

WORK SESSION AND EXECUTIVE SESSION – June 15, 2010

Mayor R. E. Bruchey, II called this Work Session and Executive Session of the Mayor and City Council to order at 4:03 p.m., Tuesday, June 15, 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 John Urner and D. K. Spickler, City Clerk.

Preliminary Agenda Review

**Consent Agenda**

- A. Engineering: Installation of Sidewalks and Alley modifications for the Handicapped – Arthur Construction (Dulles, VA) Not to Exceed \$ 40,000.00
- B. Community Affairs: Application/Permit Augustoberfest Charitable Foundation, Central Parking Lot, August 19, 2010 through August 22, 2010
- C. Human Resources:
  - 1. Dental Insurance – Administration – Carefirst Administrators (Baltimore, MD) \$ 17, 000.00
  - 2. Employee Assistance Program – Behavioral Health Services (Hagerstown, MD) \$ 12,870.00

**Approval of an Expenditure of Fund to Comply with Terms of the November 10, 2008 Memorandum of Understanding between the City and the Washington County Hospital Association (\$ 473,952.33)**

The City and the Washington County Hospital Association (WCHA) entered into a MOU in November, 2008. The City agreed to acquire the necessary rights of ways for the project, hold the necessary permits, and assist in the permit approval process with the numerous governmental agencies. Additionally, the City agreed to pay for cost differences associated with a force main upgrade, Route 40 road crossing upgrades and costs associated with modifications tot the project that specifically benefit the Wastewater Division. The MOU limits the City expenditures to \$ 800,000. The City will pay the WCHA \$ 473,952.33 as its' share of the force main upgrade, general conditions of the project, Route 40 Utility conflict, traffic maintenance and a redundant float.

Councilmember Brubaker commended staff for being diligent with keeping the City's position on the actual costs of the project.

**Approval of Utilities Department – Water Division EIM Valve Actuator  
Purchase from J. C. Controls, Inc. for Fiscal Year 11 (\$ 251,759.62)**

Staff is recommending a “drop-in replacement of all the Filter Valve Actuators with up-to-date Communication Boards and Master Stations. The life expectancy of the new actuators is 20 years. J. C. Controls, Inc. is the sole source vendor for drop-in replacement. This project, if completed utilizing Water Division maintenance crews, will cost approximately \$ 251,760.00.

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

**Approval of Water Division Inventory Purchase for Radio Read Meters for the  
Residential Meter Replacement Program (L/B Water Service, Inc. \$ 339,522.00)**

Michael Spiker, Director of Utilities, reported staff is replacing the water meters that were installed from 1960 through the 1970’s. This purchase will accommodate the replacement. Replacement of the meters will help reduce unaccounted for water loss. Councilmember Brubaker suggested reviewing the possibility of funding the replacement with debt funding in order to realize savings sooner. Mr. Spiker will return with more information on using debt service.

**Approval of Pavement Preservation Program – Craig Paving, Inc. (Hagerstown,  
MD) \$ 398,455.20**

Pavement Preservation includes milling and paving portions of several streets and several large patches to correct isolated deteriorating areas and crack sealing. The ice rink road Phase II is included in the bid. This is the complete reconstruction of the road from the circle to Jones Substation, similar to what was done two years ago in the front portion.

**Approval of Summit Avenue at Howard Street Traffic Signal Removal**

The traffic signal at Summit Avenue and West Howard Street is approximately 50 years old. It has the last antiquated mechanical controllers in the City. The signal has no traffic detection, no metered electric, or other modern equipment. The signal heads are 8” in diameter (less than the standard 12” LED signal heads), and two of the poles are not breakaway by design, but are direct burial pipe. The electric cost to run this signal is estimated at \$ 500 annually. If the City wishes to upgrade this signal, the cost to upgrade just the controller device is \$ 20,000 and the cost to upgrade the entire signal estimated at over \$ 80,000.

Engineering staff evaluated the signal based on the national standards in the Manual of Uniform Traffic Control Devices. The conclusion is that the signal is simply not warranted. There is not enough traffic volume, pedestrians, accidents, or delay to warrant a signal.

It was the general consensus to approve removal of the traffic signal and installation of a 4-way STOP.

**Approval of Workers Compensation Insurance – Injured Workers’ Insurance Fund (Towson, MD) \$ 781,029.00**

The Injured Workers Insurance Fund (IWIF) issued a premium quote along with broker fees that total \$ 781,029, as compared to \$ 780,229 for Fiscal 2010. The Fiscal 2011 amount will fluctuate slightly due to changes in base payroll figures throughout the year.

It was the general consensus to add renewal of the worker’s compensation insurance with IWIF to the agenda for June 22, 2010.

**Approval of Administration of Medical Claims for 2010-2011 – Carefirst Administrators (Baltimore, MD) \$ 397,900.00**

**Approval of Aggregate Stop Loss Insurance and Specific Stop Loss Insurance – Highmark Life Insurance (Pittsburgh, PA) \$ 227,574.00**

It was the general consensus to add renewal of the administration of medical claims and aggregate stop loss insurance to the June 22, 2010 agenda.

This completed the review of the preliminary agenda.

Washington County Museum of Fine Arts – Various Issues

Rodney Tissue, City Engineer, Rebecca Massie Lane, Museum Director, Tom Newcomer, Museum Board Member, and Dennis Rocco, Project Manager, were present to discuss several issues. They are summarized as follows:

1. Courtyard Enclosure Project – Reimbursement of Permit Fees: The Museum has paid \$ 10,983.75 in building permit fees for the project. The Museum is requesting a donation from the City to off-set this permit amount. This is consistent with City policy and legal advice not to waive permit fees but that the Council should direct donations as they see fit. If the Council chooses to do this, the funds would be taken from unspent CIP funds.

Mr. Newcomer reported the architects have completed the design work and bid out the project. Waynesboro Construction was awarded the \$ 2.5 million contract. This project will enclose the single largest gallery in the museum and will provide a year round venue for visitors.

It was the general consensus to make a donation to the museum in the amount of the building permit fees.

2. Museum Drive – The road from Key Street to the Museum has been casually called Museum Drive for years. Staff has not found an official designation of this road. The Museum wishes this street name be associated with the Museum so visitors can find the Museum easier. They have requested that the City officially name this segment of street as Museum Drive.

Staff recommends the road between Key Street and the Museum be officially designated and signed as “Museum Drive.”

It was the general consensus to move forward with changing the name to Museum Drive and to install signs, as requested.

3. Street Signs – The Museum is interested in better street name signage from Key circle and staff is suggesting that new street name sign be installed at Key Circle, showing the direction of Key Street and Museum Drive.
4. Banners – the Museum would like permission to install banners on proposed decorative light poles along Museum Drive, Key Street and a portion of Park Circle. This would be completely at their cost. The banners would be interchangeable and the Museum would use the banners to advertise exhibits and to provide better awareness of their location, especially to visitors.
5. Museum and Senior Parking – The Museum wishes to designate some of the parking the Museum’s lot with signs that would have a message such as “Museum and Senior Parking Only.” The impact of this is that park patrons that are now parking in that lot would not legally be able to use the signed spaces and they would have to park in the nearby Digby parking lot, adjacent Museum Drive. It seems reasonable that a number of the signs in the Museum lot be so designated for senior citizens and patrons of the Museum, especially during hours of Museum operation. The Museum requests that the City fabricate these signs.

It was the general consensus to install parking signs for museum patrons. Mr. Newcomer asked the Mayor and Council to consider including paying for the Digby parking lot in a future budget.

6. Bike Access – The Museum wishes to encourage the City to continue efforts to enhance bicycle access and parking at the Museum.

#### Senate Bill 350/Split Boundary Parcels – Potential Annexations

Kathleen Maher, Planning Director, Stuart Bass, Comprehensive Planner, and Alex Rohrbaugh, Planner I were present to provide the requested information regarding Senate Bill 350. On May 11, 2010, staff presented the potential for annexations for the City as allowed under Senate Bill 350, the Split Boundary Parcels Annexation bill. During the course of the discussion, the Mayor and City Council requested two additional pieces of information: 1) Whether any of the residents of these properties are currently City voters;

and 2) whether these properties will receive the County tax differential even if the City does nothing.

According to the local assessment office, all of these properties are currently listed, in total, within the City district. According to the County, all of these properties will receive the tax differential, regardless of whether the City annexes or not, and the County has already accounted for the tax differential loss for these properties in their 2011 budget.

Voter registration information has been added to the chart presented earlier. For the most part, those paying City taxes are eligible to vote in the City. However, there were some discrepancies, including three addresses eligible to vote in City elections that pay no City tax, mirroring the assorted mix of City services discussed and detailed previously.

The anticipated increase in tax revenue, if all properties are annexed, is \$ 54,000.00.

Councilmember Breichner suggested separating the survey work into three parts. The estimated cost for the survey work is \$ 125,000.00.

This would be the first step in considering whether or not to annex the properties. A model would be developed to analyze the benefits of each annexation. Councilmember Breichner suggested notifying the affected property owners that their properties are being surveyed. Mr. Zimmerman indicated letters could be sent to the property owners.

Councilmember Metzner feels that all the properties should be annexed if they are receiving the County tax differential. Councilmember Haywood stated a letter should be sent to the property owners highlighting the benefits of being a city property owner. Councilmember Easton agreed with Councilmember Haywood.

It was the general consensus to move forward with bidding out the survey work.

#### **CITY ADMINISTRATOR'S COMMENTS**

*Bruce Zimmerman, City Administrator*, reported the Jonathan Street Neighborhoods 1<sup>st</sup> group is holding a special event on June 19, 2010. They will celebrate the completion of the Jonathan Street project and will re-dedicate the Medal of Honor Triangle. Because of the event, Jonathan Street will be closed from Noon to 6:00 p.m.

#### **MAYOR AND COUNCIL COMMENTS**

*Councilmember M. E. Brubaker* had no additional comments.

*Councilmember W. M. Breichner* would like to consider paperless agendas and meeting packets. This would save money and staff time. Mr. Zimmerman indicated information had been compiled previously and could be updated for a future discussion.

*Councilmember L. C. Metzner* also would like to explore the possibility of paperless meeting packets.

*Councilmember A. C. Haywood* will be attending two Neighborhoods 1<sup>st</sup> block parties on June 19, 2010.

*Councilmember F. W. Easton* stated the Antietam Radio Association Field Day will be held at the Rohrersville Park this coming weekend.

*Mayor R. E. Bruchey, II* attended the first Wind Down event of the season. Attendance was very good.

EXECUTIVE SESSION – June 15, 2010

On a motion duly made by Councilmember W. M. Breichner and seconded by Councilmember A. C. Haywood, the Mayor and City Council unanimously agreed by voice vote to meet in closed session to conduct collective bargaining negotiations or consider matters that relate to the negotiations, #9, to discuss the appointment, employment, assignment, promotion, discipline, demotions, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; #1 and to consult with counsel to obtain legal advice, #7 at 4:59 p.m. in the Council Chamber, 2<sup>nd</sup> 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, Donna Frazier, Human Resources Director, Ray Foltz, Assistant Finance Director, Larry Bayer, Community Development Manager, Alfred Martin, Finance Director, John Lestitian, Director of Community and Economic Development, City Attorney William Nairn and Donna Spickler, City Clerk. The meeting was held to discuss the status of union contract negotiations, the status of a loan through a City program 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 6:22 p.m.

Respectfully submitted,

Donna K. Spickler, City Clerk

Approved: July 27, 2010