

EXECUTIVE SESSION – November 6, 2018

On a motion duly made by Councilmember S. McIntire and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to meet in closed session to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction, #1 (Section 3-305(b)) and to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; #4 (Section 3-305(b)), on Tuesday, November 6, 2018 at 3:15 p.m. in Room 407, 4th floor, City Hall, Hagerstown, Maryland.

The following people were in attendance: Mayor R. E. Bruchey, II, Councilmember K. B. Aleshire, Councilmember A. Heffernan, Councilmember E. Keller, Councilmember L. C. Metzner, Councilmember S. McIntire, City Administrator Valerie Means, Kathleen Maher, Director of Planning and Code Administration, Jill Thompson, Director of Community and Economic Development, Jonathan Kerns, Community Development Manager, Danelle Hayer, Business Development Specialist, and City Clerk D. K. Spickler.

The meeting was held to discuss membership for the Planning Commission and a business proposal. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the meeting was adjourned at 3:36 p.m.

55th SPECIAL SESSION AND WORK SESSION – November 6, 2018

Mayor R. E. Bruchey, II called this 55th Special Session and Work Session of the Mayor and City Council to order at 4:00 p.m., Tuesday, November 6, 2018 in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, A. Heffernan, E. Keller, L. C. Metzner, and S. McIntire, and City Administrator Valerie Means.

55th Special Session – November 6, 2018

On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember A. Heffernan, the Mayor and City Council unanimously agreed by voice vote to meet in Special Session at 4:02 p.m.

Approval of an Ordinance: Amending the City Code, Chapter 173-5, Public Exhibit at Dangerous Elevation

Action: On a motion duly made by Councilmember A. Heffernan and seconded by Councilmember S. McIntire, the Mayor and City Council unanimously agreed by voice vote to approve an ordinance to amend the Code of the

City of Hagerstown, Section 173-5, entitled Public Exhibitions at Dangerous Elevations. The amendment will enable the Mayor and Council to grant an exception to the prohibition against being engaged or concerned in any show or public exhibition by ropes, chains, or apparatus suspended at dangerous elevations above the ground, subject to such restrictions and conditions as the Mayor and Council may impose.

Approval of Change Order for Sidewalk Accessibility

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 to approve of additional funding of \$ 14,000 in parking funds for the 2018 Sidewalk Accessibility Ramp Contract 18-SA-03 to install ramps and replace entrances along Church Street at the public parking lots. Staff previously approved an additional \$ 20,000 in CDBG funds to complete accessible ramps along 2018 pavement preservation streets and the two items together exceed the maximum \$ 25,000 threshold for staff approval.

All work will be completed at the competitively bid contract unit prices.

The Mayor and Council further authorized staff to issue the appropriate change orders to the contract.

The Special Session was closed at 4:04 p.m.

Work Session – November 6, 2018

Christkindl Event Update

Amanda Whitmore, Downtown Coordinator, and Monika Wertman, Main Street Work Group and lead volunteer for the event, were present to provide an update on Main Street Hagerstown's Christkindl Markt event scheduled for December 1, 2018 in University Plaza.

Christkindl Markt is a German Christmas shopping tradition that originated in the streets of Germany. Main Street Hagerstown will be replicating several aspects of a traditional Christkindl Markt in downtown Hagerstown to help usher in the holidays.

The event will be held on Saturday, December 1, 2018 from 11:00 a.m. to 5:00 p.m. at the University Plaza in Downtown Hagerstown. There will be artisan vendors, traditional German foods, musicians, Santa Claus, and kids activities. Wine and mold beer will be available as well.

Ms. Wertman noted the initial event last year was so successful that it is being expanded to include twice as many vendors. Even though the event is being held at

Continued Discussion of Beautification of Railroad Overpasses

Rodney Tissue, City Engineer, was present to follow up on the Mayor and City Council discussions about beautification of railroad overpasses. At the last discussion, the Mayor and City Council requested pricing information for two more options of decorative treatments under the Antietam Street bridges:

1. Option 7 – Rock placed with timber frames. The price to fill to create the slope; install weed barrier, timbers and large rock per the sketch presented is \$ 7,000 per bridge. This can be reduced to about \$ 4,500 per bridge if the zigzag timbers are eliminated and the slope is decreased to reduce the fill.

2. Option 8 – Precast concrete geometric shapes: Sources of supply are limited for these concrete shapes. For pricing, Mr. Tissue assumed 10 spheres, 6 pyramids, and 6 cubes (total for both bridges) and assumed each piece would need a footing to pin the shape securely. The cost of fabricating the shapes and shipping for both bridges is estimated at \$ 18,000. Another \$ 4,000 is estimated per bridge for installation. The total cost would be \$ 26,000.00 These could be stained from the factory or painted by the local artist group.

Mr. Tissue summarized all the options and the costs for the Antietam Street bridges as follows:

Option 1: Ornamental Fence	\$ 5,000 to \$ 12,000
Option 2: Mural Panels	\$ 15,000
Option 3: Decorative Panels	\$ 20,000 to \$ 30,000
Option 4: Custom Panels	\$ 35,000
Option 5: Gabions	\$ 23,000
Option 6: Dumped Rip Rap Stone	\$ 6,000
Option 7: Rock placed within timber frames	\$ 14,000
Option 8: Precast concrete geometric shapes	\$ 26,000

He suggested that since the artistic murals are planned for the overpasses on Franklin and Washington Street, Option 7 would be a reasonably attractive treatment for Antietam Street and the price is one of those lowest for all the options. Work would likely be completed this calendar year.

Mr. Tissue noted a meeting is scheduled for next week to discuss the student artists' work on Washington Street. He stated the direction from the Mayor and City Council for the Franklin Street overpass was to seek a professional artist for the mural.

Councilmember Aleshire asked if there would be space for a mural on Antietam Street if the slope is lower with the timber structure.

Councilmember McIntire likes the addition of art to the overpass. This would make it consistent with the other bridges.

Councilmember Metzner recommended seeking grants for artwork, as the City has been successful with awards recently.

Councilmember Heffernan asked if the railroad would be willing to contribute toward the beautification project. Mr. Tissue stated there is a branch of CSX that focuses on community involvement. He will contact them.

Councilmember Keller hopes the students at Antietam Academy will be included as potential artists.

The general consensus of the Mayor and City Council is move forward with Option 7 (rocks within a timber frame) for the overpasses on Antietam Street. They previously agreed to place mural panels at the overpasses on Franklin Street and Washington Street.

2018 Land Management Code Amendments

Kathleen Maher, Director of Planning and Code Administration, and Stephen Bockmiller, Zoning Administrator/Development Review Planner, were present to review proposed amendments to the Land Management Code (LMC). The Planning Commission finalized their reviews of the amendments at their October 24, 2018 meeting. The Commission recommended approval of the package and forwarded it for review by the Mayor and City Council. The 2018 LMC Text Amendments package includes a variety of recommendations which are divided into three groups – General proposed amendments, amendments to bring the code better into alignment with the Fair Housing Assessment Standards and State Code requirements, and proposed amendments to the sign provisions in the LMC to bring the code into better alignment with a recent Supreme Court ruling on regulation of temporary signs and sign content in general.

All the proposed amendments have been grouped under the following themes:

1. Protecting neighborhood character and enhancing safety in the community – the most substantive change would be inclusion of Crime Prevention through Environmental Design (CPTED) principles in development standards for site plans.
2. Increasing housing choices and diversity – Substantive changes in this category are the addition of Rooming Houses to the code and modification of how Group Homes are permitted.
3. Expanding economic opportunity and permitting greater flexibility in the code
4. Setting clear expectations for the public investors – A large number of amendments proposed which are fairly minor changes but provide more clarity.

5. Improving resiliency from environmental hazards – Proposed changes add more clarity on Floodplain management requirements with most substantive changes being the requirement that public and private streets, driveways, alleys, and parking areas have driving surfaces above the base flood elevation, unless otherwise approved by the BZA.
6. Providing suitable locations for social and medical services and at intensities consistent with surrounding neighborhoods – Amendments to be better in alignment with Federal and State provisions regarding protected classes and local code regulations. Staff and the Planning Commission deliberated on the issues involved, sought public input and gained input from one area provider before finalizing the recommendations as presented in the memo.
7. Streamlining the process and clean-ups to the code - A large number of minor changes to correct terminology, expand upon definitions, provide greater clarity on requirements, remove unnecessary requirements, and fix oversights from prior amendments. Perhaps the most substantive changes involve the Forest Conservation Ordinance by increasing the non-compliance penalty fee and creating a provision for the Planning Commission to review Forest Conservation plans for County projects proposing tree conservation or planting easements within the City.
8. Updating the on-premise sign regulations – amendments due to a recent U.S. Supreme Court decision that caused jurisdictions all across the county to re-evaluate how content is considered within their sign codes. Staff modeled this draft after the Town of Gilbert, Arizona, adjusting it for structure to fit within the LMC.

Mr. Bockmiller noted all properties are limited to the amount of signage they can have. The focus is on the content of the signs and not the physical attributes. Councilmember Metzner stated the sign ordinance was great until it was enforced, specifically for liquor stores. One liquor store was cited for a violation of the sign regulations but others were not until it was questioned. He has received calls from the owners of the liquor stores. He recommended not enforcing the sign ordinance until it is reviewed further.

Ms. Maher noted billboards are covered in another section of the Code. The Supreme Court ruling establishes that a sign can be regulated based on size but not content.

Mr. Bockmiller stated a business can have multiple signs but there is a limited amount of space in which to legally place them.

Councilmember Heffernan asked if the Council needs to decide if they want businesses with signs plastered all over the store front or to have fewer signs.

A Public Hearing is scheduled for November 27, 2018 for the proposed amendments at 7:00 p.m.

Mr. Bockmiller stated direction from the elected body is needed regarding how the McCleary Hill project was addressed. He also noted revisions to the cell tower regulations will also be provided.

Administration Goal Setting 2018-2020

The Mayor and City Council continued their review of the Goals and Priorities draft document.

The Goals and Priorities are separated into the following categories, with action items included where appropriate/available:

5. Parks and Recreation for Active/Healthy Living. The City of Hagerstown supports a rich, social and culturally vibrant community. Action items include construction of a Splash Pad, ideally located along the Hagerstown Cultural Trail, continue developing and expanding programs through the Parks and Recreation Division to increase active, healthy living for citizens, and continue developing programs that add public areas throughout City neighborhoods, parks, and public gathering places on an annual basis.

No changes were noted in the list of items.

6. Innovative/Progressive Government. The City of Hagerstown is committed to employee development, excellence in services, and adapting to meet the needs of the community and the organization. Action items include full service, /24 hour access to City services through customer kiosks downtown, ability for applications for all types of permits online -24/7, Charter and City Code amendment review, focus on customer service innovations, Human Resource technology with focus on ways to automate or streamline routine tasks to shift time and staff resources from transactional administrative work to more strategic focuses.

Councilmember McIntire thinks it would be helpful for customers to pay a bill over the phone without having to talk to a person. Mr. Nicewarner stated this is not possible with the City's current financial software package.

7. Community Promotion/Pride. The City of Hagerstown will take the lead in improving its Community Image by releasing factual, timely and transparent meetings. Action items include creation of an image/marketing plan with creative hash tag identifiers, taking image management and enhancement messaging outside of Hagerstown and Washington County, and utilizing all means of media outlets and partners to promote the City's message including its own studio and help of organizations such as MML, trade shows, professional conferences, Chamber, etc.

Councilmember Heffernan stated image management should include focusing

on counter acting the negative images that are posted on social media.

Councilmember Keller stated this has to be a priority. She thinks the City is failing at showing the positive things that are going on. Positive messaging has to occur soon.

Councilmember McIntire agreed and stated that is paramount for the other things that will fall into place as the City's message is promoted.

Councilmember Aleshire stated the message has to be consistent, uniform, and in the present.

Councilmember Keller stated she suggested a contest for a theme because people in Hagerstown are creative and could help create a positive message. What was said on social media was that the Mayor and City Council wanted someone else to do their work for them.

Councilmember Heffernan asked that the people who know the negative comments aren't true defend Hagerstown. Some of the things the City has accomplished needs to be advertised, for example economic development projects and successes, and what is being done to make it easier for developers to redevelop buildings.

Councilmember McIntire stated Hagerstown needs enthusiasm and staff needs to be on the enthusiasm wagon.

Councilmember Heffernan stated the image of being difficult to work with needs to be changed.

Councilmember Keller noted they hear that complaint almost every day.

8. Economic Development Through Sports and Tourism. The City of Hagerstown will be creative and diversify opportunities for Economic Development through nontraditional means. Action items include an indoor Sportsplex RFP and a multi-use stadium complex study through the Maryland Stadium Authority.

Councilmember Heffernan stated all sports and tourism opportunities should be researched.

9. Citizen-based Government. The City of Hagerstown believes in an ethical and financially responsible government, while supporting an engaged citizenry to make the community more than the sum of its parts. Action items include promoting awareness and understanding of the City's finances through accessible and easy-to use data presentations, grow the Hagerstown Strong

Program – a volunteer outreach group pairing volunteers with government staff, continue to support the Main Street Program and those volunteer groups, grow a foundation of active and engaged residents to serve on various City boards and commissions, and improve access to City website information for mobile device users.

Mayor Bruchey suggested including the challenges of hiring police officers and what the City's plans are for meeting the challenges. This will help citizens feel more at ease about the future of the police department.

Councilmember McIntire is working on a youth advisory commission to help get students and young adults interested in public service and government.

Mayor Bruchey would like the See Something Say Something app promoted more. Councilmember McIntire suggested boosting posts on social media or creating decals. Mayor Bruchey suggested a billboard ad. Councilmember Keller thinks the \$ 1,200 cost for a billboard could be used in better ways. Councilmember Heffernan suggested getting the information to the schools.

Councilmember McIntire would like to hear from staff how they are feeling and what they have to say. Ms. Means stated Ms. Nussbaum is working on two surveys for employees – one is a general question survey and the other is specific to wellness and health.

Councilmember Aleshire asked if the item – Sustain a focus for the City Fire system and the all hazards mission – under Public Safety is in response to the discussion about consolidating fire stations and other locations. Ms. Means indicated that is correct, and for anything more the Mayor and Council wish to add. Councilmember Aleshire has been a proponent of that idea. The City will go its own way by creating its own efficiencies. He doesn't want the statement to be so generic that it doesn't appear as a Mayor and City Council goal. People need to realize this is a significant issue.

Councilmember Metzner stated his goal is to implement those recommendations made by Chief Lohr.

Ms. Means pointed out this document will be reviewed by the Mayor and City Council and staff multiple times. Changes can be made at any time. This document will give staff a play book for things to bring to the Mayor and City Council to meet their established goals.

Approval of the Goals and Priorities will be included on the November 27, 2018 Regular Session agenda.

Valerie Means, City Administrator had no additional comments.

MAYOR AND COUNCIL COMMENTS

Councilmember E. Keller had no additional comments.

Councilmember K. B. Aleshire had no additional comments.

Councilmember A. Heffernan attended the Opportunity Work Zone discussion. There are some great opportunities for encouraging development in economically disadvantaged zones. He thanked Jill Thompson, Director of Community and Economic Development, and Danelle Hayer, Business Development Specialist, for organizing the discussion. He thinks the deck in the back of Hana Thai restaurant needs to be replaced as it is a safety hazard. It was noted this is out for bid now.

Councilmember L. C. Metzner had no additional comments.

Councilmember S. McIntire would like the City to host one of the Washington County Maryland Municipal League chapter meetings. This will be scheduled in 2019.

Mayor R. E. Bruchey, II attended the Gridiron Classic football game at South Hagerstown High School on Friday. Despite the rain, it was a good game. He was impressed by the sportsmanship displayed by both teams. He offered condolences to the family of Bobby Nigh (husband of former Councilmember Penny Nigh), who passed away recently.

There being no further business to come before the Mayor and City Council, on a motion duly made, seconded, and passed, the meeting was adjourned at 5:29 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: December 18, 2018