



agreed by voice vote of all members present to approve a resolution authorizing a Memorandum of Understanding (MOU) with Howard County, Maryland, to join the Regional Automated Enforcement Center (RAEC). Membership in the RAEC provides assistance with installation, approval of locations, training, technical, and other support relating to the Red Light Camera System in the City of Hagerstown.

Under the MOU, the City of Hagerstown will pay Howard County a monthly fee established in accordance with the jurisdictional cost matrix.

**Approval of a Resolution: Agreement with American Traffic Solutions, Inc. (ATS) for Red Light Camera System and Services**

**Action:** On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember P. M. Nigh, the Mayor and City Council unanimously agreed by voice vote of all members present to approve a resolution approving an agreement with American Traffic Solutions, Inc. (ATS) regarding the operations and implementation of the red light camera enforcement program.

ATS will provide the services to Hagerstown pursuant to the terms and conditions of the Howard County Agreement. Pricing and billing shall be as set forth in the Howard County Agreement.

**Approval of a Resolution: First Addendum to the Agreement with American Traffic Solutions, Inc. (ATS) for Red Light Camera Enforcement – Delinquent Collection Services**

**Action:** On a motion duly made by Councilmember P. M. Nigh and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote of all members present to approve a resolution authorizing the First Addendum to the agreement with American Traffic Solutions, Inc. (ATS) regarding the operations of the red light camera enforcement program and delinquent collection services.

The maximum Collection Services fee is a total of 30% for collection services, in addition to ATS' normal fee as set forth in the agreement.

The Special Session was closed at 4:21 p.m.

City Attorney Jason Morton left the meeting.

Preliminary Agenda Review

**Consent Agenda**

A. Community and Economic Development:

1. Western Maryland Blues Fest Budget – 2017

B. Police:

1. Community Based Prosecutor Reimbursement to Washington County Sheriff's Office - \$ 33,423.00
2. Crime Camera – Skyline Technology Solutions (Glen Burnie, MD) \$ 15,023.19

C. Utilities:

1. Water: Renewal of SCADA Contract – ABB, Inc. (Wickliffe, OH) \$ 59,940.00
2. Wastewater: Replacement of Ultra Violet Bulbs – SUEZ Treatment Solutions, Inc. (Leonia, NJ) \$ 42,048.10

There were no questions about any items on the consent agenda.

**Approval of Bulk Diesel Fuel and Bulk Gasoline Purchase**

Eric Deike, Director of Public Works, provided information from the Washington County Government about the competitive bids for diesel fuel and gasoline. Washington County competitively bids for themselves, the Board of Education and the City of Hagerstown to obtain a better bulk rate.

IPC (USA), Inc. (Columbia, MD) bid the lowest price for diesel fuel at \$ 1.4508/gallon. The City's estimated annual usage is \$ 179,811.00.

PAPCO, Inc. (Aston, PA) bid the lowest price for gasoline at \$ 1.4277 per gallon. The City's estimated annual usage is \$ 240,355.00.

It was the general consensus to include approval of the contracts for both bulk diesel fuel and gasoline to the lowest bidders on the October 25, 2016 agenda.

There were no additional comments or questions regarding the items on the Preliminary Agenda. All items are scheduled for approval on October 25, 2016, unless otherwise stated.

Rodney Tissue, City Engineer, and Paul Sweeney, Hagerstown Ice Amateur Athletic Association (HIAAA), were present to provide the annual report.

Mr. Sweeney reported the rink is managed by the HIAAA, which is a non-profit, 501(c.)(3) organization, comprised of all the major user groups of the Hagerstown Ice and Sports Complex. Each group has a voting member on the HIAAA. The group was created in 2014 and formally took over operation of the rink on April 1, 2014.

There are more than 200 adult hockey players and more than 100 youth hockey players using the rink in all the programs and leagues. There are two figure skating programs offered as well.

Detailed analysis of separate rink functions continues to be examined by HIAAA board members and recommendations are made at monthly board meetings. HIAAA has hired a sales professional to sell advertising for the rink.

The physical state of the ice and boards are in very good condition. The ice was taken out and put back in one week this summer, which allowed for maintenance and rink repairs.

HIAAA hired an Interim General Manager and full-time Maintenance Supervisor recently. A Program Director was hired in 2015 to develop hockey programs. There has been significant growth in participation in the programs.

HIAAA has implemented cost savings measures for the utilities at the facility. They have been able to realize a 50% savings in gas costs and a 41% savings in water and sewer costs. The City pays the utility bills at the rink. Overall, the utility costs have decreased from a high of \$ 86,891.00 in FY 11/12 to \$ 77,111.59 in FY 15/16 (despite higher utility rates). An energy audit of the facility was completed this year and, utilizing an MEA grant, the rink is now 100% LED lighting.

Future maintenance and reinvestments include replacement of rental skates, enhancements to the sprinkler system, update the computer network, enhancing the current alarm system, and replacing the Zamboni.

HIAAA's vision to take the facility to the next level is to add another sheet of ice which would provide additional ice time for more teams and individuals to participate in ice sports at reasonable hours. Another idea is to develop an indoor soccer facility. This is a great opportunity for this area. The project would be much more cost effective if the design was incorporated as another sheet of ice was added.

Mayor Gysberts thanked and congratulated the group for their work in making the facility a great amenity for Hagerstown.

Rodney Tissue, City Engineer, Amy Riley, Recreation Promotion and Services Coordinator, and Emily Conrad, Parks Office Assistant, were present to provide an update of the City's recreation program. Staff continues to build programming in the development of a more active and healthier community.

15,000 copies of the 2016 Fall/Winter Parks and Recreation Guides have been printed and distributed. The seasonal guide promotes all of the amenities the parks and recreational facilities have to offer, and the new programs and annual events coming this fall and winter.

Recreation has been a two-year recipient of a \$ 10,000.00 grant from the Washington County Health Department to be used in the promotion of healthy lifestyles. Grant monies have aided staff in the development of new recreation programs and new signage and banners in the parks and facilities to encourage program registration. The grant was a catalyst in the development of the new Parks and Recreation Guides. Distribution has increased from 5,000 to 15,000.

The most recent accomplishment with the grant money support has been the development of new Parks Fitness Signage. The Parks Fitness Signage will promote movement and fitness awareness in the parks. Dave Ruff, Ruff Fitness, has identified ways in which beginner level fitness individuals can use ordinary park amenities like a park bench, a swing, and/or a picnic table, to achieve a total body workout. The walking trail signage has been expanded to promote walking in the parks. The signs will be installed in the spring, 2017. The signs will feature QR codes that link to fitness video tutorials which will instruct beginner level exercises. There will be a total of 18 signs featured in 6 different parks.

Beginning in November, there will be a new indoor space available to program new recreation classes at Fairgrounds Park. With the recent "Fit for You" branding campaign, staff have decided to name the new room "The Fit Room at Fairgrounds Park". Fun fitness classes, including dance fitness classes, CPR, square dancing, Fit Fido, Pilates, PiYo, and Yoga, will be offered in the new space. Classes are scheduled to begin the week of November 7, 2016.

Hager House Ghost Tours will be offered through October 22, 2016. Special guest host volunteer group, "Oculus," will be co-hosting the tours this year.

Other fall events include Anything But Golf (October 22, 2016), Ride-Along Weekend with Tommy 202 (October 22, 2016 and October 23, 2016), Howl-O-Ween Dog Costume Parade (October 29, 2016), The Turkey Cup (November 19, 2016) and the City Park Tree Lighting (December 2, 2016). Hagerstown Heating and Cooling has been secured as a new title sponsor for this year's City Park Tree Lighting. Expanded activities will be featured and a new holiday light decoration will be unveiled.



systems and flashing beacons, will allow users of the trail to cross at the numerous mid-block crossings as safely as possible.

Installation of the fiber optic cable in the underground conduits installed by the general contractor commenced this week and the system will be operational in November. The overall project includes 10 camera locations and 20 cameras. If needed, more could be added in the future for little additional cost.

City Light selected, purchased, and will be installing light poles as soon as the landscaping is complete.

Staff has worked with CSX for approximately two years but has made little progress. At the City's request, the Maryland State Highway Administration (SHA) has agreed to completely update this crossing in the second half of 2017 at their expense. Unfortunately, this will create a temporary situation where the trail will narrow to cross the railroad until the SHA project is complete. Staff plan to install a sign at this location to advise trail users of this plan.

Art consultants William and Teresa Cochran from Cochran Studios in Frederick have done tremendous work, offering a lot of fresh thinking and innovative ideas. The Cochrans, along with the Council-appointed Public Art Selection Committee, have followed through on Phase I of the Master Plan and are bringing Phase I art to reality within the budget previously approved by the City Council.

Staff recommends approval of the following items at the October 25, 2016 Regular Session:

1. As recommended by the Artist Selection Committee and the Cochrans, approve a contract with the muralist Alex Brewster (AKA "Hense") for the "Mural of Unusual Size". Additional funds are not being requested, as this is funded in the original public art allocation approval. His work is internationally known and is recommended for artistic excellence, use of composition, originality, color, line, form, shape, and how the various types of painting would contribute to the community over a long lifespan.
2. Easement agreement with the owner of Chics restaurant to allow photo murals to be installed on the wall adjacent Lee Street. The photo simulation shows portraits to be placed on the wall adjacent to the Trail at Lee Street. These photos will be taken by the Barbara Ingram School students and possibly others, and selected by a jury process.

Mr. Tissue mentioned local artists have contacted him offering to donate art for the trail. He reiterated any design for artwork will require approval from the Mayor and City Council.

Councilmember Aleshire asked if there would be splash pad in one of the locations. Mr. Tissue stated the original plans were for a splash pad in the oval park at the Herald Mail building. State regulations now require bathroom and shower facilities at all splash pad locations, which were not in the original plan. It was the consensus of the Council to continue to pursue including a splash pad at the park. Kids like splash pads and it would be a nice amenity.

Councilmember Munson suggested discussing the regulations with the Washington County Delegation. Councilmember Aleshire suggested the Mayor send a letter to the State supporting the installation of a splash pad on the trail.

Councilmember Aleshire likes the idea of the photo mural wall. However, he does not like the idea of having people's pictures on the wall. He would like the pictures to be of various other locations downtown that would be interesting for visitors to explore.

Mr. Tissue reported a group of volunteers is working on developing a geocache trail to highlight the railroad theme of Hagerstown history.

Mayor Gysberts thanked staff for moving this project forward and keeping it on time and under budget.

Councilmember Munson anticipates the completed project will draw 10,000 to 25,000 people to Hagerstown.

Mr. Tissue noted there are things happening in the general area of the trail as well. Dr. Gammerman has opened an office on Lee Street and John Barr (Ellsworth Electric) has been doing extra work around the business. The trail isn't the end, it's the beginning.

Mayor Gysberts stated the trail is encouraging the best use of the properties adjacent to it. The project may encourage people to do something different with their properties as well.

Councilmember Aleshire noted the City has lacked continuity and connectivity within these blocks. This project creates continuity.

Mayor Gysberts stated critics have said this is a trail to nowhere. That is only true if people think the Arts and Entertainment District and the Museum of Fine Arts are of no value. This trail allows a pedestrian center for activities, without being on the street. The trail will help create synergy between different areas of the City. He noted the Sage report indicates for every \$ 1 invested in the arts, there is a \$ 2 return on the investment. The trail will attract the creative class. He expects more great things to come.

Kathleen Maher, Director of Planning and Code Administration, and Amanda Whitmore, Downtown Coordinator, were present to review a staff proposal to address changes to the Sidewalk Display Standards and Conditions. These standards are utilized to guide review and approval of Sidewalk Business Licenses issued per Chapter 216, Streets and Sidewalks, of the City Code.

In recent years, the City received periodic complaints that merchants' sidewalk displays were crowding the sidewalks and prohibiting movement along the public right-of-way as well as blocking sight lines for vehicular traffic on adjoining alleys. In response to these complaints, Chapter 216 of the City Code was amended to add provisions for sidewalk business licenses for display of merchandise in the City Center and the current Sidewalk Display Standards and Conditions were approved on January 27, 2015. The merchants that generated these complaints are no longer in business; however, the Sidewalk Display Standards and Conditions remain.

City Center has a few businesses that are displaying merchandise, in an orderly manner, but on a near daily basis. This does not comply with the current Sidewalk Display Standards and Conditions and an effort to enforce these standards was met with pushback. Therefore, staff met to review the Sidewalk Display Standards and also consulted with Main Street Hagerstown volunteers for their feedback on the current standards to develop the proposed changes that better support business.

Staff recommend the following summary of changes to the Sidewalk Display Standards and Conditions:

1. Permit displays year-round while a business is open and eliminate the four event frequency
2. Eliminate the requirement to provide a schedule of events to the Engineering Division and to notify them prior to displaying merchandise
3. Reduce the requirement that displays must be 15 feet from any adjoining street, alley or driveway to 10 feet from an adjoining alley or driveway
4. Clarify that a five foot width of unobstructed sidewalk space must be maintained between the display and any tree, tree well, parking meter, fire hydrant, street light, trash can, or other obstacle
5. Eliminate the requirement that displays must be two feet from either side of a building entrance, fire hydrant or property line and change requirement to displays shall not obstruct access to building entrances, fire hydrants, street lights, telephone poles, mailboxes, or transit stops
6. Eliminate the 100 square foot requirement but include that displays shall be limited to a single row of merchandise against the wall of the business and not be hung from the building or awning



Members of the BuroBox signing up at the Basic membership (\$ 50.00 per month) will be required to sign a license agreement and associated exhibits prior to gaining access to the space. License agreements will:

1. Permit licensee to access the co-working area, conference room, kitchenette, and restrooms
2. Continue on a month-to-month basis
3. Require a \$ 50.00 security deposit
4. Be approved and signed by DCED staff and will not need to go before Mayor and Council for approval of each Basic member

Members of the BuroBox leasing one of the two offices (\$ 100.00 per month) will be required to sign a lease agreement and associated exhibits prior to gaining access to the space. Lease agreements will:

1. Permit licensee to access one lockable office, co-working area, conference room, kitchenette, and restrooms
2. One year term with option to continue month-to-month after that term, with either party having the right to terminate that month-to-month tenancy by giving 30 days' written notice
3. Require a \$ 100.00 security deposit
4. Be approved by the City passing a resolution approving the execution of the lease

Each user will be required to sign a key agreement and will have to cover any costs associated with losing a key.

Ms. Whitmore reported both office spaces may be rented.

Approval of the documents will be included on the October 25, 2016 Regular Session agenda.

#### Washington County Coalition Update

Mayor Gysberts discussed the draft priority list developed last week by the Washington County Coalition. Paul Frey, Chamber of Commerce Executive Director, was also present.

The list (which is not in priority order) is as follows:

1. I 81, I 70/Rt. 65 interchange
2. Community Revitalization project
3. CRIZ legislation – Mayor Gysberts noted Delegate Wilson will assist in looking for more cosponsors in the next General Assembly and to determine how to differentiate between the CRIZ and a TIFF
4. Foreclosure and Receivership

The Coalition will be monitoring changes to incentives for downtowns, enterprise zones, the possibility of locating the National Park Service headquarters in Williamsport, increasing the Maryland Heritage Areas cap, and the Bester Community of Hope initiative. The watch list includes USMH operational funding, gaming revenue protection, the shift of liability from State government to local governments, Highway User Revenue funding, and funding of K-12 education.

Mr. Frey noted the projects are of equal priority. The widening of Interstate 81 is on the top of the list. The State appropriation committee visited Hagerstown recently and looked at the downtown project.

Councilmember Munson is concerned that the legislature will not have time to address all the projects. He noted the foreclosure and receivership item should also include ways to deal with blighted properties.

Mayor Gysberts noted the Washington County Delegation will be meeting with the community on December 6, 2016. The Day in Annapolis will be held on February 1, 2017.

#### **CITY ADMINISTRATOR'S COMMENTS**

*Valerie Means, City Administrator* had no additional comments.

#### **MAYOR AND COUNCIL COMMENTS**

*Councilmember L. C. Metzner* had no additional comments.

*Councilmember P. M. Nigh* stated there were no bids offered for the Forsythe building. She thinks the City should continue to pursue acquisition of the property. Mayor Gysberts stated a meeting is scheduled for November 1, 2016 with City staff to discuss this.

*Councilmember D. F. Munson* is not interested in obtaining the Forsythe property if that means the City will own a blighted property that cannot be demolished because of historical protections. Councilmember Munson will be attending the HEMPO meeting on behalf of Councilmember Brubaker. The I 81 project will be discussed. He will be voting to make the changes that are needed to I 81.

*Councilmember K. B. Aleshire* was unable to attend a candidate forum held last week because he was attending the MML Fall Conference. During the conference, the Legislative Committee developed a list of priorities for the General Assembly. The list did not include blighted properties. He wants to encourage MML to develop a cleaner process for establishing priority items. He is unable to attend the forum sponsored by the Herald Mail, because he will be out of town.

103<sup>RD</sup> SPECIAL SESSION, WORK SESSION, AND EXECUTIVE SESSION      OCTOBER 18,  
2016

MAYOR AND CITY COUNCIL

HAGERSTOWN, MARYLAND

*Mayor D. S. Gysberts* stated Councilmember Brubaker has been a great leader and champion for the City of Hagerstown. Mayor Gysberts joined Maryland Governor Larry Hogan during a tour of Bester Elementary School on October 13, 2016. The Governor held his cabinet meeting at the Maryland Theatre earlier in the day. The Governor also attended the 150<sup>th</sup> Anniversary Celebration at Rose Hill Cemetery that day. A ribbon cutting ceremony was held at Mason Dixon Insurance last week. Dr. Gammerman moved his practice to the new location because of the Cultural Trail. He thanked the students in Ms. Kaslowski's class at Fountaindale Elementary School.

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 6:15 p.m.

Respectfully submitted,

Donna K. Spickler  
City Clerk

Approved: November 22, 2016