

**33<sup>rd</sup> REGULAR SESSION AND WORK SESSION – FEBRUARY 27, 2018**

WORK SESSION- February 27, 2018

Mayor R. E. Bruchey, II, called this Work Session of the Mayor and City Council to order at 6:32 p.m. Tuesday, February 27, 2018, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, L. C. Metzner, E. Keller, and S. McIntire, City Administrator Valerie Means, and City Clerk D. K. Spickler.

Tiered Real Property Tax Structure Update

Scott Nicewarner, Director of Technology, Communications, and Support Services, was present to provide additional information regarding the possibility of a tiered tax structure.

A previous discussion regarding a tiered tax structure included how finely detailed property tax categories could be defined. Specifically, the Mayor and City Council discussed separation of commercial and residential property and owner/non-owner occupied categories. Mr. Nicewarner reported the computer program used for tax billing is only able to distinguish between owner and non-owner occupied properties. This includes both commercial and residential properties. He has discussed modifying the program with the company to allow the detail as discussed. This cannot be accomplished at this time but that capability may be available soon. He noted other governments utilize the same software and the programming should be updated.

The Work Session was adjourned at 6:50 p.m.

**33<sup>rd</sup> REGULAR SESSION – February 27, 2018**

**Mayor R. E. Bruchey, II called this 33rd Regular Session of the Mayor and City Council to order at 7:00 p.m. Tuesday, February 27, 2018, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, E. Keller, L. C. Metzner, and S. McIntire, City Administrator Valerie Means, City Attorney Jennifer Keefer, and City Clerk D. K. Spickler. Councilmember A. Heffernan was not present.**

The invocation was offered by Councilmember Emily Keller. 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, March 6, 2018, Tuesday, March 13, 2018, and Tuesday, March 20, 2018, and the Regular Session on Tuesday, March 27, 2018 at 7:00 p.m. The State of the City will be held on Tuesday, March 6, 2018 at 7:30 a.m. at Hager Hall Conference Center.

### **APPOINTMENT**

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 appoint Kimberly Jones to the Planning Commission, with a term to expire October 31, 2019.

### **GUESTS**

Mayor Bruchey read a proclamation naming February 28, 2018 as Rare Disease Recognition Day in Hagerstown, Maryland. Lydia Seiders, Maryland State Ambassador of the National Organization for Rare Disorders, accepted the proclamation.

### **CITIZEN COMMENTS**

James Devine, P. O. Box 2217, Hagerstown, Maryland, thinks the Mayor and Council should consider allowing police officers to use prescription medications to help manage their fears and anxiety. He then discussed his views of President Trump and evangelists.

Marvin Lohr, 3511 Sunnyside Drive, Hagerstown, Maryland, has compiled a notebook of pictures he took downtown showing the amount of empty parking spaces. He does not think the parking meter rates should be increased. The album also includes pictures of trash in alleys and deteriorating houses. He commended people who take care of traffic islands in their neighborhoods. He suggested offering free food as an incentive to people who pick up full bags of trash. He thinks working with students to discuss ideas to clean up Hagerstown would be beneficial. He is discussing his tax free incentive ideas with a senator.

George Michael, 11731 Aqueduct Drive, Williamsport, Maryland, asked about the status of the tiered property tax proposal. Mayor Bruchey informed the group that no decisions have been made as the Council is still discussing the possibility. He also noted that a rate has not been determined.

Mr. Michael asked what percentage of rental properties are owned by out of town landlords. Councilmember Aleshire estimates about 80%. Mr. Michael stated, as a landlord, he is opposed to a tiered tax rate. As a landlord, he appreciates the City's support but a tax increase would affect the rent on his property.

Councilmember Metzner does not think a tiered tax rate would apply to single family dwellings. He thinks duplexes may also be exempted.

Mr. Michael stated he received a sweeper ticket last week and is concerned with how quickly the ticket was issued. He noted his wife would have moved the vehicle if she had been asked to before the ticket was written.

### **PUBLIC HEARINGS**

1301 Potomac Avenue Local Conversion District

Stephen Bockmiller, Development Review Planner/Zoning Administrator, reported this public hearing is being held for the proposed local conversion overlay district rezoning of 1301 Potomac Avenue.

The property at 1301 Potomac Avenue (northwest corner of Magnolia Avenue) currently contains a freestanding building, constructed for the purpose of motor vehicle sales and service around the 1930s. Since then, it has been used for a variety of different uses. The current use of the building as a retail store for radio and electronic parts is generally viewed as a valid nonconforming use, although there is no administrative record of the City ever specifically confirming the nonconformity. Parking is located along the frontages of the two public streets, although is in deteriorated condition and unmarked. The property is 0.256 acres of land, more or less.

The contract purchaser, Eklund Family, LLC, has applied for a “Local Conversion Overlay” Zoning District that would permit the building to be rehabilitated for the purpose of using the existing building for medical offices. The applicant intends to conduct a dental practice from the property. The City Attorney has advised in past Local Conversion cases that the applicant may propose a select use of commercial uses for the space among those found in the LC District column of the Use Chart found in Section Z, of the Zoning Ordinance.

The applicant proposed permitted use as follows: “dental, medical and business and professional offices, facilities, and clinic.” This is a mix of uses permitted in the Zoning Use Chart (Article 4, Section Z). The section on medical offices reads “Ambulatory health care services, with exception of outpatient substance abuse center)” while another reads “offices business and professional (55 and 56), except waste management and remediation services”.

Taken with the architecture of the building, the applicant desires to renovate and rehabilitate the existing building retaining its automobile sales and service theme. The parking lot will be brought up to current standards, although the unique conditions of the property will still require direct pull in-pull out parking into Magnolia Avenue. The exact configuration of the parking would be established when the site plan is processed for the development, should the rezoning be approved.

At its January 10, 2018 meeting, the Planning Commission recommended to the Mayor and City Council approval of the rezoning proposal, subject to six conditions, as follows:

1. The building shall be used for professional and/or medical offices.
2. As required by Section J.3.i of the Zoning Ordinance, no outdoor vending machines shall be permitted, no outdoor storage or display of any kind shall be permitted, no outdoor dining or seating areas shall be permitted, the building shall be rehabilitated as proposed by the applicant to accentuate the building’s past use as an automobile service and sales facility, and the enclosed area on the east (front) façade of the building, including the two “clipped” corners, shall be reopened and storefront windows installed.

3. The existing freestanding sign at the intersection shall be removed. All signage for the new use shall comply with current ordinance requirements of Article 4, Section I (Graphics) unless variances are granted by the Board of Zoning Appeals.
4. In the required site plan process, the Applicant shall explore opportunities with Staff to improve and increase the amount of landscaping in the parking areas on the east and south sides of the building.
5. Outdoor trash storage (dumpsters, etc.) proposed in the initial development or a later reuse of the property shall be screened in accordance with the requirements applicable City Ordinances.
6. The approved required site plan shall be substantially consistent with the rezoning exhibit and building elevation exhibits proposed with this rezoning application.

The ordinance specifically requires that proposals for buildings that have had storefront windows filled in or boarded up include reopening those storefront windows as part of the redevelopment plan. A photo was submitted showing storefront windows occupying the entirety of the infill space on the front of the building, including the clipped corners that included pedestrian doors. The structure of the Ordinance in this case makes compliance with the requirement non-negotiable.

When the site plan is processed, elevations will be required to show this entire area opened with some configuration of windows. This property is not in a historic district, so there is no expectation that the windows be true replicas of what appears in the photograph. The applicants will have design flexibility and modern materials can be used. However, the ordinance requires this entire area to be replaced with glass. An additional photo, taken of the interior of the showroom facing northeast, was also included. This photo gives additional closer description of the storefront and definitively shows the bank of windows being used as a storefront for the car dealership.

Staff agrees with the Planning Commission's recommendation for approval of the rezoning with the six conditions listed in this report. Staff also notes for the record that when the Planning and Code Administration Department recommended creating this zoning overlay to the Planning Commission and ultimately to the Mayor and City Council, examples were sought to illustrate the potential and importance of such a zoning tool. This building was one of the foremost examples staff used in explaining and justifying the need for the Local Conversion District Overlay.

Mr. Bockmiller entered the following as Exhibits:

- |           |                                       |
|-----------|---------------------------------------|
| Exhibit A | Certificate of Publication            |
| Exhibit B | Planning Commission file by reference |
| Exhibit C | Application                           |

William C. Wantz, Attorney, 123 W. Washington Street, Hagerstown, Maryland, is representing Dave Flowers, principle owner of the Allegheny Electronics property. Dr. Brett Ecklund wants to locate his second generation dental practice at 1301 Potomac Avenue. His application for rezoning creates two opportunities. One is to Mr. Flowers, allowing him to sell the building and recover his capital investment in the property. The second opportunity is for Dr. Ecklund to enlarge his practice to provide additional service to the community in the same general neighborhood. The proposed new use combines two zoning categories. Mr. Wantz asked that the combined categories be stated in the ordinance that will be adopted, if the request is approved.

David Flowers, 222 Michigan Drive, Falling Waters, West Virginia, is the owner of Allegheny Electronics. The property and business has been in his family for more than 100 years.

Brett Ecklund, 21508 Mt. Aetna Road, Hagerstown, Maryland, has resided in the community since 1970. His dental team has a passion for the community and for taking care of people's dental health needs. He is honored to have the opportunity to transform the property from car dealership to electronics shop to dental office.

Mr. Wantz noted that the Planning Department staff has been very helpful through this process.

Mr. Wantz concurs with the Planning Commission's exhibits. He and his clients have reviewed the conditions and concur with them as well. He entered the following Exhibits:

Applicant Exhibit A – Excerpt from the City of Hagerstown 2008 Comprehensive Plan

Applicant Exhibit B – Local Conversion Overlay Rezoning Application

Councilmember Aleshire reminded everyone that when the use class is established, the property can be used for any of the listed uses, even though the applicant intends a specific use. He noted an ambulatory oriented clinic is much different than a dental office. He is concerned that a future use would be something the neighborhood didn't expect. He noted the permitted uses list does not mention dental offices specifically but medical services.

Mr. Bockmiller stated he has discussed this with Jason Morton, City Attorney, and the overlay classification and level of restrictions will be addressed in the approving ordinance.

Dr. Ecklund stated he plans to keep the building on Cypress Street. One of his principle concerns is expanding the business and creating a model that serves his needs and the needs of his staff for when he retires. He will ensure the building stays within his vision.

The following testimony was provided:

Loly Downs, 1249 Potomac Avenue, Hagerstown, Maryland stated parking at this location is an issue. She welcomes the change with the building but is concerned about parking. She wondered how Dr. Ecklund will accommodate parking for his staff and patients with a larger practice. She does not want any drug treatment related services near her home.

Dr. Ecklund stated he wants to be successful and grow his business and offer more employment. He recognizes this business will be part of the community and the neighborhood. His staff and patients have always done their best to be respectful of the community. He thinks this is a way to help revitalize the City.

Mr. Bockmiller noted when the Local Conversion District overlay was developed, many factors were considered, including parking. The balance of renovating buildings that fit the LCD plan vs. on-street parking is that renovation would have a more positive impact.

Councilmember McIntire lives close to this property and thinks the dental office will be a great improvement. She does understand the concerns expressed by Ms. Downs as well.

There was no other testimony presented.

The record will be kept open for 10 days for additional comments. The ordinance is scheduled to be introduced during the New Business section of this meeting. Staff will bring this rezoning back at a work session in early March with draft findings of fact for further discussion as well as to make any modifications the list of proposed uses or conditions.

City Comprehensive Plan (*visionHagerstown 2035*)

Megan Flick, Planner, stated this Public Hearing is being held to receive comments regarding the City's Comprehensive Plan update, *visionHagerstown 2035*.

Maryland requires counties and municipalities to have a comprehensive plan that should be reviewed every 10 years. The Planning Commission and City Planning staff prepared the draft of an in-house update to the 2008 Comprehensive Plan which is titled *visionHagerstown 2035*. The Comprehensive Plan is a roadmap for how the City should plan for growth over the next 20 years and establishes a vision of what the community is to be in the future. As its name implies, the Plan covers many topics, including Land Use, Transportation, Housing and Neighborhoods, Community Facilities, Water Resources, Economic Development, and Environmental Resources. The Comprehensive Plan identifies issues and opportunities for each of these topics and then identifies policies and recommendations as to how to address them. Issues and opportunities are gathered through Staff analyses as well as input from City boards and commissions, County Planning Commission and staff, business and community groups, and citizens. The Comprehensive Plan carries the same basic format as the 2008 plan and will also incorporate previous City plans already vetted through the community, including the 2012 Sustainable Community Plan and the Community's City Center Plan (2014). Also incorporated are recommendations and conclusions from plans such as the Hagerstown-Eastern Panhandle Metropolitan Planning Organization (HEPMPO)'s 2040 Long-Range Transportation Plan, the City's 2008-2010 Comprehensive Rezonings, and the 2012 County Urban Growth Area Rezonings.

Once the draft update was completed, the Plan was sent out for a 60-day clearinghouse review of the Plan (required by State Law) on June 8, 2017. The Planning Commission's Public Review Meeting was held on August 30, 2017. A joint meeting of the Planning Commission and Mayor and City Council was held on September 17, 2017 to enable both bodies to discuss public input received to date. The Planning Commission spent 6 meetings reviewing all input received and finalizing the draft, completing their review on December 13, 2017.

Planning staff gathered input from multiple groups, which was incorporated into the draft Plan. These groups include City staff from Engineering, DCED, Utilities, Fire, Police, and Public Works, City Bicycle Advisory Committee, Historic District Commission, City Faith Community Committee, Neighborhoods 1<sup>st</sup>, County Planning Commission, BOE staff, Land Use Council, Convention and Visitors Bureau, and several social service providers.

Planning staff and Communications staff worked together to develop an online survey to gather community input for the broad themes that *visionHagerstown 2035* addresses. The five themed surveys were released starting the week of March 21, 2017 and were distributed through the City's social media platforms (Facebook, Twitter), a City-maintained email distribution listserve that reached over 500+ citizens, through the Neighborhoods 1<sup>st</sup> and Main Street groups, a *visionHagerstown 2035* plan webpage on the City's website, as well as a media press release. Survey input was received through June 14, 2017. Over 1,300 citizens responded. Staff reviewed the input and presented common themes to the Planning Commission on May 10, 2017.

Staff received input on the draft Comprehensive Plan update, *visionHagerstown 2035*, from the 60 day State Clearinghouse Review from the Maryland Department of the Environment. Upon notification of the Planning Commission's public review meeting, staff also received additional input from the City Engineer. At the public hearing, a request was received for modification to the MRGA from a property owner.

Staff assessed the input and reviewed with the Planning Commission over several meetings last fall. The Planning Commission concluded their review of proposed modification on December 6, 2017. The following is a brief explanation of changes made to the draft since the Commission's public review meeting on August 30, 2017:

1. The most significant change was to create additional modifications to the Medium Range Growth Boundary as a result of input in the public review process. The Commission considered the request to expand the boundary at Huyetts Crossroads (across from Sheetz on US40) and found in favor but with the addition of a balancing retraction of land in the southeast corner of the I-70/US40 interchange.
2. At the City Engineer's suggestion, the Commission removed reference to "Rails by Trails" in railroad rights-of-way since this idea is not favored by the railroad companies.
3. A large number of mostly non-substantive changes were made to the text in response to input from State agencies requiring clarification or further elaboration language on material in the draft and pointing out mathematical or statistical errors. One change that removed some bulk from the Introduction section of the plan was the shifting of synopses of the 1966-1997 Comp Plans to the Appendix.

Major themes of *visionHagerstown 2035* include the following:

1. Future Land Use – assess rationality of existing zoning, provide recommendations for comprehensive rezoning, emphasis on business employment.

2. Growth and annexation – strengthen the City, maximize efficiency of services, provide rational City boundary.
3. Revitalization of Downtown – reinforce downtown’s role as region’s center for government, economic activity, education, and culture, and enlarge tourism activity.
4. Neighborhood Revitalization – increase home-ownership; protect from blight; deconcentrate subsidized housing.
5. Revitalization of vacant and under-utilized land in the City – attract new residents and businesses, enhance fiscal foundation, broaden economic base.
6. Transportation – alleviate traffic concerns; accommodate future growth; continue alternative or enhanced systems for biking, walking, and transit.
7. Parks and Recreation – assess areas under-served by parks to plan for future parks; protect natural buffers; improve public access to Antietam Creek and Marsh Run.
8. Community Facilities – maintain and expand public safety services; support civic institutions that add to quality of life; support expansion of school services; support expansion of high-speed broadband network.
9. Water and Wastewater – plan for efficient growth of water and wastewater systems; prioritize areas for growth; reduce impervious coverages and improve stormwater impact on waterways.
10. Environmental Resources & Sustainability – explore practices to protect water and air quality; encourage green infrastructure; implement practices consistent with Sustainable Maryland designation.

Ms. Flick entered the following as Exhibits:

Exhibit A – Planning Commission file be reference

Exhibit B - Certificate of Publication

The following testimony was presented:

Jim Castello, Arlington, Virginia, was present representing the Doub family. In order to gain access to their property near the I-70/Dual Highway interchange, State Highway Administration permission is required. The SHA requires a study of the traffic before considering a request. This property was annexed into the City of Hagerstown limits in 2008 or 2009, with CR zoning. This was the closest zoning the City had to Highway Intersection zoning. The flood plain designation that bisected the property has been removed by the Federal Emergency Management Administration (FEMA). The retail industry has changed significantly during the last 30 to 40 years. When the property was annexed, the owners had a contract with a large developer for a 1,000,000 sq. ft. retail use. The contract and interest dwindled as the economy shifted. The primary goal of the Doub family partnership is access to the property and discussions about what uses are appropriate for the property. As the City is considering the Comprehensive Plan Update, he wants to make sure the CR zoning is not the only zoning appropriate for the property.

Kathleen Maher, Director of the Planning and Code Administration Department, stated this could be a text amendment.

Mr. Castello stated water and sewer access is available to the property. Concept plans include a residential buffer to the residences on Landis Road in order to maintain the residential character of the neighborhood. The SHA is ready to approve the concept plan. They want to work with the City and make the development and the site the most attractive for the owners and the City.

Councilmember Aleshire stated in 2008, he thought a new high school and stadium would be good at this location. Mr. Castello noted the property owner has not pursued sale of the property.

Councilmember Aleshire proposed showing a new road connecting Eastern Boulevard to Memorial Boulevard, near the MELP property.

There were no other questions or comments.

The mandatory review period began officially on February 13, 2018. In accordance with State Law, once the Planning Commission's recommendation is presented to the Mayor and Council, the Mayor and Council have 90 days (with one optional 60 day extension) to hold a Public Hearing and take one of three actions: approve; deny; or remand to the Planning Commission for changes. If changes are made, the Planning Commission must review and hold its own Public Hearing before returning the Plan to the Mayor and Council for approval or denial. If the Mayor and Council fails to take any action within 90 days, the Comprehensive Plan is deemed approved under State Law.

#### **CITY ADMINISTRATOR COMMENTS**

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

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

*Councilmember K. B. Aleshire* apologized for missing last week's meeting. He intended to submit comments at the Board of Zoning Appeals hearing regarding the proposed tower at North Hagerstown High School but was unable to attend. The applicants requested a variance for a sign rather than an exception for a tower. He is concerned that the BZA reviewed the request as a variance. He wondered why the lattice framing was considered a sign. The applicants have made it clear they are planning to construct similar towers in other locations. He wonders how the ordinance will be applied at other school locations in the City. Concerns from the people in the neighborhood have to be considered.

*Councilmember E. Keller* stated the Mayor and Council members did not run to make money as people have been implying. Councilmembers earn \$ 8,000.00 per year. They ran because they love the City. She mentioned the number of meetings and events she has attended during the last week. People are making negative comments on Facebook about her friends and her daughter. She watched her best friend lose everything because of heroine. She will not tolerate attacks on Facebook against her 10 year old daughter.

*Councilmember L. C. Metzner* stated social media has a negative impact in many situations but people seem to enjoy that. He has reduced the time he spends with social media sites because of this.

*Councilmember S. McIntire* has not experienced this type of negativity on Facebook and is sorry this has happened to Councilmember Keller.

*Mayor R. E. Bruchey, II* does use social media and likes to get people stirred up.

## **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 January 9, 2018, January 16, 2018, January 23, 2018, and January 30, 2018.

## **CONSENT AGENDA**

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

- A. Community and Economic Development:
  - 1. Street Closure Requests – 2018 Events
  
- B. Finance:
  - 1. Audit for FY17 Basic Financial Statements and Single Audit in FY18 – SB & Company (Hunt Valley, MD) \$ 39,000.00
  
- C. Parks and Engineering:
  - 1. Concession Services at City Park and Potterfield Pool Lease Agreement – Nena’s Curbside Café and Catering
  
- D. Police:
  - 1. Computer Program with CAD and Offender Interfaces – Lexis Nexis (Philadelphia, PA) \$ 15,600.00
  
- E. Utilities:
  - 1. Wastewater – Redundant Polymer System – Sherwood Logan & Associates (Annapolis, MD) \$ 38,450.00
  - 2. Wastewater – Muffin Monster Exchange for Pump Station No. 7 – JWC Environmental (Santa Ana, CA) \$ 19,259.00
  - 3. Wastewater – Muffin Monster for Primary Sludge Pumps – JWC Environmental (Santa Ana, CA) \$ 18,516.00

## **UNFINISHED BUSINESS**

There was no Unfinished Business.

**A. Introduction of an Ordinance: Authorizing the Sale of Property Located at 23 West Franklin Street**

**Action:** On a motion duly made by Councilmember S. McIntire and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote of all members present to introduce an ordinance authorizing the sale of City-owned property located at 23 West Franklin Street to M. Scott Bowen for the sum of \$ 1.00. The sale will provide the opportunity for approximately \$ 500,000.00 of private investment to create professional office space for MSB Architects. The sale will be in accordance with all terms and conditions outlined in the purchase agreement, which is attached to this motion.

**B. Introduction of an Ordinance: Land Management Code Amendments – Adoption of a Local Conversion District Overlay to the Zoning Map of the City of Hagerstown**

**Action:** Councilmember K. B. Aleshire made a motion to introduce an ordinance to amend the zoning map for the purpose of applying a Local Conversion District Overlay to the property located on the northwest corner of the intersection of Potomac Avenue and Magnolia Avenue, pursuant to rezoning case ZM-201702 (Ecklund Family, LLC) and in accordance with the attached ordinance the attached findings of fact (to be completed prior to the adoption of this ordinance) and direct that the map to be amended to reflect this change. Councilmember S. McIntire seconded the motion.

Motion carried 3-1 with Councilmember L. C. Metzner abstaining due to a conflict of interest.

**C. Approval of a Resolution: Authorizing the Designation of Alley #-4075 as “Varner Way”**

**Action:** On a motion duly made by Councilmember E. Keller and seconded by Councilmember S. McIntire, the Mayor and City Council unanimously agreed by voice vote of all members present to approve a resolution authorizing the designation of Alley #4-75 as “Varner Way”. This alley intersects Brookline Avenue between Jefferson Street and Interval Road. The purpose of this designation is to eliminate Postal Service and Emergency Service Dispatch confusion over the address assignment for the dwelling at the rear of #713 Interval Road.

**D. Approval of Consolidation of Upper Floors Redevelopment Fund into Economic Redevelopment Fund**

**Action:** On a motion duly made by Councilmember S. McIntire and seconded by Councilmember E. Keller, the Mayor and City Council unanimously

agreed by voice vote of all members present to authorize the consolidation of the City's Upper Floor Fund into the City's Economic Redevelopment Fund and to authorize the dissolution of the Upper Floors Fund. This would include moving all cash and loan balances from the Upper Floors Fund to the Economic Redevelopment Fund. This funding will continue to be utilized for existing Economic Development Incentive programs within the Economic Redevelopment Fund.

**E. Approval of FY18 CDBG Action Plan Amendment – Funding Transfer between CDBG Activities**

**Action:** On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember S. McIntire, the Mayor and City Council unanimously agreed by voice vote of all members present to amend the FY18 Community Development Block Grant Annual Action Plan in order to transfer funds between two CDBG activities. \$ 45,000.00 of CDBG funding will be reallocated from FY18 Sidewalk Construction project to FY18 Prospect Avenue Crosswalk project. Details of the amendment are attached with this motion.

**F. Approval of City Wide Mowing Contract 2018: 3/15/18-12/15/18**

**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 authorize and approve Servtec Custodial, Inc., East Coast Landscaping, and BrightView Landscapes as the City of Hagerstown's mowing contractors for the respective departments as listed on a chart included with the motion. These services were offered through Bid Proposal B1647.18 in January, 2018. Contract term is from March 15, 2018 through December 15, 2018, with the possibility of up to two additional one year extensions subject to the mutual consent of the City of Hagerstown and the respective individual vendors (Servtec Custodial, East Coast Landscaping, and Brightview Landscapes). Total contract amount is \$ 107,777.00.

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 8:48 p.m.

Respectfully submitted,

*Original signed by D. K. Spickler*

Donna K. Spickler  
City Clerk

Approved: March 27, 2018