

WORK SESSION AND EXECUTIVE SESSION – September 7, 2010

Mayor R. E. Bruchey, II called this Work Session and Executive Session of the Mayor and City Council to order at 4:04 p.m., Tuesday, September 7, 2010, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers W. M. Breichner, M. E. Brubaker, F. W. Easton, A. C. Haywood, L. C. Metzner; City Administrator Bruce Zimmerman, City Attorney John Urner and City Clerk D. K. Spickler.

WORK SESSION – September 7, 2010

Paperless Meeting Management Solution Presentation

Scott Nicewarner, Director of Technology and Support Services, and John Kercher, NOVUS Solutions, presented information of a comprehensive paperless process. Mr. Kercher indicated many copies are made during the agenda creation process. A meeting management system provides an opportunity to reduce the number of copies made and streamline the process. Information from previous meetings and agendas could be easily searched with this type of system. Draft minutes could be published after the meeting.

The forms for the meeting would be created by each department and would move through the approval process. Support material would be added to the form. The internal approval process would be similar to the MUNIS financial system currently used by the City. All documents are submitted to the Clerk electronically. When the packet is distributed, the public would have full access to the documents. This would allow anyone to search for specific items.

Board members (Mayor and Council members in this case) would log in and prepare for the meeting. They would be able to see all items and support material. Each board member could make private comments in preparation for the meeting. These comments would be completely private. Some board members may choose to receive the packet information electronically. Others could choose to continue receiving paper packets.

Mr. Kercher estimated the annual savings at \$ 70,000.00. This savings would mostly be in staff preparation time. A subscription service type of management system would cost \$ 4,500.00 to \$ 7,000.00 annually, depending on the service selected. Mr. Nicewarner indicated the secure connections are already in place so there would not be an additional cost for the server. Mr. Kercher stated the subscription choice could be changed at any time.

Mr. Kercher will provide a list of references to the Mayor and Council.

Mr. Nicewarner stated the City of Williamsburg, Virginia uses a “homegrown” meeting system. Another option could be a google paperless meeting. He has been in touch with other companies that offer similar systems. This type of system will work

from any computer, whether it is an iPad, laptop or home computer. The cost of hardware would be from \$ 300.00 to \$ 700.00 each for computer, if needed.

Councilmember Brubaker asked how other jurisdictions handle confidential information. Mr. Kercher stated the board clerk makes the formal public record available and confidential information would not be included.

Councilmember Metzner stated if the cost savings are confirmed, the Mayor and Council should move forward as soon as possible. Councilmember Breichner agreed. Staff will review the estimated cost savings.

Bruce Zimmerman, City Administrator, stated staff will move forward with developing an RFP and incorporate the cost savings into the budget.

Doleman Black Heritage Museum Fundraiser

Karen Giffin, Director of Public Relations and Marketing, and Alesia Parson-McBean Chair, Friends of Doleman Black Heritage Museum (DBHM), stated the Board of Directors and the Friends of the Doleman Black Heritage Museum will host a fundraiser on Saturday, October 16, 2010 at 7:00 p.m. at the Grand Venice Hotel Ballroom. The theme for this year is "A Masquerade Ball with a Cotton Club Twist."

The Board of Directors and the Friends of the Doleman Black Heritage museum would like the City of Hagerstown to be a sponsor of the event by donating \$ 1,175.00. They are also requesting that the Public Relations and Marketing Office assist with a Hagerstown Government Channel program.

Also, a Local Government Resolution is needed by September 15, 2010 for the Board of Directors to complete an application for Community Investment Tax Credits through the Maryland Department of Housing and Community Development for Neighborhood Revitalization.

This year's event is being held at the Grand Venice Hotel Ballroom because of the challenges of getting people in to the University Plaza. The Friends of the DBHM work diligently on fundraising. The event will include entertainment from a band from Washington, DC, a silent auction and a masquerade ball. Ms. Parson-McBean thanked the Mayor and Council for including the DBHM on the Federal agenda list. They have received \$ 150,000.00 and they are in the process of cataloging the collection. They are asking for the City's support to apply for tax credits. This support is required in the application process. Receiving the tax credits would give the organization a chance to grow and be able to display the collection. Donors could receive a tax credit based on the donation.

Councilmember Haywood asked about the preservation process for the collection. Ms. Parson-McBean indicated an RFP has been put out for a curator who knows how to preserve the collection. A curator will also be able to tell the story of the artifacts.

Councilmember Breichner asked if there is a match required for the \$ 150,000.00. Ms. Parson-McBean indicated there is not. Raising money for a niche museum in a rural area is difficult. Not everyone understands or appreciates this collection. The incentives of the tax credit will help increase donations.

Mary Beth Corrigan, independent consultant, cataloged the items in the collection. Councilmember Haywood asked when an RFP will be completed for an executive director. Ms. Parson-McBean stated this would not occur for some time. Councilmember Haywood asked why the curator was contracted prior to having an executive director. Ms. Parson-McBean indicated she serves as the executive director at this time.

Councilmember Haywood stated she asked these questions because the Mayor and Council are asking for more specific financial disclosures from the organizations they provide funding to. She asked for a cost estimate of the masquerade ball. She also would like to see what the Doleman family has completed so far.

Ms. Parson-McBean stated the Friends of the DBHM make sure the community knows this collection exists. It would be difficult to provide a financial outlay for the organization.

It was the general consensus to sponsor this event and approve the local resolution of support. Councilmember Easton does not support funding the event at the same level because other agency contributions have been reduced by 20%. Councilmember Haywood supports the donation but would like more information, including financial disclosures from the past two years.

Approval of the donation will be included on the Regular Session agenda and the resolution of support will be approved at a Special Session to be held on September 14, 2010.

Alsatia Mummers Parade 2010

Karen Giffin, Director of Public Relations and Marketing, and James McCleaf, Parade Chairman, were present to discuss the 86th Mummers Parade. The parade will be held on Saturday, October 30, 2010 beginning at 6:00 p.m.

This year the Alsatia Club needs help in raising funds for the cash prizes for the different award categories. The total needed is \$ 8,500.00. The Alsatia Club is requesting City staff to help raise the funds. The Club also needs help with manpower the night of the parade. They are asking for help from the community and would like the City's Public Relations and Marketing Office to help promote the need for volunteers.

A \$ 2,000.00 donation was made the past four years. Of this donation, \$ 1,000 was given from the Public Functions Budget and \$ 1,000 in lieu of vendors fees. A donation of \$ 1,000 was again budgeted in the Public Functions Budget, and if the Mayor and

Council would agree, another \$ 1,000 could be given from the Public Functions Budget or from the City's Unspecified Agency Contribution Fund for FY 2010/2011. Mr. McCleaf thanked the City for their past support.

It was the general consensus to approve the donation of \$ 2,000.00 to the Alsatia Mummers Parade and to allow staff to assist with fundraising for the event.

2010 Citizen Recognition Award/Board and Commissions Luncheon

The Boards and Commissions Luncheon is held annually to thank those individuals who serve as appointed volunteers on various City committees. This event helps to recognize volunteers as well as build community pride.

Karen Giffin, Director of Public Relations and Marketing, stated staff recommends that the luncheon be held at the Academy Theatre in Hagerstown's City Center at 12:00 noon on Friday, November 19, 2010.

It was the general consensus of the Mayor and Council to schedule the annual lunch for November 19, 2010.

Hagerstown Police Department Technology Grant

Chief Arthur Smith reported the Hagerstown Police Department has submitted a preliminary grant request for approximately \$ 900,000 to the Department of Justice for equipment and salaries intended to initiate action on a public safety information grid. These funds will be used for crime cameras and a variety of other technology up grades intended to increase police productivity, upgrade safety in the neighborhoods and to make more information available to the public.

Captain Thomas Alexander and Captain Mark Holtzman were also present.

Chief Smith reported this grant was originally earmarked for a new radio system. The radio system was secured through other sources. In order to enhance public safety, the Hagerstown Police Department intends to utilize this funding to create a safety grid.

The funding will support the initiative which is focused on preventing crime, enhancing community partnerships, as well as expanding upon the use of problem-solving strategies. The department has reached limitations in expanding the Community Policing effort and limits are budgetary. In an effort to enhance HPD's effectiveness at preventing crime, responding to community needs and sharing information with partners both within the community and law enforcement network, staff would like to procure and upgrade technology in several areas.

Captain Holtzman stated the cornerstone of the safety grid is the camera system. This grant will provide funding for civilian staff to monitor the cameras. Images from the cameras can be sent to the responding officer so he/she can see what is occurring before

they arrive on the scene. In-vehicle cameras will be purchased. Dispatchers will be able to locate officers immediately.

Cameras could be programmed to be motion detectors. For example, cameras in parks could be used as an alert system if there is movement in a park after hours. Data from the cameras is kept for up to 28 days.

The use of cameras in strategic areas has reduced activity in the open air drug market.

The grant includes funding for new employees for three years. At the end of three years, HPD would evaluate the budget situation and determine if the employees would continue to work. If the cameras are not monitored continually, they become an investigative tool. HPD staff wants to be able to use the cameras as real time policing.

Cameras already in place have had a calming effect on neighborhoods. The incidents of crime have been permanently lowered in the Jonathan Street area.

Councilmember Haywood expressed concern that a large portion of the grant will be used for personnel. She asked what the relationship is between HPD and the crime lab analyst with the Sheriff's Department. Chief Smith indicated the crime analyst position is crucial for police work. The position should be retained.

With the implementation of this grant, the lobby at HPD will be open 24 hours per day. People will be able to talk to a retired police officer instead of calling someone from outside the lobby.

Councilmember Brubaker clarified the grant does not require retention of the positions at the end of the grant.

Councilmember Easton asked if GPS units are in police vehicles. Captain Holtzman stated they are not in vehicles at this time. With a GPS unit, the supervisor would be able to monitor officer locations. Councilmember Easton suggested purchasing another speed trailer if there is funding left.

Captain Holtzman indicated the general public would be able to see crimes that have occurred in their neighborhoods.

Councilmember Easton asked if there has been any discussion about collaboration with the State Police because of the new barracks. Chief Smith stated he is hoping the State adds a fingerprint lab to the facility.

Councilmember Metzner asked if people can report an issue through a social networking site. Captain Holtzman stated some departments have this type of online reporting.

The Public Safety Grid is an evolving project designed to deliver accurate and timely crime information to police officers and to communicate that information to the community. This initiative is patterned after the successful initiative of the East Orange Police Department in New Jersey, which has used technological advancements to achieve notable gains in public safety while at the same time enhancing efficiency and responsiveness.

Staff will return for a status report after the initiative is implemented.

2010 Small Areas Plan & Comprehensive Rezoning, Phase IV

Kathleen Maher, Planning Director, and Alex Rohrbaugh, Planner, were present to review the public input received for the draft 2010 Small Areas Plan and the Phase IV Comprehensive Rezoning during the August 24, 2010 Public Hearing.

Planning staff have not received any additional written comments on the Small Areas Plan or any of the 19 areas of proposed rezoning during the 10-day post-hearing period.

The 2010 Small Areas Plan fulfills action 2-4 of the City's 2008 Comprehensive Plan to perform an in-depth land use study of three of the seven Special Planning Areas – East End/Hospital, Jonathan Street, and Locust/Mulberry Street – and recommend for each a future land use plan, which established the basis for the Phase IV Comprehensive Rezoning. The land use plans for the East End/Hospital, Jonathan Street, and Locust/Mulberry areas were based on extensive existing land use studies of all three areas, citizen input from neighborhood meetings, and feedback from owners of non-residential properties.

Staff supports the Planning Commission's recommendation that the 2010 Small Areas Plan be adopted as an addendum to the 2008 Comprehensive Plan.

At the August 24, 2010 hearing, the Mayor and Council received public input on only five areas of proposed rezoning. Those areas are as follows, along with the staff recommendation:

1. Area 1: East Antietam Street (309-345) Planning staff supports the Planning Commission's recommendation to rezone the area from C2 (Commercial General) and IR (Industrial Restricted) to POM (Professional Office Mixed). Also, staff is currently in the process of drafting Land Management Code updates that would make parking lots in POM a principal permitted use. This would allow the current parking lots to continue on as-is to support the hospital site or to redevelop with uses permitted in POM zoning. Staff believes that regardless of how the hospital redevelops, the land on East Antietam Street is more suitable for POM than general commercial, industrial, or residential zoning.

The existing businesses would be permitted uses under this zoning. Mayor Bruchey wondered why this area would be rezoned before a decision is made about the hospital site, First Urban Fiber or the MELP site.

Ms. Maher indicated rezoning this area could be delayed, but speculation is that the hospital property will be primarily residential. A POM adjacent to the site would be appropriate.

Councilmember Haywood expressed concern that additional parking lots will be required. She thinks a parking deck would be more appropriate for additional parking.

It was the general consensus to move forward with the recommendation for Area 1.

2. Area 7: Tracy's Lane – The residentially-zoned, vacant lot is surrounded on three sides by C2 zoning, and development would most likely occur in conjunction with the commercially-zoned vacant land to the north and east. However, any development proposed in the future will be subject to site design standards in the Land Management Code, which includes landscaping and buffering from the residential neighborhood. Staff supports the Planning Commission's recommendation to rezone this area from R2 (Residential) to C2.

It was the general consensus of the Mayor and Council to accept the recommendation for Area 7.

3. Area 8: 226-234 Jonathan Street – Staff supports the Planning Commission's recommendation to rezone the area from R2 to D-MU (Downtown-Mixed Use).

Speakers at the public hearing requested the zoning remain as it is, out of concern for what uses would be permitted under a new zoning designation.

Councilmember Breichner and Councilmember Metzner would support keeping the zoning as it is. Councilmember Brubaker stated the problem with leaving the zoning residential is that it is unlikely to result in redevelopment of the property. The Planning Commission felt D-MU zoning would provide enough of an incentive to redevelop the property and be an asset to the community. Councilmember Breichner pointed out the people in the neighborhood desire a commercial use in the former car wash building.

Councilmember Easton agreed with Councilmember Breichner and Councilmember Metzner. Ms. Maher stated staff heard from residents during neighborhood meetings that they were concerned about uncontrolled commercial development. Councilmember Easton asked if there could be additional

discussions with the people in the neighborhood. Ms. Maher was not sure additional discussion would be productive.

Councilmember Haywood thinks small use commercial is appropriate for this location. She supports the Planning Commission's recommendation.

It was the general consensus to keep the zoning at the current designation of R2.

4. Area 9: 115-137 S/S Bethel Street – Staff supports the Planning Commission's recommendation to rezone the area from D-MU to R2. The character of this area is residential, and it is felt that downtown mixed use land uses should be concentrated along Jonathan Street. There was a concern raised at the public hearing regarding the Greater Camphor Temple's ability to expand under R2 zoning. Under R2 zoning, churches are special exception uses that would need BZA approval in order to expand.

The Mayor and Council agreed to move forward with this rezoning.

5. Area 13: 597-617 North Prospect Street – The owner of Potomac Dealers raised concerns about becoming non-conforming if the non-residential property at 605 N. Prospect were to be rezoned from IR to R2. The rest of the properties in the area of rezoning are residential, which are currently non-conforming under IR zoning. Staff supports rezoning the residential properties to R2 and would not have a problem with leaving the non-residential building at 605 N. Prospect Street as IR zoning.

The Mayor and Council agreed to move forward with the rezoning recommendation.

Introduction of the appropriate ordinance and resolution will be scheduled for the September 28, 2010 Regular Session.

CITY ADMINISTRATOR'S COMMENTS

Bruce Zimmerman, City Administrator, had no additional comments.

MAYOR AND COUNCIL COMMENTS

Councilmember M. E. Brubaker informed the group the Fletcher Foundation has provided \$ 1,000,000 toward the construction of a new library. He thanked the Library Board and staff for locating a temporary downtown location. The temporary location will be the former Susquehanna building. There will be a second temporary location on North Pointe Drive. Construction of the new library is scheduled to begin in November, 2010.

Councilmember W. M. Breichner noted that the Hagerstown Rotary donated

\$ 20,000.00 and the Hagerstown Kiwanis donated \$ 10,000.00 toward the library construction.

Councilmember L. C. Metzner expressed condolences to the family of John Waltersdorf who passed away recently. Mr. Waltersdorf made many contributions to the community.

Councilmember A. C. Haywood also offered Mr. Waltersdorf's family condolences. He was an incredible philanthropist. The Maryland Theatre will celebrate its 95th anniversary on September 11, 2010. She will be a guest judge at Bark in the Park on Saturday, September 25, 2010.

Councilmember F. W. Easton had no additional comments.

Mayor R. E. Bruchey, II expressed condolences to the family of Mr. Waltersdorf. A 9/11 remembrance service will be held in the Council Chambers on September 10, 2010 at 8:30 a.m. The program will be aired on September 11, 2010.

EXECUTIVE SESSION – September 7, 2010

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember W. M. Breichner, the Mayor and City Council unanimously agreed by voice vote to meet in closed session to consider the acquisition of real property for a public purpose and matters directly related thereto, #3, and to consider the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction, #1 at 6:02 p.m. in the Council Chamber, 2nd Floor, City Hall, Hagerstown, Maryland. The following people were in attendance: Mayor R. E. Bruchey, II, Councilmember W. M. Breichner, Councilmember M. E. Brubaker, Councilmember F. W. Easton, Councilmember A. C. Haywood, Councilmember L. C. Metzner, City Administrator Bruce Zimmerman, Alfred Martin, Finance Director, Michelle Burkner, Accounting Manager, Acting Fire Chief Kyd Dieterich and City Clerk D. K. Spickler. The meeting was held to discuss a business proposal for property on North Potomac Avenue, to discuss clarification of a potential proposal for a City Center property and the extension of an existing contract. No formal action was taken at the meeting. On a motion duly made, seconded and passed, the meeting was adjourned at 7:01 p.m.

Respectfully submitted,

Donna K. Spickler, City Clerk

Approved: October 26, 2010