

45<sup>TH</sup> REGULAR SESSION AND WORK SESSION – June 24, 2014

WORK SESSION – June 24, 2014

Mayor D. S. Gysberts called this Work Session of the Mayor and City Council to order at 5:10 p.m., Tuesday, June 24, 2014, 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.

Mayor Gysberts indicated Councilmember Metzner had asked to include a discussion about the fireworks contract for Fairgrounds Park be discussed during this meeting. There were no objections to adding the topic.

Agency Contributions – CASA and Contemporary School of the Arts

Michelle Hepburn, Director of Finance, presented the funding requests and supporting documentation provide by CASA and Contemporary School of the Arts. The Mayor and Council requested this information to review before any funding is distributed from the City. In the approved FY 2014/2015 budget, there is \$ 27,000 included for CASA and \$ 4,050 included for Contemporary School of the Arts in the General Fund.

Ron Lytle, Contemporary School of the Arts (School), thanked the Mayor and Council for the City's support over the last several years. The School has been located at 4 W. Franklin Street for almost 12 years. It is now relocating to 82 W. Washington Street, where they will be operating the foundation. Mr. Lytle has been negotiating with other property owners to find a suitable location for the art school. The School has been moved to Waynesboro, Pennsylvania. He stated the School is not abandoning Washington County, even though it has moved.

Councilmember Metzner recalled the funding was previously used for an event at City Park. Mr. Lytle stated the funding has been used for the summer art program. The school has hosted fundraisers like Art in the Park. The funding will continue to be used for this purpose. The after school art program is now connected with the Board of Education.

Councilmember Metzner asked who the program serves. Mr. Lytle said children from downtown residences had typically participated. The enrollment has been declining because of what has been happening on Franklin Street.

Councilmember Metzner asked how many children have been served. Mr. Lytle indicated approximately 300 high risk children have attended the program. Most have been from Frederick Manor, Noland Village and the Robert W. Johnson Community Center.

Councilmember Metzner asked for a description of the program. Mr. Lytle stated it is an introduction to art, with something new each month. Several volunteers have taught the classes. Students will no longer be coming to the School, the School will be going to various community centers and the Board of Education.

Mayor Gysberts inquired about other funding sources for the School. Mr. Lytle indicated the Convention and Visitors Bureau provides funding. The School has experienced a reduction in funding due to the economy. Mr. Lytle stated they probably would not be able to continue the program without the City's assistance.

Councilmember Nigh asked for a list of artists who help with instruction at the School. Mr. Lytle will provide the list. He mentioned the Board of Education and the Robert W. Johnson Community Center people assist as well.

Councilmember Munson expressed concern about the continuation of the services due to the change in circumstances and location. If the funding is approved, he asked that a report on the status of the School be scheduled in January, 2015.

Councilmember Metzner appreciates the opportunity to discuss the program. He wants the program to work but is concerned not all the details have been worked out with the changes in location and partners. If these things are firm, he would support funding the program.

Councilmember Brubaker is not sure the funding can continue in the future, given the challenges the City is facing. However, the funding is included in the FY 2014-2015 budget and he doesn't think it should be eliminated at this late date.

Mayor Gysberts stated he will be working with staff to develop an improved set of guidelines for funding of outside agencies. It appears some agencies are included in the funding year after year while others are never funded.

Mayor Gysberts noted the consensus of the Council is to provide the funding for the Contemporary School of the Arts in the amount included in the budget. Councilmember Brubaker stated the funding should not be dispersed until the new program is solidified.

Vicki Sadehvandi, CASA Executive Director, and Jack Hall, CASA Board Member, were present to discuss the CASA program.

Ms. Sadehvandi thanked the Mayor and Council for their support, which has been essential to the operations of CASA.

Councilmember Aleshire asked if the CASA program has been running during the past year. Ms. Sadehvandi stated there was a severe bed bug problem that had to be corrected. After that problem was corrected, they had to deal with a flooding and mold issue. They were closed during that time; however, they continued to provide comprehensive services to 110 women. The shelter was staffed and people were still

calling for help. Staff worked with them to find safe shelters. Neighboring jurisdictions also assisted in finding locations for the clients.

Councilmember Aleshire asked if CASA provides services county-wide. Ms. Sadehvandi indicated approximately 62% of the clients are City residents.

Councilmember Aleshire asked if other municipalities provide funding assistance. Ms. Sadehvandi stated they do not; Hagerstown is the only municipality that provides funding to CASA.

Ms. Sadehvandi stated the County funding amount is \$ 306,000. CASA provides outreach in the community. Their office is located in a County building, where everything but mowing is provided. Services at the shelter operate 24/7 and the office is open five days per week. They work closely with the court system and monitor abuse. CASA employs 19 people.

There are 337 people at the CASA shelter. It takes up to 90 days to find stable housing for clients.

Chief Mark Holtzman stated the police department uses CASA services on a regular basis to address domestic abuse. He indicated they have been able to pursue domestic abuse cases with CASA's assistance.

Councilmember Munson asked how the absence of CASA would affect the police department's efforts. Chief Holtzman stated the impact would be significant. Police staff would have to try to find housing for victims and counseling and guidance assistance would be diminished.

Councilmember Aleshire noted the only facility offered by CASA is in the core of Hagerstown. He is concerned about the impact this has on the number of calls handled by the police department. Chief Holtzman stated they do not keep a call log on the shelter.

Councilmember Metzner wondered if the number of clients Ms. Sadehvandi stated are City residents is determined only from a Hagerstown mailing address. Ms. Sadehvandi stated the shelter is operated with strict guidelines. They won't endanger the neighbors or the neighborhood. Staff monitors the shelters as much as they can. Mr. Hall stated CASA has to provide a safe structure for the clients. During the time they were closed, renovations and upgrades were completed.

Councilmember Metzner asked if CASA only protects women. Ms. Sadehvandi indicated their clients are predominantly women but men who contact them are afforded the same assistance.

Councilmember Metzner is concerned about the services provided in court. He represented a male victim in a domestic violence case and CASA representatives were in

court with the accused abuser. He wondered how that was possible. Ms. Sadehvandi stated sometimes, through the assistance, it becomes obvious the woman is actually the victim.

Councilmember Metzner would like to know the statistics for court services being provided to a man. Ms. Sadehvandi will provide the information.

Councilmember Metzner confirmed that legal counsel is provided free of charge to anyone who makes the request. Ms. Sadehvandi indicated that is correct.

Councilmember Metzner is concerned that very few men are assisted by CASA. He is also concerned that no other municipality in Washington County is being asked to provide funding assistance. Ms. Sadehvandi stated men usually have a greater ability to pay for attorney services and don't seek free counsel.

Councilmember Brubaker wondered if municipalities in other states provide funding to CASA groups. He noted there is a \$ 206,000 loan to CASA from the City of Hagerstown. He asked if there is an asset that was secured with the loan. Ms. Sadehvandi indicated \$ 150,000 is a home grant through the CDBG program. Additional funding was needed for the new shelter. As long as the facility is used by CASA, the loan does not have to be paid back.

Councilmember Brubaker wondered why it is more difficult to find housing for clients, especially with the number of homes vacant due to the housing market decline. Ms. Sadehvandi stated many clients do not have the resources to pay for housing.

Councilmember Nigh asked how long clients have lived in Hagerstown. She wondered if many are new residents. Ms. Sadehvandi stated they receive calls from Baltimore and other locations. Staff at CASA discourages people coming from other areas.

Councilmember Nigh is tired of Hagerstown being known as a place to receive services from people outside the community.

Councilmember Munson stated he is not inclined to withhold the funding for CASA after hearing this discussion. He is convinced it would cost more for the increased need for police officers than the funding amount. Both Ms. Sadehvandi and Mr. Hall have devoted their time and efforts to making this a better community.

Councilmember Aleshire noted there are more than 600 non-profit organizations in the County and many request funding from the City of Hagerstown. He estimates half the client base of CASA is comprised of City residents. Since CASA receives funding from Washington County, City taxpayers are already paying their fair share. The City pays a greater share and absorbs the loss of tax revenue with non-profit organizations.

Ms. Sadehvandi understands what is being said and she is not saying other services aren't important. CASA helps save lives.

Councilmember Metzner stated agency contributions are discussed every year. This year's process has been better. This is a policy decision that needs to be made long before the budget is passed; therefore he supports funding CASA in the FY 2014-2015 budget. In future years, if an organization offers services in other municipalities and a request for funding has not been made to those municipalities, he will not support funding from the City of Hagerstown. He would expect a similar donation in proximity to their budget and population. He reiterated Councilmember Aleshire's statement that County funding is provided in part by City residents, who are paying an unfair share.

Ms. Sadehvandi invited Mayor and Council members to contact her if they have other questions or would like to visit the shelter. She stated CASA will request funding from other municipalities in the future.

Councilmember Brubaker pointed out the City is facing difficult budgets in future years. The Council may be looking at many cuts to avoid another tax rate increase. Funding for CASA is included in the FY 2014-2015 budget and he would support providing the funding for this budget year.

Mr. Hall is a retired Hagerstown police officer. He knows the cost for the police department to deal with the issues of a domestic violence case without the assistance provided through CASA would be significant.

Councilmember Brubaker agrees that guidelines and future funding for agencies should be discussed prior to preparation of the budget.

Councilmember Metzner asked that staff be permitted to discuss an extension of the fireworks contract for July 4, 2015 with the provider in order to secure the date. Staff could then discuss the extension with the Mayor and Council at a Work Session in July. The Council agreed to this schedule.

Mayor Gysberts noted that DBED has granted the City's request to continue the funding up to the originally approved \$ 100,000 grant. This will allow the City to continue working with Urban Partners.

The Work Session was adjourned at 6:20 p.m.

#### **45<sup>TH</sup> REGULAR SESSION – June 24, 2014**

**Mayor D. S. Gysberts called this 45<sup>th</sup> Session of the Mayor and City Council to order at 7:16 p.m., Tuesday, June 24, 2014, 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 Donna K. Spickler, City Clerk.**

The invocation was offered by Mayor David S. Gysberts. The Pledge of Allegiance was then recited.

Mayor Gysberts announced the Rules of Procedure for this meeting will be followed as adopted September 24, 2013. It was announced that the use of cell phones during meetings is restricted and that all correspondence for distribution to elected officials should be provided to the City Clerk and should include a copy for the City Clerk for inclusion in the official record.

The next scheduled meetings are: Work Sessions beginning at 4:00 p.m. on Tuesday, July 8, 2014 and Tuesday, July 15, 2014, and the Regular Session on Tuesday, July 22, 2014 at 7:00 p.m. There will be no meeting on Tuesday, July 1, 2014 or Tuesday, July 29, 2014.

Mayor Gysberts welcomed the members of Boy Scout Troop 66 to the meeting. Troop 66 meets at First Christian Church.

### **APPOINTMENTS**

On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to appoint Terri Belasco, Terri Donaway, Julie Grimm, Shelby Higgins, Margareth Napoleon, Kathleen O'Connell and Colin Ploscaru to the Community Garden Task Force.

### **GUESTS**

Mayor Gysberts read a proclamation recognizing LGBT Pride Month. Rev. Rob Apgar-Taylor accepted the proclamation.

### **CITIZEN COMMENTS**

Mary W. Haines, 27 Laurel Street, Hagerstown, Maryland, stated there is drug activity in the alley behind her house. The Hagerstown Police Department and the Narcotics Task Force have been notified of this. This activity is in the area of the Sheetz store on North Potomac Street. She suggested the Sheetz store be closed because it attracts criminal activity.

Kevin Spielman, Potomac Towers, 11 W. Baltimore Street, Potomac Towers, Hagerstown, Maryland, asked when the building damaged by fire more than a year ago will be removed on Antietam Street. The new owners of the car wash on Baltimore Street would also like to know, as the condition of the building is creating a hardship for them.

Mayor Gysberts stated the City has expended \$ 90,000 for safety issues at the building so far. John Lestitian, Director of the Department of Community and Economic Development, stated the City became the owner of the property in March, 2014. A proposal for demolition is being prepared at this time.

Robert Miller, 650 N. Prospect Street, Hagerstown, Maryland, spoke previously to the Mayor and City Council about railing on interior walks. He asked that the property owner be required to replace these sidewalks.

Mayor Gysberts stated he will follow up on this request with staff.

Keely Neubauer, 942 Mulberry Avenue, Hagerstown, Maryland, has been reporting property maintenance violations for four years. During this time, she and her husband have been threatened and verbally attacked. She does not think the City Codes protect residents who are willing to report violations. She thinks it is unacceptable to have to keep reporting violations. People should not have to be told year after year their grass needs to be mowed. She recommends a “three strikes and you are out” system. She stated her family is moving because of these issues.

Jeff Kershner, no address given, is a long time Hagerstown resident. He has an office on S. Prospect Street. He stated people at the Sheetz convenience store ask patrons for money and drugs. He thinks Hagerstown is declining and he intends to move.

Rob Apgar-Taylor, 59 Westside Avenue, Hagerstown, Maryland, noted the agenda item of community policing. He is an officer in Washington, D.C. where they use a “broken window” strategy. The basis of the strategy is that if one owner fixes a broken window, others in the community will fix theirs as well and people will see this isn’t a “broken window” community. There has been a change in neighborhoods in Washington. He hopes Hagerstown experiences a change with the community policing strategy.

Mayor Gysberts thanked Chief Holtzman, who believes strongly in a community policing strategy, for his efforts. Mayor Gysberts has administered the Oath of Office to 17 police officers since he took office. There are problems in the neighborhoods and things are being done to address the problems.

#### **CITY ADMINISTRATOR COMMENTS**

*Bruce Zimmerman, City Administrator*, noted another fiscal year will be completed as of June 30, 2014. He thanked the Mayor and Council for their work on the budget.

#### **MAYOR AND COUNCIL COMMENTS**

*Councilmember K. B. Aleshire* stated citizens in the City’s south end are concerned about the Schuster Concrete operation on Burhans Boulevard. The MDE scheduled a

hearing at the City's request for Monday, June 30, 2014 at the Washington County Free Library. It is important for the State to hold this public hearing so residents are informed about the concrete and rock crushing operation.

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

*Councilmember L. C. Metzner* had no additional comments.

*Councilmember D. F. Munson* reminded everyone that the Hagerstown Municipal Band is celebrating 100 years. A special anniversary concert will be held on Sunday, July 13, 2014.

*Councilmember P. M. Nigh* is sorry people are leaving Hagerstown. She has noticed a decline and is taking steps to turn it around. There are many social service amenities in Hagerstown that attract people here that are not City residents. In attempts to limit the services offered, the City has been told they can't do that. She mentioned a home owner near her residence that has paid more than \$ 10,000 in code violation fines and the property is still in violation. The City has no control over the location of public housing. She is willing to listen to ideas citizens have for improving Hagerstown. She is concerned about dogs at Fairgrounds Park with no leashes. She is concerned that the Barbara Ingram School for the Arts (BISFA) is not included in the Urban Partners list of catalyst projects.

Mayor D. S. Gysberts pointed out BISFA is mentioned three times in the Urban Partners report, the first being on page 1. The list of catalyst projects is not an end all list. He doesn't believe the Board of Education wants the City to do a feasibility study on their project.

Councilmember Metzner stated it doesn't mean there isn't City support of a project if it is not listed. Mayor Gysberts stated the list is not exclusive.

Councilmember Nigh is concerned about the street patching work that was done by Columbia Gas on Mulberry Street and Fairgrounds Avenue. She is concerned that one bedroom apartments are being rented to three people. Code enforcement officers can only enter a residence if tenants ask them too.

*Mayor D. S. Gysberts* addressed the code issues noted by Keely Neubauer. The Mayor and Council spent six months debating the crime free housing and other nuisance abatement ordinances. The passing of these ordinances will help address repeated code violations. Code violations are reviewed on a complaint basis. He suggested mediation for on-going issues. He stated the City is not unlike other cities facing challenges with housing and crime. There are good servants of the City who want to make things better and are working toward that goal. The Urban Partners report includes a catalyst project list, which is not an exclusive list. The list was created using a data driven plan for projects that are feasible given the current market conditions. This is a plan where all parties can continue to build partnerships and continue moving forward. He authorized

staff to move forward with the change order to continue working with Urban Partners. This report is just the beginning. The editorial staff at the local newspaper seems to believe the magic pill for Hagerstown would have been the Sora proposal. This group wanted \$ 1.1 million (and full rights to implement with no input from the City) to produce the same thing that Urban Partners created for \$ 83,000.

### **MINUTES**

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember M. E. Brubaker, the Mayor and City Council unanimously agreed by voice vote to approve the minutes, as presented, for the Mayor and Council meeting held on May 13, 2014.

### **CONSENT AGENDA**

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 approve the consent agenda as follows:

- A. Department of Parks and Engineering:
  - 1. Installation of Sidewalks and Alley Modifications for the Handicapped – Odd Jobs Contractors, LLC (Keedysville, MD) Not to Exceed \$ 86,000.00
  - 2. Curb and Sidewalk Replacement Program – Huntzberry Brothers, Inc. (Smithsburg, MD) Not to Exceed \$ 25,000.00
  
- B. Department of Public Works: Central Air Conditioning for Public Works Operations Center – M. S. Johnston Co., Inc. (Hagerstown, MD) \$ 35,625.00
  
- C. Department of Utilities:
  - 1. Light – Fuel Oil Tank Replacement – Apex Companies, LLC (Rockville, MD) \$ 91,000.00
  - 2. Water – Goulds Pump Assembly – Geiger Pump and Equipment (Baltimore, MD) \$ 24,895.00
  - 3. Water – Water Pipe for Inventory – Atlantic States (Phillipsburg, NJ) \$ 54,549.36

### **UNFINISHED BUSINESS**

#### **A. Approval of an Ordinance: Authorizing Two Month Extension to the Cable Television Franchise Agreement with Antietam Cable Television, Inc.**

**Action:** On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to approve an ordinance to authorize a two month extension of the Cable Television Franchise Agreement with

Antietam Cable Television, Inc.

**NEW BUSINESS**

**A. Approval of a Resolution: Parking Lease with the State of Maryland  
Department of Assessments and Taxation – Central Parking Lot**

**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 approve a resolution to approve a lease agreement between the City of Hagerstown and the State of Maryland Department of Assessments and Taxation for the rental of ten (10) parking spaces in the Central Parking Lot.

The term of the lease is two (2) years and commences on June 24, 2014.  
The annual rent to be paid to the City is \$ 5,760.00.

**B. Approval of a Resolution: Parking Lease with Maryland State Department of  
the Judiciary – University District Parking Deck**

**Action:** 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 approve a resolution to approve a lease agreement between the City of Hagerstown and the State of Maryland Department of the Judiciary for the rental of (5) parking spaces in the University District Parking Deck.

The term of the lease is two (2) years and commences on June 24, 2014.  
The annual rent to be paid to the City is \$ 3,720.00.

**C. Approval of a Resolution: Parking Lease with State of Maryland Department  
of Education, Division of Rehabilitation Services (DORS) and the Department of  
Juvenile Services (DJS)**

**Action:** 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 approve a resolution to approve a lease agreement between the City of Hagerstown and the State of Maryland Department of Education, Division of Rehabilitation Services (DORS) and the Department of Juvenile Services (DJS) for the rental of nine (9) parking spaces in the University District Parking Deck.

The term of the lease is two (2) years and commences on June 24, 2014.  
The annual rent to be paid to the city is \$ 6,696.00.

Discussion: Councilmember Aleshire stated there has to be adequate parking downtown for the rehabilitation to be successful. With the

addition of projects in the pipeline, there will soon be more parking permits issued than spaces available. He hopes Hagerstown gets to be like Frederick and Annapolis, where they are building decks to accommodate increased demand.

**D. Approval of a Resolution: FY 2015 Community Legacy Application**

**Action:** On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote to adopt a resolution indicating approval of the City's FY 2015 Community Legacy application to the Maryland Department of Housing and Community Development. The application requests funding for three City capital projects: (1) \$ 150,000 to work with a private property owner to create a pilot project for student housing for USMH students; (2) \$ 120,000 for a home-ownership acquisition/rehabilitation project within targeted areas of the Sustainable Community Area; and (3) \$ 200,000 for design of a new multi-use trail that will link the City's Arts & Entertainment District to City Park and its surrounding neighborhoods.

**E. Approval of Civil War Heritage Area One-Time Funding Support**

**Action:** On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember P. M. Nigh, the Mayor and City Council unanimously approved of \$ 5,000 in City funding support for the Heart of the Civil War Heritage Area. This one-time funding will be combined with \$ 15,000 from the Washington County Convention and Visitors Bureau and \$ 5,000 from Washington County. This will provide Washington County's \$ 25,000 in funding support to be combined with a similar amount of funding each from Carroll County and Frederick County and \$ 75,000 in matching funds from the State of Maryland. The source of City funding will be the General Fund. Councilmember P. M. Nigh seconded the motion.

Discussion: Councilmember Metzner stated it is clear from the Work Session discussion on this support that the Council does not expect to vote for this again next year if there are no other municipalities involved. Mayor Gysberts stated the City should be pursuing the location of the National Headquarters in Hagerstown as a match for the catalyst project for a heritage facility. Funding could come from Hotel/Motel tax.

Motion carried 4-1 with Councilmember K. B. Aleshire voting No.

**F. Approval of 2014 Pavement Preservation Program Craig Paving, Inc. (Hagerstown, MD) Not to Exceed \$ 825,000.00**

**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 approve a contract with Craig Paving, Inc. of Hagerstown, MD in the amount of \$ 825,000 for the 2014 Pavement Preservation Program. The project also includes \$ 90,000 for pavement markings, and \$ 3,912 for testing and miscellaneous items. Funding for the project is Highway User Revenue in the amount of \$ 901,912 and Parking Funds in the amount of \$ 17,000.

Discussion: Councilmember Brubaker noted the funds are Maryland State Highway User Revenues. The amount provided to the City is considerably less than it was before the 2008 financial crisis.

### **G. Approval of 2014 COPS Hiring Grant Application**

**Action:** 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 approve of the grant application by the police department to the Department of Justice's Community Oriented Policing Services (COPS) Hiring Program. The City's portion of the matching grant will be \$ 393,000 spread over a three year period along with a one year retention requirement of an additional \$ 355,000 for the fourth year. If awarded, the grant would allow for the increase of five police officers, raising the sworn strength of the police department from 107 to 112 officers.

Discussion: Councilmember Munson stated this grant will provide needed resources to help the City's neighborhoods.

Mr. Zimmerman noted 12 officers have been hired since this Administration took office and 112 officers is the highest number of sworn personnel in at least the last 20 years.

### **H. Approval of 2014 Community Policing Development Program Application**

**Action:** 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 approve of the grant application by the police department to the Department of Justice's Community Policing Development Program. The application will supply up to \$ 100,000 to the police department for improvements to the Neighborhood Policing Program. No city funds or matching dollars are required as part of this application.

### **I. Approval of a Collection and Disposal Contract Extension with Waste Management of Pennsylvania**

**Action:** On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember M. E. Brubaker, the Mayor and City Council unanimously agreed by voice vote to approve of the extension of Contract No. 11-11-M-11 with Waste Management of Pennsylvania for curbside collection of residential trash, recyclables, and yard waste and the “RecycleBank” incentive program. The contract also includes commercial trash and recyclable collection. This extension will run for a 36-month period from January 1, 2015 through December 31, 2017.

The Mayor and Council further move to extend an agreement with Waste Management of Pennsylvania for the disposal of trash (collected within the limits of the City of Hagerstown) at the Mountain View Landfill near Upton, PA. The disposal fee will remain fixed at \$ 42/ton. Yard Waste collected will be taken to Washington County Landfill. The agreement is extended from January 1, 2015 through December 31, 2017.

**J. Approval of a Grant Agreement with Chesapeake Bay Trust for Park Circle Improvements and Planting Street Trees**

**Action:** On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to authorize the City to enter into a Grant Agreement with the Chesapeake Bay Trust for \$ 170,000 in “Green Street – Green Jobs – Green Town” funds to improve the quality of stormwater runoff. \$ 75,000 will be used for “green” stormwater facilities at Park Circle with a City match of \$ 100,000 (CIP 373) to pave and mark Park Circle. In addition, \$ 95,000 of the grant will be used to plant street trees City-wide.

Discussion: Councilmember Aleshire stated it appears an area to treat street runoff will be in direct vision of the Hager House. He wondered what that will look like. Rodney Tissue, City Engineer, stated he envisions a rain garden, with landscaping and plants.

**K. Approval of FY 2015 Workers Compensation Insurance and Broker Fees – Chesapeake Employers Insurance (Towson, MD) \$ 1,342,520.00**

**Action:** Councilmember L. C. Metzner made a motion to approve of coverage with Chesapeake Employers Insurance for Workers’ Compensation coverage and broker fees in the amount of \$ 1,342,520. Councilmember D. F. Munson seconded the motion.

Discussion: Councilmember Metzner noted that Maryland law is such that if you are a public safety employee, no matter the circumstances, and you have heart disease or cancer it is considered a presumptive condition and

is a Workers' Compensation claim. This is the reason the premium has increased significantly.

Motion carried, 4-1 with Councilmember K. B. Aleshire voting No.

**L. Approval of FY 2015 Liability and Property Insurance – Local Government Insurance Trust (LGIT) (Hanover, MD) \$ 405,400.00**

**Action:** On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to approve the Fiscal 2015 renewal of coverage with the Local Government Insurance Trust (LGIT) for liability and property insurance in the amount of \$ 405,400.

**M. Approval of Administration of Medical Claims – UnitedHealthcare (Elkridge, MD) \$ 352,172.00**

**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 approve of UnitedHealthcare to administer the medical claims for FY 2014-15.

**N. Approval of Specific Stop Loss Insurance – UnitedHealthcare (Elkridge, MD) \$ 269,579.00**

**Action:** On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember M. E. Brubaker, the Mayor and City Council unanimously agreed by voice vote to approve of UnitedHealthcare to administer the stop loss insurance for the medical plan for FY 2014-15.

**O. Approval of Flexible Spending/HRA Administration – Discovery Benefits (Fargo, ND) \$ 8,277.00**

**Action:** On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote to approve the acceptance of changing the administration of the following programs on July 1, 2014: Administration of Flexible Spending/Health Reimbursement Accounts/COBRA services to be provided by Discovery Benefits. The annual savings will be \$ 1,100 and it is expected to have better administration of the programs and improved customer service.

**P. Approval of Fiscal Year 15 Meter and MXU Purchase – L/B Water Service, Inc. (Chambersburg, PA) \$ 1,112,204.50**

**Action:** Councilmember L. C. Metzner made a motion to approve the expenditure of \$ 1,112,204.50 of Water Division Inventory funds for the purchase of radio read meters for the residential meter replacement program. Councilmember P. M. Nigh seconded the motion.

Motion passed, 4-1 with Councilmember K. B. Aleshire abstaining.

**Q. Approval of Fiscal Year 15 Utility Patching Contract – Henson and Son, Inc. (Hagerstown, MD) \$ 264,642.00**

**Action:** On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote to approve the Fiscal Year 2015 Street Patching Contract in the amount of \$ 264,642 with Henson and Son, Inc. This contract amount is an estimate, with the actual cost based upon the actual work performed for street patching and repairs associated with the operations of the Water Division and Wastewater Division. This contract has two (2) one-year renewal options under mutually agreeable terms. Approval of this contract authorizes Utilities Department staff to exercise the renewal options. Adequate budgetary funds are in place for the work identified under this contract.

**R. Approval of Contract Extension of the Installation of Pavement Markings – Alpha Space Control Co., Inc. (Chambersburg, PA) Not to Exceed \$ 165,000.00**

**Action:** 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 approve the additional work to the open-end contract with Alpha Space Control Co., Inc. of Chambersburg, PA in the Not-to-Exceed amount of \$ 165,000 for the installation of pavement markings. Marking of streets paved in the upcoming pavement preservation project is \$ 90,000 while the balance of \$ 75,000 is for replacing existing faded pavement markings. Funding of the project is Highway User Revenue in the amount of \$ 901,912.

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 8:29 p.m.

Respectfully submitted,

Donna K. Spickler, City Clerk

Approved: August 26, 2014