

Mayor D. S. Gysberts called this Work Session of the Mayor and City Council to order at 4:08 p.m., Tuesday, October 4, 2016, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, L. C. Metzner, D. F. Munson, and P. M. Nigh; City Administrator Valerie Means, and City Clerk D. K. Spickler. Councilmember M. E. Brubaker was not present.

Proclamation: Fire Prevention Week

Mayor Gysberts read a proclamation naming October, 2016 as Fire Prevention Month in Hagerstown. Doug DeHaven, Fire Marshal, and Russell Daiello, Fire Captain, accepted the proclamation.

Proclamation: Breast Cancer Awareness Month

Mayor Gysberts read a proclamation naming October, 2016 as Breast Cancer Awareness Month in Hagerstown. Debbie Kilgore, Community Liaison of Breast Cancer Awareness – Cumberland Valley, Inc., accepted the proclamation.

Amy Riley, Recreation Promotion and Services Coordinator, announced the annual Par Fore tournament will be held at The Greens at Hamilton Run on Friday, October 7, 2016.

Annual Stadium Maintenance

Rodney Tissue, City Engineer, and Travis Painter, General Manager for the Hagerstown Suns, were present to discuss the proposed stadium improvements for the 2017 season. Per the fourth amendment to the lease, the City will invest up to \$ 35,000.00 in general stadium improvements each season. In August, staff received a request from the Suns staff for some very practical improvements for the 2017 season, aimed specifically at improving the fans' experience at the stadium.

The proposed improvements are as follows:

1. Public restroom improvements - \$ 13,900.00 (Assuming that labor provided by Parks division staff will not be charged to the project.)
2. Upgrade lighting with LED fixtures and new lights and switches – \$ 19,000.00. This will yield an annual energy and maintenance savings of \$ 1,600.00.
3. Replace padding behind home plate - \$ 2,100.00. The Suns indicated that if the City purchases the padding their staff will install it.

Staff believes they can complete the above listed work for a total estimated cost of \$ 35,000.00. Some of the other lighting upgrades the Suns requested (\$ 3,285.00) and some other random lights (\$ 3,700.00) cannot be completed within budget.

Staff recommends moving forward with the proposed improvements as noted.

There was some discussion about completing the lighting upgrades (\$ 6,900.00) by using future budget funds. It was the general consensus to complete the grandstand lighting prior to the 2017 season.

Approval of the upgrades will be scheduled for October 25, 2016.

Amendments to Water and Wastewater Policy

Kathleen Maher, Director of Planning and Code Administration, Jill Frick, Director of Community and Economic Development, and Michael Spiker, Director of Utilities, were present to discuss proposed an amendment to the Water and Wastewater Policy to clarify the intent of Exception #3 and to add a new Exception #8 for Affordable Housing Projects.

The City adopted a Water and Wastewater Policy in 2004 to reiterate that extension of water and wastewater services would not be made beyond the Urban Growth Area, as defined in the City's Annexation Policy, unless one of seven exceptions outlined in the policy were granted. The County Water and Sewer Plan utilizes the Urban Growth Area (UGA) as the limits of planned service. At that time, the Annexation Policy utilized the UGA boundaries that were in place at the time of the adoption of the City's policy in 2002.

The Water and Wastewater Policy was amended in 2008 to set the Hagerstown Medium Range Growth Area as the limit of these City services, consistent with the City's 2008 Comprehensive Plan, unless one of the seven exceptions were granted. State law required the City to adopt a growth boundary in its Comprehensive Plan as the planned limits of annexation. The City's Annexation Policy requires annexation as a condition of service.

The Water and Wastewater Policy was tweaked again in 2009 to modify Exception #3 to address confusion that arose in utilizing this provision and to add two-family dwellings.

The Water and Wastewater Policy provides possible exceptions for certain situations that are based on identified health concerns, vital improvements to the City water and/or wastewater system, pre-existing agreements with the City, and certain vital economic development projects in targeted areas of the County Comprehensive Plan. The seven exceptions are:

1. The Health Department has condemned, or there is impending failure of an existing private water or septic system;
2. A system improvement would be provided deemed vital to the enhancement of operation or efficiency of the water and/or wastewater system;

3. Connection to an existing lot of record (predating the policy) for a single-family residence or two-family residence;
4. Redevelopment of property containing an existing customer;
5. There is a pre-existing water or wastewater agreement in place predating the policy;
6. A vital economic development project located in a targeted area for industrial and/or non-retail commercial development;
7. There is a pre-annexation agreement in place predating the policy.

Exceptions #1, #3, #4, #5, and #7 are approved by the Director of Utilities, often with input of Planning staff. Exceptions #2 and #6 are approved by the Mayor and City Council with input from the Director of Utilities (#2 and #6) and other officials (#6).

The City received a request for water service to allow for the expansion of an affordable housing development onto an adjacent lot which is located outside the MRGA. The project also includes enhancement of the existing units. This development is located near the County's economic development target area of Hopewell Valley. The Mayor, City Administrator, Utilities Director, Community and Economic Development Director, and Director of Planning and Code Administration, reviewed the request and the details of the situation and determined that none of the exceptions in the Water and Wastewater Policy would apply. The desirability of enabling affordable housing near employment centers was discussed at length. The consensus reached was recommending that an 8th exception be added to the Water and Wastewater Policy for affordable housing projects near employment centers.

The 2008 Comprehensive Plan recommends development of cooperative agreements with the County on appropriate situations and conditions for provision of water and/or wastewater outside the MRGA and working with the County to create a balanced regional housing approach with emphasis on a fair share distribution of the region's rental and affordable housing.

While it is a City goal to encourage a fair share allotment of the region's affordable housing needs, particularly in proximity to employment centers, at present there is limited vacant RM zoned land in the areas between the MRGA and the UGA near these economic development target areas. The proposal that sparked this discussion is for Hopewell Manor – an existing affordable housing development across I-70 from the Hopewell Valley area and the plan is to upgrade the existing 64 units and add another 60 units. This proposal is the first apartment project the County has received in some time. Unless land is rezoned to RM in these areas, staff believe this new exception will have limited application but will enable those projects to proceed that may come forward.

If this Water and Wastewater Policy amendment for affordable housing outside the MRGA is adopted by the Mayor and City Council, the issue should be addressed in the Water Resource Element in the Comprehensive Plan update.

The Planning Commission reviewed a draft proposal to amend the Water and Wastewater Policy on September 28, 2016. After making a few minor tweaks, the Commission recommends the proposed amendment and addition of Exception #8 for the following reasons:

1. It will accommodate a Comprehensive Plan goal for distribution of affordable housing in the region particularly near economic development target areas
2. Given current zoning of land outside the MRGA in proximity to the County's economic development target areas, the limited opportunities for this new exception should not impact the City's water growth demand projections too significantly.

Councilmember Munson asked what the median income level would be for the proposed units. Mayor Gysberts indicated it is about \$ 45,600.00. Councilmember Munson asked if the existing development is on the City's water system. The development is, with multiple services locations. The proposed addition would place all the services on one master meter.

Councilmember Aleshire is concerned there would be additional requests for Exception #8, even though there is limited vacant land that meets the requirements. Ms. Maher pointed out each request would be reviewed by the Mayor and City Council and staff on an individual basis.

Mayor Gysberts noted this Mayor and City Council has been open-minded about what they have supported. Considering adding this exception to the Water and Wastewater Policy would be a step in setting comprehensive plan goals and not concentrating affordable housing in the downtown core.

The developers, Arthur Edwards and Jeff Paxon, of Paxon/Edwards, were present. They stated most of the 124 units of the proposed addition to the existing development would be restricted to people at 60% or less of the median income range. Six of the units will be rented at market rate costs. This proposal is a \$ 16 million investment in the community. Mr. Paxon noted their preference is to use local contactors.

Councilmember Nigh stated she is glad to hear the existing housing is also being renovated.

It was the general consensus to hold a Special Session on October 11, 2016 to consider the approval of adding Exception #8 to the Water and Wastewater Policy.

General Fund Agency Contributions

Michelle Hepburn, Director of Finance, and Rana Rose, Accounting and Budget Manager, were present to discuss the FY18 Preliminary Budget for General Fund Agency Contributions.

As outlined in the General Fund Agency Contribution policy, any changes to total funding levels or any changes to the agencies guaranteed to receive funding from the City will be considered by the Mayor and Council by the end of October.

The following eight agencies receive funding (per the policy):

1. Community Rescue Services
2. Hagerstown Municipal Band
3. Hagerstown Neighborhood Development Partnership (HNDP)
4. Maryland Symphony Orchestra
5. The Maryland Theatre
6. Washington County Historical Society
7. Washington County Museum of Fine Arts
8. Washington County Free Library

The total funding for General Fund Agency Contributions is \$ 205,000.00 (\$ 195,000.00 to the 8 identified agencies and \$ 10,000.00 in Mayor and Council contingency).

Councilmember Munson stated there have been requests made to include the Washington County Arts Council in the guaranteed funding list. He stated there is no question that the Arts Council participates in the redevelopment of downtown. He wondered if they should be included in the base list.

Councilmember Metzner stated he is ok with adding the Arts Council to the list but he couldn't guarantee that the amount of funding to the other agencies would remain the same. He mentioned CRS or Hagerstown Neighborhood Development Partnership (HNDP) may be able to fund activities with other funding if the level of City contributions is reduced.

Ms. Hepburn stated the request to be included did not include a figure. Historically, the City of Hagerstown has provided \$ 3,000.00 to the Arts Council.

Councilmember Metzner stated he thinks the Arts Council would appreciate the acknowledgment of their role in redevelopment even more than the funding.

Councilmember Aleshire looks at the listed agencies and considers if the entity provides activities specific to the City, or provides a service the City would have to provide if they didn't. There are hundreds of agencies that could be considered for the base list. His preference is to have a contingency amount available for specific events that add to the betterment of Hagerstown. He noted he supports the Arts Council.

Mayor Gysberts stated they would probably respond that they do have a connection specific to Hagerstown by promoting Hagerstown and promoting local artists.

Councilmember Aleshire stated he would prefer to support a specific activity of agencies such as the Arts Council.

Councilmember Nigh indicated CRS is very limited with their funding and budget. The Home Store (one of the activities of the HNPD) provides direct services to Hagerstown residents. She does not support reducing the funding for either agency.

It was the general consensus to keep the base list as it currently is and to include \$ 205,000.00 in the budget for agency contributions, if it is affordable.

CITY ADMINISTRATOR'S COMMENTS

Valerie Means, City Administrator reminded everyone that the 15th Annual Harvest Hoe Down will be held at Fairgrounds Park on October 8, 2016.

MAYOR AND COUNCIL COMMENTS

Councilmember D. F. Munson offered sympathy to the family of Frank Erck, who passed away recently. Mr. Erck was dedicated to this community and he will be missed.

Councilmember K. B. Aleshire has noticed several individuals who appear to be living in storage units. This type of activity and behavior creates a negative impact on the community. There are new people in the community who have had multiple charges filed against them. He questioned what brings these individuals to Hagerstown. He wondered if they are referred for social services. This issue has to be addressed in order to make investments in revitalization beneficial.

Councilmember L. C. Metzner had no additional comments.

Councilmember P. M. Nigh continues to receive calls about trash on the streets at the wrong times. She stated there is also an increase in bulk items. Efforts need to be made to determine who is setting these items out as City resources are used to pick them up. She thanked everyone for their thoughts and concerns for her husband as he begins rehab following a stroke.

Mayor D. S. Gysberts stated a Mayor's forum will be held on October 5, 2016 between him and candidate Robert Bruchey, II. The forum will be rebroadcast on Antietam Cable Television on October 8 and October 9, 2016. He toured the former Washington Street School earlier today. The owner has a great vision for the use of the property. The City of Hagerstown website is finally mobile friendly. The prominent feature on the website is the "Report a Concern" link. He thanked staff for their work on the update.

WORK SESSION
2016

OCTOBER 4,

MAYOR AND CITY COUNCIL

HAGERSTOWN, MARYLAND

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 5:20 p.m.

Respectfully submitted,

Donna K. Spickler
City Clerk

Approved: November 22, 2016