



# City of Hagerstown, Maryland Status & Information Report No. 8 for 2009

February 27, 2009

To Mayor Bruchey and Members of the City Council:

## UPCOMING MEETINGS

❖ MARCH 2009 ❖						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3 No Meeting 7 pm State of the City @ MD Theatre	4	5 7:30 Cabin Fever Blues Bash @ MD Theatre	6	7
8	9	10 Primary Election No Meeting	11	12	13	14
15	16	17 4 pm Work Session	18	19 7 pm Utility Relief Silent Auction @ Hagerstown Hotel and Conference Center	20	21
22	23	24 4 pm Work Session	25	26	27	28
29	30	31 7 pm Regular Session				

## COMMUNITY AFFAIRS

1. **City Farmer's Market.** This week at the Farmer's Market will be the Market Mardigras. Vendors compete in a costume contest and kids can make their own Mardigras Masks. Sunshine the Clown will be face painting from 9:30-11:30. Next week will be the Cabin Fever Bash at the Market with the Piano Playing Showcase.
2. **Blues Fest.** Preparations for next week's Cabin Fever Blues Bash on March 5th are underway with the 2009 Blues Fest Lineup ready to be announced at the event. The Blues Bash will feature the Kelly Bell Band and will be at the Maryland Theatre from 7:30-9:30 with the doors opening at 6:30. Tickets are \$10 and are still available by calling the Maryland Theatre.
3. **Grand Opening.** Potomac Bridals, LLC at 20 Public Square will be having its Grand Opening Celebration next week on Wednesday, March 4 at 4p.m.
4. **State of the City.** The State of the City will be held Tuesday, March 3rd from 7-8 pm at the Maryland Theatre.
5. **Communications To Citizens & Visitors.**
  - 2008 Annual Financial Report is now available online at [www.hagerstownmd.org/Finance/pafr.asp](http://www.hagerstownmd.org/Finance/pafr.asp)
  - Airing on Hagerstown Government Television: Black History Month Celebrates The 56th Presidential Inauguration: Barack Obama with introduction by Councilmember Alesia Parson-McBean and Ms. Janice Kelsh reading the poem "Emancipation" by Paul Laurence Dunbar.

## COMMUNITY DEVELOPMENT

1. **Stimulus Program: CDBG Funds.** We have received word from HUD that Hagerstown will receive \$249,458 in additional CDBG funds this year. The permitted uses and regulations haven't yet been published. As soon we get them, we will prepare a list of possible uses of the funds.
2. **Upcoming year's CDBG Allocation.** We have been receiving conflicting information on the CDBG funding level for the upcoming year. One source has said that it will be only slightly higher than this year. However, in a HUD release, it says that in the proposed federal budget, CDBG funding is to be restored to original levels. We will keep you advised of the status of funding as we receive it.
3. **Neighborhoods 1<sup>st</sup>.** Neighborhoods 1<sup>st</sup> groups gathered to celebrate their 12<sup>th</sup> anniversary with a dinner at Elgin Station on February 19. There were 75 people in attendance. Each group reported on the accomplishments from the past year and new goals for the upcoming year. HPD was present to share the tools and resources they bring as partners to the program. Invitees included incumbent elected officials and current candidates who were given the opportunity to hear first hand the progress enjoyed from the participating neighborhoods.
4. **Hagerstown Redevelopment Authority.** On February 18<sup>th</sup>, the HRA approved the following:
  - A loan to Rocky's Pizza Restaurant in the amount of \$52,900 to assist Vinnie DiCola with re-opening the restaurant at 40 North Potomac Street.
  - A loan to Revest, LLC in the amount of \$275,000 for the rehabilitation of the five unit apartment building at 457 North Potomac Street.
  - A loan to Bernard Henesy in the amount of \$72,774 for the rehabilitation of his residence.

## ECONOMIC DEVELOPMENT

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1. **Biosciences in Washington County:** Staff attended the regular meeting of the Greater Hagerstown Committee for an update on the planned growth of Biosciences in Washington County. A discussion paper has been prepared by Hagerstown Community College to stimulate dialog among and between local community leaders and organizations about education, economic development, and 21<sup>st</sup> century bioscience related jobs. Copies of the paper are available upon request from the college. Please contact our office if you would like a copy.
2. **2009 Art Walk:** Dates have been set for the 2009 Art Walk for Hagerstown. Staff is working with the Contemporary School for the Arts Gallery to coordinate the program. The 2009 schedule includes weekends in May, June, July, August and September.
3. **Revolving Loan Fund:** The application for the \$250,000 in additional matching grant funds as approved by Mayor and Council on February 24, 2009 has been submitted to the Maryland Department of Economic Development.
4. **Meeting of Creative Minds:** Invitations have been mailed for the "Meeting of Creative Minds" to be held on Thursday, March 12<sup>th</sup> at the Academy Theater, Banquet & Conference Center. The meeting is being sponsored by the City of Hagerstown, Hagerstown-Washington County Convention and Visitors Bureau and presented by the Hagerstown Arts and Entertainment District Management Team.

## ENGINEERING & CODE ADMINISTRATION

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1. **Nuisance Abatement** A \$200.00 fine has been issued against Horst Von Schilling, the owner of 782 Monet Drive, for having a mattress and other furniture and debris on the public sidewalk for an extended time. Additionally, the City was required to have our contractor remove the items and the owner is being charged for the clean-up plus administrative fees.

## FIRE DEPARTMENT

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1. **Fire Station Construction.** HFD has been closely following the stimulus package and the addition of fire station construction. We've been in contact with MML, International Association of Fire Chiefs and are daily checking the FEMA web site where information will be posted as it becomes available. As of today it appears grants will be awarded in the same manner as the competitive process we've used in the past to secure equipment and the SAFER grant.

We currently have two fire station relocations in the CIP for out years and do not currently have land. It isn't also clear at this time if the fire station must be shovel ready as other construction projects in the stimulus

package but we will continue to monitor the situation. One fire station with land could cost between \$2 and \$4 million depending upon land and size.

## **PARKS DEPARTMENT**

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1. **Pangborn Park Restrooms** – This POS project continues. We installed three exterior doors and are now in the process of installing the toilet partitions. When weather permits, we will paint the exterior.
2. **Hellane Park Play Equipment** – Also a POS project, installation of replacement play equipment at Hellane Park is now 60% complete.
3. **Park Circle Fountain** – To be funded by CDBG, we excavated for the fountain that was donated by the Hagerstown Garden Club and poured the concrete footers. The next step is to lay the concrete block for the base of the fountain.
4. **Staley Park** – Due to age and deterioration, we are replacing the shingled roof on the springhouse with a metal roof.
5. **Municipal Stadium** – We began replacing the deteriorated lumber on the 1<sup>st</sup> and 3<sup>rd</sup> base bleachers and are making other minor repairs to prepare for the Hagerstown Suns' April 13 opening day.

## **POLICE DEPARTMENT**

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<b>Calls for Service</b>	<b>CDS Arrests</b>	<b>Other Criminal Arrests (Including Warrants)</b>	<b>Parking Tickets</b>	<b>Moving Violations</b>	<b>DUI</b>	<b>Search Warrants Executed</b>
1,979	7	37	500	140	4	1

1. **Handgun Arrest (2/14):** At 2 a.m. officers responded to Burhans Station restaurant for a report of a male in the parking lot waving a handgun. The caller further gave a description of the vehicle as they attempted to leave. Responding officers spotted the car and stopped it. Inside they found a 9mm handgun on the front passenger floorboard. The male, James Cornell Evans of 838 Spruce Street, and the driver, Dena Lee Wengert of 339 North Locust Street, were both arrested and charged with knowing, wearing, or carrying a handgun.
2. **Assault with Knife (2/16):** At 9:14 a.m. officers responded to Little Elliot Drive for a juvenile male who reported an unknown black male tried to stab him. He told officers he had just left the Weis Market and was walking up the steps that lead to the apartment complex when a black male, 6'-0", 150 lbs., wearing a grey hooded sweatshirt was walking down the stairs. Without warning, the suspect suddenly tried to stab the juvenile with some type of knife. The juvenile's jacket and shirt were cut, and he received a small scratch to his abdomen. He immediately began running until he got home. Officers searched the area but could not locate the suspect.
3. **Dog Shot by Officer (2/22):** At 5:15 a.m. officers were responding to a call on Little Elliot Drive when a large dog suddenly ran up and attacked one of them. When the dog tried multiple times to bite the officer, the other officer shot the dog twice. The dog ran away and was later found deceased by an area resident. Charges are pending against the owner.
4. **Traffic Stop Leads to Large Drug Seizure (2/24):** At 11:54 p.m. an officer noticed a vehicle acting in a suspicious manner in the Gateway Crossing area. He further noticed the lock was missing from the trunk and suspected the vehicle could be stolen. After stopping it to investigate, he noticed one of the passengers was hiding something under his shirt. Further investigation revealed the item to be a plastic grocery bag with five individually wrapped one pound bricks of marijuana. Curtis Hamilton and Andrew Delawder, both of Cumberland, were arrested.

## **PLANNING DEPARTMENT**

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1. **New Development Cases:**
  - 23 East Washington Street - City of Hagerstown/Bowman 2000, LLC - simplified plat.
  - 177-183 Berkson Avenue - Henry Piper - simplified plat.
2. **New Businesses:**
  - 1725-B Dual Highway - Allegany Optical - retail optical goods, including eye exams.
3. **Planning Commission:** The Planning Commission discussed the following on February 25:
  - Commercial District Amendments - continued review of proposed amendments to the commercial districts. The amendments will be advertised for a public review meeting at the end of March.
  - Discussed proposed text amendment for contiguous structures for bulk regulations purposes. Staff will generate proposed language for review.
  - Wind Generators - Maryland Model Wind Turbine Ordinance. The commission will wait to see what happens with Washington County's proposed wind and solar generation ordinance.
  - Annexation update for 2008.
4. **Pending State Planning Legislation:** There are four bills pending affecting comprehensive planning and annexation activities in the State of Maryland. **SB 273** proposes revising the 8 Planning Visions for Comp Plans, requiring reporting on impact of APFO's on development proposals, and allowing Transfer of Development Rights (TDR's) for acquisition of school sites. **SB 276** proposes substantial revisions to reporting requirements to the State on planning activities. **SB 280** proposes adding stronger language regarding consistency with Comp Plans for planning reviews and requiring training for Planning Commission and Board of Zoning Appeals members within six months of appointment. **SB 350** proposes allowing municipalities to annex land without owner consent if the parcel is less than five acres in size and the parcel is part of a lot which has been within the City for three or more years. (There is some type of cap on such activity of no more than 25 acres - which is clear as mud.)
5. **Pending State Tax Credit and Tax District Legislation:** We have seen three bills pending affecting tax credits and special taxing districts. **SB 258** proposes revisions to the State Historic Tax Credit program to remove the competition clause on applications and to provide for an additional 5% credit for LEED gold or better projects. **SB 274** proposes language regulating Tax Increment Finance (TIF) activities for Transit Oriented Development (TOD's) projects - typically developments directly served by light rail. **HB 790** proposes language regulating establishment and operation of Business Improvement Districts (BID's) with notable inclusion being a 65% consent requirement by business owners in any proposed BID.
6. **Impact of Rezoning on Taxes:** In November 2008, the Tax Assessor gave us the following "assessment" on the impact of rezoning on taxes. If the property is down-zoned to a less intensive use (such as C2 to C1) but the use does not change, the assessment will probably stay the same. If the use changes, the Tax Assessor's Office would probably re-evaluate at that time. If the property is up-zoned (such as R2 to D-MU) to allow for more intensive uses, the Tax Assessor's Office would probably re-evaluate the assessment. If the City or the County does a comprehensive rezoning, the Tax Assessor's Office would not re-evaluate the assessment until the next general assessment which is not until 2011 for the City. If the property owner requests a rezoning, the Tax Assessor's Office re-evaluates the assessment for the upcoming July.
7. **Difference Between C2 and C1 Zoning Districts:** The C1 district is intended to be a neighborhood serving commercial district and the C2 district is intended to be a general commercial district along major arterial roadways serving a City-wide area. The C2 district allows for a wide array of commercial uses – retail, restaurants, office, and service. The C1 district allows for a minor amount of retail, restaurant, and service uses by right, and then offices and some other service uses by special exception approval of the BZA. We have C2 districts along the Dual Highway, Burhans Boulevard, Maryland Avenue, Northern Avenue, and Eastern Boulevard. The C1 districts tend to be smaller pockets of areas along minor collector type of streets. We have C1 districts on Salem Avenue, N. Cleveland Avenue, W. Washington Street, W. Franklin Street, and Cannon Avenue. The Phase Two Comprehensive Rezoning is assessing the appropriateness of a large amount of C2 zoned land on the east side of the city and is looking at the zoning regulations for the commercial districts.

## RECREATION DEPARTMENT

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1. **HAGER HOUSE PROGRAMS AND EVENTS:**
  - **Tours:** This week staff has scheduled two tours for the upcoming 2009 season. We have booked a

group from Smithsburg Elementary school and a group of senior citizens.

- Hager House Programs and Events: This week staff received our 2009 calendar of events from the printers and placed them into our brochures for distribution. Staff completed this week the annual inventory of items in the Museum collection. Preparations have been started for the beginning of the visitation season and the "German Easter" presentation in early April.
- Railroad Museum at City Park: Staff will meet in the coming week to plan for the presentations of the 2009 season and to set in motion the process to restore the cabooses on site. To be discussed will be the creation of a friends group and what can be done to the site to better engage not only the rail fan but the larger community.
- Meetings: This week the Historic Sites Facilitator attended the 25th annual Small Museum Association conference in Ocean City. This experience was very educational. Much information has been collected and new concepts were discussed and we look forward to trying some of these new ideas to direct the City of Hagerstown's Historic Sites to better serve the needs of the visiting public and the community.
- Maintenance: Staff will begin to paint the trim in the Hager House this week. Preparations for Spring plantings are underway.

## UTILITIES DEPARTMENT

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### ELECTRIC DIVISION

1. **Problem Areas.** Recent call outs included:
  - Thu. 2/19 - 124 East First Street. Lights blinking; replaced 25T fuse. Time Out: 15.0-15.8
  - Sat. 2/21 - 802 Salem Avenue. Partial outage; replaced (1) 6T and (1) 10T fuse. Time Out: 12.0-12.6
  - 413 Wyoming Avenue. Service pulled loose; refastened. Time Out: 14.5-15.3.
2. **Distribution.** Recent activity included:
  - Work continues at the Barbara Ingram School for the Arts. The vault is set, conduits placed underground. Several overhead services were placed underground in order to improve the esthetics of this area.
  - Lighting at the Park Circle area has been removed in preparation for the fountain installation.
  - Light Department personnel completed the fourth week of a 12-week Spanish course.
  - Metering Department received three high bill complaints this week. Upon testing, found all met Public Service Commission requirements.

Lamps Replaced	New Fixtures Added	Changeouts	Fixtures Removed
54	0	3	0

3. **Engineering** (Staff worked on the following projects):
  - The Staff Engineer and Electrical Engineer attended the GIS pre-bid meeting to answer any questions that the vendors may have involving the Light Department's GIS plan.
  - Several new electric service designs, existing electric service relocations, and existing electric service upgrades have been completed.

### WATER DIVISION

#### Water Operations

**Plant Flows - System Demand (MGD)**

<u>Date</u>	<u>Willson</u>	<u>Breichner</u>	<u>Total</u>
02/19/09	10.80		10.80
02/20/09	10.66		10.66
02/21/09	10.81		10.81
02/22/09	10.45		10.45
02/23/09	10.63		10.63
02/24/09	11.03		11.03
02/25/09	10.55		10.55
Average			10.70

- The flows for this week are estimated due to a faulty flow meter on the west transmission main (scheduled for replacement).

**Water Production at RC Willson**

- Willson continues to operate well; water temperature is currently 39 degrees.
- The instrumentation crew continues working on the installation of several new analytical pieces of equipment at the Breichner Plant. They are also working on phone line locations and the installation of a new wireless antenna at Park Ave.

**Water Production at Breichner**

- The Edgemont Reservoir is currently at -6.7', the bypass and hydrant are closed. The Breichner Plant was run yesterday (2/25) in an effort to train an additional employee in the operation.

**Laboratory**

- Hazen and Sawyer has requested our THM/HAA data for the previous three quarters in 2008 and the first quarter of this year in an effort to determine Stage 2 sample sites. The information will be sent as soon as this quarter's results are completed.

**Engineering**

Reviews:

Site Plan	1
Simplified Plat	1
Building Permits	4

**WASTEWATER DIVISION**

**Wastewater Treatment Plant at Frederick Street**

Date	Flow (mgd)	Rainfall (inches)
Wednesday, February 18, 2009	5.68	0.11
Thursday, February 19, 2009	5.68	0.00
Friday, February 20, 2009	5.52	0.00
Saturday, February 21, 2009	5.48	0.00
Sunday, February 22, 2009	5.49	0.00
Monday, February 23, 2009	5.49	0.00
Tuesday, February 24, 2009	5.39	0.00
Weekly Average/Total	5.53	0.11
Monthly Average/Total	5.84	0.33
Yearly Average/Total	6.29	2.01

- The Wastewater Treatment Plant continues to operate efficiently; all parameters are within MDE compliance specifications. Maintenance crews continue working on corrective and preventative maintenance work orders.
- Construction continues for both Headworks and ENR-UV Projects. Activities are being completed on schedule.

Activity	Districts	Linear Feet of Main	Feet of Lateral	# of Lateral Inspections
Closed Circuit TV Inspections	4	602	485	12
Flushing	4	560		
<b>Point Repairs</b>		<b># of Repairs</b>	<b>Reason</b>	<b>LF of Repairs</b>
Joint Testing	21	On-Going Summit Avenue	Broken pipe & roots, offset joints	61

**Customer Service Calls**

- Summit Avenue main replacement project continues. Total replacement this week is 61 feet. Also cold patched 100 feet of the road opening.

**Administration**

- Staff will attend a meeting with MDE related to Mandatory Fines for Sanitary Sewer Overflows (SSO's). This has been proposed for the entire State of Maryland and will be administered by MDE. The fines being proposed are higher than the fines currently in our Consent Judgment Agreement with MDE, we do not know if MDE will attempt to modify the agreement to include these higher limits. We will be attending the meeting with several municipalities that belong to the Maryland Association of Municipal Wastewater Agencies (MAMWA).
- Staff met with Hospital consultants on final design details for off site Wastewater infrastructure (Pump Station #18).

Reviews:	City	County
<b><u>Sewer</u></b>		
Site Plan	4	
Building Permits	4	1

**City of Hagerstown Strategic Plan -  
Focus on the Quality of Life in Hagerstown**

Respectfully submitted,

Bruce J. Zimmerman  
City Administrator