

EXECUTIVE SESSION – August 12, 2014

Councilmember D. F. Munson made a motion to meet in closed session 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)), to consult with counsel to obtain legal advice, #7 (Section 10-508(a)), and to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction, #1 (Section 10-508(a)) at 3:05 p.m. in Room 407, 4th Floor, City Hall, Hagerstown, Maryland. Councilmember M. E. Brubaker seconded the motion.

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

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, City Attorney Mark Boyer, Andrew Sargent, Downtown Manager, Michelle Hepburn, Director of Finance, Jonathan Kerns, Community Development Manager, Michael Spiker, Director of Utilities, Ryan Daughtridge, and Donna K. Spickler, City Clerk. The meeting was held to discuss a business proposal, status of the MELP property, and the appointment of an administrative hearing officer. No formal action was taken at the meeting. On a motion duly made, seconded and passed, the executive session was adjourned at 4:14 p.m.

WORK SESSION – August 12, 2014

Mayor D. S. Gysberts called this Work Session and Executive Session of the Mayor and City Council to order at 4:23 p.m., Tuesday, August 12, 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.

WORK SESSION – August 12, 2014

Character Counts Update

Sarah Nelson, Planning and Outreach Coordinator, and Erin Wolfe, Communications Manager, were present to discuss the City's Character Counts program.

A number of steps have already been taken in the process to implement the Character Counts! program both within the City of Hagerstown organization and throughout the community. The Character Counts! program provides a framework of universal values organized through six pillars: Trustworthiness, Respect, Responsibility, Fairness, Caring and Citizenship. Implementing these pillars creates a common language that reinforces the values of the community, which will contribute to improving the quality of life in the core and in the neighborhoods.

Implementation efforts include:

1. Introducing the pillars at orientation with new City employees.
2. Including a Character Counts! presence on the City website and City cable channel.
3. Coordinating with after-school programs and faith community partners to promote pillars within their organizations.
4. Including a "Pathway to Character" in Memorial Park.
5. Coordinating with Parks to incorporate pillars into park rules and regulations.
6. Displaying Pillars of Character in the first floor conference room and lobby area of City Hall.
7. Attending meetings to coordinate efforts with the Washington County Character Counts! Coalition.
8. Participating in a Character Counts! workshop to learn more about applying the pillars in various segments of the community.
9. Including Character Counts! in the Franklin Street project to incorporate pillars in streetscape.
10. Proclaiming October as Character Counts! Month and honor a Person of Character from the community.

Ms. Nelson stated the faith community has incorporated Character Counts! in their plans as well.

Ms. Wolfe stated they are looking at ways to incorporate Character Counts! into the parks activities. They want to make the principles real and part of everyday life.

Mayor Gysberts suggested awarding a mini-grant to an organization during October.

Mr. Zimmerman stated staff is working on ways to elevate awareness and embracing of the Character Counts! principles within the City organization so that the pillars are truly exhibited as a government and as individuals.

Workers' Compensation Program and Department Staffing

Karen Paulson, Director of Human Resources, Ed Seward, Senior Vice President of CBIZ Insurance Services, Inc., and Kevin DeHaven, Safety and Loss Control Coordinator, were present to discuss the City's Workers' Compensation Program.

The cost of the City's program, which combines premium and broker expenses rose from \$ 990,620 in FY 14 to a projected \$ 1,350,000 for FY15. These costs are expected to continue to increase. Staff received Mayor and Council's approval in March to have CBIZ complete an independent analysis of the workers' compensation program to determine if it would be financially advantageous to move from the current model, which is a guaranteed cost program, to a self-insured program. CBIZ projects the self-insured program will have a year one savings of \$ 288,645 and a five year savings of

\$ 1,972,115.

Ms. Paulson pointed out both Cumberland and Washington County are self-insured.

Mr. Seward has reviewed the current Workers' Compensation plan and has reviewed losses over the last five years and anticipated losses in the next five years. In his opinion, it would be feasible for the City to move to a self-insurance program. This year's experience modification increased 14% based on the loss history. Safety is the key to control loss. For self-insured organizations, every dollar saved in a claim or by reducing court costs is a dollar for the organization.

There are no assurances that this degree of premium growth will slow. In fact, it is expected the increases will continue due to some of the factors previously discussed such as claims with legal representation, expansion of presumption laws, and the continued transformation of Chesapeake from a quasi-governmental agency to a private entity.

The analysis conducted by CBIZ indicates a self-insured program is financially advantageous. There are real dollar savings in which a portion can be used to fund an urgently needed position in the Department of Human Resources (HR) to support this program. The balance of the savings can be used by Mayor and Council in their three year budget planning.

Councilmember Metzner stated he thought the reason for the large increase in the premium was because of laws governing presumptive conditions. He believes the City has a good safety program.

Mr. Seward stated costs can also be decreased by being proactive and quickly responding and implementing health programs. Ms. Paulson stated the presumptive conditions statements are firm but there are things the City can do to help reduce the likelihood of claims through other programs.

Mr. Seward stated, through a self-insured program, the City would fund the full amount in the budget, with an amount dedicated for payout of claims.

Councilmember Munson pointed out the memo included a note that someone will have to administer a self-insurance program. He asked if one person could do this.

Mr. Seward indicated they could. He would suggest using a third-party administrator.

Mr. Zimmerman stated there will be follow-up discussions; however a self-insured program would have additional implications for the Department of Human Resources.

Councilmember Brubaker asked if claims under the current policy would be grandfathered into a new policy. Mr. Seward stated any claims that occur prior to the cancellation of a policy would be covered by that policy.

Mr. Seward pointed out that immediate cash flow savings would catch up in five years.

Councilmember Aleshire noted moving to self-insured programs has been beneficial to other agencies. He asked if self-insured agencies could join together for even more cost savings.

Mr. Seward stated because the City has a separate charter and regulations, it would not be possible to combine with other agencies. He stated he is not aware of unrelated employers combining their experience with one insurer.

Councilmember Munson asked how you can get people to take care of themselves. Mr. Seward stated explaining the benefits and importance of healthy living is a start.

Mr. Seward stated it is extremely important to report claims as soon as possible. No one item will help reduce the number of lawsuits, but a combination of many things may.

Councilmember Brubaker noted it takes five years to catch up to the \$ 750,000 premium and the savings are not as high until the fifth year. He noted the continued escalation of the estimated premium will compensate for the claims estimate.

Discussion of the Workers' Compensation coverage will continue in September.

Children's Village Funding Request

Chief Mark Holtzman and George "Gordy" Newman, Children's Village Director of Development, were present to discuss Children's Village.

Chief Holtzman stated the City fully funded the request from Children's Village last year. The Hagerstown Police Department previously provided instructors to Children's Village but have not been able to recently.

Mr. Newman stated they know the program works. There are 27 confirmed cases that children have saved lives because of safety information they received. The annual budget for Children's Village is \$ 160,000. The budget does not include anything but "must haves".

Mayor Gysberts pointed out they are requesting \$ 5,000. He wondered if this would be funded from the Safe Streets for Schools program. Mr. Zimmerman stated if the Mayor and Council wish to fund this request, staff recommends using the General Fund Contingency because it is premature to determine if there is enough funding in the Safe Streets program.

Councilmember Metzner stated this is another agency that is not funded by other municipalities in the County. Mr. Newman informed the group that he is meeting with the Smithsburg Mayor and Council later this evening.

Mr. Zimmerman stated there is \$ 250.00 included in the approved budget for Children's Village.

Councilmember Metzner stated all non-profit agencies should be made aware that requests for funding must be submitted to the City prior to adoption of the budget. He understands that emergencies arise, but the three requests that have been submitted to the Mayor and City Council since July 1, 2014 have not been emergencies.

Mr. Zimmerman stated he and Michelle Hepburn, Director of Finance, have discussed setting a firm date for requests. The request from Children's Village was received during the height of the budget season.

Mr. Newman stated Children's Village receives funding from the Gaming Commission funds; but the funds are decreasing. He stated as County funding decreases, they are seeking other revenues.

Approval of City funding of \$ 5,000.00 will be included on the August 26, 2014 regular session agenda. Mayor Gysberts stated he and staff will be discussing agency contributions.

Mr. Newman stated they are also reaching out to businesses for additional funding support.

Creation of CIP Project for Crime Camera Replacement and Crime Prevention Through Environmental Design (CPTED) Improvements

Chief Mark Holtzman was present to discuss a request for the creation of a new CIP project titled "Crime Cameras & CPTED" to address the immediate replacement needs of the aging camera network.

The project will also be used to support necessary CPTED improvements such as street lighting used to support crime camera operations. The downtown cameras are now more than 10 years old. Several of the cameras have failed and are in need of replacement. Several neighborhood cameras have been temporarily moved to the downtown to fill vacancies. Initial funding of \$ 50,000 will be derived from FY 14 police department budget savings if there is a general fund surplus or deferment of FY 15 vehicle purchases.

Mayor Gysberts asked if revenue from the Safe Streets for Schools could be used to fund this project. Mr. Zimmerman indicated it can be, if there is revenue beyond what is budgeted. In future years, the CIP will be included in the budget similar to the one for computer replacement.

Mayor Gysberts suggested looking into the possibility of having the cameras being accessed by citizens through the internet so they can monitor neighborhoods as well.

It was the general consensus to include approval of the CIP/CPTED improvements on the August 26, 2014 agenda.

“Report a Concern to HPD”

Chief Mark Holtzman discussed a new program at the Hagerstown Police Department. The “Report a Concern” program is in support of the Neighborhood Policing program. This is an easy way for residents to report concerns to the police that do not require an immediate police response. Juvenile Concerns, Suspected Drug Activity, Crime or Speeding Complaints can be sent directly to HPD from the website. All concerns will be sent to the officer assigned to a particular neighborhood for follow-up.

This program has been working without advertising and at least one concern is received each day.

Councilmember Munson suggested including information about this program in the utility bills.

Councilmember Aleshire suggested including a line on the reporting form to indicate the provider wishes to receive updates on the status of the report.

CITY ADMINISTRATOR’S COMMENTS

Bruce Zimmerman, City Administrator, thanked the Mayor and Council for the two week break from Mayor and Council meetings.

MAYOR AND COUNCIL COMMENTS

Councilmember M. E. Brubaker stated National Night Out (August 5, 2014) was a good event and was well attended. Governor Martin O’Malley made an informal visit to Hagerstown on August 6, 2014. Councilmember Brubaker, Councilmember Metzner and Delegate John Donoghue provided information about Hagerstown to Governor O’Malley.

Councilmember Brubaker reported the MML Legislative Committee will be meeting soon to discuss priorities for the coming General Assembly Session. The City of Hagerstown submitted five priorities to the Committee.

Councilmember K. B. Aleshire received a correspondence regarding the change in the rental registration fee. The Mayor and Council’s efforts are not specific to rentals, but rather on the responsibilities of residents. The emphasis is on good stewardship and good maintenance of a resident’s property.

Mayor Gysberts pointed out a chronic nuisance is just that, whether the residence is owner-occupied or by rental.

Councilmember D. F. Munson mentioned the Council Chamber is looking very clean and professional.

Mayor Gysberts stated the Mayor and Council are being good stewards and are taking care of the building. The paint color may change, but the decisions around the table are no less important.

Councilmember Munson discussed the algae in the lake at City Park with staff. The lake is being partially drained to provide access to the drains that appear to be clogged. Councilmember Munson thanked Junior Mason, Superintendent of Parks, for his work to keep the City Park looking beautiful.

Councilmember P. M. Nigh and a neighbor have been patrolling the alleys each morning. She stated there is graffiti in several alleys. She is hopeful things work out for the new owner of the Alms House. She pointed out the elevator at the A & E District Deck is not operating because of water that entered the mechanism, not at the fault of the City. She asked if prison work release people could be used to help maintain curbs and for trimming trees.

Councilmember L. C. Metzner had no additional comments.

Mayor D. S. Gysberts had a great trip to Wesel, Germany. He is honored and privileged to carry on the tradition and long standing relationship with this Sister City. The Bergermister and her husband welcomed him.

Mayor Gysberts and staff met with CSX representatives. Topics discussed included the number of deaths that have occurred on CSX property recently in Hagerstown. CSX is aware this is a concern of the City's. There were some commitments to trim up the road that accesses a homeless camp type area. He understands the Homeless Coalition is giving people tents. This does not help discourage camping on property in the City.

Mayor Gysberts reported he and Councilmember Brubaker and others met with the Planning Secretary to discuss the efforts of the City to revitalize. He is concerned that people think a new Wal-Mart will assist in revitalizing downtown.

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 6:07 p.m.

Respectfully submitted,

Donna K. Spickler
City Clerk

WORK SESSION AND EXECUTIVE SESSION
2014 MAYOR AND CITY COUNCIL

AUGUST 12,
HAGERSTOWN, MARYLAND

Approved: September 30, 2014