

WORK SESSION

JULY 9, 2013

MAYOR AND CITY COUNCIL

HAGERSTOWN, MARYLAND

WORK SESSION – July 9, 2013

Mayor D. S. Gysberts called this Work Session of the Mayor and City Council to order at 4:04 p.m., Tuesday, July 9, 2013, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, L. C. Metzner, D. F. Munson and P. M. Nigh; Eric Deike, Director of Public Works, and City Clerk D. K. Spickler. Councilmember M. E. Brubaker and City Administrator Bruce Zimmerman were not present.

Proclamations

**Korean War Veterans 60<sup>th</sup> Anniversary**

Mayor Gysberts read a proclamation recognizing the 60<sup>th</sup> Anniversary of the Korean War. Les Bishop and Jim Mobley were present to accept the proclamation.

Mr. Bishop stated the dedication of the memorial on June 23, 2013 was a wonderful event. He hopes the partnership between the veterans group and the City of Hagerstown continues.

Mr. Mobley thanked the City for their support.

Councilmember Metzner mentioned the City is planning a bus trip to the Korean War Memorial in Washington, D. C. for the veterans.

**National Parks and Recreation Month**

Mayor Gysberts read a proclamation recognizing August as National Parks and Recreation Month. Amy Riley, Recreation Promotion and Services Coordinator, Junior Mason, Superintendent of Parks, Jenny Fleming, HEAL (Healthy Eating and Active Lifestyles), Heather Holman, President of Historic City Park Neighborhoods 1<sup>st</sup>, and Jeremy Bohner, High Rock Studios, were present to accept the proclamation.

Ms. Riley stated the City is partnering with groups such as HEAL and Historic City Park Neighborhoods 1<sup>st</sup> to schedule activities in the parks. High Rock Studios assisted in making posters and signs promoting the City's parks. There are many QR coded signs in City Park.

Councilmember Munson thanked Ms. Riley for her work with the dedication ceremony held recently at the Rotary Club of Long Meadows Park. His nephew, who lives near Fairgrounds Park, enjoys visiting the park several times each day. He thanked everyone who works to make the parks in Hagerstown enjoyable.

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Funding Request – Maryland Theatre Façade and Signage

John Lestitian, Director of Department of Community and Economic Development, and Jessica Green, Maryland Theatre, were present to discuss a funding request from the Theatre.

The Maryland Theatre has requested funding for improvements to the façade and signage of 27 South Potomac Street. The project includes the painting of wood surfaces, installation of new sign boards, and artwork on the second floor storm windows.

The total anticipated cost of the project is \$ 3,940. The funding request is a not-to-exceed amount of \$ 4,000. The Maryland Theatre has sent a similar funding request to Washington County in the amount of \$ 1,500. If granted by Washington County, the City's contribution would be offset by the County award. If the Mayor and City Council desire to grant this request, funding is available from the Economic Redevelopment Fund.

Ms. Green reported the internal communication system is anticipated to be completed by the end of July, 2013.

It was the general consensus to include approval of this request on the July 23, 2013 Regular Session agenda.

City Partnership with USM-H and Hagerstown-Washington County Industrial Foundation, Inc. (CHIEF) to Provide Free Wireless Internet Access to City Center

Scott Nicewarner, Director of Information Technology and Support Services, and Greg Snook, CEO of CHIEF, were present to describe an exciting opportunity for the City Center area. Lola Hagerty, City of Hagerstown Network Administrator, and Scott Thomas, USM-H, were also present.

The City's Technology Department, in partnership with USM-H and CHIEF, will be providing free wireless Internet access to patrons of City Center establishments and parks over the next two months. The initiative was developed by USM-H Director, Mark Halsey, as part of their campus technology upgrade. USM-H and the City will share in the costs of the expansion beyond the center's campus, and CHIEF will be providing a \$ 20,000 grant to aid in the purchase of the hardware required for the service. City Light, Public Works, and Parking staff have also been instrumental in the initial installation of the units both on light poles and on the University District parking deck.

Specific boundaries of the service have not been finalized, but the initial service area will be the first blocks of North/South Potomac Street as well as the first blocks of East/West Washington Street. This area should be completed in July. The final stages should be implemented in October, 2013.

Mayor Gysberts stated increased access and technology is one of the most beneficial things that can be done in terms of economic development for downtown.

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Councilmember Munson asked if other jurisdictions have an advanced access network like this. Mr. Nicewarner indicated Annapolis has wireless service at the waterfront. Others have pockets of access points but not an extensive area. He stated this is an example of a great partnership between USM-H, CHIEF and the City of Hagerstown.

Mr. Snook stated this project fits into CHIEF's mission, which is to promote education and economic development. If this is successful, he hopes the service could be expanded into the parks.

Ms. Hagerty stated work on this project included many departments and organizations working together.

### Phase III, Land Management Code Revisions

Steve Bockmiller, Development Review Planner/Zoning Administrator, and Kathleen Maher, Planning Director, were present to discuss proposed amendments to the City's Land Management Code.

Mr. Bockmiller presented a package of 24 proposed revisions to the Land Management Code. Most are very minor and about half correct formatting errors and clarifications. Also included are revisions of the regulations on car sales facilities. About half of the proposals are new content added to this package of revisions, including substantially upgraded sign regulations.

This "clean up" phase is no reflection on the product of the Land Management Code; it was always anticipated as a final step in the process. When a multi-hundred page ordinance is heavily rewritten and completely reorganized there will ultimately be some minor formatting and cross-referencing errors that escape detection and some material inadvertently left out (or in).

Regarding the issue of auto sales lots, staff met with representatives of the auto sales community and created an alternative that protects the public interest while accommodating, to the greatest practicable extent, the interest of existing operators. Staff believes they have come very far to find common ground, although they could not quite get to a point that achieved the operators' desire to obtain "iron clad" guarantees that new regulations would never impact their businesses or properties. Such a goal could not be achieved short of imposing no regulation on any potential user or property.

The proposal involves requiring site plan compliance and landscaped buffers consistent with the City's parking lot landscaping requirements for all newly-created auto sales facilities. This provision 1) allows for the Planning Commission to consider waivers and reductions for smaller or difficult properties, and 2) creates an exemption for any vacant property where the most recent use was a car sales facility, regardless of how long the facility has been vacant. If an existing facility is changed to another use, and later an owner or operator desires to re-introduce auto sales to that property, the new facility would have to meet the requirements of the ordinance. Staff believe that this

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provision goes to great lengths to accommodate existing car lot owners and operators while creating some minimum standards for future enterprise.

Regarding the issue of sign regulations, staff conferred with local sign contractors and inventoried freestanding sign examples in the City to assist in development of the updated provisions. One change is to permit electronic signs in certain circumstances.

Mr. Bockmiller stated one amendment being proposed is to make the LMC a separate document. Maintaining the LMC as a separate document will improve timeliness of amendments, reduce the size of the City Code, reduce confusion created by publishing the City Code version and the in-house maintained version, and reduce code updating expenses. Hagerstown adopts other Codes by reference, such as the International Building Code, Plumbing Code and Electrical Code, without adding them verbatim to the City Code. The City of Frederick administers their Land Management Code in this manner. Approval of any amendments to the LMC would occur in the same manner as they currently do, with Mayor and Council consideration and action.

Councilmember Metzner asked if Issue 11: Tighten restrictions on the use of tents for principal business locations, would prohibit temporary dealers, i.e. seafood stands, sale of sports shirts, etc. Mr. Bockmiller indicated long-term (longer than 10 days in duration) are deleterious to the quality of the shopping areas, leaves the lands or parking area damaged, and serves as a deterrent to encouraging full occupancy of the permanent spaces in a facility. Temporary uses such as special sales (i.e. sports apparel, furniture, etc.) would be permitted with a Temporary Dealer permit.

Councilmember Aleshire clarified that Issue 12, correcting a loophole in the Local Conversion District Overlay that prohibits an existing building with one dwelling unit in it to add a second unit, and add new use will allow an additional residential dwelling unit if a commercial use is in the building. Mr. Bockmiller indicated given the current language, if there is one dwelling unit, the wording does not permit adding a second unit, which is counter-intuitive if the ordinance were to allow adding two to a building that previously had no units. Artist studios are similar to retail and a potential LC proposal would like to include this in the list of permitted uses, and it appears to be a good fit in this proposal.

Councilmember Aleshire stated he is opposed to the amendment for fences listed as Issue 17. Mr. Bockmiller stated fences in front yards would still be permitted, but the fence would have to meet front yard standards.

Councilmember Aleshire stated a definition of “inoperable” motor vehicles should be included in the regulations for junkyards.

Mr. Bockmiller stated there are numerous car repair businesses in the City that accumulate junk and inoperable vehicles. This could be because they have been abandoned at the shop by owners, the owner holds them for parts or acquires them as restoration projects that never occur. The junkyard provision can be used to enforce this

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provision; however some facilities may have been in existence so long they are nonconforming. This would allow all to be treated the same. The appearance of such facilities was raised by car sales operators at the Planning Commission hearing.

A Public Hearing before the Mayor and City Council is scheduled for July 23, 2013.

Councilmember Munson thanked Mr. Bockmiller for meeting with him and others regarding the revisions for car dealers.

Review of APFO Mitigation Plan for The Reserve at Collegiate Acres

Kathleen Maher, Planning Director, was present to review the Adequate Public Facilities Ordinance (APFO) Mitigation Plan for The Reserve at Collegiate Acres. Trey Alter, III, Developer, and Jason Divelbiss, Attorney for Mr. Alter, were also present.

When a residential development project fails the school test in the City's APFO, the Planning Commission may not grant final approval for the site plan or development plan unless a mitigation plan is approved by the Mayor and City Council. The APFO does not allow the Mayor and Council to approve a mitigation plan unless the Washington County Public Schools have commented and the County Commissioners have approved the mitigation plan. As required by the APFO, those actions have occurred for The Reserve. The next step is for the Mayor and City Council to review and vote on the mitigation plan. The APFO allows the Mayor and City Council to accept, revise, or decline the mitigation plan which has been approved by the County Commissioners, however the Mayor and City Council may not revise the plan to create a lesser solution (less money, quicker phasing) than what was approved by the Commissioners. Once APFO approval is granted, the project may be given final plan approval and building permits may be issued, subject to any conditions for the mitigation plan.

The City annexed the 91.18 acre tract of land upon which the Collegiate Acres development sits in 2003 with the intention of approving a residential and commercial development on the property. The preliminary plat for Collegiate Acres, a residential development on most of the land, was approved by the City in 2005. At that time, the development plan included 209 lots for single-family and townhouse units and a multi-family section with an unspecified number of units. The multi-family section is the last portion of Collegiate Acres to be submitted for approval and it would complete the design approvals for this development. The City annexed a 1.41 acre tract adjacent to the Collegiate Acres development in 2011 with the intent of creating a more regularly shaped piece of ground for a portion of the multi-family development at Collegiate Acres. All of these activities indicate an intent by the City of Hagerstown to approve a residential development on the Collegiate Acres tract which combines single-family, townhouse, and multi-family dwelling units. The Reserve at Collegiate Acres project would complete this development by constructing multi-family units on the three remaining tracts with high density zoning in the development.

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As of June 25, 2013, already constructed at Collegiate Acres are 74 single-story townhomes by Mr. Alter on the east side of Terps Boulevard and 50 single-family homes and 68 three-story townhomes by Beazer on the west side of Terps Boulevard. Beazer has 7 single-family homes and 10 townhomes under construction and 25 single-family homes and 62 townhomes yet to be constructed. Permitting and construction continue at a moderate but steady pace by Beazer for their remaining units. All of Beazer's units have final plats in place.

On November 14, 2102, the Hagerstown Planning Commission approved a concept plan by Trey Alter for the three multi-family parcels for a total of 272 units. This section of the overall development is known as The Reserve at Collegiate Acres. These three parcels are the last residential vacant tracts in the Collegiate Acres development. The concept plan includes open space amenities, picnic tables and grills, a clubhouse and a pool. Many of the units will have garages. The developer has indicated that he "designed the project to attract renters of choice and has sized and priced them accordingly." This developer not only builds residential development, but manages the rental units over the long term. The one-story townhomes at Collegiate Acres and the townhomes at Kensington Villas are two examples within the City.

On February 27, 2013, the Planning Commission approved the site plan for Parcel 3 for 148 units on the condition for the project receiving approval for a mitigation plan for the APFO schools issue. The City is currently reviewing the site plan for Parcel 4 and 5 for the remaining 124 units for the multi-family portion of the development and anticipate Planning Commission review on July 10, 2013. Wastewater allocation is in place for all three parcels. If APFO approval is granted, the developer anticipates seeking permits for Parcel 3 in this construction season and for Parcels 4 and 5 in 2015.

On June 11, 2013 and June 25, 2013, the County Commissioners considered comments from Washington County Public Schools on the impact of The Reserve on the affected schools (Maugansville Elementary School, Western Heights Middle School, and North Hagerstown High School) and the mitigation plan from the developer. When considering actual enrollment, the background enrollment (projected enrollment from already approved development), and enrollment projected from The Reserve, all three schools would be over-capacity. The appropriateness of this location for development was debated given the recent and planned upgrades to elementary schools in this area, the consistency with the Comprehensive Plan, and location in a Priority Fund Area. While the planned new West City elementary school will not be constructed with extra capacity to serve planned area development it is being constructed with a large enough core to accommodate an addition to increase capacity when the impact of growth is actually felt at the school and funding becomes available for an expansion. State funding for school construction is not available to anticipate growth, but only to accommodate actual over-capacity and/or out-dated situations. The benefit of construction jobs at this time was also considered by the Commissioners.

The County Commissioners approved a mitigation plan on June 25, 2013 that would have the project developed in two phases (Phase I – parcel 3 in 2013 and Phase II –

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parcel 4 & 5 in 2015) and the developer make an upfront payment of \$ 20,000 per unit to the County prior to issuance of any permits for each phase. The total amount paid would be \$ 544,000 - \$ 296,000 at Phase I and \$ 248,000 at Phase II. This is on top of what will be paid in excise tax at the building permit stage.

Councilmember Metzner inquired how charging a fee is relevant to school capacity. Ms. Maher indicated the fee is intended to be used toward funding for future schools. Councilmember Metzner pointed out the people who are affected by the school capacity issue have no say in the use because the fee is paid to the County.

Councilmember Aleshire clarified it is anticipated that all three schools will be over capacity with the completion of this development. Ms. Maher stated that is correct. Councilmember Aleshire wondered if the County is behind in their phasing plan. Ms. Maher stated if they start this year they are not.

Councilmember Aleshire stated if the new school is open in 2017, the background enrollment will have to be considered. The capacity issues are not going to be resolved through a waiver of the APFO in this instance.

Councilmember Munson asked if any part of this development can be required to participate in the Crime Free Housing initiatives.

Councilmember Metzner stated it would be more appropriate to mandate that no apartment complexes will be permitted in Hagerstown unless they participate in the Crime Free Housing program. Councilmember Munson agreed.

Councilmember Metzner stated the APFO was implemented during the housing boom. He is disappointed the County Commissioners made a decision that they have deemed invalid in difficult economic times. It appears the County is saying it is okay to overcrowd schools. He wondered what the revenue collected from the APFO is used for.

Mayor Gysberts stated perhaps the Board of Education could use the money for property development on Downsville Pike.

Councilmember Munson asked Mr. Alter if they would object to being a participant in the Crime Free Housing program. Mr. Alter stated he would be willing to look into the program. He indicated the way some housing is managed is a problem. He stated there are rules incorporated into the lease agreement that are more stringent than what the police can do.

Mr. Alter indicated he shares the frustration of the Mayor and Council in regards to the overcrowding of schools.

Mayor Gysberts wondered how public services (such as schools) and increased growth and development can be compatible.

Councilmember Metzner stated it does not make sense to decrease the capacity in new schools.

Mr. Divelbiss stated other venues, in addition to new development, should be considered for schools and capacity. He indicated there are eight other venues. Mayor Gysberts pointed out existing homes can also contribute to school capacity.

Councilmember Munson is in favor of approving the APFO mitigation plan. He asked that a condition for all new developments be included to participate in the Crime Free Housing program. Ms. Maher stated conditions could be included for this one particular development.

Councilmember Aleshire stated there are 18 elementary schools in the County that are under capacity; unfortunately, none of them are close to this development. He stated the City has no control over school redistricting or other things affecting enrollment to even-out the enrollment.

Mr. Divelbiss indicated capacity is based on anticipated development. There should be a way to effectively deal with the ordinance as it was designed to do.

Approval of the APFO mitigation plan for Collegiate Acres will be included on the agenda for July 23, 2013.

#### All-Night Softball Tournament at Fairgrounds Park

Rodney Tissue, City Engineer, and Mike Kelbaugh, Hagerstown Fairgrounds Softball Association (HFSA) were present to discuss a softball tournament.

Staff recently received a request from the HFSA officials to allow them to host an all-night softball tournament on the two fields with lights. The event would start at 10:30 p.m. on Friday night, July 19, 2013 and conclude at 6:00 a.m. on Saturday, July 20, 2013. A girl's tournament would commence at 8:00 a.m.

In the approved "Field Light Installation Agreement" with the HFSA dated April 24, 2012, the Agreement expressly prohibits use of the field after 10:00 p.m. unless prior approval is received from the City. Staff suggests this is a Council-level decision to approve this all-night event.

There is no cost to the City for this event and no staff is being scheduled to be at the site overnight.

Mr. Kelbaugh indicated other leagues hold all night tournaments and are successful.

Councilmember Nigh stated she is concerned about the noise level, since there are homes all around the area. She suggested trying the event.

Councilmember Metzner stated the HFSA league is a good steward of Fairgrounds Park. He feels sure the tournament attendees would respect the Fairgrounds Park neighbors.

It was the general consensus to approve the use of Fairgrounds Park for an all night tournament hosted by HFSA on July 19 to July 20, 2013.

#### Stormwater Fee/Stormwater Utility Information

Rodney Tissue, City Engineer, and Jim Bender, Assistant City Engineer, were present to provide information regarding the Stormwater Fee/Stormwater Utility Information.

Over the past two years, staff has made several presentations to the Council regarding the Watershed Implementation Plan (WIP) process for reducing stormwater pollution. Using cost estimating tools provided by the Maryland Department of the Environment (MDE), staff has estimated that the cost to the City to fully comply with the pollutant reduction requirements could be as high as \$ 210 million between 2013 and 2025. The City's Capital Improvement Program budget currently allocates only a fraction of this amount of money to stormwater projects, and it will be difficult to find additional revenue from the General Fund. Many other communities are facing the same challenge; one attempted solution has been the implementation of a stormwater fee/stormwater utility to raise revenue to help cover these costs.

Under the National Pollutant Discharge Elimination System (NPDES) regulations, municipalities are separated into two categories: Phase I and Phase II communities. In general, Phase I communities consist of larger cities and urbanized areas; examples of Phase I communities in Maryland are the City of Baltimore and the surrounding counties. The City of Hagerstown and Washington County are classified as Phase II communities. The NPDES stormwater permits (and their requirements) for Phase I communities are much more stringent than the permits for Phase II communities.

In 2012, the General Assembly approved House Bill 987. This bill required Phase I communities to begin collecting a "stormwater remediation fee" and establish a "local watershed protection and restoration fund". No legislation has yet been introduced to extend these requirements to Phase II communities.

A "Stormwater Utility" is basically an enterprise fund responsible for addressing stormwater management issues in a community. The Utility is funded through the collection of a fee charged to property owners in the municipality. As of 2012, there were more than 1300 municipalities across the United States that operated a Stormwater Utility, and the number is growing rapidly as Federal and State regulations become more stringent (and legislation like HB 987 is adopted). In Maryland, examples of municipalities that are charging a stormwater fee or operating a Utility include Montgomery County, the City of Frederick, and the City of Rockville.

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The process to develop a Utility typically begins with a Rate Study to determine how much money needs to be collected to fund a municipality's stormwater pollutant reduction efforts. Successful Rate Studies include public stakeholder participation, and typically require 12-18 months to complete. Without a Rate Study or "business plan" as justification, stormwater fees are open to disputes and legal challenges.

Stormwater fees are not a tax; they are typically a charge that is based upon the amount of impervious (i.e. storm runoff-producing) surface on a parcel of land. Because most developed properties contain impervious surfaces in the form of roofs, patios, or pavement, the fee applies both to taxable properties and to properties that are normally tax-exempt (i.e. churches, non-profit organizations, etc.). It is important to note that the collected fees must be devoted to operation/maintenance of the stormwater system; the fees cannot be lumped in with other General Fund revenue.

The most common method used for establishing the amount of the stormwater fee is the Equivalent Residential Unit (ERU) method. Based upon survey/GIS analysis, the "average" amount of impervious area on a typical residential lot is determined; all similar residential lots are then assumed to have this amount of impervious area without any actual measurement on each lot. For non-residential, commercial, and industrial properties, the amount of impervious area on the lot is measured. That measurement is then divided by the average amount assumed for a residential lot to get an ERU value. The stormwater fee charged by a Utility will vary from municipality to municipality, depending upon the results of the Rate Study. Nationwide, average fees range from \$ 3 to \$ 5 per month. Some municipalities have different levels or "tiers" for their fees; the more impervious area that actually exists on a lot, the higher the fee.

The question has been raised as to whether a fee could be levied on only commercial/non-residential properties. Staff, through its research, was unable to find an example of "commercial only" stormwater fee. Although this has not been confirmed by legal research, staff feels that a "commercial only" fee would be difficult to implement because (a) without being able to spread the overall stormwater program costs over all properties, the fee charged to the commercial properties would have to be disproportionately high, and (2) it would be difficult to establish the "fairness" of such a system when residential properties were also discharging storm runoff and pollutants into the City's system without having to pay the fee.

If the Council wishes to proceed with the development of a Utility, staff will prepare a Request for Proposal to solicit bids from qualified consultants to perform a Rate Study.

Mayor Gysberts stated the City needs to improve the quality of stormwater that leaves the City. Future amenities depend on this. If done correctly, stormwater fees will not deter economic development.

Councilmember Aleshire stated this mandate has not been received favorably by the local communities. There are other states that share in the responsibility for the water ways that are not recognizing that responsibility. It is unknown what the EPA will do

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with those states. He is not in favor of the “blanket” approach across all residential units. Funding \$ 250 million over 15 years is not feasible. There are large impervious areas that have been created in Hagerstown. There will clearly be stormwater management issues associated with the demolition of the MELP building. At some point, the City will have to comply with the regulations and a goal needs to be determined.

Mayor Gysberts pointed out curb cut type filtering is becoming more popular. Clean water is good for economic development.

Councilmember Aleshire stated the Phase 2 Environmental Study completed in the Baltimore Street/Antietam Street area showed high levels of diesel contaminants in the water. Projects to reduce the contaminants should be identified.

Councilmember Munson is concerned investors will use stormwater fees as a reason to not invest in Hagerstown.

Councilmember Metzner stated they all agree it will take a significant amount of money to comply with the law. The stormwater management fee had support when it was thought residential uses could be excluded. A goal for this administration should be to clean up the water ways.

Mayor Gysberts stated the fees are necessary for cleaning the environment and creating public amenities. The Council should provide staff direction to explore different ways of implementing the fees.

Councilmember Metzner stated he supports the projects but not implementing a stormwater management fee.

A list of projects that would address stormwater management is being developed for the Mayor and Council’s review. Mr. Bender indicated the projects would be dealing with existing properties. Determining funding for the projects will have to be considered as well.

Mayor Gysberts suggested contacting the Antietam Creek Coalition for information about the condition of the Antietam Creek.

Councilmember Nigh mentioned storm drains need to be cleared. Mr. Deike stated Public Works clears the more than 4,000 drains of trash and leaf debris on a regular basis. He stated two street sweepers are run every day. There is a large amount of grit and debris that is gathered by the sweepers.

### Council Chamber Video System

Erin Wolfe, Communications Manager, was present to discuss the Council Chamber Video System.

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The equipment currently utilized is now more than a decade old and is nearing the end of its useful life. This same equipment is also used to broadcast content on the City's cable channel, Hub City 25. Because the technology is outdated, the chances of being able to repair broken equipment are unlikely. A significant equipment failure could result in meetings not being broadcast and full programming not being available to the public, eliminating a reliable method of communicating with citizens.

Staff plan to strategize with a consultant to develop an updated system that will serve the City's needs for the next several years while incorporating Mayor and Council's thoughts along with new capabilities that will allow the City to share information with citizens in a more efficient way with higher quality productions. For example, the upgrades could allow live streaming of Mayor and Council meetings online and on devices like SmartPhones and tablets.

The broadcast system was initially created with the assistance of the franchise negotiation consultants in 2001. The plan for upgrades to the current system could be done through an addendum to the existing contract with the franchise consultant, CBG Communications, Inc.

The anticipated costs for purchase of new equipment and installation could range from \$ 60,000 to \$ 80,000. Staff has identified adequate funding in the Public Education/Government (PEG) fees provided through the Franchise Agreement with Antietam Cable. Once plans are finalized to make the upgrades, an RFP would be published for the acquisition and installation of equipment.

Councilmember Metzner stated a new system should be state of the art.

It was the general consensus to move forward with creating an RFP for a new system.

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

*Eric Deike, Director of Public Works*, thanked everyone involved with several events held recently in Hagerstown – Fireworks at Fairgrounds Park on July 4, 2013, Bike Night on July 5, 2013 and the Velo Bike Race on July 6, 2013.

### **MAYOR AND COUNCIL COMMENTS**

*Councilmember D. F. Munson* thanked staff for their work with all events.

*Councilmember K. B. Aleshire* stated this year's MML Convention was informative. Municipalities are sharing the burden of changes in the economy and growth. He has met with Delegate Andrew Serafini to discuss several items, including a stadium. He also met with a reporter from the Herald Mail. He is disappointed he had to go to this length to dispel rumors. There were even rumors about a disturbance at the July 4<sup>th</sup> event at Fairgrounds Park. The occurrence was actually a disturbance caused by some minors, not a stabbing or shooting. He has heard that prominent business owners are saying by

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the end of this week it will be decided the downtown stadium site is the prime location. The Mayor and Council have not had any conversations about the downtown site. He thinks Site B (at Municipal Stadium) is the most logical location. He hopes the Mayor and Council have a discussion about the stadium soon and dispel the rumors.

Mayor Gysberts hopes to have the stadium on an agenda before the end of July. He anticipates having a draft lease agreement for the Council's review.

Councilmember Aleshire mentioned that Fredericksburg, Virginia is experiencing some of the issues that the City of Hagerstown has dealt with in determining the costs for a new stadium. Hagerstown does not have the luxury of extra income that is appears Fredericksburg does.

*Councilmember L. C. Metzner* is looking forward to a conversation about the stadium. There have been no meetings, public or private, about a stadium site selection. These discussions will occur publicly. He complimented staff for their work, with the budget and with events. He stated some people in the community want to attack the City of Hagerstown and City Hall. It is unbelievable to him that a business man in Hagerstown would say this is the worst place on earth. The rededication of the Rotary Park at Long Meadow and the dedication of the Korean War Veterans Memorial were great events.

*Councilmember Nigh* asked if there is an update on union negotiations. Mayor Gysberts indicated there was an update two weeks ago. Councilmember Nigh stated the stadium has been broken into at least four times in the last several weeks. It is critical to have enough police officers to cover the City. Officers are retiring or leaving because of money. Something needs to be done before it gets worse. The once per week trash pickup is not beneficial for residents.

*Mayor D. S. Gysberts* thanked staff for organizing the many events that have taken place recently. He thanked his colleagues for filling in for him with Grand Openings. There have been grand openings at 140 S. Potomac Street, El Paso Restaurant, The Flying Pie and the Dog Park. He thanked the Hagerstown Housing Authority for the information provided for the Noland Village Redevelopment, which will be an improvement to that neighborhood.

There being no further business to come before the Mayor and City Council, on a motion duly made, seconded and passed, the meeting was adjourned at 6:26 p.m.

Respectfully submitted,

Donna K. Spickler  
City Clerk

Approved: August 27, 2013