

**CITY OF WESTMINSTER, MARYLAND
MAYOR AND COMMON COUNCIL MEETING
FEBRUARY 8, 2010**

QUORUM:

A meeting of The Mayor and Common Council was held in the Council Chambers at City Hall, 1838 Emerald Hill Lane, Westminster, Maryland on the evening of February 8, 2010, at 7:00 P.M. Mayor Utz; Council President Halstad; Council Members Albert, Pecoraro, Chiavacci, and Wack; City Administrator and Acting City Clerk Wolf, Acting City Treasurer Ehlers; Chief of Police Spaulding, Director of Planning, Zoning, and Development Beyard, Director of Recreation and Parks Schroers; and City Attorney Levan were present. Director of Public Works Glass was excused from attending.

MINUTES:

Upon Motion of Mrs. Albert, seconded by Mr. Chiavacci and unanimously passed, the minutes of the meeting of January 25, 2010 were approved.

REPORT FROM THE MAYOR:

Mayor Utz expressed his deepest gratitude for the Street and Police departments, as well as the Westminster Fire Department, for their efforts during and after the recent snow storm. He recognized the 104th Area Support Medical Company from Camp Freddard for their service and assistance to the City and County. He reported on the numerous accolades he received from business owners and citizens.

REPORTS FROM STANDING COMMITTEES:

Mrs. Albert reported that the recent Arts and Culture Task Force meeting was cancelled due to inclement weather. She stated that the next scheduled meeting will be held at 6:30 pm on Tuesday, March 16th at the Carroll Arts Center.

Mr. Pecoraro recognized the City's employees who were involved in the cleanup efforts from the recent snow storm.

Mr. Chiavacci expressed his thanks to the City for the excellent job with the snow removal. He then recognized Chief Spaulding and his staff for their meticulous work during recent criminal occurrences. He also reported on the reception he attended for the new President of McDaniel College. Finally, Mr. Chiavacci reported on the current effort to change existing Carroll County laws that prohibit non-profit organizations, such as the Fire Department, from being able to raise funds through use of playing cards for games of chance.

Dr. Wack also complimented the City employees on the cleanup from the snow storm. He reported that the City has exhausted its snow removal budget. Dr. Wack stated the possibility of a tax increase to go towards a reserve for events such as the recent snow storms. He estimated that with the budget the size of the City of Westminster, there should be a reserve of at least \$2M.

ORDINANCES & RESOLUTIONS:

Mr. Beyard summarized Ordinance No. 809, which would authorize the sale of the 57, 59, 61, and 63 Union Street properties by the City of Westminster to Episcopal Housing Corporation. Dr. Wack moved to introduce the Ordinance No. 809. Mr. Pecoraro seconded and the Motion passed unanimously.

UNFINISHED BUSINESS:

Mr. Beyard also summarized the Amended and Restated Letter of Intent and Contract of Sale for 57, 59, 61, and 63 Union Street. The approvals of the two documents are required to continue with the completion of the sale of the properties so that Episcopal Housing Corporation can complete the subdivision process and begin construction. Mr. Beyard explained that the original agreement stated that the City would receive \$41,500 at the time of closing on each house. He stated that the Amended and Restated Letter of Intent includes an amended requested by Episcopal Housing Corporation, on behalf of its construction lender, to break the construction into two phases. This modification would postpone payment on the first two houses until closing on the third house, with repayments continuing beginning with the fourth house in accordance with the original schedule. Finally, Mr. Beyard summarized the Contract of Sale which provides the terms and conditions for the sale of the four City-owned properties to Episcopal Housing for \$498,000, at zero percent interest. Mr. Chiavacci moved to authorize approval of the Amended and Restated Letter of Intent and Contract of Sale and authorize the Mayor to sign and execute these documents. Dr. Wack seconded, and the motion passed unanimously.

NEW BUSINESS:

Mr. Ehlers explained to the Mayor and Council that MaintainIt Pro is the current computerized maintenance management system utilized by public works to manage and track maintenance tasks. The software is desktop oriented, does not run under the current Microsoft operating systems, and has been discontinued; therefore maintenance and updates are not available. He summarized the research conducted by an evaluation team to find an alternative solution for the outdated software. The team reviewed offerings by six vendors, selecting four from which proposals and pricing were requested. After evaluation, two vendor's products were considered viable. The team finally selected the NEXGEN, a hosted website offering. Upon Mr. Ehlers' recommendation of approval of the procurement and authorization for the Mayor to execute the NEXGEN software and services agreement, Dr. Wack moved to approve the procurement. Mr. Pecoraro seconded, and the motion passed unanimously.

DEPARTMENT REPORTS:

First Vice President of the Westminster Fire Engine and Hose Company No. 1 Todd Whitson thanked the Mayor and Council for their support of the Westminster Fire Department. He reported that for January 2010, the department received 153 EMS and 58 fire calls within the City limits and 185 EMS and 61 fire calls outside the city limits.

Mr. Schroers recognized the excellent snow removal efforts of the City. He presented the Mayor and Council with packets that included information on upcoming events for the Recreation and Parks department.

Mr. Beyard reported that they are preparing materials for the budget document, as well as working the Capital Improvement Program.

Ms. Levan reported that she is continuing to work with Mr. Beyard on the Union Crossing project and is currently working on the utility easement between Episcopal and BGE. She stated that she met with Chief Spaulding on the department's pressing needs and are beginning to review the MOUs and General Orders as he needs them ready for review. She also stated that she spent some time looking into the issue with the property that was seized during a fraud case, and is trying to move the process of auctioning that property along so that the victims can get some restitution. She reported that she was working with the Code Enforcement Officer on some matters set for trial this coming week.

Chief Spaulding reported that the department is continuing to investigate the shooting at the Bishops Garth apartment complex. City detectives have been working strenuously and are continuing to follow leads. He is cautiously optimistic that we will bring this to a resolution in the near future. The situation remains their highest priority as it is one of the most significant crimes that has occurred in the City in quite some time. He also announced that the Annual Award Ceremony for the Police department will be held at 2:00 pm on Wednesday, March 17th at the Forum at McDaniel College.

Mr. Ehlers explained to the Mayor and Council that the Notebook PC's that they are working from are to help the Council meetings to be "greener" and not use so much paper. They will have access to the current Council packet and the archived minutes. The notebooks were purchased in fiscal year 2009 for approximately \$407.00 each to support training for the Eden system. They have been used through five training sessions. Finally, Mr. Ehlers reported that the audit was completed and submitted to the State.

Ms. Wolf announced that due to the next impending snow storm, the City has put all non-essential employees on liberal leave for Tuesday and Wednesday. She stated that in addition to the voicemail system that is used to notify employees, by 6:00 a.m. if offices are open, closed, or delayed there will also be a notice on the front page of the City's website. Ms. Wolf reported that the City has expended the salt budget, but will

have enough salt for this coming storm. She stated that they are going to continue to clear the streets and figure out a way around the budget at a later time. Ms. Wolf clarified to the Mayor and Council about the usage of the \$75,000 Community Legacy Grant that the City received. The City will receive \$50,000 for the commercial business façade improvement program which is a matching grant to business owners. The City will also receive \$25,000 for the residential improvement program that allows landlords to participate. Finally, she reported that City is trying to setup a workshop with the State and County to discuss the ENR and the TMBL before the City can formally decide what method to use to upgrade the Wastewater Treatment Plant.

CITIZENS COMMENTS:

Lori Graham of 118 Pennsylvania Avenue commented that she is very gracious for all the City employees involved in the snow removal efforts.

ADJOURN:

Council President Halstad adjourned the meeting at 7:59 p.m.

Respectfully Submitted,

Elizabeth L. Fahey