions are scheduled to begin in June.

Staff is requesting that the Mayor and Council confirm the type of information and focus they desire for these sessions. In addition, staff would like to establish a review schedule for at least June and July.

At this time staff are anticipating that each department would prepare the following information for these sessions. If this meets the Mayor and Council's intent, the departments will develop this information following a standardized format. This will also provide a consistent review process across the departments.

1. Review of department expenditures and revenues.
2. Recent department accomplishment related to community and organizational impact projects.
3. Current department operations, projects, and objectives.
4. Trends, challenges, and opportunities impacting the department both now and into the future.
5. Department performance data.

Ultimately, it will be most helpful if these review sessions lead to Mayor and Council direction concerning future short term and long term department objectives that will support the City's Strategic Plan. This direction will greatly assist departments in future budget and work plan development.

Staff are not anticipating that these review sessions will focus on the restructuring plans and position reductions that will most likely be necessary for the FY 11/12 Budget. Similar to staff's approach on the preliminary budget plan developed for FY 10/11, staff are presently working on approaches for restructuring and position eliminations and will return to Mayor and Council in the fall with recommended preliminary plans. Initial development of some of these plans is currently underway, but not ready for public discussion with the Mayor and Council.

Staff are anticipating that review sessions could take 1-2 hours. The Mayor and Council have work sessions scheduled on June 1, June 8, and June 15, 2010. In July, work sessions are scheduled for July 13 and July 20, 2010.

The Mayor and Council agreed the standard information mentioned would be what they would want to review. Councilmember Easton would also like information regarding collaborations the department has with other agencies and departments. It was agreed to schedule the police department first, possibly on June 8, 2010. Public Works will be scheduled in July.

Councilmember Easton asked why Code Compliance is not one of the first departments on the list, since there has been a significant amount of discussion about Code. Councilmember Breichner indicated Code would be discussed during the review of the Engineering department.

Mr. Zimmerman stated a memo was presented to the Mayor and Council detailing the changes that had been made with operations of Code Compliance. He thought the changes addressed the Mayor and Council's concerns. If there are other issues, staff needs to know in order to address them. Councilmember Easton stated he is not saying

the recommendations did not address their concerns; he was just surprised Code Compliance was not one of the first departments the Mayor and Council wished to review.

Councilmember Haywood stated this discussion should take place, after a new structure is in place. Councilmember Breichner and Councilmember Metzner stated the Police Department is not part of the reorganization at this time so the review could begin there.

Councilmember Haywood thinks the Mayor and Council should be more aggressive with this discussion and about their priorities.

Mayor Bruchey feels the strategic plan will take time to develop. He believes the strategic plan will be this Mayor and Council's legacy. As departmental reviews progress, the Mayor and Council will be able to determine how the operations work together and how they fit within the elements of the strategic plan.

Mr. Zimmerman indicated three major functions are being worked on at the same time. During the budget review, the Mayor and Council indicated they wanted to review department operations. The strategic plan process has been moving forward. At some point in time, the budget and the strategic plan will come together. He stated the third item is completing any reorganization that is necessary in relation to what the budget permits. It would be helpful for all departments to have guidance from the Mayor and Council about what they want them to work toward. For example, many years ago, the Mayor and Council wanted the Fairgrounds Park to be their legacy. The details were not in place, but everyone worked together to develop a plan to accomplish this. Reviewing department operations will be helpful if the Mayor and Council are able to provide guidance for the department. He believes it is premature to discuss other restructuring without Mayor and Council priorities and a completed strategic plan. Reorganization at this point is driven by budget constraints, future financing concerns and the December 2010 triennial reassessment.

Councilmember Haywood stated the budget discussions should be detailed and what she considered the "real" issues should be discussed. She would like to review each department and figure out how their priorities match with hers. She does not think the departmental reviews and the strategic plan can be separated. Mr. Zimmerman indicated staff see the department reviews as a way to discuss the Mayor and Council's priorities and developing next year's budget.

Councilmember Metzner stated he thought this is how they were proceeding. Councilmember Breichner stated there would not be time prior to adopting the budget to discuss every line. Budget discussions for FY 11/12 are essentially starting now.

Councilmember Easton asked if future restructuring is based on the budget, the future budget or a combination of the budget and the strategic plan. Mayor Bruchey indicated the strategic plan will dictate what restructuring is necessary. Mr. Zimmerman stated he

thinks restructuring will be a result of the budget and strategic plan. Department heads would have some ideas for moving forward with a restructuring. Plans need to be developed early in order to have ample time to prepare for a challenging budget.

Councilmember Brubaker proposed that department reviews be completed throughout the year. Furloughs and service reductions cannot be sustained.

It was the general consensus to have the police department review in June. Additional reviews will be scheduled.

Hagerstown's Strategic Plan Follow Up Discussion

As a follow up to the discussion regarding the Strategic Plan on May 4, 2010, staff has prepared an outline of a strategic plan. The outline provides a general framework to move forward and use as a guide. Specific measurements and checkpoints need to be added to determine movement toward the goals established.

A strategic plan would show what the Mayor and Council's vision is and how that vision will be attained.

Bruce Zimmerman, City Administrator, reported this information was gathered from the discussion two weeks ago and updated wording of the established performance areas of the previous strategic plan. The performance areas are very broad, with the intent the Mayor and City Council would provide details for them. He asked if these focus areas and goal statements are what the Mayor and Council are looking for. This framework is a starting point and changes could be made.

Scott Nicewarner, Manager of Information Technology, stated the next step would be deciding what the priorities are. There may be specific goals and projects they would like to include in the plan. There must be measurable steps and continual review of the plan.

Mr. Zimmerman stated staff anticipates the Mayor and Council having a great deal of input in creating the goals and guides.

Mr. Nicewarner stated that, regardless of what changes are made with the structure of departments, the broad focus areas would remain the same. Steps to reach the goals set may change, but the focus would remain the same.

Councilmember Easton stated he believes the budget and future restructuring should be driven by the strategic plan.

Mr. Zimmerman stated the budget will have an impact on individual departments and this could be discussed during departmental reviews.

Councilmember Brubaker stated the departmental reviews will provide an opportunity to discuss how the department functions currently and how future budgeting issues will affect the operations.

Mr. Zimmerman indicated staff is anxious to meet the Mayor and Council's goals and priorities. Staff needs some sense of direction from the elected body in order to develop ideas for meeting the goals.

Mr. Nicewarner pointed out that the initial stages for developing a strategic plan is brainstorming and sharing of ideas. A vision for the Information Technology Department is to make records totally accessible to citizens through the internet. The mission would be to make it easier for citizens to interact with the City. Reaching the vision and mission would require more thought because resources may be limited.

Councilmember Haywood thinks issues may arise during department reviews that would be used to develop a strategic plan.

Mr. Zimmerman stated discussing departmental operations and challenges would lead to goals and priorities that would be used in the strategic plan. Departments would offer ideas for goals, which the Mayor and Council may accept or reject. He asked if the framework presented is acceptable.

After considerable discussion, the Mayor and Council decided to begin the departmental reviews with the Hagerstown Police Department on June 8, 2010.

CITY ADMINISTRATOR'S COMMENTS

Bruce Zimmerman, City Administrator, thanked the Downtown Alliance for the idea of the Taste of the Arts event. The group worked with City staff to put together a very nice and successful event.

MAYOR AND COUNCIL COMMENTS

Councilmember M. E. Brubaker attended an open house at Salem Avenue Elementary School.

Councilmember W. M. Breichner had no additional comments.

Councilmember L. C. Metzner reported the Ride of Silence will be held at Fairgrounds Park on May 19, 2010.

Councilmember A. C. Haywood thanked everyone who participated in the Taste of the Arts. She thanked the representatives of Keller Williams Realty for their generous donation. Planting sessions at the community garden will start in June. Volunteers may register at DigInHagerstown.com.

Councilmember F. W. Easton would like to see the City of Hagerstown have a larger farm market. He stated Maymart and Market in the Square are great events. He would like see this kind of market event on weekends as well.

Mayor R. E. Bruchey, II thanked and congratulated everyone who participated in the Taste of the Arts event. The event was well attended and many people visited downtown. He would support more activities in the downtown core, such as a farmers market and yard sales.

EXECUTIVE SESSION – MAY 18, 2010

On a motion duly made by Councilmember A. C. Haywood and seconded by Councilmember F. W. Easton, the Mayor and City Council unanimously agreed by voice vote to meet in closed session to consider the appointment, employment, assignment, promotion, discipline, demotions, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; #1 at 6:54 p.m. in the Council Chamber, 2nd Floor, City Hall, Hagerstown, Maryland. The following people were in attendance: Mayor R. E. Bruchey, II, Councilmember W. M. Breichner, Councilmember M. E. Brubaker, Councilmember F. W. Easton, Councilmember A. C. Haywood, Councilmember L. C. Metzner, City Administrator Bruce Zimmerman, and Donna Spickler, City Clerk. The meeting was held to discuss appointments to the Bicycle Advisory Committee and a variety of personnel matters. No formal action was taken at the meeting. On a motion duly made, seconded and passed, the meeting was adjourned at 8:11 p.m.

Respectfully submitted,

Donna K. Spickler, City Clerk

Approved: June 22, 2010