

PUBLIC HEARING MINUTES
MAYOR AND COUNCIL
Tuesday, November 25, 2003, 7:00 p.m.

I&I Rehabilitation of Sanitary Sewer (Infiltration & Inflow)
Request for issuance and sale of up to \$550,000 par amount of bond
to be issued and sold for the purpose of providing a portion of the funds
for sanitary sewer rehabilitation
Public Comment Welcome

Dave - Brief overview of Resolution and Ordinance
No Comment

MAYOR AND COUNCIL MINUTES
MEETING
Tuesday, November 25, 2003, 7:05 p.m.

Pledge

Roll Call - Harrington, Smith, Greenfield, Stull, Castle, Bell

Mayor's Remarks

\$649.44 from Community Foundation of Frederick & \$200 From Frederick Arts Council

Senior Center has received new 10 passenger van.

CAC has been rescheduled to Thursday, December 18, 2003 at 7:00 p.m.

Census Bureau has agreed that City boundary was incorrect, however they have not agreed that this translates into more population.

The USPS has responded to our request. They have denied our request for alteration of zip code. BOA and P&Z members completed a course in Planning issues over the last two Saturdays..

Citizens' Forum

Old Business

Status of Brylawski Annexation Petition - Rick Stup
Brunswick Planning & Zoning reviewed. They stated application to County was premature.

Mayor - The City will be at next public hearing held by County. We do not have conceptual development plans. We only have petition.

Smith - Inquires as to County position.

Rick - County Planning Commission can only consider whether annexation is consistent with Master Plan. Commissioner is very sensitive to Municipalities. Frederick County Planning Commission found the proposed annexation to be inconsistent with the Region Plan.

Mayor - There is no information as to density.

Rick - The developer states no plans for development for 10 years.

New Business

Audit - Michele Mills, Draper & McGinley, P.A.
Overview for public. Presentation was given to Finance Committee last week.

Smith - The Fund balance used was placed in expenditures and should have been placed on revenue side.

Dave - We have traditionally placed reserve used on expenditure side as reserves have been already counted in a previous year as revenue.

Michele - Sewer fund indicates total accrual deficit of \$659,060.

Bell - Inquires as to City Swimming Pool.

Michele - Show pool lost money.

Smith - Believes holiday pay should be counted as overtime not salaries.

Michele - We did correct how Court pay was counted. Believes if holiday is worked it is considered regular salary.

Dee - In previous years holiday pay was counted with salary. This years we broke out holiday, court time, and overtime.

Smith - This is not accurate picture of overtime use.

Mayor - Definition of holiday pay is not consistent with counting as overtime. FSLA is not worded that way. Only hours over 40 hours is considered overtime. Holiday pay is worked within 40 hours.

I&I Loan Resolution & Ordinance - Dave

Overview

Park Heights Tax forgiveness - Rick Weldon

Ask consideration of forgiving City back taxes, code enforcement fines, and other encumbrances. Consider language that once not-for-profit organization is recognized with a State that City forgiveness will become effective.

Mayor - Total amount appears to be \$2,225.28

Motion - Castle to forgive when a valid not-for profit corp is formed and back tax, fees, and other encumbrances at the time a not for profit is formed

2nd - Stull

Rick Weldon - Charter of not-for-profit is being formed. 28 people will sit on board.

Mayor - Appreciate citizens taking interest in situation.

Vote approved 6 - 0

Joe Moss, ARRO consulting - Award I&I bid

Previous bids in February 2003. Council agreed to rebid in July 2003. Tri-State Grouting low bidder at \$547,560. A few items from East Potomac Street project will be backed out from I&I project.

Mayor - Understand will award bid at \$547,560. How do we get to adjusted bid of \$480,360?

Joe - Less than expected manholes frames, inserts, and covers.

Bell - Questions as to total loan

Dave - The estimated loan will \$526,000, the numbers on page C-1 includes forward funded amounts coming not from loan proceeds.

Joe - The award should be awarded at \$547,560

Motion - Smith - Award bid of \$547K with change order and other costs not to exceed \$526,500 loan proceeds.

2nd Stull

Harrington- What is it is higher.

Harrington - Is it appropriate to approve \$547,000 or \$480,000.

Smith - Withdraw motion, Stull concurred.

Harrington - Motion to award bid to Tri-State of \$547,560 recognizing that change order will deducting \$67,200 from cost to \$480,360.

Mayor - Lets deal with awarding bid only.

Harrington - Withdraw motion

Smith - Made motion with same language as the previously withdrawn motion he made.

Vote to approve Smith's motion 5 - 1, Harrington against.

Joe Moss - Design & Construction Services—East Potomac Street Project
This is an amendment to original proposal.
\$34,900 design, bidding services \$???, inspections rate of \$39 per hour.

Smith - Page 2, the 16" line is that design to the reservoir?

Joe Moss - Actually is a short piece to be installed with this contract for line to reservoir so road did not have to pulled up later. This was based on original routing design. Once the cost is determined to cost could be recovered from IKO.

Castle - Due to federal guidelines bidders will be getting additional information pertaining to Section 3. We just want to be sure that we award contract for available funds

Castle - Inspection costs should be addressed in motion.

Joe Moss - Estimated on 120 day contract, however now it is a 180 contract. The estimate for grant purposes was for 8 hours a day. Real costs will not be for 8 hours a day. When underground utilities are being installed you need full time inspection. Only 20 working days a month will be realized, i.e., rain dates, etc. \$57,600 was used for inspection estimate in grant. Originally we used \$59 per hour now we are using \$39 per hour.

Mayor - At original estimate we would have 1,000 hours.

Castle - Motion to award bid for Design Services not to exceed \$34,900 and bidding services not

to exceed \$ 3,500.

2nd Smith

Vote 6 - 0

Motion - Smith to remove wreaths in unit block

Castle - Request that parking meters be covered from November 28 through January 2, 2004.

Mayor - Questions benefit to program.

Bell - Have talked to some residents who claim others take advantage of parking not conducting businesses.

Castle - Agree that possibility is to shorten period of program. Can monitor program.

Bell - Frederick City gives voucher for persons.

Motion - Castle to institute free parking program from November 28 through January 2, 2004 for all meters. In downtown district on East and West Potomac St. between 1st to Virginia Ave.

2nd - Greenfield

Vote to approve 6 - 0

Employee Appreciation Day–November 28, 2003

Smith- Motion to approve, no Holiday pay for workers, public works, WTP, and WWTP who work. All will have crew ready to handle problems

2nd - Stull

Vote 6 - 0

Dave Dunn - Water Meter Selection–has communicated with other places using Neptune meters to discover potential problems & inquire as to meter range with the no appreciable problems discovered.

Smith - Motion to accept Neptune meters.

Stull-2nd

Vote- 6-0

Smith - Motion to accept meter costs of \$184 for meter, \$10 miscellaneous parts, \$90 for two inspections, and 25% inspection costs. The total cost from Neptune for the 250 meters is \$46,000.

Dave - This currently totals \$355, but cost will be adjusted in the future.

2nd-Stull
Vote-6-0

Adjournment

Approved By: _____
Mayor Date

Witnessed By: _____
City Administrator Date