

EXECUTIVE SESSION – April 11, 2017

On a motion duly made by Councilmember D. F. Munson and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote of all members present to meet in closed session to consult with counsel to obtain legal advice, #7, (Section 3-305(b)), on Tuesday, April 11, 2017 at 3:03 p.m. in the Council Chamber, 2<sup>nd</sup> floor, City Hall, Hagerstown, Maryland. Councilmember P. D. Corderman was not present at the time of the vote.

The following people were in attendance: Mayor R. E. Bruchey, II, Councilmember K. B. Aleshire, Councilmember P. D. Corderman, Councilmember E. Keller, Councilmember L. C. Metzner, Councilmember D. F. Munson, City Administrator Valerie Means, City Attorney Jason Morton, Noel Milolo, Miles and Stockbridge, Michelle Hepburn, Director of Finance, and D. K. Spickler, City Clerk.

The meeting was held to consult with legal counsel about a business proposal. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the Executive Session was adjourned at 3:48 p.m.

WORK SESSION – April 11, 2017

Mayor R. E. Bruchey, II called this 12<sup>th</sup> Special Session, Work Session, and Executive Session of the Mayor and City Council to order at 4:02 p.m., Tuesday, April 11, 2017, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, P. D. Corderman, E. Keller, L. C. Metzner, and D. F. Munson, City Administrator Valerie Means, and City Clerk D. K. Spickler.

Hagerstown Municipal Band Update

Chris Stockslager, President, Joel Guyton, Vice President, and Doris Smith, Historian, Hagerstown Municipal Band, were present to provide an update on the band's activities. The band has been in existence for more than 100 years.

The 2017 concert season begins on Sunday, June 11, 2017. Concerts are held each Sunday evening at 7:30 p.m. at City Park. A pre-season event will be held on May 22, 2017. Members of the band receive a \$ 21.00 stipend for each week they attend two rehearsals and one concert. This is the same structure that was established in 1915.

Mr. Stockslager stated they encourage students to participate in the summer series.

The group is looking at ways to provide music to people who can't attend the outdoor concerts. They are considering live radio broadcasts.

The Mayor and City Council thanked the members of the band for their dedication.

### Recreation Programs Update

Amy Riley, Recreation Promotion and Services Coordinator, provided an update of the City's recreation program. Copies of the 2017 Spring/Summer Parks and Rec Guide were distributed.

The 2017 100 Miler program is nearing the finish. In response to requests from the participants, the next challenge is being planned. The Parks Fitness Challenge is designed to get people outdoors and enjoy the City's parks while keeping them active.

Staff has participated in two strategic planning retreats to determine the growth of the department over the next five years. A SWOT (strengths, weaknesses, opportunities and threats) analysis was conducted as well as a review of the mission and vision statements. Work continues with the consultant to summarize the findings.

Fiscal responsibility is the goal for the Recreation division. Costs to execute special events are being analyzed and reduced, and sponsors are being secured to subsidize costs. Outside of advertising costs, costs to execute recreation programs are minimal and programming is developed to be revenue generating.

A survey was completed to collect data from the community to complement the strategic planning. The goal was to learn more about the community, what parks, facilities and programs were being utilized the most, and what the focus should be moving forward. Nearly 400 people participated in the survey.

The Mayor and City Council thanked Ms. Riley and the division's efforts to invite people to visit the City's parks.

### Benches and Updated Lighting in Public Square

Amanda Whitmore, Downtown Coordinator, and Joanne Ballangee, Co-Chair of the Main Street Clean, Safe, and Green Committee, made a presentation on adding seating and updating lighting in Public Square.

The Clean Safe and Green work group have been learning about Crime Prevention through Environmental Design (CPTED) with Offer Gerard Kendle. Implementing CPTED principles in Main Street communities is one suggestion given by Main Street Maryland to achieve the goals of the Clean Safe and Green work group. CPTED brings together police officers, residents, business owners, local planners and members of other local agencies to examine how the area's physical features influence crime and the opportunity for crime. Physical features can then be designed or modified to reduce vulnerability to crime and perception of safety.

Currently there is no place for visitors to the downtown to sit in the Public Square during their visits. Adding a few benches to the square will help to enhance this area, add more people to the streets to create a safer feeling, and assist in encouraging visitors to stay longer in the downtown. The backless benches would be 36" wide. They would be located on the northwest and northeast quadrants only. The benches would be too narrow to sleep on.

Updating some of the lighting around Public Square will also help with improving public safety by creating a well-lit public space. Eight cobra head lights, two in each direction of the square, will be updated from the current 250-watt high pressure sodium lights, to white LED lights.

The benches and lights will be purchased using fiscal year 2017 funds from the Capital Improvement Fund line item for downtown beautifications and will be purchased by the end of this fiscal year. The cost for benches would be \$ 2,624 and eight LED lights would cost \$ 3,600 for a total cost of \$ 6,224. Public Works and the Utilities Department are donating labor for the installation of these items.

Councilmember Aleshire stated it appears the bench style was chosen with the fear that people would stay too long. This conflicts with the idea to draw people to downtown. He recommended purchasing comfortable benches in order to make downtown more inviting, not less inviting. Councilmember Corderman and Councilmember Metzner agreed.

Councilmember Munson thinks the benches as shown would be a nice addition to the square.

It was the general consensus to have the group review the bench style and find a more appealing style.

#### Updating Street Closure Procedures

Lauren Metz, Community Events Coordinator, provided a review of suggested updates to the current street closure procedures administered by the Community and Economic Development team.

There are currently five different reasons for street closures that City staff administers: private or public event closures, City events, CIP/Street Construction, emergency digs, and utility projects.

Historically, only street closures for events, either public or private, have been brought to the Mayor and City Council for review. The other types of street closures have been handled internally by the Engineering Department. Street closures are also brought to the Mayor and City Council to provide publicity for upcoming events across Hagerstown.

City staff is recommending the implementation of a new tiered street closure approval process for street closures for events. The event would be reviewed by an Event Logistics Committee and classified as either a low impact or high impact closure. Low impact closures would be approved on a staff level, while high impact closures would be approved by the Mayor and City Council in the traditional approval process. At any time during the review process, city staff could elevate an event to require Mayor and City Council review and approval.

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

#### FY 2017/18 Budget Review

Michelle Hepburn, Director of Finance, was present to continue review of the budget.

Ms. Hepburn provided a chart showing the revenue and expenses for public safety in the City's budget. Public Safety encompasses police, fire, code enforcement, and signal employees. The revenue shown is from external sources. It was noted revenue for the police department is speed camera revenue, State aid programs, and anticipated red light camera revenue. The total proposed revenue is \$ 4,331,121 and total expenses are \$ 23,831,357.

The Capital Improvement Project section provides detail for projects included in the proposed budget. For every project, a detailed description is provided, which includes justification and funding source information. Debt service is the largest revenue source.

Councilmember Metzner pointed out the proposed tax rate increase applied to an assessment of \$ 130,000 would only be an increase of \$ 3 annually.

Mayor Bruchey expressed his concern that Hagerstown has one of the highest tax rates in Maryland. This fact has a negative impact on attracting investors to Hagerstown.

Councilmember Metzner pointed out the assessable base is lower in Hagerstown, making the overall taxes lower than many other jurisdictions.

Councilmember Aleshire stated taxes would be better distributed if the tax rate could be linked to the property use.

Mayor Bruchey mentioned Pocomoke City has a multi-tier tax rate. This would provide increased revenue from the uses that require more services.

Councilmember Keller thinks people would accept a safety tax.

Mr. Means stated a safety tax is not permitted in Maryland. She stated payment in lieu of taxes (PILOT) agreements could be considered for non-profit organizations.

Mayor Bruchey stated the department heads have done the best they could to reduce the CIP expenses. He wondered if the fire training facility is used by other fire companies and if there are other possible funding sources. Ms. Hepburn stated Chief Lohr is looking for opportunities for partnerships for the training facility.

Chief Lohr reported most of the facilities at the training center are worn out. Other agencies do use the facility. The department's latest effort is to reduce expenses by updating the equipment, rather than building a new center. Washington County distributes gaming funds to other fire departments in Washington County. The City does not receive any funding from the Gaming Commission. When asked why not, the County Commissioners indicated they feel the tax set off covers the same level of contribution.

Ms. Hepburn reviewed Section 8, page 15. This listing shows the projects by funding source. The Mayor and City Council may wish to move projects from the list. However, because many are funded with general fund reserves, it will not impact future projections of budget deficits. General fund reserves cannot be used for recurring expenses.

Mayor Bruchey wondered if reserves can be used for enhancing an incentive package.

Ms. Hepburn stated the reserves amount includes funding for specific projects that were previously approved. Councilmember Aleshire stated that funding is allotted toward specific projects.

The City has not received the Highway User Revenue (HUR) notification for FY 18. This revenue source generally provides \$ 1.1 million toward the pavement preservation program. The pavement preservation work will only be as much as the HUR funds.

Mayor Bruchey asked about the funding for the Farmers' Market. The amount projected in the CIP is to make changes regarding the recently approved agreement with Valley Co-op. He wondered if money left from this project could be transferred to the downtown beautification line item. Ms. Hepburn stated Mayor and City Council approval would be required. She stated staff has identified downtown beautification as funding for the benches and lighting.

Councilmember Aleshire stated staff has obviously presented a budget that includes a proposed tax rate increase. He wondered if the Council's objective is to eliminate the tax increase or to have their questions vetted. To address the revenue issue, the tax structure has to be addressed. In order to address the expense side, you have to address the largest expense, which are wages and benefits. He will not be part of a process that creates structural instability within the budget. Unless the expense side issue is addressed, he is not in favor of voting for a budget. If others don't agree, they need to provide solutions and specific ideas for reducing expenses or increasing revenue.

Councilmember Corderman stated the Mayor and Council are to review the budget and hold the line. Department heads are responsible for staying within the limits of their

department's budget. Ms. Means and Ms. Hepburn indicated the proposed budget reflects this.

Ms. Means reminded the Mayor and City Council that staff has been given the authority to negotiate with bargaining groups in good faith. The proposed numbers can't be changed drastically now.

Councilmember Metzner reiterated the largest expense is wages and benefits and that has to be addressed through collective bargaining. It can't be done within the 2017/18 budget. The revenue structure cannot be changed in just six weeks. He doesn't see how expenses can be met with the limited income without layoffs. If purchases/projects are deferred, it will be more expensive in the future.

Councilmember Corderman thinks the budget should be created professionally. Councilmember Metzner stated staff did professionally create a proposed budget.

OPEB funding was discussed. It was noted reducing the OPEB liability payment would not provide funding to reduce the proposed tax rate.

Councilmember Metzner stated the citizens spoke loudly and clearly that they don't want wages and benefits decreased when they voted for binding arbitration

Ms. Hepburn reiterated that the FY18 budget includes purchase of vehicles funded through bond financing or general fund reserves. Removing these purchases from the list will not change the need for additional revenue.

Mayor Bruchey wishes to discuss economic redevelopment during the next review. Councilmember Corderman wondered if the Council intends to keep the proposed tax rate at a 5.5 cent increase.

Mayor Bruchey stated the Council must adopt a budget that becomes effective on July 1, 2017. Ways to increase revenue will have to be discussed as soon as the budget is passed.

Review of the proposed budget will continue at the April 18, 2017 Work Session.

#### Amendment to the City of Hagerstown Police and Fire Employees' Retirement Plan

Karen Paulson, Director of Human Resources, and Ed Adkins, attorney for the Police and Fire Retirement Plan, were present to discuss amendments to the plan.

Mr. Adkins noted the structure of the plan as written does not reflect the operation of the committee. The changes are:

1. Designate the Administrator for the Plan as an employee in Human Resources who can designate the Coordinator for the Plan. This

change will protect the Retirement Committee and provide proper administration for the Plan while the Mayor and Council continue to have the Administrative authority for the Plan.

2. Expand the citizen committee representative from a Hagerstown resident to a Washington County resident to expand the pool of candidates to fill this vacancy. Only one citizen has occupied this position and it was for less than one year.

It was the general consensus of the Mayor and City Council to move forward with this amendment.

12<sup>TH</sup> SPECIAL SESSION – April 11, 2017

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote to meet in Special Session at 6:00 p.m.

**Introduction of an Ordinance: Amendment to the City of Hagerstown Police and Fire Employees' Retirement Plan**

**Action:** On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote to introduce an ordinance to amend the City of Hagerstown Police and Fire Employees' Retirement Plan to provide for the designation of a Human Resource employee of the City to serve as the Administrator of the Plan and allow for the delegation of administrative responsibility to another employee to serve as the Coordinator. The amendment changes the role of the Retirement Committee for fiduciary protection. This amendment also changes the definition of the citizen representative for this committee from a City resident to a Washington County resident.

**Approval of an Exemption from City Code Chapter 155, Noise**

**Action:** On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote to approve an exemption from the City Code, Chapter 155, Noise. This exemption is being granted in accordance with Section 155-5, M. to the City Chapel and Pastor Zachary Camp for an event on Saturday, April 15, 2017 at 227 E. Washington Street (corner of E. Washington Street and Cannon Avenue).

**Appointment of Brian Kurtyka to the Board of Zoning Appeals – Term to Expire April 30, 2019**

**Action:** On a motion duly made by Councilmember D. F. Munson and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to appoint Brian Kurtyka to the Board of Zoning Appeals. The term of this appointment will expire on April 30, 2019.

**Appointment of Community Development Block Grant Review Committee Members: Howard Bowers, Jake Caldwell, and Kathleen O’Connell – Terms to Expire April 11, 2018**

**Action:** On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote to appoint the following people to serve on the Community Development Block Grant Public Service Review Committee:  
Howard Bowers  
Jake Caldwell  
Kathleen O’Connell

The terms of these appointments will expire on April 11, 2018.

The Special Session was closed at 6:02 p.m.

**CITY ADMINISTRATOR’S COMMENTS**

Valerie Means, City Administrator had no additional comments.

**MAYOR AND COUNCIL COMMENTS**

*Councilmember E. Keller* had no additional comments.

*Councilmember K. B. Aleshire* thanked Michael Spiker, Director of Utilities, and utility employees for assisting Myersville last week during flooding conditions.

*Councilmember P. D. Corderman* welcomed Jerry’s Sub and Pizza to downtown Hagerstown.

*Councilmember L. C. Metzner* noted the Jerry’s in Hagerstown is the franchise’s first sports bar in their history. He attended a Maryland Symphony Orchestra Eagles concert at the Maryland Theatre on April 8, 2017. Many visitors were commenting about how beautiful Hagerstown is. He doesn’t think citizens realize how close rejuvenation of Hagerstown is. The Urban Improvement Project will be the largest project in generations. The artist Hense will begin the Mural of Unusual Size next week.

12<sup>TH</sup> SPECIAL SESSION, WORK SESSION, AND EXECUTIVE SESSION  
2017

APRIL 11,

MAYOR AND CITY COUNCIL

HAGERSTOWN, MARYLAND

*Councilmember D. F. Munson* encouraged people to try the Jerry's Sub and Pizza restaurant. He attended the MSO concert as well. He stated the concert was excellent.

*Mayor R. E. Bruchey, II* stated the Hagerstown Suns season opened on Friday, April 7, 2017.

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 6:09 p.m.

Respectfully submitted,

*Original signed by D. K. Spickler*

Donna K. Spickler  
City Clerk

Approved: May 23, 2017