

WORK SESSION AND EXECUTIVE SESSION – October 1, 2013

EXECUTIVE SESSION – October 1, 2013

Councilmember M. E. Brubaker made a motion to meet in closed session to meet in closed session to discuss three items regarding the 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)), to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; #4 (Section 10-508(a)), and to consider the acquisition of real property for a public purpose and matters directly related thereto, #3, (Section 10-508(a)) at 3:08 p.m. in Room 407, 4<sup>th</sup> Floor, City Hall, Hagerstown, Maryland. Councilmember D. F. Munson seconded the motion.

Motion carried, 4-1 with Councilmember voting No for items # 2 and # 3 (lease negotiation and property acquisition).

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 Bruce Zimmerman, Rodney Tissue, City Engineer, John Lestitian, Director of Community and Economic Development, Jonathan Kerns, Community Development Manager, Stacey Pierre-Louis, Business/Community Development Finance Specialist, and Donna K. Spickler, City Clerk. The meeting was held to discuss potential members of the Board of Traffic and Parking, a lease agreement with the Mulch Man, downtown property acquisition, a contract for the City Attorney and a contract for the City Administrator. No formal action was taken at the meeting. On a motion duly made, seconded and passed, the meeting was adjourned at 4:26 p.m.

WORK SESSION – October 1, 2013

Mayor D. S. Gysberts called this Work Session of the Mayor and City Council to order at 4:40 p.m., Tuesday, October 1, 2013, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, M. E. Brubaker, L. C. Metzner, D. F. Munson and P. M. Nigh; City Administrator Bruce Zimmerman, and City Clerk D. K. Spickler.

Proclamation – Breast Cancer Awareness Month

Mayor Gysberts presented a proclamation to Janet Lung, coordinator Breast Cancer Awareness of Cumberland Valley, recognizing October as Breast Cancer Awareness Month. The Park in the Pink ribbons will be placed on meters and trees in the City Center during the week of October 14, 2013. The lights on the clock at City Hall and the fountain at circle at City Park will be changed to pink during this time.

Proclamation and Welcome for Hagerstown, Indiana Sister City Project

Mayor Gysberts welcomed Councilmember Brian Longbons and Town Manager Robert Warner from Hagerstown, Indiana to the meeting. Mayor Gysberts read a proclamation establishing the Hagerstown, Indiana Sister City Project.

Proclamation – Character Counts Month

Mayor Gysberts read a proclamation recognizing October as Character Counts Month. He presented the proclamation to Carolyn Brooks and Chelsea Miller.

Character Counts! Making it Real

John Lestitian, Director of Community and Economic Development, Sarah Nelson, Planning and Outreach Coordinator, and Erin Wolfe, Communications Manager, were present to provide information about Character Counts! Carolyn Brooks and Chelsea Miller also were present.

The Character Counts! Program provides a framework of universal values organized through six pillars: Trustworthiness, Respect, Responsibility, Fairness, Caring and Citizenship. These positive character traits transcend cultural, religious, political, and socioeconomic differences. Recognizing that character development is correlated with community development, staff is seeking to implement Character Counts! Across the City by having the Mayor and Council adopt a resolution to make Hagerstown a Character Counts! Community.

Implementing the Character Counts! Program creates a common language that fosters positive changes in behavior across all segments of the community. Washington County Public Schools has integrated the program in schools within the City. By applying the pillars of Character Counts! City-wide, the City is reinforcing the values with families at home, among businesses, and in turn improving the quality of life in the core and in neighborhoods.

In order to nurture positive cultural change, the City must find creative ways to adopt the pillars and make the broad concepts of trustworthiness, respect, responsibility, fairness, caring and citizenship real among citizens. Staff firmly believe the City must take a leadership role in implementation with the support of the Character Counts! Coalition acting as the City's partner.

Staff travelled to the City of Gaithersburg, Maryland which has been a Character Counts! Community for more than a decade. They learned first-hand how the language of the pillars is woven into the identity of the city. For example, the rules at parks and recreation facilities are written within the framework of the pillars. Furthermore, the program is even integrated into the City's logo and branding, making character a central component of its identity. Members of the Washington County Character Counts! Coalition joined City staff for the visit and have continued to meet regularly to discuss

implementation in Hagerstown. Staff have also met with representatives from the business community and the City's department managers seeking input and feedback.

In step with the Character Counts! Coalition, staff seek to begin messaging and communication efforts to implement the program both within the organization and throughout the community. Internal efforts include: incorporating the pillars in employee hiring and evaluation processes, making the concepts known in each individual department, and branding the program across the organization through letterheads and signage. External efforts include: revising messaging in City parks, posting visible signage to make the pillars known in the community, and tying the pillars to tangible action that reinforces the value, i.e. posting the "Responsibility" pillar on a trash can to remind citizens to properly dispose of their trash.

A section of the City website will also be dedicated to explaining the pillars of the Character Counts! Program and asserting why it is relevant for the community. In addition, staff will solicit nominations for a "Person of Character" who exemplifies the qualities of character; these citizens will be recognized during Regular Sessions of the Mayor and Council.

Ms. Brooks has been involved with Character Counts since 1999. She helped establish Character Counts! programs in the schools. The pillars provide a framework to teach good character.

Mr. Lestitian pointed out that a foundation of good character is necessary in order to be a more inclusive and stronger community.

Megan Ciley, Hagerstown Community College student, was awarded a Character Counts Scholarship. She stated the pillars were a part of her school life and then it faded out. The message of the pillars needs to remain a part of everyone's lives and be evident in the community forever.

Ella Fulk, second grade student at Pangborn Elementary School, recited the six pillars. She received a Character Counts award at her school. Ms. Fulk is the daughter of City employee Paul Fulk and Kimberly Fulk.

Ms. Nelson stated the pillars are foundational for community building. If the community is not gathering around these pillar statements, there is not a place to start. Character Counts matters everywhere. It reinforces aspects of society that are difficult to latch on to, especially in difficult times. It is important to take a leadership role in embracing the common character of the program.

Ms. Wolfe stated our values speak volumes of who we are in the community. It is important that the City set the tone for the character of the community.

Mayor Gysberts has seen Character Counts work in Gaithersburg. This would be a good initiative for the City.

It was the general consensus of the Mayor and Council to approve the Character Counts! Program and schedule approval of a resolution designating Hagerstown as a Character Counts! Community.

Mr. Zimmerman stated Character Counts! needs to be demonstrated in the government and in the community.

#### City Healthcare Program Update

Karen Paulson, Director of Human Resources, Susan Delauter, Human Resources Administrator, and Becky Royal, CBIZ, were present to provide an overview of the City's healthcare coverage.

Ms. Royal reported medical costs in the last reporting period were \$ 5.8 million. Cost projections for the next plan year are at \$ 7.3 million, mostly due to general health plan inflation. Mr. Zimmerman pointed out these numbers include active and retired employees. Employees fund approximately 22% of the costs.

The Health Reform Changes through 2013 include coverage for children to age 26, removal of lifetime and annual dollar limits, preventive care covered at 100%, added health plan cost to employee W-2s, health FSA reimbursements limited to \$ 2,500, provided required plan benefits summaries and provided Health Marketplace Notice to all employees.

Changes for July 1, 2014 include offer affordable and adequate coverage or risk possibility of pay or pay fine, pay annual fee to fund Patient-Center Outcomes Research (approximately \$ 1,000), pay fee to fund Transitional Reinsurance Fund (approximately \$ 55,000), change full-time eligibility to 30+ hours per week, out-of-pocket medical maximum must include pharmacy expenses, and no dollar limits on Essential Health Benefits.

Other changes (2015 and later) include IRS reporting on plan costs and participation, and an excise tax on high cost plans effective 2018 (preliminary estimates are that this tax could be in excess of \$ 100,000 for active; may also impact retiree health benefits).

The City's health plan costs are increasing at a double digit rate due to claims experience. The employee/retiree contributions have not been increased. The City has absorbed increases during the down economy.

Ms. Royal stated the Benefits Committee will be reviewing the plans and making recommendations for changes to reduce the overall cost of the coverage. Any changes in the plan have to be approved by at least three of the five employee groups and submitted to the Mayor and Council for approval. The health plan vendor services have not been bid in over ten years.

Councilmember Aleshire stated neighboring communities have recognized the benefit of reduced health care costs by grouping organizations together for a lower cost. This should be part of the conversation for health care for the City of Hagerstown.

Ms. Paulson pointed out the City is unique in the fact they offer retiree benefits.

Ms. Royal stated CBIZ could assist with exploring this and other options. The benefit committee is reviewing the plans now. A recommendation will be presented to the Mayor and City Council in January, 2014.

Mr. Zimmerman pointed out Susan Delauter is the primary staff person for the City's health care plan. Her work is challenging and confidential and she completes it well.

#### Barbara Ingram School for the Arts Foundation – Street Lamp Holiday Program

Karen Giffin, Community Affairs Manager, discussed a street lamp holiday program. Two years ago, the City started a street lamp program with the Barbara Ingram School for the Arts Foundation (Foundation). The City of Hagerstown wraps 150 street lamps with lights and garland each holiday season in City Center. The Foundation would like to again work with the City on making the decorating of the poles into a community wide project which benefits the Foundation and increases foot traffic throughout the holiday season in City Center.

The Foundation would like to sell a sponsorship for 100 street lamps. In return for the sponsorship, a sign would be placed on top of the street lamps, indicating who the sponsorship recognizes.

The Foundation would give \$ 1,000 of the proceeds back to the City for materials and labor. The Foundation would also create the signs on the poles and a map of the lamp posts. All items are approved through the Light Department and Public Works Department.

It was the general consensus to continue with this program.

#### Memorial Park Phase II

Rodney Tissue, City Engineer, and Steve Bockmiller, Zoning Administrator, were present to discuss plans for Phase II of Memorial Park.

In December 2010, the Mayor and Council approved the concept for a Memorial Park at the corner of Memorial Boulevard and South Potomac Street. Staff further developed a concept plan that was reviewed with the Mayor and Council in September, 2011. The Council at that point directed staff to proceed with the Phase I construction (installation of paths, trees, benches, lights, and modifications to the Marsh Run) and to begin to develop plans for the Phase II plaza area.

The goal of this park is to create an outdoor space that honors citizens who have contributed to the community in significant ways and to remember important events in the City's history.

Phase II of the project includes the development of the "remembrance plaza" with an "honor wall" to recognize important people in the City's history. The "historic marker" walking trail would recognize important events in the City's history.

The Plaza immediately adjacent to South Potomac Street would include a memorial fountain, honor walls, a wall/bench, flagpoles, landscaping and lighting. The Wall of Honor would include citizens who made significant contributions to the community. Staff would highly recommend that the Mayor and Council appoint a committee to draft and implement standards (approved by the Mayor and Council) for consideration of those that would be placed on the Wall of Honor. Annually one or two of the bronze plaques would be added to the Wall of Honor at a service on Memorial Day or other holiday. The cost estimate includes eight bronze plaques to be initially installed. A future statue may be added to the plaza. Steve Bockmiller has researched one citizen that is lost to history, George Fisher, that may be a good candidate for a statue due to his impressive community service.

Staff is proposing that historic markers be placed along the outer path. This path could be a timeline of historic events in the City's history. Possible events include initial platting of the town, arrival of railroads in Hagerstown, arrival of aircraft manufacture, and arrival of USMH, BISFA and other arts and education facilities. A list of sixteen possible events is included in the packet information.

If the Council endorses this plan, a Phase II project could start this winter and the work would include the construction of the plaza, the fountain, and develop the monuments. Currently the City has earmarked \$ 55,000 in Community Development Block Grant funds for this phase of the work.

While the work would be done in-house, the funds would be used primarily for materials. The cost estimate is \$ 108,000. Staff recommends that an additional \$ 53,000 in developer-funded excise tax be used to complete the work or the scope reduced. Another option is fundraising to purchase the fountain, honor wall, and historic markers.

The final phase would be construction of a small parking lot at the rear of the park. The parking lot could possibly be as small as 10 parking spaces, which would serve the park, except for major recognition ceremonies.

Recognition on the Wall of Honor would not be limited to veterans.

Councilmember Munson likes the concept.

Councilmember Nigh would like a memorial created for Vietnam War veterans.

Councilmember Aleshire stated if the City is not successful with the listed funding sources, he does not think it is appropriate to include funding in the budget, as this would be taking funding from another project.

It was the general consensus to move forward with the Phase II plans, with the funding as outlined previously.

#### Stormwater Management Retrofit Study

Rodney Tissue, City Engineer, and Jim Bender, Assistant City Engineer, were present to provide information about the Stormwater Management Retrofit Study.

In January, Council accepted a grant from the Chesapeake Bay Trust to help fund a Stormwater Management Retrofit Study. Using the grant funds (and matching funds from CIP 637), the City hired URS Corporation (URS) to perform the study and prepare a report identifying potential sites where existing stormwater facilities could be upgraded to provide greater pollutant removal, or where brand new facilities could be constructed.

The City is classified as a National Pollutant Discharge Elimination System (NPDES) Phase II community. Based upon indications from the Maryland Department of the Environment (MDE), staff feels that is likely that the next NPDES stormwater permits issued to Phase II communities will include a requirement to treat or remove pollutants in stormwater runoff from 20 percent of the impervious surfaces that existed before 1985. Based upon preliminary analysis, staff has estimated that this will require the treatment of runoff from approximately 350 acres of impervious surfaces in the City. Once the new NPDES permit is issued (probably in late 2014), the City will have five years to attain this level of stormwater treatment.

In anticipation of this requirement, staff determined that the first step in this effort should consist of an analysis of existing drainage watersheds throughout the City; the goal would be to identify sites where existing stormwater management facilities could be upgraded (retrofitted) to provide the required treatment, or sites where brand new treatment facilities could be constructed.

URS identified 41 sites that presented opportunities for retrofits or new facility construction. URS was then directed to develop conceptual designs for three of the highest-ranking sites. The first concept plan, encompassing the two highest-ranked sites, involves the construction of stormwater management facilities at Hager Park and the adjacent Hagerstown Light Department (HLD) facility. The second concept plan proposed the construction of a bioretention facility on City-owned land near the intersection of Frederick Street and Bowman Avenue (adjacent to the City's wastewater treatment plant on Clean Water Circle).

Estimated construction costs for these three sites are as follows:

- |    |                        |            |
|----|------------------------|------------|
| 1. | Hager Park (Site 5)    | \$ 486,153 |
| 2. | HLD Property (Site 5A) | \$ 26,532  |

3. Clean Water Circle (Site 23) \$ 441,948  
\$ 954,633

The total acres of impervious area treated is 16. This combined area is only 5 percent of the 350 acres of impervious area that is expected that the City will be required to treat under the forthcoming NPDES permit. At that rate, the five year cost to comply with the regulations will likely be in excess of \$ 20 million.

The URS study has identified potential project sites for the construction of new stormwater management facilities, ranked the sites using objective scoring criteria, and included conceptual designs for three of the sites. If the Council desires to move forward on this effort, staff feels that the effort should be two-fold: (1) proceed with detailed engineering designs for a number of the highest-ranked projects in the list, and (2) prepare conceptual designs for the remaining projects. The FY 14 budget for Stormwater Management Implementation includes \$ 300,000 for planning and design of these projects over the next two years and these funds would be used to hire consultants to prepare the detailed conceptual designs. Beginning in FY 16, the budget set aside funds for construction of these facilities; however given the scope and estimated cost to fully comply with the NPDES regulations, additional funds will need to be allocated to CIP 637 in future years.

Councilmember Brubaker pointed out this is an unfunded State mandate. He has discussed the difficulty of reducing impervious surface within the center core area.

Mayor Gysberts stated the City is limited to how much area can be reduced because the 350 acres includes both public and private property.

Councilmember Munson wondered if the Mayor's idea of additional water ways would qualify as a reduction in impervious areas.

Councilmember Aleshire stated more emphasis should be placed on the use of land, i.e. MELP and the golf course, rather than the total acreage that must be reduced.

Councilmember Brubaker agreed that conceptual designs should be completed, including cost estimates, for the properties highest on the priority list. He doesn't think detailed design work should be done at this time.

Councilmember Munson suggested protesting in Annapolis may be helpful. A letter should be sent to the President of the Senate and the Speaker of the House telling them what the impact of this mandate is and asking for legislative relief.

Councilmember Aleshire does not think the City of Hagerstown will be the only jurisdiction protesting.

Councilmember Brubaker stated some jurisdictions are moving ahead with implementation while others are not. This is not a fair situation.



It was agreed to move forward with the development implementation of the projects proposed in the study.

**CITY ADMINISTRATOR'S COMMENTS**

*Bruce Zimmerman, City Administrator*, had no additional comments.

**MAYOR AND COUNCIL COMMENTS**

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

*Councilmember L. C. Metzner* congratulated the Alsatia Club for a successful Thunder in the Square.

*Councilmember P. M. Nigh* asked that an update of the Utility Relief funds be provided. Mr. Zimmerman indicated this will on an October agenda. Councilmember Nigh mentioned there is suspicious activity taking place behind the new library.

*Councilmember K. B. Aleshire* attended the Chamber of Commerce dinner. He received a \$ 2 baseball in the mail from the Chamber.

*Councilmember D. F. Munson* thanked City staff for their efforts to make the visitors from Hagerstown, Indiana welcome.

*Mayor D. S. Gysberts* congratulated Chief Holtzman for the security training that is provided and the implementation of good practices he has been discussing. Activities in Hagerstown this week include Thunder in the Square, Grapes for Girls, Juwanes Junior Café grand opening and the grand opening of the library (to be held on October 5, 2013). The Par Fore Pink golf tournament will be held on October 18, 2013. He thanked the Chamber of Commerce for all they do in the community.

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 6:40 p.m.

Respectfully submitted,

*Original signed by D. K. Spickler*

Donna K. Spickler  
City Clerk

Approved: November 26, 2013