

EXECUTIVE SESSION AND WORK SESSION – October 13, 2015

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On a motion duly made by Councilmember D. F. Munson and seconded by Councilmember M. E. Brubaker, the Mayor and City Council unanimously agreed by voice vote to meet in closed session to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction, #1 (Section 10-508(a)), and to consult with counsel to obtain legal advice, #7 (Section 10-508(a)), on Tuesday, October 13, 2015 at 3:07 p.m. in Room 407, 4th floor, City Hall, Hagerstown, Maryland. The following people were in attendance: Mayor D. S. Gysberts, Councilmember K. B. Aleshire, Councilmember M. E. Brubaker, Councilmember L. C. Metzner, Councilmember D. F. Munson, Councilmember P. M. Nigh, City Administrator Valerie Means, City Attorney Mark Boyer, Paul Rose (Miles and Stockbridge Attorneys), Karen Paulson, Director of Human Resources, Scott Nicewarner, Interim Director of the Department of Community and Economic Development, Michael Spiker, Director of Utilities, Nathan Fridinger, Electric Operations Manager, Paul Fulk, CC Inspector Technology Specialist, Blaine Mowen, Chief of Building Plan Reviewer, and D. K. Spickler, City Clerk. The meeting was held to discuss an appointment to the Board of Code Appeals, various personnel issues, and the status of the MELP property. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the executive session was adjourned at 3:56 p.m.

WORK SESSION – October 13, 2015

Mayor D. S. Gysberts called this Work Session and Executive Session of the Mayor and Council to order at 4:07 p.m., Tuesday, October 13, 2015, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, M. E. Brubaker, D. F. Munson, and P. M. Nigh; City Administrator Valerie Means, and D. K. Spickler, City Clerk. Councilmember L. C. Metzner was not present.

2015 Hagerstown Ice & Sports Complex Annual Report

Rodney Tissue, City Engineer, stated the Hagerstown Ice Amateur Athletic Association (HIAAA) annual report is provided to the Mayor and City Council each year in October. Mr. Tissue reminded the Mayor and City Council that the City pays the utility bills at the rink. Utility bills have been decreasing. An energy audit will be completed at the facility later this year (utilizing an MEA grant) and it is hoped that utility costs will decrease even more.

Paul Sweeney, HIAAA Board Chairman, reported the HIAAA is a non-profit, 501(c)(3) organization that is a consortium of all major user groups. Each group has a voting member on the HIAA board. There are three at-large members who also have voting

rights. The group was created in 2014 and formally took over operation of the rink on April 1, 2014. Their first full fiscal year was just completed.

There are more than 300 hockey players participating in the adult and amateur programs at the rink. There are two figure skating programs offered, with 100 skaters participating.

Detailed analysis of separate rink functions continues to be examined by HIAAA board members (registrations, ice usage, concessions, advertising, and maintenance). Recommendations for improvements are made at monthly board meetings. Productivity and Appearance are much improved, in part due to Standard Operation Procedures. The physical state of the ice and the boards are in very good condition. A new cooling tower was purchased. The heating grate and system under the ice was re-installed and updated. Maintenance continues on the compressor system for the ice.

All bills are current. New lockers with showers are scheduled to be completed in the fall of 2015. There is currently a surplus in the rink account. A dedicated bookkeeper and a program director have been hired.

Over the last four years, water usage has decreased by 41%. Other utilities have decreased as well.

Goals and Improvements from 2014 include additional locker rooms, upgrading the internal HVAC controls, replace cooling tower, School's Out public skates, Star Community landscaping, ARC of Washington County, and DJ Public Skates. Future community partnerships include Washington County Public Schools flyers, City of Hagerstown player discount, and Parks and Recreation Department program listings, sled hockey, travel youth tournament, and an adult tournament.

Public Skate hours are Fridays from 7:00 – 9:00 p.m., Saturdays from 3:00 – 5:00 p.m. and 8:00 – 10:00 p.m., and Sundays from 2:00 – 4:00 p.m.

Councilmember Munson asked what the savings in utilities is attributed to. Mr. Sweeney stated they are no longer using water to melt the ice.

Councilmember Munson asked if a second sheet of ice is still being considered. Mr. Sweeney stated they would like to have the second sheet but don't have cost estimates at this time. A number of other ice rinks operate successfully as multi-use facilities, i. e. indoor soccer. He thinks someone in the community would be interested in the additional use. He mentioned lacrosse is gaining popularity in the area.

Councilmember Brubaker asked if the Board anticipates making capital fund requests in the near future. Mr. Tissue indicated there is a project included in the CIP. Councilmember Brubaker stated it would help the City's budget if groups could

contribute to the debt service incurred for capital improvements. Mr. Sweeney stated they are hoping to have funds to contribute to the project.

Mr. Tissue stated the experience at the ice rink has improved. The facility is clean and well maintained.

Mr. Sweeney stated they are hoping to develop an afterschool program for hockey with the help of the YMCA.

The Mayor and City Council thanked the Board for their efforts at the rink.

License Agreement for Antenna Placement for Verizon Wireless

Eric Deike, Director of Public Works, was present to discuss a request from Verizon Wireless for placement of an antenna.

Verizon Wireless contacted the Public Works Department in regard to installing an antenna at one location within the city. They are looking to improve their cell coverage that would include cell and data usage on phones. The antenna will also help alleviate usage of an existing, overloaded Verizon macro tower within the vicinity allowing for better coverage and data usage for Verizon customers.

The antenna needs to be lower to the ground hence the installation on a traffic signal pole in lieu of a traditional tower or power pole. The location would be on the northwest corner of the intersection of South Potomac Street and Wilson Boulevard. Verizon Wireless will provide all the engineering, design and material for installation. Staff has been working in cooperation with City Light and Engineering to assist in the design and installation required for this project.

The terms of the license agreement include an initial five year lease with an option for two consecutive additional five year terms. Verizon Wireless needs the longer term agreement due to upfront costs in constructing this antenna.

In exchange for attaching to the City's infrastructure, Verizon Wireless will pay the City of Hagerstown \$ 5,400.00 the first year. The annual payment amount shall increase by 2% each year on the anniversary date of the Commencement date during the continuation of the agreement.

The final license agreement has been reviewed by Salvatore & Boyer, LLC, City Attorneys.

There are no costs on the part of Public Works or City Light for this antenna installation.

It was the general consensus to include approval of the license agreement on the October 20, 2015 Regular Session.

Fuel Sales to Community Rescue Service

Eric Deike, Director of Public Works, was present to discuss a fuel sales agreement with Community Rescue Service (CRS).

In October 2010, the City of Hagerstown and CRS entered into a formal agreement for the City to sell diesel fuel and gasoline to CRS for their ambulatory services. The five year agreement expired at the end of September 2015. This would be a new five year agreement between the City and CRS, and can be terminated by either party per the agreement.

Conditions within the agreement would remain relatively the same as the previous agreement. The City purchases the bulk fuels and dispenses them from the City facility located at 51 W. Memorial Boulevard. Access to this site would be available 24 hours per day, 7 days per week. Tracking of the dispensed fuel is done through a fuel management system known as Gasboy. Staff would provide the necessary authorization cards or devices required by Gasboy to operate the fuel pumps.

The diesel fuel and gasoline sold to CRS would be at the same cost purchased by the City, plus an administrative fee. The current administrative fee is 9.5%. Invoicing to CRS is provided monthly.

Approval of this agreement allows the City to continue to sell diesel fuel and gasoline to CRS as the predominant ambulance service in the City of Hagerstown.

Mayor Gysberts inquired if the cost is less than gas stations for CRS. Mr. Deike stated that because the City is exempt from State excise taxes it would be a lower cost for CRS. The City is not exempt from Federal excise taxes. Selling fuel to CRS will not jeopardize the City's tax exempt status. Meetings were held with the City Attorney and Valerie Means, City Administrator to clarify this.

It was the general consensus to include approval of the agreement on the October 20, 2015 Regular Session agenda.

Salt Utilization Agreement with Maryland State Highway Administration

Eric Deike, Director of Public Works, was present to discuss a salt utilization agreement with the Maryland State Highway Administration (SHA). The City of Hagerstown has limited capacity to store bulk road salt for snow emergency operations. On site storage is approximately one thousand tons. During snow events, salt is utilized and replenished throughout the snow season. Salt supplies can be quickly depleted during a cycle of continuous storms, slow deliveries or simply a lack of product. The city

currently has little recourse when salt supplies run low other than obtaining salt from the salt supplier or possibly purchasing salt from Washington County Highway.

The Maryland State Highway Administration (SHA) will allow local governments to purchase salt from them as needed during snow emergencies if the salt is available. The local governments must have an approved Salt Utilization Agreement in place before salt can be purchased.

The salt would be obtained from the SHA shop located off of Sharpsburg Pike. The current cost of the salt is \$ 123.18 per ton, plus an additional 8.06% administrative fee.

The Washington County government is currently bidding road salt for themselves and the City of Hagerstown. A contract should be in place by the end of November. Salt has only been purchased once from SHA in the previous 16 years. So utilizing SHA for salt should be considered as a last resort option for the City.

Approval of the Salt Utilization Agreement provides the City with another option for road salt if necessary. Staff believes it to be wise to have the formal agreement in place well before the salt is needed from SHA.

It was the general consensus to move forward with approving the agreement.

City Center Holiday Parking Program

Eric Deike, Director of Public Works, was present to request approval of the City Center holiday parking program.

For many years, the City of Hagerstown has provided limited free parking in the parking decks during the holiday shopping season. The City officially recognizes the beginning of the holiday season with the Hollyfest program that includes the lighting of the Christmas tree in the square and festivities later that evening at the Maryland Theatre. This year Hollyfest will be on Friday, November 20, 2015, which is the Friday before the Thanksgiving holiday.

Staff is proposing to modify the existing parking rates to allow free parking in the evenings after 4:00 p.m. weekdays and both weekend days at the University District Parking Deck and Arts & Entertainment District Parking Deck from November 30, 2015 through January 3, 2016. Standard rates would apply between the hours of 6:00 a.m. and 4:00 p.m. weekdays. Normal rates and operations would resume on Monday, January 4, 2016. If approved, the holiday parking program would be initiated as of 4:00 p.m. on Monday, November 30, 2015 and end the special rate on Monday, January, 4, 2016 at 6:00 a.m. The intent is to encourage patrons to visit the City Center during the holiday season for shopping, dining and entertainment. Parking will be free in both parking decks on Thanksgiving Day through the Thanksgiving holiday weekend. November 30th

is the first Monday after Thanksgiving. The weekends would also be free through the remainder of December.

Metered parking spaces along the street and in the City owned lots will continue to be free before 9:00 a.m. and after 5:00 p.m. weekdays and all day Saturday and Sunday, as it is normally throughout the year.

Councilmember Brubaker asked if there is a way to monitor the number of vehicles in and out of the decks if there is no charge. It would be useful to know the difference from the regular days. Mr. Deike reports the use in each weekly report.

It was the general consensus to include approval of the special holiday parking program on the October 20, 2015 Regular Session agenda.

CITY ADMINISTRATOR'S COMMENTS

Valerie Means, City Administrator had no additional comments.

MAYOR AND COUNCIL COMMENTS

Councilmember M. E. Brubaker reported the State Secretary of Transportation visited Hagerstown on October 8, 2015 to discuss transportation priorities. The Neighborhoods 1st picnic was enjoyable.

Councilmember P. M. Nigh stated the Harvest Hoe Down was a success again this year. She estimated 2,500 people attended. She is concerned that statements have been made the event will be moved to City Park. She stated the Hoe Down should remain at Fairgrounds Park. Before any location change is made, the Mayor and City Council need to discuss it.

Mayor Gysberts agrees the Hoe Down should remain at Fairgrounds Park.

Councilmember Nigh stated the yard sale in the stables is held on the same day, as well as other events. This helps with advertising. She asked Ms. Means to compile a list of events that have been occurring for many years. The Neighborhoods 1st group she is a member of has provided refreshments at the City Park tree lighting for 15 years. She does not want events to be eliminated.

Councilmember Aleshire agreed Fairgrounds Park is the right venue for Harvest Hoe Down.

Councilmember D. F. Munson serves on the Hagerstown Housing Authority (HHA) as an ex-officio member. Councilmember Nigh also attends most of the meetings. Negotiations continue for the A & E Trail Easement with the HHA. The HHA has requested decorative fencing and plantings as the trail crosses their property. The HHA

submitted a rental assistance demonstration application to provide funding for an upgrade at Noland Village. Other funding sources have not been identified. He noted the Section 8 housing program is decreasing. Housing Authorities were recently granted the right to complete inspections on a bi-annual basis. The HHA is willing to assist in a Housing Summit discussion.

Mayor Gysberts noted the HHA is often blamed for housing quality decline in the community. Including Joan Ballengee, Housing Authority Executive Director, on a steering committee for housing needs is important. A big issue is the regulations from Housing and Urban Development. The rules and regulations can be challenging.

Councilmember K. B. Aleshire stated the denial of the financing application submitted previously for the upgrade at Noland Village was primarily because the neighborhood did not meet the socioeconomic threshold for assistance. Losing homeownership should not be the driving factor for HHA projects.

Mayor D. S. Gysberts reported Park Circle will be closed for repaving from October 14 – October 17, 2015. The final Wind Down, Freaky Friday, is scheduled for October 16, 2015. The Chancellor of the University System of Maryland will be visiting Hagerstown on October 15, 2015. He will convey to the Chancellor that Hagerstown wants to be a partner with USMH as they expand enrollment. Representatives of Maryland Housing and Community Development will be touring Community Legacy projects in Hagerstown on October 16, 2015. He thanked everyone who participated in the United Way Day of Caring. Trick or treat will be held on Friday, October 30, 2015 from 6:00 – 8:00 p.m. The annual Alsatia Mummer's Parade will be held on Saturday, October 31, 2015, beginning at 6:00 p.m.

The Regular Session for October will be held on October 20, 2015 at 7:00 p.m. A Work Session will be held at 4:00 p.m. on October 20, 2015.

There being no further business to come before the Mayor and City Council, on a motion duly made, seconded and passed, the meeting was adjourned at 5:20 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: November 24, 2015