

WORK SESSION AND EXECUTIVE SESSION – JULY 10, 2007

WORK SESSION – July 10, 2007

Mayor R. E. Bruchey, II called this Work Session and Executive Session of the Mayor and City Council to order at 4:00 p.m., Tuesday, July 10, 2007, 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; Director of Planning Kathleen Maher, and D. K. Spickler, City Clerk. City Administrator Bruce Zimmerman was not present.

Community Rescue Service (CRS) Presentation

Terry Trovinger, Chief Financial Officer, presented information regarding the services provided from CRS.

The City of Hagerstown supported CRS with \$ 75,000 last year. CRS has utilized the funds granted from the City of Hagerstown to help compensate for those citizens of Hagerstown who use the services but do not have health insurance. In the year ending December 31, 2006, CRS was dispatched by 911 operations for 8,653 emergency service calls. Approximately 65% of those calls were within the city limits of Hagerstown. Part of the funding from the City was used to supplement the purchase of two new replacement ambulances. In order to keep pace with the increasing call load, it was necessary for CRS to replace ambulances and add a chase car to the fleet.

Chris Stockslager, Board Chairman, stated CRS is doing better than they were six years ago. They recognize that changes are necessary to keep pace with the growth in the City. The funding provided by the City is used to cover costs for two employees, eight hours per day, Monday through Friday.

Positive things are happening at CRS and include:

1. CRS now has a financial reserve
2. They are not asking for emergency help
3. CRS can operate on its own
4. County EMS plan will assist
5. Still need City's support to help
6. Budget calls for replacing two ambulances at cost of \$ 240,000

Mr. Trovinger stated a bonus was paid to full time staff last year in recognition of the contributions of the employees. Calls increased by 26% during the year but staff was not increased. Employees were burned out and overburdened. It was a one time bonus and there are no plans for a bonus in the future. Staff has been increased since last year.

In February, 2007, CRS put in service the ambulance stationed at Antietam Fire Station exclusively for Hagerstown responses. This has reduced the response time to an emergency call.

Chris Amos, Chief, indicated the biggest challenge is going to be personnel and staffing. All companies are competing for paramedics. If Phase II of the County EMS plan is implemented, there may be an increase in taxes.

It will be necessary for CRS to move from the Antietam Station location within the next two months. They are seeking other locations and asked for assistance with the search. A location at Western Enterprise would be their first choice but that may not be possible because of service boundaries of neighboring fire companies.

Councilmember Cromer asked the following questions:

1. What is the reserve? \$ 900,000
2. What is the County's contribution? \$ 60,000 (approx.) with an additional \$ 32,000 from the new county plan
3. How many employees received bonuses? 20, and it was based on performance
4. What does Phase I of the County plan cover? It is anticipated that it will cover maintenance and fuel, but no official notice has been received. Some of the requested positions will also be filled, but it will be for the entire County.
5. Will CRS lose positions due to the plan? It is possible that EMS personnel will apply for the other positions.

Councilmember Cromer recommended using a grant writer for assistance with grants.

Councilmember Nigh stated CRS has been recruiting for EMS personnel for many years. She stated a grant writer would be expensive and that perhaps someone at Hagerstown Community College would be able to assist with grant writing. She hopes a station can be located in close proximity to the Antietam Station.

Councilmember Metzner stated many years ago there were serious questions about whether or not CRS would survive. He is pleased to see this kind of report.

Councilmember Brubaker is pleased with how CRS is leveraging the City contribution. He asked that City staff assist with the site selection process.

Councilmember Parson-McBean stated grant approval is a process of competing with other organizations. The application could be the best one ever written and not be awarded the grant. Sometimes it takes several years to be awarded a grant.

#### Fuel Island Repairs

Eric Deike, Public Works Manager, presented information about the fuel island at the City Shed. Staff is requesting that the Mayor and City Council give approval for the total replacement of the fuel island storage tanks and dispensing units located at 51 W.

Memorial Boulevard to comply with the latest Code of Maryland Regulations. The existing underground tanks and dispensing units will be removed and replaced. Automatic gauging equipment will be installed to control inventory and meet minimum state requirements for "Tank and Piping Release Detection" and provide a reconciliation report to meet federal and state requirements. It will be capable of monitoring vapor and groundwater wells along with the interstitial area of the new double wall storage tanks.

In the spring of 2007, the City received notice of the requirements for mandatory MDE inspections. A third party inspection was completed and the system failed the inspections. The failure was mostly due to the age of the system and many of the components simply will not meet today's regulations. It did not fail due to any current environmental issues, such as a leak. The system simply does not meet current regulations nor can it easily be updated.

After careful consideration of the entire situation (age of equipment and tanks, new regulations, etc.), staff felt the most prudent course of action was to start over. The four underground tanks would be replaced with 2 tanks of larger size, 4 dispensing units would be replaced with 2 units with 2 nozzles each, the fuel island would be reconstructed to meet ADA regulations, and the entire electrical system updated. The existing canopy would remain in hopes that the steel supports that are underground are not corroded beyond repair.

The vendor that maintains the dispensing units estimated the complete reconstruction of the fuel island at \$ 204,105. This would not include rock excavation, excessive contaminated soil removal if found or work on the canopy if needed. Staff estimates this project at an estimated cost of \$ 225,000.

There is a carryover amount of \$ 40,000 from the 2006/2007 CIP budget. Of that amount, \$ 30,000 was from the General Fund, \$ 5,000 was to be transferred from City Light and \$ 5,000 from the Water Department. An additional \$ 40,000 in the 2007/2008 CIP budget (all General Fund money) equates to a total of \$ 80,000 currently budgeted for this project. To cover the estimated cost of \$ 225,000, an additional \$ 145,000 would be needed. Staff recommends the funds be borrowed through Bond Financing. The funding would be from the General Fund.

Councilmember Brubaker asked if the cost of a private contractor to provide fuel has been evaluated. Mr. Deike stated that has been researched. The cost of fuel through a contractor would only be one or two cents off the pump price. In addition, fuel reports would only be generated on a monthly basis. Currently, the reports are available on a daily basis. Councilmember Brubaker asked if the current site is adequate. Mr. Deike stated it is.

Councilmember Brubaker would like to find ways to cut projects to replace additional debt service that is required for projects like this one.

It was the general consensus to move forward with this project.

Brook Meadow Townhomes, Planned Unit Development (PUD)

Stuart Bass, Comprehensive Planner, stated a public hearing was held by the Mayor and City Council on June 19, 2007 to receive comments on the proposed PUD overlay. The next step in the process to approve the PUD is the preparation and introduction of an Ordinance.

Development of this property can occur without Mayor and City Council approval. A concept plan was submitted for 63 units. In either scenario, the parking issue is still a struggle, with garages in the front and driveways crossing the sidewalks.

Councilmember Metzner asked what legislation needs to be implemented so this does not become an issue with future developments. Councilmember Parson-McBean stated the City has to create the environment where this type of parking is unacceptable.

Councilmember Brubaker stated people want to park close to their homes. Centrally located parking lots may not be a viable solution. Councilmember Parson-McBean stated central parking lots are common in other counties and people use them and still compete for driveway parking.

Kathleen Maher, Planning Director, stated when the street is accepted, the parking problem will become a police enforcement issue. The street at Park Overlook has not been accepted by the City yet.

The concept plan shows less of a buffer than the plan for a PUD. Mr. Bass indicated the Zoning Ordinance states a buffer is “preferred” but not required. Councilmember Metzner would prefer fewer homes and more green space.

Mr. Bass suggested looking at the possibility of putting an alley to the rear of some of the properties for access to the back of the property for parking. There could then be some on-street parking.

Councilmember Nigh stated the City created the parking problem with Pangborn Park. The property across the street from Pangborn Park had been considered for parking several years ago. She wondered if this was still an option.

Councilmember Brubaker suggested requiring increased parking for Pangborn Park in exchange for a higher density with the PUD.

It was the general consensus to not approve the requested PUD as it has been presented and to look at securing parking for Pangborn Park in the future.

### City Tax Bill Program

The City of Hagerstown's 2007-2008 Real Estate Tax bills were mailed on June 29, 2007. The 12,896 bills were printed and verified by City employees for the very first time. Washington County government printed City tax bills previously.

These bills represent a net full year real estate assessment of \$ 2,207,338,256.00 and \$ 17,614,559.48 revenue for the City. The real estate tax rate has remained constant for the 4<sup>th</sup> consecutive year - \$0.798 per \$100 of assessed value of the property and improvements.

Councilmember Metzner would like to see a comparison of the increased assessments on the tax bills over the last several years. This would be in addition to comparisons of the tax rate.

Councilmember Nigh asked for updated information of the ratio of owner occupied to rental housing units. She also asked how much tax revenue is lost with lower assessments on vacant buildings.

### Report on Bond Rating

Moody's Investors Service has upgraded to A2 from A3 the rating on the City of Hagerstown's \$ 17.9 million of general obligation bonds. The upgrade reflects the accelerated growth of the city's tax base during recent years, driven by a proximity to the Baltimore-Washington metropolitan area and the city's emerging role as a regional economic center. The rating also reflects the city's consistent favorable financial performance, characterized by comprehensive fiscal policies and health reserve levels, and an affordable debt burden.

### Re-Prioritization of POS Project List

Staff is requesting reconsideration by the Mayor and City Council of the prioritization list for parks projects for the FY 2008 Program Open Space (POS) funding request. The City forwarded to the County 13 projects for various park improvement projects with seven of those projects being for play equipment at Fairgrounds Park, City Park, Wheaton Park, Potterfield Pool, Hellane Park, and Staley Park.

Notification was received from the County that POS funding of \$ 213,972 has been awarded to the City. The funding is for seven of the requested projects: park benches and tables at Fairground Park and City Park, play equipment at City Park and Wheaton Park and Potterfield Pool, baby pool improvements at Potterfield Pool, and parking lot paving at Hellane Park. In mid-June Councilmember Cromer was advised by a County Commissioner that they would have preferred to direct some of the POS funds to the electric service for the Fairgrounds Park softball fields due to the economic impact of the softball tournaments to the County, but could not because the City had it at the end of the prioritization list.

The following suggestions are presented for Mayor and City Council consideration:

1. Re-prioritize the POS request list to remove Potterfield Pool Tot Lot playground (\$ 18,000 award) and City Park benches and tables (\$ 18,000 award) and add in their place the electric service for the Fairgrounds softball fields (\$ 40,000 request).
2. Staff will contact the Maryland Department of Natural Resources to see if they will allow the City to add to the July 6, 2007 Community Parks and Playgrounds application the Potterfield Pool Tot Lot playground and the City Park benches and tables to replace the electric service for the Fairgrounds softball fields.

Councilmember Nigh wants to make sure if these projects are not funded through the Community Parks and Playgrounds that they are included on the top of the list for next year's POS application.

Councilmember Brubaker asked what portion of the original request was funded. Approximately 58% was funded. He also asked if the ratio of funding for the City is higher than other municipalities. Junior Mason, Parks and Recreation Supervisor, will provide this information.

It was the general consensus of the Mayor and City Council to approve changing the priorities for the POS funding.

#### City Administrator's Comments

*Kathleen Maher, Planning Director*, stated a Public Hearing of the Planning Commission has been scheduled for July 25, 2007 to review the revised comprehensive plan. A Public Hearing is tentatively scheduled before the Mayor and City Council in September. Adoption of the updated plan may occur by the end of the year.

#### Mayor and City Council Comments

*Councilmember L. C. Metzner* congratulated City staff for another good fireworks event. There was a positive article in the Blues Review Magazine about the Western Maryland BluesFest.

*Councilmember K. S. Cromer* reminded everyone the Thursday University Plaza concerts are continuing. She thanked Ted and Vicky Bodnar, Junior Mason, Karen Giffin and everyone involved with planning the fireworks event. She also thanked Senator Munson for giving the invocation on short notice. She suggested looking at a better way of controlling traffic after the fireworks are over.

She would like to form a committee to consider the options for the Alms House. She would like to see a Civil War museum located there. Councilmember Nigh stated the

building needs to be saved. Another suggestion has been to showcase the industry that has been located in Hagerstown. Councilmember Brubaker is concerned about funding but supports exploring the possibilities.

The building is not currently in the Civil War Heritage Area but it will be in the expansion of the Arts and Entertainment District. Ms. Maher stated there may be funding available from the State if it can be proven to be of significant historical interest.

*Councilmember M. E. Brubaker* stated he, the Mayor and two other councilmembers attended the MML convention in Ocean City at the end of June. The convention provided information on many different topics and was very worthwhile. He also stated the fireworks were very good.

*Councilmember A. Parson-McBean* stated she has worked hard for the City in the last two weeks. She thanked the Bodnars, Karen Giffin, Lewie Thomas, Junior Mason and everyone who helped make the fireworks great. She would like to have cannons at next year's event.

She thanked the MSO for inviting William Clarence Marshall to sing at the concert at Antietam Battlefield on July 7, 2007. Mr. Marshall sang the negro national anthem, Lift Every Voice and Sing. This epitomizes what our country is.

She asked that Rev. Robert Johnson be recognized for his service to the community. There was a special service held on Sunday for Rev. Johnson and the Mayor and City Council had not received an invitation. Councilmember Metzner agreed that Rev. Johnson should be recognized. He is a wonderful person and an asset to the community.

*Councilmember P. M. Nigh* asked that something be done to control the items that are on a sidewalk following an eviction. The items must remain there for 24 hours and people rummage through it and spread it out. John Lestitian, Code Enforcement, is looking at what changes could be made. She stated it is not fair to the people living in the area of the eviction or to the City to pick up the items. She stated something needs to be done to ensure prisoners are returned to their home county when they are released from prison. Mayor Bruchey stated there is a meeting in Baltimore later this week to discuss this issue. She stated there should be a story about Ted Bodnar in the newspaper.

*Mayor R. E. Bruchey, II* stated the Movie at University Plaza series will start on July 12, 2007. Music in the Park continues and the Market is open every Saturday. He thanked Ted Bodnar for his efforts with the fireworks event at Fairgrounds Park. He visited with the participants in the 33<sup>rd</sup> Annual Classic Chevy convention.

He is not in favor of adding another layer of regulation to landlords when they have taken every step available to avoid an eviction. This issue failed as a priority through MML several years ago. The landlord has already suffered financial loss.

Councilmember Nigh handed out a refugee resettlement fact sheet.

EXECUTIVE SESSION – July 10, 2007

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember K. S. Cromer, the Mayor and City Council unanimously agreed by voice vote of all members present to meet in closed session at 6:29 p.m. to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, #4. No formal action was taken at the session. The meeting was held in the Council Chamber, 2<sup>nd</sup> floor at the City Hall. The meeting was adjourned at 6:55 p.m.

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Respectfully submitted,

Donna K. Spickler, City Clerk

Approved: July 31, 2007