

WORK SESSION AND EXECUTIVE SESSION – OCTOBER 11, 2011

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, October 11, 2011, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers W. M. Breichner, M. E. Brubaker, A. C. Haywood, L. C. Metzner; City Administrator Bruce Zimmerman, City Attorney John Urner and City Clerk D. K. Spickler.

Councilmember F. W. Easton was not present.

WORK SESSION – October 11, 2011

Proclamation: Character Counts! Week

Mayor Bruchey read a proclamation naming October 16-22, 2011 as Character Counts! Week. The proclamation was received by Carolyn Brooks. Ms. Brooks stated she will be spending more time promoting Character Counts in the community. Resources are provided from a local coalition. She stated any funding from the City of Hagerstown would be appreciated.

Maryland Theatre Funding Request

Bennito Vattelana, Maryland Theatre President, Ron Bowers, Maryland Theatre Building Committee Chairman, and Vicky Hrabal, Oak Hill Interior Design LLC, were present to discuss enhancements to the Maryland Theatre.

Mr. Vattelana stated improvements are being planned for the Theatre. They are requesting City support in funding for the capital improvements. Prior improvements have been funded in part from the State of Maryland and Washington County. Some of the funding was covered through gifts and donations.

The Theatre's funding request is for enhancements to the stage level dressing rooms, first floor ladies room, and the stage. A description of the scope of work and the project cost estimates were presented to the Mayor and City Council. The total estimated cost of these projects is \$ 24,678.66.

The City has budgeted \$ 9,000.00 in the current year General Fund budget to provide operating support to the Theatre. This request for capital improvements to the Theatre would involve support beyond the annual contribution the City makes for operations.

Mr. Bowers indicated the Barbara Ingram School for the Arts students use the Theatre on a daily basis. The planned improvements will be completed in the most historic way possible.

Ms. Hrabal stated the Theatre is a gem in Hagerstown. She worked hard to keep the costs of the renovation low.

Mr. Bowers reported the Theatre is not in debt. He stated future improvements include interior painting and renovating the seats.

Councilmember Haywood stated the Theatre is a great venue in downtown. She reminded everyone that when the adjacent building was donated to the Theatre, it was with the understanding that there would be an increase in use within one year. She asked for a status report on the increase.

Mr. Vattelana indicated the Board is working with the Washington County Arts Council and a consultant to determine what is needed for the Theatre. Projects are being identified and prioritized.

Councilmember Haywood suggested that the Board include funding for projects in their annual funding request to the City.

Councilmember Breichner suggested having the City's engineers look at the building and what is being proposed. Councilmember Metzner suggested having the Mayor and City Council tour the building to view the project areas.

Mayor Bruchey suggested having the City Engineer inspect the building and provide a report to the Mayor and City Council.

If the Mayor and Council wish to move forward with financial support for these improvements, staff reported there are funds remaining in the general fund reserves.

Refuse and Curbside Recycling Collection Services

Rodney Tissue, City Engineer, was present to discuss the bids that were recently received for the refuse and curbside recycling collection services.

This is the first discussion on this as staff and Mayor and Council endeavor to award the contract(s). Staff is still reviewing the extensive bid package and specification compliance.

The contract with Allied Waste Services for the collection of curbside trash and recycling expires at the end of this calendar year. This contract has been in effect for six years, and based on Mayor and Council direction in July, staff bid a new contract as well as requesting a bid for acquiring totes/bins for single stream recycling.

In anticipation of the contract ending and with the desire to improve the recycling program, the Mayor and Council followed the 2010 Task Force recommendations, and directed staff to solicit bids with various options for the collection services. The overall goal of the program is to yield a state-of-the-practice, environmentally-friendly program while offering it at reasonable rates to residents.

Five trash and recycling collection bids were received. As discussed in August, the award will be based on the lowest responsible price of the aggregate sum of the:

1. Residential collection service option selected by the Council
2. The cost of disposal based on 11,500 tons of waste multiplied by the bidder's "fixed rate per ton" disposal charge.

Based on this, the low bidder varies depending on which of the five residential collection options is selected. The five residential options were listed on a spreadsheet. The respective low bidder's prices were included to allow the Mayor and Council to review the various options of collection. Mr. Tissue noted that a total collection and disposal cost per year per residential unit was determined (with important assumptions) for comparison of the options.

Options that include the single-stream recycling also include the costs for a recycling incentive program and the purchase, assembly, distribution and maintenance of about 14,000 totes to all residential units in the City.

To get the best prices, staff solicited priced for the totes in two different ways. One bid from the haulers and the second directly from the vendors.

Staff also solicited prices to provide trash and recycling collection for businesses in the City Center, a first for the City of Hagerstown. This could be a pilot program for the City at large in the future. Prices for this collection are estimated to be \$ 100.00 annually per business for twice a week trash collection and either single stream or dual stream recycling. Actual price will be based on "commercial" bid from the hauler selected for the residential collection.

The condition of this commercial program is that businesses would have a maximum of 95 gallons of trash and 95 gallons of either single-stream or co-mingled recycling per collection which will be twice per week. Commercial businesses that create more waste than that must continue to use private collection.

Mr. Tissue stated that, in general, the bid results are excellent news for the City of Hagerstown and provides the Mayor and Council the opportunity to improve the program as they see fit.

Staff concurs with the Task Force's recommendation (which is in effect Option "D" on the spreadsheet), to provide once per week trash collection, once a week (same night) single stream recycling, once per week yard waste collection, issuing totes/bins to all residential units, providing a recycling incentive program, and providing trash/recycling collection services to the commercial businesses in the City Center. All of this can be done for less than the current program cost, and in fact the current fee of \$ 41.00 per quarter could be lowered slightly.

At this point, staff needs direction from Council on which option the majority of Council endorses. Due to the complexity of the bids and contract, staff plans to interview

the low bidder of the selected option, finalize the contractual issues, finalize the tote purchases and then provide a firm recommendation to Mayor and Council.

Time is of the essence. If Options C, D, or E are selected, the City will have a new hauler, the public must be educated on the changes, totes have to be ordered and assembled, a recycling incentive program has to be developed, the Washington County Landfill has to be notified of the change and downtown businesses have to be notified, all before January 1, 2012, the start of the new contract.

Mr. Tissue stated funding for the totes is not eligible for grant funding. A low interest loan would be secured to cover these costs.

After reviewing the submitted bids, the apparent low bid for Option A and B is Allied Waste, the apparent low bid for Option C & D is Waste Management and the apparent low bid for Option E is IESI. The estimated cost for Option D, which includes a recycling incentive program, is \$ 1,860,408.34.

Councilmember Breichner pointed out increasing recycling is one of the key things the task force discussed.

It was the general consensus to accept the bid from Waste Management for Option D. Option D includes once per week trash collection (twice downtown), once per week single stream recycling, once per week yard waste and a recycling incentive program.

Councilmember Brubaker is inclined to stay with the current pick up schedule, but indicated he could perhaps be persuaded otherwise. Having trash sitting out for collection just once per week will help the overall appearance of Hagerstown.

Councilmember Haywood views this as a unique opportunity to provide options to citizens.

Councilmember Metzner pointed out this plan will be lower in cost than the current plan. He stated the Mayor and City Council had agreed to bid out this contract rather than simply renewing the contract with Allied Waste. This action shows good leadership.

Councilmember Breichner hopes this plan will help increase participation in the recycling program.

Approval of a contract with Waste Management Company for trash collection and recycling will be included on the agenda for October 25, 2011.

CITY ADMINISTRATOR'S COMMENTS

Bruce Zimmerman, City Administrator, had no additional comments.

MAYOR AND COUNCIL COMMENTS

Councilmember M. E. Brubaker reported the Beverly Swaim-Staley, State Secretary of Transportation, was in Hagerstown on October 6, 2011. Funding for road projects depends on actions of the Legislature. Ms. Swaim stated sidewalk and bike trail projects are continuing.

Councilmember W. M. Breichner had no additional comments.

Councilmember L. C. Metzner visited the Contemporary Arts Gallery and School at 4 W. Franklin Street recently, at Ron Lytle's encouragement. Mr. Lytle owns the Gallery and he expressed his concern that the Mayor and Council are not present downtown. Councilmember Metzner suggested that the Mayor and Council spend time shopping downtown on Tuesdays between now and Christmas. They could schedule the first hour of each work session to visit businesses and invite the public to join them.

Councilmember A. C. Haywood agreed with Councilmember Metzner's suggestion. She urged everyone to attend this weekend's first Maryland International Film Festival.

Mayor R. E. Bruchey, II pointed out the Film Festival starts on Thursday, October 13, 2011, with a red carpet event at the Maryland Theatre. He attended the Alsatia's Club 100th anniversary dinner last week. He congratulated the group on this anniversary.

EXECUTIVE SESSION – October 11, 2011

On a motion duly made by Councilmember A. C. Haywood and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote of all members present to meet in closed session to consult with counsel to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, #4; to consider the acquisition of real property for a public purpose and matters directly related thereto, #3 and to discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans, #10 at 5:27 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 A. C. Haywood, Councilmember L. C. Metzner, City Administrator Bruce Zimmerman, John Lestitian, Department of Community and Economic Development Director, Christy Blake, Downtown Business Recruitment and Retention Manager, Police Chief Arthur Smith, Michelle Burker, Director of Finance, Michelle Hepburn, Budget Officer, Jonathan Kerns, Community Development Manager and Donna K. Spickler, City Clerk. The meeting was held to

discuss amendments to an existing lease, acquisition of property and additional police presence. No formal action was taken at the meeting. On a motion duly made, seconded and passed, the meeting was adjourned at 6:54 p.m.

Respectfully submitted,

Donna K. Spickler, City Clerk

Approved: November 22, 2011