

WORK SESSION AND EXECUTIVE SESSION – March 13, 2007

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Mayor Robert E. Bruchey, II called this Work Session and Executive Session of the Mayor and City Council to order at 4:05 p.m., Tuesday, March 13, 2007 in the Council Chambers at the City Hall. Present with the Mayor were City Council Members M. E. Brubaker, K. S. Cromer, L. C. Metzner, and P. M. Nigh, City Administrator Bruce Zimmerman, City Attorney John Urner, City Attorney William Nairn and City Clerk D. K. Spickler. Councilmember A. Parson-McBean was attending the National League of Cities Congressional Cities Conference.

Proclamation: Red Cross Month

Mayor Bruchey presented a proclamation to Julie Barr-Strasburg, American Red Cross, recognizing March as Red Cross Month and March 14, 2007 as Hometown Heroes Day. Bob Rankin, American Red Cross, thanked the citizens for their support of the Red Cross.

Proposal for New Park from Kiwanis Club

The Kiwanis Club of Hagerstown has submitted a proposal for a new park in the City of Hagerstown. The Kiwanis Club would like to facilitate the development of new parklands providing access to Antietam Creek to serve the citizens of Hagerstown and Washington County. Fred Nugent, William Breichner and Blaine Weaver were present to discuss the project.

The proposed “Kiwanis Park” is located off of the proposed extension of Cameo Drive in the Light Business Park near Eastern Boulevard. This would be a passive recreation facility. Back stops, paved areas, etc. would be prohibited. It would provide individuals and families an opportunity to visit a more natural area, with access to water. The proposal includes the ground level development of a reinforced launch area for watercraft that would be carried into the site, such as canoes, kayaks, or light weight boats.

Future goals include the development of a hiking/biking path along the creek side at least as far as the Dual Highway Bridge, and stabilization of the existing stone house on the property, with the intent to form a separate group to study and develop programs at that side. Potential partners include Catoctin Land Trust, Chesapeake Wildlife Heritage and local historical groups.

If approved, the Kiwanis Club of Hagerstown will immediately deed the property to the City of Hagerstown, in exchange for the naming rights and will establish a permanent sub-committee to assist with maintenance and conduct annual service projects for clean-ups and other improvements as allowed. Any work that Kiwanis does there will be voluntary and will be under the approval and guidance of the City.

The City of Hagerstown would be responsible for maintenance of the completed park. Mr. Nugent indicated the Kiwanis would volunteer to do a clean up twice per year. Mowing would be minimal, since the park would not be a manicured spot but more of a natural area.

It was the general consensus of the Mayor and City Council to allow the Kiwanis Club to proceed with plans for the park.

### Segway Tours

Tom Riford, Convention and Visitors Bureau President, provided information about Segway tours in the City of Hagerstown. Jeffrey Hutton, TourGlides, LLC and Austin Colby were present to provide additional information. TourGlides, LLC, offers guided tours of National Parks, Rails-To-Trails, National battlefields, city, state and regional parks, historical and cultural sites, zoos and aquariums, and other exciting outdoor events and landmarks. Segway personal transporters are safe, easy to use and environment-friendly equipment.

TourGlides groups are small and intimate. The guides are historians, experts, and professionals, also trained in “Segway”. TourGlides will begin providing the first Segway tours of Antietam’s battles and landmarks in Spring, 2007. TourGlides could provide tours in Hagerstown, especially through Downtown and City Park. This would offer another mode by which to tell history.

TourGlides, LLC is asking for permission to hold tours in City Park. The rules for City Park would have to be amended in order to permit this type of motorized vehicle tour in the park. Individuals would not be permitted to ride Segways in the park.

It was the general consensus of the Mayor and City Council to permit TourGlides, LLC and City staff to develop tour routes and other details. The additional information will be presented to the Mayor and City Council.

### Smart Growth A&E District – Boundary Expansion

The State of Maryland designated the four blocks surrounding Public Square as a Smart Growth A&E District in 2002. In this district, the City and the County agreed to provide property tax credits for projects which create artist housing and space for artist enterprises. In addition, the State will provide income tax subtractions for artists that live in the County and work in the district. An exemption from the Admissions and Amusement Tax is also available for qualifying enterprises.

At present, the supply of affordable and small-scale housing in the district is limited and so it is difficult for artists to purchase (or rent) housing and thus take advantage of the program’s tax incentives for artists and creators of artist housing.

In order to incorporate additional areas in the Smart Growth A&E District containing more affordable housing options, the Mayor and City Council were asked to consider expanding the boundaries on the east side of the district. The expansion would incorporate Locust and Mulberry Streets from Randolph Avenue to E. Baltimore Street, S. Potomac Street down to E. Baltimore Street, E. Baltimore Street from S. Potomac Street to S. Mulberry Street, and E. Franklin, E. Washington, and E. Antietam Streets out to Mulberry Street. This would facilitate creation of artist housing in the district, while not including commercial areas to compete with the existing boundaries of the A&E District.

Deborah Everhart, Director of Economic Development, was present to answer questions. More information will be requested from Sharon Disque, Hagerstown Neighborhood Development Partnership, Inc. regarding another option, which is to increase the perimeter by one block on the north, south and east boundaries. An advantage listed for this option is that it would create competition, while other options did not.

Update of Transportation Projects – Jonathan Street Streetscape and Utility Replacement and Eastern Boulevard Widening from Conrad Court to Jefferson Boulevard

The information for the Jonathan Street Streetscape and Utility Replacement will be discussed at a later date.

Rodney Tissue, City Engineer, was present to provide information as an update on the Eastern Boulevard Widening project. It is important that in advance of upcoming budget discussions, that the funding for this major project be discussed and that Council realize the budget implications.

The construction plans for this project are near 100% complete, with final plans due to arrive in the Engineering office by the end of March. The project includes the widening of Eastern Boulevard to two lanes in each direction, turn lanes, curb and sidewalks, storm drains and extensive landscaping.

The schedule for this project is contingent upon the completion of the final right-of-way acquisition and the funding of the project by the City Council. Regarding the right-of-way, staff has worked on this process for almost eighteen months. To date, the City has “closed” on right-of-way with seven of the twelve property owners. It is expected that the remaining five will be acquired by the end of April. Assuming the project is fully funded, this project can be bid in mid-April. Work could begin in August and be completed by the fall of 2008.

The latest design engineer’s estimate for the construction of this project is \$ 6,130,000. This includes all items to complete the work completely replacing the paving, curb, sidewalk (along the majority of the road), new partial signal at Opal Court, landscaping, and utilities to the undeveloped lands so the road will not have to be opened by development. The funding from various sources is as follows:

1.	General Funds	\$ 4,702,000
2.	City Light	\$ 50,000
3.	Developer contributions	\$ 1,350,000
4.	Water Funds	\$ 28,000

The developer contributions are anticipated in the future and are generated from the Council-approved road assessment fee that is charged in the Eastern Boulevard corridor. The City will likely have to advance fund these donations from the developer until such time as the development actually occurs. Therefore, along with the current \$ 3,000,000 available in fund balance for this project, staff is projecting to borrow an additional \$ 3,000,000 in the next bond.

Staff is suggesting holding a public hearing in April or May to advise the public on the Eastern Boulevard project and give them an opportunity to ask questions.

There will be a public meeting held by the Board of Traffic and Parking on March 15, 2007 to provide information about these two transportation projects.

It was the general consensus to request bids for the Eastern Boulevard project.

#### Charter Review Committee Membership

Mayor Bruchey asked that Council members submit their recommendations for membership for the Charter Review Committee. He anticipates that members will be appointed at the March 27, 2007 meeting, with a discussion being held with the Committee on April 3, 2007.

The following recommendations were made:

Doug Wright (by Councilmember Brubaker)  
John Dunlap (by Councilmember Cromer)  
Dr. Ken Krell (by Councilmember Metzner)  
Noel Brady (by Councilmember Nigh)  
Anthony Campello (by Mayor Bruchey)

John Urner, City Attorney, stated a resolution appointing this Ad Hoc committee will have to be approved by the Mayor and City Council. There must be a finding made that the function of the committee cannot be carried out by an existing department of the City. The life of the committee would be for one year. The committee will need a mission statement and the end product must be described. It was recommended that the law offices of John Urner and Nairn and Boyer be included on the committee roster.

Mayor Bruchey indicated the final outcome will be a recommendation for revisions to the Charter that the Mayor and City Council could accept or reject.

Approval of a resolution naming the committee members will be prepared for the March 27, 2007 meeting.

City Administrator's Comments

*Bruce Zimmerman, City Administrator*, stated the Yard Waste Collection program will begin on April 4, 2007. April 4, 2007 is also Arbor Day.

Mayor and City Council Comments

*Councilmember P. M. Nigh* asked for information regarding the requirements for children in car seats.

*Councilmember L. C. Metzner* asked that the Mayor and City Council consider opposing legislation that would limit a citizen's right to appeal a zoning decision.

*Councilmember K. S. Cromer* had no additional comments.

*Councilmember M. E. Brubaker* stated that the Community Committee for the Central Chemical site on Mitchell Avenue has begun to review the feasibility of restoration options.

*Mayor R. E. Bruchey, II* stated there will be a joint meeting with the Washington County Board of Education held at City Hall on March 27, 2007 at 4:00 p.m.

Executive Session – March 13, 2007

On a motion duly made by Councilmember K. S. Cromer and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote of all members present to meet in closed session at 5:24 p.m. to consult with counsel to obtain legal advice, #7. No formal action was taken at the session. The meeting was held in the Council Chambers, 2<sup>nd</sup> floor at the City Hall. The meeting was adjourned at 5:51 p.m.

Respectfully submitted,

Donna K. Spickler, City Clerk

Approved: