

22nd REGULAR SESSION, EXECUTIVE SESSION, AND GOAL SETTING SESSION
– August 29, 2017

GOAL SETTING SESSION – August 29, 2017

Mayor R. E. Bruchey, II called this Goal Setting Session of the Mayor and City Council to order at 12:43 p.m. on Tuesday, August 29, 2017, at the Department of Community and Economic Development Conference Room, 14 N. Potomac Street, Hagerstown, Maryland. Present with the Mayor were Councilmember K. B. Aleshire, P. D. Corderman, E. Keller, and L. C. Metzner, City Administrator Valerie Means, all City Department Heads, and City Clerk D. K. Spickler. Councilmember D. F. Munson was not in attendance.

Opening Remarks

Mayor Bruchey stated this session is a continuation of the session held on July 25, 2017.

Department Priorities – Continuation

Human Resources

Wendy Nussbaum, Director of Human Resources, stated the department will begin utilizing technology and the software modules of the Munis system. Staff is also concentrating on wellness initiatives. Plans are progressing for an expanded Wellness Fair. Customer Service training is being planned. Management Training will be offered in September for employees hired for or promoted to supervisory positions within the last two years.

Technology, Communications, and Support Services

Scott Nicewarner, Director of Information Technology, Communications, and Customer Service, reported the Munis financial system will be upgraded. The system will be a browser based system, rather than client based. The email system will also be upgraded due to the advancement of the operating system. Review of the cable franchise agreement will begin soon, as called for in the agreement. As allowed in year 4 of the agreement, an audit will be completed. He has received complaints regarding Antietam Cable internet service. The franchise agreement does not cover internet issues; however he will forward the complaints to Antietam Cable. Businesses are pleased that broadband service is now offered. The production studio, which will use state of the art technology, is nearly complete. The cost of the studio is covered through the franchise agreement. Public Service Announcements will be created for a variety of topics. More work is needed in order to implement the time recording system for public safety employees.

Mayor Bruchey noted he has received complaints from employees about the time recording system. He wondered if implementation of the system has improved the payroll process. Mr. Nicewarner stated the system requires an employee to use their finger to clock in. Prior to this, a timecard was punched, which was not as secure.

Michelle Hepburn, Director of Finance, stated the payroll process used to be a paper system for recording time. A payroll clerk entered each employee's time from their timecard. Employees were not required to verify their time was correct before it was processed. There was not significant oversight. Now, each employee is responsible for submitting their own time and verifying the hours.

Mayor Bruchey suggested asking employees for input about the system. Mr. Nicewarner indicated this was done before the system was implemented.

The six employees (4 full time and 2 part time) in Support Services and Cashiering serviced 52,000 transactions in the last six months. This includes phone customers and lobby customers. The average wait time for phone customers is 4 minutes. Since April, 1,300 electric customer accounts and 1,500 water customer accounts have been terminated for non-payment. Collections of inactive accounts have improved since going with Valley Credit service rather than a private attorney.

Staff has been working with Washington County Treasurer Todd Hershey to develop a process to deal with chronic tax sale properties. One option could be to quit claim the property to the adjacent property owners. In many cases, the amount due far exceeds the value of the property, due mostly to liens against the property.

Mayor Bruchey suggested looking into the possibility of the City forgiving the liens then purchasing the properties and turning them over to someone else. Mr. Nicewarner stated a plan is needed so the City does not get stuck with the property. There needs to be someone in place to take ownership of the property. The County also has to be agreeable and willing to write off the tax bill.

Mayor Bruchey indicated he would discuss this idea with County Commissioner President Terry Baker.

Communications staff is working with the Washington County Everbridge notification program. The pilot is working well. The rules for use of Everbridge will be established. Notifications can be sent to specific areas as well as City wide.

Utilities

Michael Spiker, Director of Utilities, reported the Electric Division is in good standing with cash. The amount outstanding from inactive electric customers is \$ 2.1 million. Inactive accounts for water total \$ 24,000.00 and for wastewater total \$ 26,000.00. This significant difference is due to requirements established by the Public Service Commission for electric accounts. Revenue has held steady, even with the loss of two of the largest users. Rates are consistently reviewed. There are no capital improvements planned for the next five years. ESS (Energy Storage Systems) has filed for Chapter 11 bankruptcy. Staff will closely watch this situation since there are contracts for several locations within the City. The roof at the City Light building has been replaced. Mr. Spiker is hopeful that the MELP property will be cleared by the end of the year. Disposal of the concrete will be costly because of the contamination. The ultimate goal is to be

able to remove the fence and make the property safe. Approximately \$ 300,000 has been used so far.

Ms. Hepburn stated there are two funding sources for the MELP removal project. There is \$ 650,000 in bond financing and \$ 500,000 from the owner when the City took over the project. When MELP is finished, any amount remaining from the bond financing will go toward the Synagro project.

The largest project for the Water and Wastewater Divisions will be a rate study, in the fall of 2018. Major increases are not expected. The large projects are mostly funded through the Maryland Department of the Environment, either by loan or grant. Debt service is about \$ 1 million per year.

Councilmember Aleshire asked if Mr. Spiker feels it is time to recommend sale of the electric distribution system. Mr. Spiker stated he does not think it is time. Customers are accustomed to the reduced electric rates. The asset value of the system is \$ 30 million. Many years ago, the City was offered about \$ 20 million for the system. Councilmember Metzner pointed out that response/repair time for City light customers is outstanding, which would not occur if the system was sold.

Councilmember Aleshire stated something needs to be done to reduce the outstanding amount left from inactive accounts. Landlords tell him they didn't know tenants left and didn't pay their electric bills. Other energy suppliers have the same issues. He asked if the landlord could be sent a notice if the account is delinquent. Mr. Nicewarner indicated that would not be permitted unless the account is in the landlord's name.

Valley Credit has helped reduce the outstanding amount by searching for past customers. Staff also reviews information from new customers to determine if a past customer is included in the lease.

It was noted that water and wastewater services are required to be in the property owners name and outstanding amounts can be attached as a lien against the property. This could not be done for electric accounts because it is protected by the Public Service Commission. The debt for utilities follows a resident to another residence within the City's service area.

Mayor Bruchey wondered if a discount could be offered as an incentive for landlords to have the electric bill in their name. Any discount would have to be approved by the PSC. Many owners probably would not want the liability for any outstanding bill.

Councilmember Aleshire wondered if it could be a requirement to have the bill in both the tenant's and landlord's name. Councilmember Metzner wondered if the City could require both names on the account, but not hold the landlord responsible for the bill.

Electric account terminations are not permitted, unless under certain conditions, by the PSC from November 1 to March 31. Councilmember Metzner wondered if notifying a landlord of a delinquency during the first two months of the moratorium would help.

Typically, customers who are truly experiencing a hard time make payment arrangements and keep up with the arrangements. There are customers who always seek out assistance instead of paying their bill. The problem has been discussed with the landlord association as well.

Councilmember Corderman asked if an appeal to help with this situation could be made to the PSC. It was noted the governing legislation is not geared toward protecting the utility.

A \$ 1.3 million project has been approved for the replacement of the traveling screens at the Water Treatment Plant. This will be a 12-18 month project. The Breichner reservoir includes parameters for 23" of rain. This project may be funded from a partial grant from MDE.

The Wastewater Division continues to work on the Synagro project. A major concern is the growth of fresh water sponges in the lines. The treated water is so pure and clear that sponges grow significantly and are clogging the 8 foot chamber within 3 months.

The group took a break at 1:59 p.m.

The meeting was reconvened at 2:12 p.m.

Individual City Councilmember Goals

Councilmember Metzner noted the Urban Improvement Project (UIP) is underway and the County is a significant partner in that project. The City should proceed with caution regarding harsh discussions with the County at this time. Another big project is the additional water source at Smithsburg. If these two projects are completed within this administration, it will be significant. The budget situation needs to be addressed so future budgets are not as challenging as the current year.

Mayor Bruchey suggested it is time for people who operate a rental business in Hagerstown to be charged as businesses. One option is to assess a different tax rate for multi-family rental uses.

Councilmember Metzner indicated there is no solution for the budget issues except to raise revenue. Mayor Bruchey indicated there are ways to cut costs, although they may not be popular. Ms. Means indicated stability has to be gained by a combination of increased revenue and decreased expenses. She hopes the Mayor and City Council's priorities will be established through this goal setting process so staff can determine how to carry out those priorities.

Councilmember Metzner stated the most significant way to reduce costs on an ongoing basis is in personnel.

Mayor Bruchey reported Secretary Holt will be in Hagerstown on September 7, 2017. The Secretary will be reviewing the UIP project and student housing. Funding is available from his office toward this project.

Councilmember Corderman agreed with Councilmember Metzner. He thinks existing incentive programs should be funded for downtown investment to help spur development within the City's core. He wants to use the \$ 250,000 set aside for the Class A office building for incentives. One of his goals is to not have a tax increase over the next three years. Weekly trash pick up from the alleys in the downtown would improve the appearance.

Mr. Tissue reported bids for refuse collection will be discussed with the Mayor and City Council on September 19, 2017.

Councilmember Corderman also wants to focus on customer service. He suggested a customer service/accountability survey be conducted. He also suggested results of the survey be a component to job performance evaluations.

Another goal for Councilmember Corderman is to get City owned properties back on the tax roll. Ms. Means indicated properties currently listed on the Competitive Negotiated Sale list will be discussed during an October Work Session.

Councilmember Corderman suggested creating a database of outstanding, inactive utility accounts to make the information readily available. Mr. Nicewarner stated staff tries to advise landlords how to use the judicial case review information when screening new tenants.

Councilmember Aleshire stated the City could create a brochure listing 10 things for landlords to check. He also believes the City has an obligation to shut down the rental units that are substandard and those considered black market apartments. Regular scheduling of inspections will help with this. Ms. Maher indicated revoking rental licenses and issuing fines would also help.

Ms. Maher informed the group that the Planning and Code Administration Department uses a survey that reviews the beginning and the end of the permitting process. She noted many people complete surveys if they have complaints. Councilmember Corderman stated they may also give a positive report.

Mayor Bruchey stated he receives complaints about four or five employees on a regular basis. Ms. Means indicated her first goal is to determine how to help employees succeed. This could include additional training or proper equipment. Mr. Nicewarner stated Customer Service employees often deal with contentious customers and programs are in place to divert burnout.

Councilmember Keller stated her focus in on homeownership. The HomeStore had money left over to assist first time homeowners. She suggested the City assist in advertising this program. She suggested showing people there are reasons to visit downtown by highlighting thriving businesses. There should be one central location for businesses and activities to be advertised. She recommended meeting with Main Street and Greater Hagerstown members to discuss this. Middle school students could possibly paint public art on the overpasses. A decision needs to be made regarding the Farmers' Market.

Councilmember Keller wondered if other events are losing money as was reported for the Blues Fest. She wondered if volunteers resigning will cause other events to end. She stated events need to be held to attract visitors to Hagerstown. Ms. Thompson noted the discussion last week with the Mayor and City Council included challenges faced with Blues Fest. Staff is looking to use an interim year to focus on future years. There may be a different format and venue that works better for Blues Fest. This option, and others, are being explored by staff and the volunteer group.

Councilmember Aleshire agreed that events need to be held. Creating more events is listed as a Catalyst Project in the Community Center Plan. There may be a greater impact on the community than anticipated if the Blues Fest ends. These issues could resonate for other events. Councilmember Keller noted it makes it look as if the City is failing if events end. Councilmember Corderman wondered if the City is the facilitator or the promoter of the events.

Ms. Means stated the discussion was intended to let the Mayor and City Council know that the volunteer base for Blues Fest has changed significantly. The monetary loss was not the entire message.

Councilmember Metzner stated he understood the resignation of the Chair, Co-Chair, and Fundraising Chair had more impact on the future of Blues Fest than the funding. There isn't a staff member who has the expertise to secure the entertainers. The City does not have the leadership to put on the Blues Fest next year at the same level. The acts are determined by the level of sponsorships. The City is not in a position to provide additional budgetary guarantees.

Ms. Thompson stated staff's recommendation is to take a year off to reconfigure and reassess the Blues Fest event in order to address the key architectural flaws of the event. Staff has asked to have time to deliver a festival that is worthy of the Blues Fest and to create a solid place holder event on that weekend. The discussion did not indicate staff wanted to end the event.

Councilmember Aleshire expressed his concern that the City's largest event is being set aside because two volunteers have resigned. He stated the event was not started to make money. Ms. Means pointed out those volunteers were key leaders.

Councilmember Keller stated she understands Joe Boyd, who has emceed the event, may be interested in organizing the event.

Ms. Thompson stated she would like to see more events; however, they need to be done efficiently. Staff is asking for time to gather information in order to have a true estimated cost.

Mr. Deike has been involved in many events. Some of the smaller events are run by other organizations. He noted Augustoberfest is run by a core group of volunteers that most likely will continue to work together. Blues Fest is a niche type festival, with the music being the highlight of the event. To ask someone not heavily involved in blues

music to choose the bands may not be feasible. The VIP tents at the Blues Fest are funded by sponsors. Without VIP tents, many people would not attend the event.

Ms. Thompson informed the Mayor and City Council she has significant experience in running large community events.

Ms. Hepburn asked where budget cuts would be made if staff is reduced but more events are added.

Councilmember Metzner stated the Mayor and Council need to decide if the money for Blues Fest will be spent or not. He believes this fiscal year started with a \$ 200,000 deficit.

Ms. Hepburn stated that is correct, if the stormwater management fees are not implemented according to the timeline in the budget. She stated one option to reduce expenses in the Finance Department would be to reduce the size of the budget book.

Councilmember Metzner suggested discussing the Blues Fest after the remaining volunteer committee members have a chance to meet and discuss their involvement in future events.

Chief Lohr stated all departments face challenges with the budget. He would find it more helpful if the Mayor and Council established a specific amount for departmental operations. Staff could then work within that level of funding. As a lifelong resident of Hagerstown, he would prefer an amount be established for all events, not for a specific event or series of events.

Councilmember Keller stated the Mayor and Council discussed no tax increases six weeks ago. She wondered where expenses can be reduced.

Mayor Bruchey stated there are ways to reduce expenses, such as eliminating the large budget book. Other examples are to reduce subsidies for the golf course, the ice rink, and the pool. Ways to increase revenue is taxing rental businesses on a different scale from the regular real estate taxes.

Councilmember Metzner stated the only logical solution to reduce expenses is in personnel costs, if revenue is not going to be increased. Those that aren't willing to increase revenue should be willing to discuss their ideas for reducing expenses. The Mayor and Council's priorities need to be stated.

Councilmember Keller attended an event in Frederick on a Thursday and there were about 300 people there. This shows people do attend weekday events.

Mr. Deike stated he thinks events are important but the costs need to be understood. If set up occurs during regular hours for Public Works and Parks employees, there is not a charge made toward the event.

Mayor Bruchey stated if taxes included sidewalk repair and maintenance, taxpayers would be happy.

Councilmember Aleshire stated one of his goals is budget stability. He suggested reviewing the program discussed by Delegate Maggie MacIntosh that made a difference in tax revenue in Baltimore. He wants to identify a list of things that would provide budget stability over 10 years. This would become the framework for future budgets. Another goal is a synergy program. The UIP is a good example of this. The City should be determining where infrastructure will occur next, which will allow private investors to know the City's plans. Priorities for Hagerstown should be discussed with Washington County, the Board of Education, Hagerstown Community College, and Greater Hagerstown. This was done in Frederick County and the groups share a single auditor and other services. They were able to create greater efficiencies without consolidating. Protection of neighborhoods is important. He suggested completing a neighborhood survey with the help of the Neighborhoods 1st groups. Residents could note the deficiencies as they see them. Some of the deficiencies could easily be fixed. He stated another goal is downtown investment. He previously submitted a development plan that included areas east of downtown. He thinks the City should stop focusing on downtown as a unit and look at individual areas that are facing challenges. Removing the bad things would be an immediate improvement. The longer the bad stays, the worse it gets for all the surrounding properties. A block by block analysis should be completed. All deficiencies would be noted. If a portion of the tax rate (such as a penny) was used to alleviate the deficiencies, he believes taxpayers would be supportive. Redevelopment of the East End of Hagerstown is also a goal. The post-industrial function is not going to return. If the Venice property was linked to the former hospital site and Municipal Stadium, he believes it would drive interest for a convention center, including a hotel on hospital hill. He thinks the development potential of a sports complex is huge. He believes City residents would utilize this type of facility since they travel to other locations now. He thinks the stadium site is large enough (43,000 sf) to house this type of facility and the City owns the land. The City could lease or give the land to an entity that would build and manage the facility.

Mr. Nicewarner asked if any thought had been given to locating the stadium at the Venice. It's current location is not a showcase area. He thinks both a minor league baseball facility and an indoor sports complex would work together.

Councilmember Aleshire stated baseball is a single user facility, while an indoor facility has multiple users. He believes there would be significant interest in this.

Ms. Means stated the next step in the goal setting process is for the Mayor and Council to develop their common goals and develop priorities for staff to move forward with. A follow-up meeting will be scheduled.

The Goal Setting meeting was adjourned at 3:52 p.m.

EXECUTIVE SESSION – August 29, 2017

The Executive Session scheduled for August 29, 2017 was cancelled.

22nd REGULAR SESSION – August 29, 2017

Mayor R. E. Bruchey, II called this 22nd Regular Session of the Mayor and City Council to order at 7:00 p.m. Tuesday, August 29, 2017, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, P. D. Corderman, E. Keller, and L. C. Metzner, City Administrator Valerie Means, City Attorney Jennifer Keefer, and City Clerk D. K. Spickler. Councilmember D. F. Munson was not present.

The invocation was offered by Councilmember Paul D. Corderman. The Pledge of Allegiance was then recited.

Mayor Bruchey announced the Rules of Procedure for this meeting will be followed as adopted December 20, 2016. It was announced that the use of cell phones during meetings is restricted and that all correspondence for distribution to elected officials should be provided to the City Clerk and should include a copy for the City Clerk for inclusion in the official record.

The next scheduled meetings are: Work Sessions beginning at 4:00 p.m. on Tuesday, September 12, 2017, and Tuesday, September 19, 2017, and the Regular Session on Tuesday, September 26, 2017 at 7:00 p.m. There is no meeting on Tuesday, September 5, 2017.

GUESTS

Highlight Hagerstown Awards

Mayor Bruchey and Kathleen Maher, Director of Planning and Code Administration, presented Highlight Hagerstown Awards to the following:

Residential:

1. 1163 Hamilton Boulevard – James Lightner
2. 209 E. Franklin Street – Catherine Annett Burger
3. 916 Mulberry Avenue – Dennis and Brenda Embly

Commercial:

1. GameRoom Garage, 367 E. Franklin Street
2. City Ballet School, 61-63 E. Franklin Street

Public Space Enhancement:

1. Garden on West Side of Fairgrounds Stalls, Alley 4-39, East of N. Mulberry Street
2. Hagerstown Cultural Trail, Downtown Hagerstown

CITIZEN COMMENTS

James Devine, P. O. Box 2217, Hagerstown, Maryland, stated an unfounded investigation has been issued against him because of his comments. He feels that he

should be left alone. He expressed his opinion about the current president and government.

Michael Bond, 1132 Hamilton Boulevard, Hagerstown, Maryland, is concerned about a violation and fine for a code violation. He understood that no violation would be issued after discussing the situation with an inspector. He later received a violation. Kathleen Maher, Director of Planning and Code Administration, discussed this issue with Mr. Bond.

PUBLIC HEARING

Land Management Code Amendments – Auto Repair and Abandonment of Simplified Plats – ZT-2017-01 – Automobile Repair as a Permitted Use in the I-MU Zoning District and ZT-2017-02 – Abandonment of Simplified Plats to Subdivide Existing Townhouse Units

Stephen Bockmiller, Development Review Planner/Zoning Administrator, stated this Public Hearing is being held to receive testimony for two proposed amendments to the Land Management Code as noted above. The Planning Commission conducted public hearings on the proposed amendments and have forwarded both to the Mayor and City Council.

Text amendment 2017-01 was submitted by a citizen. Citizen initiated text amendments are very rare. In this case, the applicant requests that the Mayor and Council amend Article 4 (Zoning) section Z (Land Use Chart) to include automobile repair as a permitted use, under certain circumstances in the I-MU (Industrial Mixed Use) Zoning District. There are two I-MU Districts in the City – the raw land Harrison properties on Howell Road, and a series of properties bisected by Kuhn Avenue, on the south side of Wilson Boulevard. If the proposal is adopted as written, the amendment would affect only the properties in the Kuhn/Wilson location. Permitted land uses of the Harrison tracts would be unaffected by this change. This was requested when the applicant purchased property on Wilson Boulevard with intent to use it for automobile repair, only to find it not to be a permitted use. There is one nonconforming automobile repair facility in this area, and what appears to be a recently commenced illegal use. Both businesses have the potential to become permitted uses by this proposal.

Text amendment 2017-02 was brought forth by staff to patch a “hole” in Article 5 (Subdivision and Land Development Ordinance). The purpose of this amendment is to address redevelopment of properties that contained townhouses and were subdivided by simplified plat in the past to place each unit on their own lots for the purpose of resale but the building was subsequently removed. Nonconforming townhouses in the R-MOD District, as well as permitted use townhouses on irregular and undersized lots were created, but the current vacant lots are not usable in their current configuration. This results in very small lots that are “not for development purposes” (per the language of the ordinance) and cannot be built on unless re-recorded simplified plat to be “undone”, and the land returned to its previous configuration prior to the recordation of the simplified plat.

Mr. Bockmiller entered the following Exhibits:

1. Certificate of Publication for the Public Hearing notice
2. Planning file by reference

The following testimony was present:

Alan Decker, 327 E. Wilson Boulevard, Hagerstown, Maryland, manages Roy's Quality Car Repair. He stated the property was purchased with the intent to locate a car repair shop there. This zoning amendment is being requested so the intended use is permitted.

Martin Brubaker, 10925 Hartle Drive, Hagerstown, Maryland, spoke on behalf of Habitat for Humanity and in support of the text amendment to abandon simplified and minor plats. Habitat for Humanity of Washington County has invested nearly \$ 3,000,000 in the community through the home ownership program. A total of 20 properties have been completed within the City limits, with an investment of \$ 2,265,879. This zoning amendment will allow properties to be re-platted, reducing the density of residential units in certain locations. Habitat pays full real estate taxes on the properties until the homeowner takes possession. Homeowners are required to provide at least 200 hours of sweat equity in the home.

No testimony was present in opposition of either proposed text amendment.

Mr. Bockmiller noted the Planning Commission is recommending approval of both proposed text amendments.

The record will remain open for 10 days for additional comments.

The hearing was closed at 7:38 p.m.

CITY ADMINISTRATOR COMMENTS

Valerie Means, City Administrator, thanked everyone who helped with and attended the Augustoberfest event. It was another successful event.

MAYOR AND COUNCIL COMMENTS

Councilmember L. C. Metzner asked everyone to remember the victims of Hurricane Harvey in Texas in their prayers.

Councilmember E. Keller invited the community to attend an event in recognition of International Overdose Awareness Day on August 31, 2017 at 8:00 p.m. in the Public Square. She encouraged anyone who has lost someone to addiction to bring a photo of the person.

Councilmember P. D. Corderman also thanked everyone for their help with Augustoberfest. He thanked the Hagerstown Fire Department (HFD) for their quick response to the serious fire at Woodbridge Apartments. HFD was first on the scene. He

thanked Chief Brito and Officer Koontz for the ride along on Friday evening. He would like to discuss the Planning Commission's decision for Cortpark Apartments. He wants to see what type of action the Mayor and City Council may take in response to the decision. Three Councilmembers agreed to schedule a Work Session discussion.

Councilmember K. B. Aleshire had no additional comments.

Mayor R. E. Bruchey, II asked that prayers and thoughts be kept for people in Texas and Louisiana. A "Not in Our City" March of Unity will be held on Saturday, September 2, 2017 at 1:00 p.m. All are invited to attend this silent march to denounce hatred and bigotry.

MINUTES

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote of all members present to approve the minutes, as presented, for the Mayor and Council meetings held on July 11, 2017, July 18, 2017, and July 25, 2017.

CONSENT AGENDA

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember E. Keller, the Consent Agenda was approved as follows:

- A. Community and Economic Development:
 - 1. Open Container Law Exemption Application-Permit – Hagerstown Hopes visibiliT – September 9, 2017

- B. Information Technology and Support Services:
 - 1. Renewal of ESRI GIS Software Support – ESRI (Redlands, CA) \$ 35,000.00

- C. Utilities:
 - 1. Wastewater – John Deere Excavator – JESCO (Baltimore, MD) \$ 95,033.40
 - 2. Wastewater – 12 Ton Cam Trailer – JESCO (Baltimore, MD) \$ 12,050.00
 - 3. Wastewater – Submersible Grinder Pump – Fluid Solutions, Inc. (Westminster, MD) \$ 47,440.00
 - 4. Wastewater – SCADA Upgrades and Modifications – Optimum Controls Corporation (Reading, PA) \$ 30,000.00
 - 5. Wastewater – Preliminary Engineering Work for Bypass at the Effluent Chamber – GHD (Bowie, MD) Not to Exceed \$ 18,000.00

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

A. Introduction of an Ordinance: Land Management Code Amendment – Auto Repair

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote of all members present to introduce an ordinance to amend Chapter 140 (Land Management Code) of the City Code. This amendment shall revise Article 4 (Zoning), Section Z (Land Use Chart) to permit automobile repair uses in the I-MU (Industrial – Mixed Use) District, under certain stated performance standards. Upon the effective date of this Ordinance, the newly updated Land Management Code that includes this amendment, and a parallel amendment to Article 5 proceeding at the same time as this amendment (if that amendment is adopted) shall be identified as the Land Management Code, Version 3.2.

B. Introduction of an Ordinance: Land Management Code Amendment – Abandonment of Simplified Plats

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote of all members present to introduce an ordinance to amend Chapter 140 (Land Management Code) of the City Code. This amendment shall revise Article 5 (Subdivision and Land Development Ordinance), Section A (General Provisions), Subsection 3 (Application and Interpretation), Item d (adjustment to Recorded Plats). This amendment shall create a process by which a simplified plat created to place nonconforming and/or noncomplying townhouse units on individual lots may be abandoned.

Upon the effective date of this Ordinance, the newly updated Land Management Code that includes this amendment, and a parallel amendment to Article 4 proceeding at the same time as this amendment (if that amendment is adopted) shall be identified as the Land Management Code, Version 3.2.

C. Introduction of an Ordinance: Quit Claim at Hagerstown Rescue Mission

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote of all members present to introduce an ordinance making a determination that certain property (an alleyway between #115 and #125 North Prospect Street at the Hagerstown Rescue Mission) is no longer needed by the City of Hagerstown for a public purpose, and authorizing the execution of a quit claim deed for the same.

D. Approval of a Resolution: Thomas Kennedy Park

Action: On a motion duly made by Councilmember E. Keller and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote of all members present to accept an agreement with the Thomas Kennedy Center regarding the construction and operation of Thomas Kennedy Park at 50 East Baltimore Street. The City will assist the Center with construction, provide \$ 9,000 in current funds for maquette and engineering, and \$ 30,000 in FY19 CIP funds for foundations, landscaping, and other amenities. Total construction cost of the project is estimated at \$ 330,000.

Discussion: Councilmember Aleshire stated this park fits his vision for this area, even before the construction of the new library. He is concerned that a large tree will be removed to construct the park. He hopes there will be greater effort in the final design to preserve the tree.

Councilmember Metzner agreed, reminding everyone that the view from the new library originally included two dilapidated buildings. Now, the view will be a park, with a large tree that he hopes can be saved as well.

E. Approval of an Agreement: Hagerstown Ice Amateur Athletic Association to Use the In-Line Rink at Fairgrounds Park

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote of all members present to approve an agreement with Hagerstown Ice Amateur Athletic Association regarding operation and management of the In-Line Rink at Fairgrounds Park.

Discussion: Councilmember Metzner is concerned there is no mention of open public use time for the public to use the rink. He is concerned there is no termination clause in the agreement.

Rodney Tissue, City Engineer, indicated the groups (HIAAA and PAL) indicated they only plan to use the rinks two nights each week per group. Other times will be available for public use.

F. Approval of Maryland Department of the Environment (MDE) Grant for Energy Water Infrastructure Programs at the Wastewater Treatment Plant

Action: On a motion duly made by Councilmember P. D. Corderman and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote of all members present to grant permission to the Wastewater Division for City staff to finalize the Grant Policy Process to receive an MDE grant for Energy Water Infrastructure Programs at the Wastewater Treatment Plant in the amount of \$ 82,000.00.

G. Approval to Proceed with RFP for Student Housing

Action: On a motion duly made by Councilmember P. D. Corderman and seconded by Councilmember K. B. Aleshire, the Mayor and City Council unanimously agreed by voice vote of all members present to authorize staff in partnership and in agreement with USMH to finalize any changes to the Priority Area identified on the USMH Student Housing Project Area Map and then to post a Request for Proposals (RFP) (which is attached to the motion) for a developer/partner for the second, pilot housing project as part of Catalyst Project #3 – University System of Maryland at Hagerstown (USMH) Expansion Support.

Discussion: Councilmember Aleshire suggested the target area is somewhat erratic and may eliminate potential properties that could be used for student housing. For him, the main factor would be the walkability to USMH. He feels limiting properties in a small area makes it less competitive.

Kathleen Maher, Director of Planning and Code Administration, stated the priority area was reviewed. Some properties just outside the area are not zoned for apartment buildings. She believes USMH will be supportive of squaring up the lines of the target area.

H. Approval of Sale of Truck: 1997 Tractor Drawn Aerial Fire Truck

This item was removed from the agenda before consideration.

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 8:07 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: September 26, 2017