

6<sup>TH</sup> SPECIAL SESSION, JOINT MEETINGS WITH BOARD OF EDUCATION AND  
WASHINGTON COUNTY COMMISSIONERS AND WORK SESSION – February 1  
9, 2013

JOINT MEETING WITH BOARD OF EDUCATION – February 19, 2013

A joint meeting of the Hagerstown Mayor and City Council and the Washington County Board of Education was held on Tuesday, February 19, 2013 at the Board of Education's Central Office at 820 Commonwealth Avenue, Hagerstown, Maryland at 2:00 p.m. The following people were in attendance: Mayor Davis S. Gysberts, Councilmembers K. B. Aleshire, M. E. Brubaker, L. C. Metzner, D. F. Munson and P. M. Nigh, City Administrator Bruce Zimmerman, City Clerk D. K. Spickler, Board of Education members: President Justin Hartings, Vice President Paul Bailey, Wayne Ridenour, Jackie Fisher, Donna Brightman, Karen Harshman, Rose Williams and Superintendent Clayton Wilcox.

Mayor Gysberts thanked the Board of Education members for recognizing the need for and respecting a commitment to downtown Hagerstown.

The Greater Hagerstown Downtown Task Force presented a report to the Mayor and City Council on February 12, 2013 exploring the possibility of relocating the BOE Central Office to Downtown Hagerstown. The report included an analysis of several sites for possible relocation. The Mayor and City Council understand it is not an easy process to come to a decision on whether to upgrade an aging facility or to relocate the facility. Hagerstown is the County Seat and having all governmental entities in a central location, such as downtown, creates efficiencies and enhances partnerships. Relocation of the Central Offices would complete the local government core downtown. A state of the art facility could be developed, with downtown charm. Relocation would strengthen the "Education Hub" in Hagerstown.

A broader goal for downtown is a master redevelopment plan, with the intent to eliminate blight as part of the plan.

A copy of the Parking Management Plan was provided to the Board of Education members for their review. The parking plan was completed in June, 2012. There has been concern noted about the availability of parking if the Central Office was located downtown. The report indicates there is not a lack of adequate parking in the City Center. Mayor Gysberts stated he envisions any new Board of Education facility will have a parking structure attached as part of the construction.

The City is ready to "roll out the red carpet" to the Board of Education to relocate their Central Offices to downtown. The City is prepared to offer city-owned land or to acquire privately-owned land on which to build a new facility. The City can contribute toward the cost of demolition, if necessary, for site preparation. The City can also expedite the planning and permits process.

Broadband access is important for the Board of Education. A downtown location affords access to the MD One Broadband network.

Location of the Central Offices downtown would build on the A & E District presence and would support the mission of Washington County Public Schools. A downtown location would provide an opportunity to create and build on partnerships. It would also serve the needs of those in poverty.

Mayor Gysberts pointed out that the property the Board of Education is considering at the Technology Park (former Allegheny Power office building) would require extensive renovation and maintenance costs. The building would be less energy efficient than a new facility. The purpose of the highway interchange at Downsville Pike is for attracting technology-related employment centers that contribute to the tax base. There would be opportunity costs lost if the building is purchased by the Board of Education.

President Hartings stated the City of Hagerstown made a good case for considering a downtown location. The Board is at the end of the first phase of the process, where they made the decision to not renovate the existing facility. They owe it to the community to consider all options and review them fully before making a decision.

Ms. Harshman asked if other agencies and entities are being approached about locating downtown. She also asked if there are any plans for upscale housing. Mayor Gysberts indicated the City is continually reaching out to small businesses, large businesses and existing businesses about downtown. He pointed out one of the assets of living downtown is being in a walkable community. A master redevelopment plan would include housing and revitalization of neighborhoods.

Councilmember Metzner stated there was a strong theme for economic development with the Multi-Use Stadium and Event Center (MUSEC). The City and the County both committed \$ 8 million over 20 years for downtown redevelopment. There are people willing and waiting to invest and participate in downtown redevelopment. The City would not expect the Board of Education to spend \$ 4 million more on a downtown location. The City would provide facilities to cover additional costs. He expects the Mayor and Council to ask for a commitment from the Washington County Commissioners to support the relocation of the Central Offices downtown and assist with funding. The City is prepared to offer incentives to the Board of Education to relocate downtown. He sees downtown being a hub for education and student housing.

Councilmember Munson stated it is now or never for downtown. The City wants the Board of Education downtown. The project at 140 S. Potomac Street is a good example of the success of public/private partnerships. A parking deck would be essential for the Central Offices. It is not the City's intention to end their efforts with the Board of Education. Serious efforts will be made with the University System of Maryland to expand their operations. Downtown can be vibrant and healthy with shops, restaurants and a strong educational presence.

Ms. Fisher asked what size a parking deck would be. Councilmember Metzner indicated it would be designed to the size the Board needs.

Ms. Brightman mentioned the master plan for downtown. She does not see the Board

of Education as being the anchor for redevelopment, but a part of it. Mayor Gysberts indicated a City wide master plan is being created, which includes all stakeholders. He believes there is a great opportunity with the waterways in Hagerstown. He thinks a project like Carroll Creek in Frederick would work in Hagerstown.

Mr. Ridenour does not agree with the arguments against the Technology Park site. He questioned a parking issue with Barbara Ingram School for the Arts students and wondered if it was accurate. It was stated that there are currently 31 passes at the A & E Deck for BISFA students. Any new pass holders will be asked to park at the N. Potomac Street Deck in order to make sure there is ample parking for the new library.

President Hartings stated the funding the Board has noted for the relocation is only for that, and not additional costs for parking, etc. He would find it difficult to support something that would cost additional money.

Ms. Brightman pointed out the Board supports downtown and has participated in a significant partnership with the Barbara Ingram School for the Arts (BISFA) school.

Councilmember Brubaker stated lower interest rates are available through municipal bonds. He stated the two groups need to work together to gain the best value for the taxpayers.

Councilmember Aleshire stated he believes the downtown should be an educational center and the Central Offices downtown would contribute toward that. He is ready to work with the Board to determine the best downtown site for relocation. He would prefer that the County administer the deck, building and acquisition costs.

Ms. Fisher stated she is concerned about safety at a downtown location, especially after dark. Councilmember Aleshire stated there are 107 sworn police officers with the Hagerstown Police Department. Mayor Gysberts stated studies have shown that Hagerstown is not an unsafe place and is similar to many other downtowns.

Vice President Bailey stated he heard 20 years ago that the Board of Education should be downtown. He asked if the City has a time line for the project. Mayor Gysberts stated the City is ready to get started. He suggested arranging tours of the possible locations. He is looking forward to continued conversations about the Board of Education downtown and keeping minor league baseball in Hagerstown.

Councilmember Brubaker estimated a parking deck for the Board of Education would be \$ 4 - \$ 5 million. He is looking forward to receiving additional financial information.

President Hartings thanked the Mayor and City Council for this discussion. Before any decision is made, the Board would have to know the anticipated costs for a downtown location and the real costs for the Technology Park site.

The joint meeting ended at 3:23 p.m.

Mayor D. S. Gysberts called this 6<sup>th</sup> Special Session and Work Session of the Mayor and City Council to order at 4:10 p.m., Tuesday, February 19, 2013, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, M. E. Brubaker, L. C. Metzner, D. F. Munson and P. M. Nigh; City Attorney William Nairn, City Administrator Bruce Zimmerman, and City Clerk D. K. Spickler.

On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to meet in Special Session at 4:10 p.m.

John Lestitian, Director of Community and Economic Development, stated a question had been raised about which section of the City Code was being cited to acquire this property. City Attorney Mark Boyer recommends citing Chapter 235 of the City Code for the acquisition. The ordinance has been revised, with the contract remaining the same as reviewed previously.

**Approval of an Ordinance: Approval of Purchase Agreement to Acquire the Property Known as 170 West Washington Street and 12 North Prospect Street, in Downtown Hagerstown, Maryland pursuant to Chapter 235 of the City Code**

**Action:** On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote to introduce an ordinance authorizing the purchase of properties located at 170 West Washington Street and 12 North Prospect Street for the sum of \$ 27,500. The Ordinance stipulates four (4) findings. The findings are that: (1) The property has deteriorated to such an extent so as to constitute a serious and growing menace to public health, safety and welfare, (2) the structure is likely to continue to deteriorate unless corrected, (3) the continued deterioration will contribute to the blighting or deterioration of the area surrounding the structure and (4) the owner has failed to correct the deterioration.

The acquisition is to be in accordance with all terms and conditions outlined in the Purchase Agreement. Funding for this acquisition is from the Economic Redevelopment Fund.

On a motion duly made, seconded and passed, the Special Session was closed at 4:13 p.m.

**JOINT MEETING WITH WASHINGTON COUNTY COMMISSIONERS**

The following County Commissioners were present: President Terry Baker, John Barr, Ruth Ann Callaham, Jeffery Cline, William McKinley and County Administrator Greg Murray.

**Doleman Black Heritage Museum**

Wendy Perri, Curator/Collections Manager, discussed the needs of the Doleman Black

Heritage Museum. The Doleman Black Heritage Museum, Inc. (DBHM) is requesting operating funds for a three year period to cover expenses to open its City Center gallery. The first year will encompass rent, staffing, equipment, furniture, utility services and supplies necessary to start up the gallery. Years two and three will encompass the usual fixed cost with an addition of fabrication and the production of new storylines and exhibits, this along with a caveat that at the end of year two, DBHM will qualify for state and federal funding sources.

They estimate annual costs to be \$ 128,800.00 and are asking the City and the County to contribute \$ 42,933.33 each. The remaining amount will be paid by DBHM.

These funds will allow DBHM to organize the property for the gallery opening at 14 W. Washington Street at a minimum of 25 hours per week, with its doors opening once an agreement is met. The City Center location for the museum will encourage people to come downtown for more than business.

Councilmember Metzner continues to support the DBHM. The Art and Entertainment Study recommended consolidation of the number of museums and similar attractions. If everyone works together, they should be able to create a successful Arts and Entertainment mall.

Mayor Gysberts stated there are 4,500 items in the collection. Alesia Parson-McBean had indicated the volume of items with the DBHM may hinder any efforts for a partnership with other museums.

Ms. Perri stated they must meet certain criteria for Federal and State grants, such as operating hours. They are trying to move the items from the family home in order to preserve and display them.

Councilmember Brubaker suggested they contact the Community Foundation. Ms. Perri indicated they had and operating funds are not eligible for the foundation funding. Councilmember Brubaker then suggested this be included on a budget "wish list".

President Baker thought the County had directed the DBHM to the non-profit division. Ms. Perri stated the owner of the building they were considering did not want to create a lease for the premises. They are now looking for a temporary site (for 3-5 years) to house the collection to preserve it. They eventually want to move to a location in the Jonathan Street community.

### **Economic Development Commission Strategic Plan**

Mayor Gysberts indicated there were no specific comments for the Economic Development Commission Strategic Plan. This is intended to be a general discussion of next steps.

Ms. Callaham stated they created an action plan and empowered the Economic Development Commission (EDC) to move forward. They chose five items that would be easily attainable.

Mr. McKinley asked what role the City sees itself having in the strategic plan. Mayor Gysberts stated he was pleased to see the plan recognized that downtown is important. The City is looking forward to being a partner with the County to drive growth. He indicated consolidation isn't necessarily an option at this time.

Councilmember Metzner wants to strengthen the City Center. The plan mentions the school board offices being downtown. He wondered how many studies have to be completed before the recommendations are followed.

Councilmember Aleshire asked if the EDC adopted this plan, with recommended approval by the County Commissioners. Mr. Murray indicated the EDC adopted the plan and the Commissioners accepted the plan and determined steps to move forward. They identified goals and action items, with dates of completion noted. The goals have been prioritized. The next step is to research what is needed to meet the goal and discuss it with affected parties.

Councilmember Aleshire asked if the Commissioners will be adopting the plan, with a time for public comment prior to adoption. He assumes that an affected entity (such as the City of Hagerstown) will have the opportunity to comment on the plan. If not, then it is a County plan.

Ms. Callahan stated the Commissioners did not approve the plan. They do want to hear from the City. They do not intend to stifle any town or individual from commenting on this plan.

President Baker indicated the EDC clearly stated they knew they were not going to use the full plan and there would be changes. He suggested that as an EDC member, Councilmember Aleshire could voice his concerns.

Councilmember Aleshire asked if the municipalities had been contacted. He asked if he provides his comments to the Commissioners and they report to the EDC or does he make comments directly to the EDC. Ms. Callahan stated that process would be too restrictive. She suggested using a blog for comments. Each municipality will choose the process that works best for them.

Mr. McKinley stated, with two members of the Council on the EDC, the City will have an opportunity to present their comments. He believes Councilmember Aleshire and others would bring the City's goals forward.

Mr. Murray indicated there are many recommendations for each option. The first step is to determine an effective way to implement the goals. After all parties involved have commented, it would come back to the Commissioners.

Ms. Callahan indicated this is the community's plan, not the Commissioner's plan. Mr. Murray indicated the County would not unilaterally approve a plan and process without stakeholder input.

Councilmember Brubaker asked if the five action items could be provided to the Mayor and City Council. Mr. McKinley stated the Commissioners charged the EDC with establishing their five priorities that would make a change in Washington County. This does not mean all objectives will be met immediately. Ms. Callaham stated the four representatives from the City will be a part of establishing these priorities.

Mayor Gysberts stated the Mayor and Council are all interested in regulating the City Center. Stakeholder feedback is important.

### **Downtown Private/Public Partnerships**

Mayor Gysberts reported he met with the Sora Group and they believe the City is set for development and investment when the economy turns around. He is planning to review the portions of the City Code that deal with blight and vacant buildings in preparation for a master redevelopment plan. It is important for him to redevelop the City's waterways. He stated the City has contracted with the Ripken Group to study other sites for a new stadium. His vision is for One Hagerstown.

Councilmember Metzner would like to see a Hagerstown university, complete with student housing. The educational component also includes the relocation of the Board of Education's central offices downtown. Both the City and County committed \$ 400,000 annually for downtown revitalization. This commitment could be the catalyst for the Board of Education downtown. Citizens are looking to the elected officials to do something to revitalize the community and downtown.

Mr. McKinley pointed out the County committed the \$ 400,000 when the City had a plan for the MUSEC project. At this point there is not a plan. When there is a new plan, he would be willing to consider making a similar commitment.

Councilmember Aleshire stated that in order to realize the greatest return on the investment, the goals have to be prioritized and be complementary to the long term capital budget. He noted a lack of direction from elected bodies to determine priorities.

Ms. Callaham agreed and is willing to discuss the priorities for the community.

Councilmember Brubaker stated the City needs to look at the long range bond capacity and review what is anticipated in the out years. He stated a practical plan is what the City needs.

Mayor Gysberts stated there are eyesores that everyone can agree need to be taken care of. He noted the Massey Building as an example. He believes the City will demonstrate what the possibilities are for downtown.

Mayor Gysberts asked if anyone is interested in reviving the 2 + 2 group that was in place several years ago. It might be good to have the same type of interaction with the City and Council.

Councilmember Metzner stated he served on the 2 + 2 Committee, which was formed

at the time the City implemented the annexation policy. Councilmember Aleshire stated the 2 + 2 Committee resolved the allocation of the APFO and sewage service to the hospital location.

Councilmember Brubaker pointed out there may be water and sewer issues that need to be discussed in the future.

Mayor Gysberts stated they should look at what incentives can be offered to bring businesses to the City and community.

Councilmember Aleshire stated Frederick County developed a committee to study cooperation within the organization, including a review of all departmental functions. The final report recognized savings by not duplicating services. He thinks it would be beneficial for the City and County to do a similar study. For example, there are different insurance plans for local bodies, different operations for public works and different operations in public safety. A study of this nature would be good for public awareness. He believes real savings can be found, without the necessity of privatization or consolidation. He thinks the City, County and Board of Education should be a part of a study.

Mr. Murray indicated there are cooperative efforts in purchasing, information technology and other areas. He thinks the study would be beneficial. Mr. Murray pointed out there is a Council of Governments as well. There are environmental issues that require cooperation between the groups.

President Baker is looking forward to working with this Mayor and City Council.

Councilmember Munson stated he would appreciate any assistance the County Commissioners can provide in having the Board of Education relocate downtown.

A recess was then taken.

### Preliminary Agenda Review

#### **Consent Agenda**

- A. Department of Parks and Engineering:
  - 1. Mowing and Trimming in Various Parks – J. R. Services (Smithsburg, MD) \$ 55,754.52
  - 2. Golf Course – Mowing and Trimming – J. R. Services (Smithsburg, MD) \$ 16,500.00
  
- B. Department of Community and Economic Development:
  - 1. Various Street Closures for Events in 2013
  
- C. Department of Utilities:
  - 1. Stream and Current Monitor Analyzer – Hach Company (Loveland, CO) \$ 21,016.00
  - 2. Emergency Power System Preventive Maintenance Contract - GE

Critical Power (Chicago, IL)  
\$ 13,175.00

**Approval of Purchase: Replacement of Engine 1, 1994 Pumper – Kovatch Mobile Equipment (Nesquehoning, PA) \$ 447,017.00**

The Fire Department has received bids to replace Engine 1, First Hagerstown Hoses' 1994 pumper. The lowest bid is from Kovatch Mobile Equipment (KME), in the amount of \$ 447,017.00. The City of Hagerstown's share would be \$ 297,017.00. First Hagerstown Hose has agreed to contribute \$ 150,000.00 towards the purchase of the apparatus.

**Approval of Amendment to the Power Service Agreement between the City of Hagerstown and Allegheny Energy Supply Company, LLC**

Negotiations between Allegheny Energy Supply Company, LLC and the City have concluded with an accepted contract extension and a new price point for the term of the extension. The existing Power Service Agreement will be extended for a period of one year, from the current expiration date of May 31, 2014 through the new expiration date of May 31, 2015. The megawatt hour (MWh) charge for service during the one year extension period will become \$ 53.90. The projected savings is approximately 9%, dependent upon actual usage.

**CITY ADMINISTRATOR'S COMMENTS**

*Bruce Zimmerman, City Administrator*, had no additional comments.

**MAYOR AND COUNCIL COMMENTS**

*Councilmember D. F. Munson* thanked everyone for the productive discussions today.

*Councilmember K. B. Aleshire* had no additional comments.

*Councilmember M. E. Brubaker* stated there are a number of bills being considered by the Legislature that would affect the City of Hagerstown. MML has created a sub-committee to review County and City finances, taxation and revenue issues. He is serving on this committee.

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

*Councilmember P. M. Nigh* stated some people are confused about the payment information for speed camera violations. Chief Holtzman indicated the language on the violation is being reviewed. They are also looking at providing options to pay the violations at City Hall.

Councilmember Nigh asked if all abandoned buildings are secure. Mr. Zimmerman

stated unfortunately, the City cannot assure that all are secure. John Lestitian, Director of Department of Community and Economic Development, stated Code Enforcement responds to complaints of unsecure buildings.

*Mayor D. S. Gysberts* thanked the Board of Education and County Commissioners for meeting with the Mayor and City Council today. He toured PAL today.

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 5:56 p.m.

Respectfully submitted,

Donna K. Spickler  
City Clerk

Approved: March 26, 2013