

**CITY OF WESTMINSTER, MARYLAND  
MAYOR AND COMMON COUNCIL MEETING  
MARCH 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 March 8, 2010, at 7:00 P.M. Mayor Utz; Council President Halstad; Council Members Albert, Pecoraro, and Chiavacci; City Administrator and Acting City Clerk Wolf, Acting City Treasurer Ehlers; Chief of Police Spaulding, Director of Public Works Glass, Director of Planning, Zoning, and Development Beyard; and City Attorney Levan were present. Councilman Wack and Director of Recreation and Parks Schroers were excused from attending.

Mayor Utz conducted the final public hearing on the Westminster Community Center. Ms. Wolf explained that to meet requirements for the Maryland Community Development Block Grant program the City must hold two public hearings on the awarded grant. The City of Westminster received \$450,000 and used that money, along with other funding, to purchase and complete the Community Center on Union Street. Since none of the citizens present posed any questions or comments, Mayor Utz motioned to close the public hearing without comment. Mr. Chiavacci seconded and the motion passed unanimously.

**MINUTES:**

Upon motion of Mrs. Albert, seconded by Mr. Pecoraro and unanimously passed, the minutes of the meeting of February 22, 2010 were approved.

**REPORT FROM THE MAYOR:**

Mayor Utz reported that he recently conducted another Main Street Business Roundtable meeting. He continues to receive good information and is acting on the information.

**REPORTS FROM STANDING COMMITTEES:**

Mr. Chiavacci stated that he received a note from a business in the Airpark thanking the City of Westminster for their help removing snow after last month's snow storms.

**NEW BUSINESS:**

Mr. Ehlers explained that the City's General Fund receivables are not on the same basis as funds expended due to the pattern of payment for real estate taxes, which make up the majority of annual funds. Loans are usually executed between the other funds (i.e.

Water & Sewer), but due to the current cash demands of all the City's funds, this option is not available. He stated that Section 13 of the City Charter allows the Council to approve indebtedness no greater than \$75,000. Mr. Ehlers recommended that the amount of credit required would be approximately \$1M, which requires a Charter amendment. Upon motion of Mr. Chiavacci, seconded by Mr. Pecoraro and unanimously passed, the request to prepare a resolution for the amendment was approved.

### **DEPARTMENT REPORTS:**

President and C.E.O. of the Westminster Fire Engine and Hose Company No. 1 Bob Cumberland thanked the City of Westminster for their assistance to the fire department during last month's snow storms. He stated that he recently made citation presentations to the six standby crew members of the National Guard at Camp Fretterd. Mr. Cumberland reported that for the month of February, the fire department received 174 fire calls with 62 being within City limits and they received 395 EMS calls. Finally, he announced that they recently put a new ambulance (rechassisied) in service to replace an older vehicle. With the additional manpower due to the Safer Grant received, and the third ambulance in service, they were able to handle 53 ambulance calls in February.

Mr. Glass recalled the discussion from the February 22<sup>nd</sup> Council meeting regarding the license agreement for a shed on the McCreary property to allow encroachment on the City's property. He stated that he had the opportunity to speak with Chandra McCreary and she questioned whether or not the City would be interested in selling that portion of property under the shed, so it would not have to be moved. Mr. Glass told Mrs. McCreary that he would bring this up to the Council, but he warned her, in advance, that although it would be unlikely, we would still pursue this form of action.

Mrs. McCreary explained that their backyard is adjacent to the Jaycee's fields. She stated that they estimated their property line and believed that their property extended another six to eight feet from where they were planning on putting the shed. They did not put the shed on the property until they received the approval from the County. Mrs. McCreary expressed their concerns that the shed would not survive another move. She stated that she and her husband came up with two possible options that they would like to bring to the Mayor and Council. First, she inquired about the possibility of a legal contract stating that they would not make any claim against the property. If that was not feasible, they asked about the possibility of purchasing the property in question.

Mr. Chiavacci stated that he did not believe moving the shed would harm it; the platform would most likely have to be modified. He explained that the issue for the City is that, right now it is on a hill on an unused piece of property and there is no idea where the City will be ten years from now. In the future, if the City needed to do something with the property that is different from its current usage and there was a couple foot jut-out, that could present a real problem to the City in terms of selling the property to the McCreary's. He stated that the reason that a five year sunset provision was decided upon was so that the City is not locked in to this agreement permanently. After further discussion the Mayor and Common Council decided that they would take another look

at the agreement and figure out a contract that would work for both parties.

Mr. Ehlers reported that a public hearing will be held for the Housing Services PHA and Administrative Plans.

Chief Spaulding reported that all the red-light cameras located at the intersection of Routes 140 and 97 are currently functioning and they are issuing warning citations. The camera located at the intersection of Route 97 and Nursery Road is currently not working, possibly due to the lack of a left turn lane. He also reported that the surveillance camera, located in Locust Lane, still is not working. They are unable to get the feed through the internet. Once it is up and running the 30-day trial period will start. Finally, Chief Spaulding announced that the Police department will be implementing a Police Chaplaincy program. Wayne Gadow, a certified, non-denominational chaplain, will be filling this position.

Ms. Levan reported that she has been continuing to work with the Finance department on collection issues. She is also working on the United Healthcare Business Associates Agreement. She was able to have it clarified that the City is only a covered entity with respect to the flexible spending account and the health reimbursement account and, therefore, the transactions that might be covered by the issues of disclosure are very limited.

Ms. Wolf reported that the City's current healthcare plan is up for renewal as of April 1<sup>st</sup>. The City budgeted for a 20% healthcare increase over last year, but United HealthCare quoted a 39% increase. She stated that in order to stay within the budget between April 1<sup>st</sup> and June 30<sup>th</sup> the City will switch from a HRA to a HMO plan. Given the City's experience factor, numerous companies failed to bid. She stated that the City has asked to look at the health savings account program, which is where the City would forward a sum of money (\$2K) to the individual. That would become their money and they would get to use it for health care. When that money is gone, that is when the health insurance kicks in. If they do not use that money, it will stay in their account and they can carry it forward. She continued to say that the City will take another look at the plans before July 1<sup>st</sup>. LGIT is setting up their own insurance plan and will give a quote.

Ms. Wolf announced that the City is currently running a pilot project with the bulk trash pick-up system. Citizens will not put out their bulk trash on certain dates and times, but the City will pick-up automatically. The goal is to eliminate the call volume to the Street department. She also announced the start of the computerized Client Services Request system. All complaints and requests are being fed into the system and an email is generated and sent to the appropriate department. Eventually, the phone line that currently goes to Public Works will be switched over to the City's central office.

Ms. Wolf also reported that she recently attended the MML Chapter Meeting. She explained that one of the things that were discussed was related to the highway user revenue. They are looking at changing the formula by which the money is getting distributed between the counties and municipalities, which would result in Westminster

possibly receiving a bit more money.

Finally, Ms. Wolf stated that she received notice from the MML stating that a group of businesses have gone to the General Assembly to request that municipalities no longer be able to charge for Miss Utility markings. The City started charging \$35 for this service last year and has received a little over \$22,000 in revenue for the first seven months of the fiscal year. This is another source of revenue that seems to be in jeopardy.

**CITIZEN COMMENTS:**

Janice Kispert, CEO of Rape Crisis Intervention Service of Carroll County, announced that the 2<sup>nd</sup> Annual Walk a Mile In Her Shoes: The International Men's March to Stop Rape, Sexual Assault and Gender Violence will take place on Saturday, April 17, 2010 from 10:00 a.m. to 2:00 p.m.

President Halstad recognized Boy Scouts' Peter Davis of Troop 395 and Brett Wise of Troop 293. Both were in attendance to meet requirements to achieve their Communications Merit Badge.

Lori Graham, 118 Pennsylvania Avenue, thanked Chief Spaulding for supplying information to the City's businesses of actions being taken to monitor surrounding areas for suspicious behavior.

**ADJOURN:**

Council President Halstad adjourned the meeting at 8:14 p.m.

Respectfully Submitted,

Elizabeth L. Fahey