

**CITY OF WESTMINSTER, MARYLAND
MAYOR AND COMMON COUNCIL MEETING
FEBRUARY 27, 2012**

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 27, 2012, at 7:00 P.M. Mayor Utz; Council President Halstad; Council Members Chiavacci, Frazier, Wack and Whitson; City Administrator and Acting City Clerk Wolf; City Treasurer Ehlers; Deputy Chief of Police Stevens; Director of Public Works Glass; Interim Director of Planning, Zoning, and Development Horn; Director of Recreation and Parks Schroers; and, City Attorney Levan were present.

Mayor Utz recommended the reappointments of Jay Voight and Missie Wilcox to the Recreation and Parks Advisory Board. Upon motion of Mr. Frazier and seconded by Mr. Whitson, the motion passed unanimously.

MINUTES:

Upon motion of Mr. Whitson, seconded by Mr. Frazier and unanimously passed, the minutes of the Council meeting of February 13, 2012 were approved.

CONSENT CALENDAR:

Mr. Frazier moved to approve the Consent Calendar, which consisted of January 2012 Departmental Operating Reports, Revised Giant Food Public Works Agreement, and the Verint Audiolog Proposal. Mr. Whitson asked the meaning of the negative balances in the Finance section of the Departmental Operating Reports. Mr. Ehlers stated that it signified where revenue received exceeded the funds appropriated, this is positive. Mr. Whitson then seconded the motion and it passed unanimously.

REPORT FROM THE MAYOR:

Mayor Utz reported on the latest Downtown Business meeting on Friday, February 24th. He stated that many suggestions were made for solving issues with the Downtown area, and he intends to incorporate them into the Roundtable Action Plan.

REPORTS FROM STANDING COMMITTEES:

Mr. Frazier proposed making a policy to not use chemical herbicides within the City, and use organic materials or mechanical removal so as to maintain the nutrients in the soil.

Mr. Halstad asked Mr. Glass for insight into how this will impact current methods of weed and insect control. Mr. Glass stated that organic substances are generally less

effective and more expensive than standard chemicals, but they are available and can be used. He also stated that mechanical means would be more labor intensive, thus requiring more man hours. Mr. Halstad asked if the amount of treatment for which the City is responsible would outweigh the increase in cost. Mr. Glass answered that he would confer with the staff responsible for herbicide application as there is a lot of roadway to be treated, especially in high traffic zones. Mr. Halstad stated that although the ratio is not easily compared between organic and standard chemicals, he requested Mr. Glass to research the cost differential.

Mr. Whitson asked if studies were available on the overall environmental effect of standard chemicals. Mr. Frazier answered that there are many studies available, and runoff of said chemicals enters the waterway systems as well.

Mayor Utz asked that the upcoming budget be kept in mind when deciding on a more costly solution.

Mr. Whitson reported on a recent meeting between himself, the sheriff's office and Commissioner Rothschild to work out the situation of homeless living beside MD Rt. 27. He stated that one person living in the area was asked to leave and another will be receiving help from local assistance groups. 84 Lumber and the Railroad system will work to clean up the area. He also stated that one person was in possession of stolen goods and subsequently arrested during the operation.

Mr. Halstad asked about how many people were living in that area. Mr. Whitson stated that he did not observe many, but felt that many were absent due to the pleasant weather and time of day.

Mr. Halstad reminded the Mayor and Common Council of upcoming dates for budget meetings. The Finance Committee will review the CIP Budget on March 30th after which it will come before the Mayor and Common Council on April 23rd. Then the preliminary budget will be reviewed on March 26th and finally there will be two workshops during regularly scheduled Council meetings on April 9th and 23rd. There will be a public hearing regarding the budget on May 7th.

Mr. Halstad asked Ms. Levan the status of the new loitering law. Ms. Levan stated that the existing law needs to be revised to update antiquated language and a new ordinance should be created to replace the existing law.

Mayor Utz asked what kind of authority to expect from the new law. Ms. Levan stated that the police department will not be able to make an arrest until sufficient and specific warnings were given. She said that she is working with the Westminster Police Department to develop sufficient procedures and is also working with the Baltimore City Assistant Attorney and Police Department to get usable verbiage.

NEW BUSINESS:

Mr. Glass proposed the purchase of a solar-powered mixing device to be used at the Water Treatment Plant reservoir. The new machine, created by SolarBee, will mix at a rate of 10,000 gallons per minute and will remove the use of algaecides. City Staff began to investigate the potential for utilizing this technology at the raw water reservoir in 2010. Mr. Glass explained that installations nearby that are similar to the City's reservoir with regard to size, geometry and water quality were visited and reviewed with very positive results. The review determined that upon operation of the SolarBee mixer, all algaecides were discontinued along with mechanical (energy intensive) aerators with the result being, improved overall raw water quality with savings in power and chemical costs. He stated that the cost benefit analysis associated with utilizing the SolarBee technology indicates a savings in energy of \$4,000 per year and chemical costs between \$8,000 and \$10,000 per year. The total cost for the installed equipment is \$55,313. He noted that SolarBee holds the patent on their (proprietary) design and process so there are no competitors at this time. Mr. Glass stated that funds that are sufficient for this project are in the chemical operating line item of the Water treatment budget. These funds are available as they are unspent due to the chemical optimization initiated by the Water Plant Superintendent.

Mr. Whitson asked what the life expectancy was for the unit. Mr. Glass stated that the oldest unit he observed was eight years old and in no need of repair at this time. He noted that if the solar panels are damaged, they will need to be replaced, but the unit itself should last at least ten years before needing any service.

Mr. Chiavacci was pleased with the machine, stating that it is a great idea to use less chemicals and energy, and will be a great part of the "green" initiative.

Upon motion of Mr. Frazier and seconded by Mr. Chaivacci, the purchase of the SolarBee mixer in the amount of \$55,313 was approved unanimously.

Mr. Horn recommended approval of a Good Cause Waiver for Mr. and Mrs. Sanders of 701 Fairfield Avenue due to the failure of their septic system. He stated that their property is within the existing sewer service area and they already receive City water service.

Mr. Whitson asked if they were able to connect to the sewer system, and what costs were to the City. Mr. Horn replied that the Sanders will cover the cost to connect approximately 55 feet to the sewer system and that there would be no cost to the City.

Mr. Halstad asked if they were required to hook up to the City sewer service system or if they could install a replacement septic system. Mr. Horn stated that due to new regulations, the property is not large enough to support a new septic system.

Upon motion of Mr. Chiavacci and seconded by Mr. Frazier, the Good Cause Waiver for 701 Fairfield Avenue was approved unanimously.

Mr. Horn explained that the Knorr-Brake Public Works Agreement will allow the company to build a \$15 million LEED-certified structure that will double their current facility size and allow the company to retain all current employees with the potential for more.

Mr. Frazier asked what level LEED certification for which Knorr Brake was applying. Mr. Horn replied that the Platinum level was the goal. Mr. Halstad asked what the specifications were to achieve Platinum LEED certification status. Ms. Wolf answered that there is a whole series of specifications available through the LEED website.

Upon motion of Mr. Whitson and seconded by Mr. Chiavacci, the Knorr Brake Public Works Agreement was approved unanimously.

Mr. Frazier motioned pursuant to Section 10-508-A-7 of the State Government Article of the Annotated Code of Maryland to conduct an executive session at the conclusion of the current meeting to consult counsel to obtain legal advice. Mr. Whitson seconded, and the motion passed unanimously.

DEPARTMENT REPORTS:

President and C.E.O. of the Westminster Fire and Hose Company No. Bob Cumberland reported that House Bill 3630 was approved, allowing enhanced 911 calls centers and upgrades to radio systems. It also allowed for emergency services to use a separate radio frequency bandwidth that could not be used by outside parties.

Mr. Glass clarified statements made at the previous Council meeting regarding "Green Cities" grant funds from the Environmental Protection Agency by stating that they are not applicable for the City's currently proposed projects. Those funds apply to stormwater management and Save the Bay initiative programs. The Maryland Energy Administration allows grant funds of 50% of installation costs only for wind or solar-power generation equipment. The City would need to invest approximately \$14,000 to install a windmill on the City Street Department building, and those funds are not available at this time. He stated that the Public Works Department is ready for the upcoming budget, and can include funds for such a project if necessary.

Mr. Frazier asked what kilowatt hours (kwh) would be generated for the \$14,000 investment. Mr. Glass responded approximately 10,000kwh, dependent upon prevailing winds. Mr. Whitson asked if the power generated would be primary or supplemental energy. Mr. Glass answered that at peak times, the building would pull less energy from the electrical grid, which could generate a \$0 electric bill or even a credit for giving back to the system.

Mr. Chiavacci asked for a rough estimate on the return on investment. He stated that this project might not be very successful because there is not enough wind in the City. He also asked if there were distance requirements based on the intended area of use.

Mr. Glass responded that there are distance requirements as well as zoning requirements by the County, but generally the windmill must be installed near to its area of use.

Mr. Schroers reported on a successful second Parents' Night Out event. He also reminded the Mayor and Common Council of upcoming spring events by the Recreation and Parks Department. Finally, he reported that the "Rec on the Move" initiative program that began last year was submitted to the Maryland Recreation and Parks Association for a creative programming award and it won.

Deputy Chief Stevens reported that the new Records Management System is finally in the pilot program stage and several officers are using it at this time. He stated that over the next few months, all officers will be using the new system and then they will start transferring the old data to the new system.

Mr. Halstad asked Ms. Levan for an update on the Ethics Ordinance currently in the Maryland Senate for vote. Ms. Levan reported that her workgroup was not satisfied with the current bill and is working with several attorneys to introduce amendments to the bill. The same amendments will be submitted to the Maryland House of Representatives to be included in their vote as well. She will testify at hearings on March 2nd and 6th, and is stated that she is optimistic that the bill will pass with the recommended amendments. Mayor Utz asked what kind of support the bill has at this point. Ms. Levan stated that the entire subcommittee has approved the amendments, but getting them to the House and Senate will be tough. She recommended the Mayor and Council members speak to their legislators to help.

Ms. Wolf reported that there are funds available in the governor's budget for the Community Development Block Grant. This year, the City will apply for funds to improve its handicap-accessibility ramps.

She also reported that there is a contract on one of the Union Street properties. She stated that flyers were sent to Random House, Carroll Community and McDaniel Colleges, Carroll County Government, Sheriff's Office and Carroll Hospital Center, and one of those employees has shown interest and qualifies for the loan program associated with the Union Street houses.

CITIZEN COMMENTS:

Lori Graham, 118 Pennsylvania Avenue, requested a presentation from Knorr-Brake on what was required to achieve their LEED certification. She stated that LEED certification is a huge commitment and it would be educational to learn about the process.

ADJOURN:

President Halstad adjourned the meeting at 7:51 PM.

Respectfully Submitted,
Samantha H. Parthree