

**CITY OF WESTMINSTER, MARYLAND
MAYOR AND COMMON COUNCIL MEETING
MARCH 22, 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 22, 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 Public Works Glass, Director of Planning, Zoning, and Development Beyard, Director of Parks and Recreation Schroers; and City Attorney Levan were present.

Mayor Utz recommended the appointment of Arlette Mitchell to the Westminster Historic District Commission. He stated Ms. Mitchell came highly recommended by City Planner Tim Rogers. Mr. Pecoraro moved to approve the recommendation. Mr. Chiavacci seconded and the motion passed unanimously.

Don West and Dan Andrews of WasteNot! Carroll conducted a presentation to the Mayor and Common Council on waste removal options within the city. Mr. West explained that WasteNot! Carroll is a local organization interested in municipal solid waste issues. Westminster is currently under a flat-rate fee system for waste removal and should the City decide to go with a "pay as you throw" program the fee would change to a variable-rate. He stated that the PAYT program promotes waste diversion by encouraging recycling and composting. Residents would pay for the level of service used, just as they would with their utilities, and could save money by reducing the amount of waste produced. The City could save money since there is not as much trash to be disposed of, reducing the tipping fees. Waste would go to recycling and composting centers, saving the City money or even generating revenue. PAYT is EPA-encouraged and over 7,100 communities in the United States have a variation of this program in place. He stated that there are various PAYT systems that are used throughout the country, such as variable sized cans, designated bags, tags, and weight-base. Mr. West continued to discuss the advantages and disadvantages of the PAYT program.

Mr. Andrews presented the Mayor and Council with case studies conducted in Aberdeen, Maryland and Penn Township, Pennsylvania. He stated that Aberdeen has been on the residential only sticker PAYT program since 1993. The City collects recyclables at no charge. The sticker costs are relatively low with a small bag, holding up to twenty pounds, costing \$0.40 per sticker and a large bag, holding up to forty pounds, costing \$0.80 per sticker. He stated that Aberdeen saves approximately \$70,000.00 a year by not sending waste to the landfill and collects \$21,000.00 in revenue for recycling paper. Mr. Andrews continued to discuss the bag PAYT program that Penn Township has had in place for their residents and businesses since 1991.

Bags can be purchase at local stores for \$3.25 per forty pound bag. The Township reported a 32% residential recycling rate and \$15,000.00 to \$61,000.00 recycling revenue, depending on the market.

Mr. West concluded the presentation by making suggestions for how the City of Westminster could implement a pay as you throw program. He stated that a Task Force should be formed to do additional research. The City would need to get citizen's input since they would need to be onboard with the program. They would need to be educated, since trash services are currently included in the resident tax bill; giving the impression that the services are free. Mr. West stated that implementing a strategy and establishing a program could take up two years.

MINUTES:

Upon motion of Mr. Chiavacci, seconded by Dr. Wack and unanimously passed, the minutes of the meeting of March 8, 2010 were approved.

CONSENT CALENDAR:

Mrs. Albert moved to approve the Consent Calendar, which consisted of the approval of the February Departmental Operating Reports. Mr. Pecoraro seconded the motion and it passed unanimously.

REPORT FROM THE MAYOR:

Mayor Utz reported that he, along with Councilmen Wack and Chiavacci, attended the Westminster Police Department annual awards ceremony on March 17th. He stated that the event was well-attended and many greatly deserved awards were presented. Mayor Utz also reported the he recently attend the 2010 Rock Ball to support the Greater Westminster Kiwanis Club.

BIDS:

Mr. Glass summarized the Inflow and Infiltration Study RFP that the City developed to investigate the potential of inflow reduction at the Wastewater Treatment Plant. He stated that the study would provide data needed to determine possible defects in the collection piping, which allows for water intrusion. The study will take place along the largest pipeline in the system that was installed in 1972. He described the pipeline as a good candidate for ground water intrusion since it passes through streams and wetland areas and has never been CCTV inspected. If the results of the study show ground water intrusion, a second phase of the RFP can be enacted to effect repairs. Mr. Glass reported that three firms submitted bids with complete project scopes and associated pricing under separate cover. After a thorough evaluation by Mr. Glass and the staff from Utility Maintenance, Engineering, and the Wastewater Treatment Plant, Stearns and Wheler GHD was ultimately selected as the best candidate for the study. They provided more field time and proposed to double the study duration from thirty days to

sixty days. He stated that Stearns and Wheler GHD have performed excellent work for the City, having designed the last two Wastewater Treatment Plant upgrades, Nitrate removal facilities, Medford Quarry Pipeline and Capacity Management plan. Mr. Glass recommended the Mayor and Common Council accept the RFP from Stearns and Wheler GHD in the amount of \$39,900.00 to complete the Inflow and Infiltration Study. Upon motion of Dr. Wack, seconded by Mr. Chiavacci and unanimously approved, the RFP submitted by Stearns and Wheler GHD was accepted.

ORDINANCES & RESOLUTIONS:

Mr. Ehlers summarized Resolution CAR1-10 stating that it will increase the City's borrowing power. The amended Charter would allow the City to borrow, up to ten percent of the City's General Fund operating revenue for the General Fund for the fiscal year in which the debt is incurred.

Mr. Chiavacci clarified that when using the term "borrowing," the City is referring to setting up a line of credit. This will give the City the ability to draw money off the line, if needed.

Mr. Pecoraro moved to approve Resolution CAR1-10. Mr. Chiavacci seconded the motion and it passed unanimously.

NEW BUSINESS:

Due to a conflict of interest, President Halstad excused himself from participation of the debate and vote.

Mr. Beyard explained that the current Parking Lease Agreement No. A-974 between the Mayor and Common Council of Westminster and GR Properties, LLC provides for the lease of eighteen spaces in the City's Eugene Bauerlein Parking Lot, located on John Street, a \$20.00 per space for an initial twenty-year term. The property was recently sold to Laura Realty and the new owner intends to operate a chiropractic practice and weight loss center at this location, in addition to retaining the existing beauty salon. The new owner also wishes to continue with the use of the eighteen spaces. They would like to either have the current agreement assigned to them and assume responsibilities for its obligations or in the alternative, to execute a new agreement incorporating the terms and conditions of the existing agreement. Mr. Beyard recommended the Mayor and Common Council approve a new parking lease incorporating the terms and conditions of Parking Lease Agreement No. A-974 and terminate the existing parking lease once the new lease is fully executed; and authorize the Mayor to execute the new lease, the termination agreement on the existing lease and related documents to implement this decision. Mr. Chiavacci moved to approve the recommendation. Mr. Pecoraro seconded the motion and it passed unanimously.

DEPARTMENT REPORTS:

Ms. Wolf reported that the Senate voted to make the highway user revenue cuts permanent. The City's highway user revenue was recently cut by 90%. She also reported that the City received additional promising information regarding healthcare insurance renewal. United Healthcare submitted a fifteen month quote so that the City can coordinate insurance renewals with the fiscal year. The City also received a couple quotes from United Healthcare on their Health Savings Accounts. Finally, Ms. Wolf reported that the Mayor received a letter from the Arbor Day Foundation stating that the City of Westminster has been declared a Tree City for the 21st year.

Mr. Beyard reported that the Arts and Culture Task Force met recently and approved a draft of the Arts and Culture Overlay Zone Ordinance. The Task Force has two more scheduled meetings to finish up the promotional recommendations, with a final report in May. He stated that at that point the Mayor and Council will have to decide if they want to move forward with the Ordinance.

Ms. Levan reported that she had been working on the Charter Amendment Resolution and her associate, Karen Ruff, was working on Union Crossing issues.

Chief Spaulding reported on the success of the Police Department's annual award ceremony. He stated that thirty-seven members of the department and a volunteer were recognized for their efforts in the past year at this event. He announced that Lori Graham was named Volunteer of the Year. Chief Spaulding also reported that the red-light camera systems are running and the department has been issuing citations for about a week. He also stated that members of the media are invited to the station on March 29th to view the monitoring and citation system.

Mr. Ehlers reported that Technology Services finished the CCPN cable hook-ups. He stated that 56 West Main Street is running on a fiber network with the wireless as a back-up.

Mr. Glass reported that half of the stimulus funded water meters have been replaced and that they are ahead of schedule. He stated that there will be a two to three week delay due to manufacturer demands. Finally, Mr. Glass mentioned that he and Ms. Wolf recently met with MDE regarding funding issue with the ENR program at the Wastewater Treatment Plant.

Mr. Schroers reported on the support received by the Westminster Lion's Club in recent months, which included their funding and involvement in the Santa's Treat event and the repairs to the King Park pavilion. He stated that recently the Lion's Club approved a \$14,000 donation to install a small playground on the north side of the City Park. He thanked the Lion's Club for being a great partner to the City and providing additional opportunities for the residents. Then, Mr. Schroers announced that April 3rd will be the annual Easter Egg Hunt and will be held on the Westminster City Hall grounds. On April 10th the 5th annual Father & Son Miniature Golf Tournament will be held at

Westminster's Island Green. Next, Mr. Schroers reported that for the month of February, despite being closed for five days, over 8,000 people came through the Armory. Finally, he stated that once the spring sports begin, over 5,000 kids will be using the city parks on a weekly basis.

CITIZEN COMMENTS:

Lori Graham, 118 Pennsylvania Avenue, asked the Mayor and Council if the line of credit will be put out to banks for bid or has the bank already been decided. Mr. Ehlers stated that the City would be meeting the requirements of the Code relative to obtaining the line of credit. Ms. Graham also announced that in conjunction with the Carroll Arts Center's Peep Show, Sandy Oxx is working to get Main Street business owners to hide Golden Peeps in their businesses so that people will come in and try to find these Peeps for a prize. Finally, she thanked Chief Spaulding for honoring her as Volunteer of the Year at the recent awards ceremony.

ADJOURN:

Council President Halstad adjourned the meeting at 8:41 PM.

Respectfully Submitted,

Elizabeth L. Fahey