

WORK SESSION – July 8, 2008

Mayor R. E. Bruchey, II called this Work Session of the Mayor and City Council to order at 4:08 p.m., Tuesday, July 8, 2008, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. S. Cromer, L. C. Metzner, P. M. Nigh and A. Parson-McBean; Manager of Community Development Larry Bayer, and D. K. Spickler, City Clerk. Councilmember M. E. Brubaker and City Administrator Bruce Zimmerman were not present.

Barbara Ingram School for the Arts Civic Art Project

The Barbara Ingram School for the Arts (BISFA) Foundation is seeking Mayor and City Council support for the placement of approximately 30 art sculptures in public locations in the downtown area, including sidewalk installations, in April-May 2009.

Kathleen Maher, Planning Director, Dale Bannon, Washington County Board of Education Director of System Development, Pieter Bickford, BISFA Foundation board member, and Angie Youngblood, BISFA Foundation board member, were present to discuss the “Take Flight” promotion.

Mr. Maher indicated the Hagerstown Beautification Advisory Committee reviewed this proposal and endorsed the project. The public art project will provide a visually exciting feature in the A&E District in addition to standing as a very public announcement of the School for the Arts project.

Mr. Bannon stated the School will open in September, 2009 and he believes the number of applicants will exceed the spaces available.

The butterfly was chosen for the sculptures to signify the metamorphosis of the downtown area. The committee liked the significance of students being able to take artistic flight through the arts.

The sculptures will be completed in March and placed throughout downtown from April to June. At that time, they will be auctioned during a fundraising event. The Foundation is requesting City assistance with the project in the form of promotion, sponsorship, and Public Works assistance in placement and removal of the sculptures.

The cost to sponsor one of the sculptures is \$ 3,500.00 to \$ 5,000.00.

Councilmember Cromer asked where funding for the sponsorship of a sculpture would come from. Mr. Bayer reported Al Martin, Finance Director, indicated one of two funds could be used – undesignated balance or the general fund contingency. Mr. Martin has suggested using money from the contingency fund.

The Foundation has not approached the County Commissioners for assistance.

Councilmember Cromer asked what assistance is being requested of the City. Would the assistance be to approve locations or to actually place the sculptures? Mr. Bickford stated they would welcome assistance in placing the sculptures to make sure all codes and safety regulations are observed. The sculptures will be placed in a concrete stand and will be immobile. All sculptures will be 5' x 5'.

Councilmember Metzner commended the Foundation for this project. Even if this was not a fundraiser, it would be a good addition to Hagerstown.

It was the general consensus to support this program.

#### Community Legacy Loan for Meda's

Kathleen Maher, Planning Director, stated the Maryland Department and Housing and Community Development (DHCD) staff have requested that the City unencumber funding through the Community Legacy program for a loan award that was made for the old Meda's building, 24 E. Franklin Street.

The City of Hagerstown's application for a grant from the Community Legacy program for an adaptive re-use, mixed-use project at the old Meda's building was awarded a loan of \$ 115,000 in FY 2007. Because the Community Legacy money must be repaid, it would appear that the loan has not presented a sufficient inducement to overcome the inherent challenges associated with the project. To date, the current owner has not come forward with an experienced development partnership that would allow the City to contemplate a pass-through loan of the Community Legacy funds for a mixed-use project of ground floor commercial and upper floor residential. The loan project has a completion deadline of June 30, 2009.

Staff asked if the funds could be used for a similar project on some other property. The City was advised that the funds could only be used for the project described in the application and loan agreement. DHCD staff have indicated that a step to unencumber the funding for this inactive project will cast a favorable light on State review of the next Community Legacy application.

Councilmember Parson-McBean stated the City needs to look at ways to provide funding for property owners to be able to renovate their buildings.

The property would be eligible for tax credits.

Councilmember Metzner recommended notifying the owner that an acceptable plan must be submitted within 30 days, or the loan will be relinquished. Ms. Maher added that the plan must include an experienced partner.

It was the general consensus to send a notice to the property owner. If the owner does not provide an acceptable plan, Staff is authorized to unencumber the money.

Ms. Maher indicated the County asked if the City is interested in piggy backing with them for revising the Comprehensive Plan. There could be cost savings in doing this. The Planning Department Staff recommended pursuing this.

#### Bester Place Update

Larry Bayer, Manager of Community Development, and Dave Jordan, Executive Director of Community Action Council, were present to discuss the progress at Bester Place.

Since the last meeting with the Mayor and Council, the Community Action Council has signed a contract with Keller Engineers for civil engineering services. This includes site survey, preparation of the site plan and other services. CAC was awarded \$ 300,000 in HOME funds from the Maryland Department of Housing and Community Development. The documents for this grant were received by CAC on June 30. CAC has also secured the services of a local attorney to begin drafting documents necessary for creation of the land trust.

Additionally, the City has been notified of an award of a \$ 150,000 grant through the Community Legacy program for the project.

There are two separate parcels of property in this project. One is properly zoned for housing. The other is presently zoned IR. The Planning Department is working on how best to address this issue.

Mr. Jordan stated the units will be modular and one buyer is in the loop at this time. Mr. Bayer indicated there is a new educator's reception on August 8 and they will be presenting this project to attendees.

Councilmember Parson-McBean stated these units will be sustainable housing units. She asked if they will fit in with the neighborhood.

Mr. Jordan indicated the units will cost approximately \$ 135,000. All the units will have brick fronts.

#### Request by Demcore Entertainment, LLC for Downtown Live

Karen Giffin, Director of Community Affairs, Mike Deming and Toni Britton, Demcore Entertainment, were present to provide additional information about the request for a music festival on South Potomac Street.

At the June 10, 2008 Mayor and City Council Work Session, R. Michael Deming of The Demcore Companies asked to host a music festival entitled, Downtown Live, on South Potomac Street on October 25, 2008 from 2:00 p.m. to 10:00 p.m. This is the third year of the festival. A proposed initial layout for the event was presented.

At the Mayor and City Council Work Session, staff was asked to work with Mr. Deming on a proposed layout in the Central Parking Lot for the event.

A meeting was held with representatives of a number of departments including Police, Fire, Community Affairs, Engineering and Light who met with Mr. Deming to discuss plans for the event. The proposed layout in the Central Parking Lot was also presented.

The Central Parking Lot provides a larger space for the festival, easy access to the area and crowd control would be more manageable. This would not entail any street closure. However, Mr. Deming has asked to keep the festival in the Public Square.

Mr. Deming stated he would like to keep the festival on the street because events become less complicated when you become accustomed to the layout. He is confident that everything can be accomplished in the two month time frame if he is permitted to use the same layout as last year (with a few modifications). For several reasons, he stated it would be wise to continue to hold the festival in the same location. In the past year, the City of Hagerstown has significantly invested in improvements to the Arts & Entertainment District, specifically the first block of South Potomac Street, with the intention of increasing pedestrian traffic in downtown Hagerstown. A central purpose of the festival is to attract not only the residents of Hagerstown, but people, entrepreneurs and potential investors from throughout the region and beyond so they can experience downtown Hagerstown's uniquely charming atmosphere and all it has to offer.

This discussion has created significant interest from supporters of downtown Hagerstown and its future. He has received feedback. After the comments, he believes that changing the location of the Downtown Live! Music & Arts Festival would affect the attendance in a negative manner. The Central Lot is an ideal location for the Western Maryland Blues Fest. Both events are unique and draw audiences in different manners with different attractions. He would like to maintain the diversity between the two, thereby sustaining a variety in events that downtown Hagerstown offers.

Mr. Deming stated the beer station locations would change drastically because they would be using plastic bottles and stations would not be necessary.

Councilmember Parson-McBean stated she is not against the event but she is against closing the street. She feels the space was underutilized during last year's event. She commended Mr. Deming for bringing this form of entertainment to Hagerstown. She asked that the event be held in the Central Parking Lot in order to reduce the impact to the entire City.

Mayor Bruchey stated Mr. Deming acknowledged that the Central Parking Lot location would work. Mayor Bruchey reminded everyone that former Governor Glendening wanted the University Center to be located at Hagerstown Community College, but this would have done nothing for downtown. Mr. Deming is trying to create an atmosphere for the event by using the street location. Mayor Bruchey knows there

will be challenges with blocking the streets. He commended the fire department and police department, both of which will make sure citizens are well protected.

Councilmember Metzner stated his concerns were addressed by Mr. Deming in his previous letter. He would support holding the event in the street.

Councilmember Parson-McBean stated the attendance numbers don't justify the impact of closing the streets.

Councilmember Cromer stated she suggested the Central Parking Lot location from the beginning. Mr. Deming has explored the use of the Central Lot and has reported that merchants would prefer the street location. She would prefer that the event be held in the Central Parking Lot but she would support the street location, if the fire department, police department and emergency services can work around the closure.

There are two Council members in favor of the Central Parking Lot location and two in favor of the street location. Councilmember Brubaker was not present and will be asked his opinion. A vote will be scheduled for the application permit and open container law exemption on July 29, 2008.

Mr. Deming stated he is not familiar enough with the Central Parking Lot location to take the risk of holding the event in a different location. He is concerned this location would drastically change the atmosphere of the event.

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 Special Session at 4:55 p.m.

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember K. S. Cromer, the Mayor and City Council unanimously agreed by voice vote of all members present to appoint Denise Sisler to the Hagerstown Housing Authority Board.

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember K. S. Cromer, the special session was adjourned at 4:56 p.m.

#### City Administrator's Comments

Larry Bayer, Manager of Community Development, had no additional comments.

#### Mayor and City Council Comments

*Councilmember P. M. Nigh* thanked the Public Works Department for providing barrel fans for graduation ceremonies in June.

*Councilmember L. C. Metzner* thanked Karen Giffin and Mayor Bruchey for making the decision to go ahead with the fireworks on July 4<sup>th</sup>. He thanked Ted Bodnar, who puts in many hours to bring the event together.

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

*Councilmember A. Parson-McBean* thanked Ted and Vicky Bodnar and Karen Giffin for their work with the July 4<sup>th</sup> event. She asked that the City consider spraying to control mosquitoes.

*Mayor R. E. Bruchey, II* thanked Ted and Vicky Bodnar and the musicians who played in the rain on July 4<sup>th</sup>. He and Councilmember Brubaker attended many of the workshops at the Maryland Municipal League convention. The benefits of using a federal lobbyist was discussed during the Big Cities Forum at the convention. Sidney Katz, MML President, stated it takes two years to realize results from a lobbyist's efforts. Progress has been made by The Ferguson Group (lobbyist for Hagerstown). He believes the Mayor and Council made the right decision in hiring a lobbyist.

Councilmember Cromer stated no Council member expected a pay off during the first year. Councilmember Metzner pointed out that the lobbyist was not hired because Mayor and Council members don't know how to contact legislators. They all have been in touch with legislators.

There being no further business to come before the Mayor and City Council, on a motion duly made, seconded and passed, the meeting was adjourned at 5:04 p.m.

Respectfully submitted,

Donna K. Spickler, City Clerk

Approved: July 29, 2008