

85TH SPECIAL SESSION, WORK SESSION, AND EXECUTIVE SESSION - March 1, 2016

STATE OF THE CITY – March 1, 2016

A presentation of the State of the City was held at 7:00 a.m. at Hager Hall Conference and Event Center, 901 Dual Highway, Hagerstown, Maryland. This presentation was hosted by the Chamber of Commerce.

EXECUTIVE SESSION – March 1, 2016

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote to meet in closed session for an Administrative Function, #15 (Section 3-305(b)) on Tuesday, March 1, 2016 at 3:35 p.m. in Room 407, 4th floor, City Hall, Hagerstown, Maryland. The following people were in attendance: Mayor D. S. Gysberts, Councilmember K. B. Aleshire, Councilmember M. E. Brubaker, Councilmember L. C. Metzner, Councilmember D. F. Munson, Councilmember P. M. Nigh, City Administrator Valerie Means, Michelle Hepburn, Director of Finance, Jonathan Kerns, Community Development Manager, and D. K. Spickler, City Clerk.

The meeting was held to discuss a process for the sale of residential property. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the Executive Session was adjourned at 3:48 p.m.

85TH SPECIAL SESSION AND WORK SESSION – March 1, 2016

Mayor D. S. Gysberts called this 85th Special Session, Work Session and Executive Session of the Mayor and Council to order at 4:06 p.m., Tuesday, March 1, 2016, 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 Administrator Valerie Means, City Attorney Mark Boyer, and City Clerk D. K. Spickler.

85th Special Session

On a motion duly made by Councilmember D. F. Munson and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to meet in Special Session at 4:06 p.m.

Introduction of an Ordinance: Amend Chapter 117, Recycling and Refuse Collection, of the City Code

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote to introduce an ordinance to amend

Chapter 117, Recycling and Refuse Collection, of the Code of the City of Hagerstown. These amendments modify the provisions regarding storage and set out of recycling and refuse in order to provide additional protection for the neighborhoods and downtown from blight and nuisance conditions. Changes include:

1. Requiring outdoor storage of recycling and refuse in receptacles and containers with sealing lids,
2. Requiring set out of recycling and refuse in the downtown area in receptacles and containers with sealing lids,
3. Requiring properties with four or more dwelling units to designate a storage area for recycling and refuse receptacles and containers, and
4. Requiring storage of recycling and refuse receptacles and containers out of front yards, front porches, public right-of-way, and out of view of S. Prospect Street unless special circumstances exist to warrant alternative locations.

A policy on acceptable special circumstances for alternative locations for storage of recycling and refuse receptacles and containers shall be approved by the Mayor and City Council under separate motion and prior to the effective date of this ordinance.

Introduction of an Ordinance: Amend Chapter 64-8, Property Maintenance Code, Section 202, of the City Code

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember P. M. Nigh, the Mayor and City Council unanimously agreed by voice vote to introduce an ordinance to amend Chapter 64-8, Property Maintenance Code, Section 202, General Definitions, of the Code of the City of Hagerstown. These amendments modify the definition of “Approved Receptacle and Container (Refuse Cans)” to be consistent with the definition in Chapter 117, Recycling and Refuse Collection. The amendment to both chapters of the code regarding recycling and refuse storage and set out are intended to provide additional protections for the neighborhoods and downtown from blight and nuisance conditions.

Discussion: Councilmember Aleshire urged anyone who does not think this action is necessary to walk along the 200 and 300 blocks of S. Potomac Street and view the accumulation of trash.

Introduction of an Ordinance: Amend Chapter 64-8, Property Maintenance Code, Section 307, of the City Code

Action: On a motion duly made by Councilmember D. F. Munson and seconded by Councilmember M. E. Brubaker, the Mayor and City Council unanimously agreed by voice vote to introduce an ordinance to amend

Chapter 64-8, Property Maintenance Code, Section 307, Rubbish and Garbage, of the Code of the City of Hagerstown. These amendments modify several subsections regarding disposal of rubbish and garbage and regarding receptacles and containers to be consistent with the provisions in Chapter 117, Recycling and Refuse Collection. The amendment to both chapters of the code regarding recycling and refuse storage and set out are intended to provide additional protections for the neighborhoods and downtown from blight and nuisance conditions.

Approval of an Ordinance: Execution of a Deed of Easement and Maintenance Agreement with the Housing Authority of Hagerstown, Maryland (Hagerstown Cultural Trail)

Action: Councilmember M. E. Brubaker made a motion to approve an ordinance authorizing the execution of a deed of easement and maintenance agreement between the City of Hagerstown and the Housing Authority of the City of Hagerstown, Maryland for use of a portion of the Housing Authority property in connection with the construction and maintenance of the Hagerstown Cultural Trail. Councilmember D. F. Munson seconded the motion.

Motion carried 4-1 with Councilmember P. M. Nigh voting No.

Approval of an Ordinance: Execution of a Deed of Easement and Maintenance Agreement with BMB Associates, Inc. (Hagerstown Cultural Trail)

Action: Councilmember M. E. Brubaker made a motion to approve an ordinance authorizing the execution of a deed of easement and maintenance agreement between the City of Hagerstown and BMB Associates, Inc. for use of a portion of its property in connection with the construction and maintenance of the Hagerstown Cultural Trail. Councilmember D. F. Munson seconded the motion.

Motion carried 4-1 with Councilmember P. M. Nigh voting No.

Approval of an Ordinance: Acceptance of Quit Claim Deed from Antietam Paper Building, LLC (Hagerstown Cultural Trail)

Action: Councilmember M. E. Brubaker made a motion to approve an ordinance authorizing the acceptance of a quit claim deed from Antietam Paper Building, LLC for 0.05 acres of land for use in the construction and maintenance of the Hagerstown Cultural Trail. Councilmember L. C. Metzner seconded the motion.

Motion carried 4-1 with Councilmember P. M. Nigh voting No.

Approval of an Ordinance: Execution of a Donation Agreement with Herald-Mail Company (Hagerstown Cultural Trail)

Action: Councilmember M. E. Brubaker made a motion to approve an ordinance authorizing the execution of a donation agreement between the City of Hagerstown and the Herald Mail Company and the acceptance of the donation of .764 acres of land from the Herald-Mail Company for use in the construction and maintenance of the Hagerstown Cultural Trail. Councilmember D. F. Munson seconded the motion.

Motion carried 4-1 with Councilmember P. M. Nigh voting No.

The Special Session was closed at 4:13 p.m.

Western Maryland Blues Fest Artwork Reveal – 2016

Gaela Shoop, Community Events Coordinator, and Mary Ann Burke, Executive Director of the Washington County Arts Council, unveiled the 2016 Blues Fest artwork that will be used in the promotion of the 21st annual Western Maryland Blues Fest.

Larry Poncho Brown's work "Blues Dimension" was selected through a blind selection process to be this year's poster artist. Mr. Brown is an established artist and native of Baltimore, Maryland. His work will appear on posters, t-shirts, and has inspired other elements of the promotional aspects of the event.

Mark Boyer, City Attorney, then left the meeting.

Action Report: Update on Implementation of the Community's City Center Plan

Jill Frick, Director of Community and Economic Development, and Kathleen Maher, Director of Planning and Code Administration, presented an action report on the community's progress in implementation of the Community's City Center Plan.

Work has been progressing on most of the catalyst projects identified in the Community's City Center Plan, as shown in the following outline:

1. Office Development and Recruitment (Catalyst #1): The City and Bowman Development are in the exploratory phase on the Class A Office Building project.
2. Expansion of Attendance/Programming at Maryland Theatre (Catalyst #2): The Maryland Theatre hired a new staff member in October with a background in advertising, sponsorship, and promotion to improve this area of operations at the theater.

3. Student Housing (Catalyst #3): USMH is continuing work on development of three new programs: Hospitality Management, Nurse Practitioner, and Physician's Assistant. Depending upon State funding and securing expansion space downtown, the Hospitality Management program could begin as soon as the Fall of 2017 or Spring of 2018.
4. Student Housing (Catalyst #3): The first Student Housing project at Patterson Hall is fully leased with eight USMH students. Mayor Gysberts noted that as additional student housing units are added, it will create a positive impact on housing downtown. Developers who are interested in creating student housing do not have to wait for the next City project. They could contact USMH and begin a project now.
5. Hotel/Conference Center and Heritage Center/Commemorative Park (Catalyst #4): Exploratory conversations have been held to date. This project is much more long-term in nature.
6. Hagerstown Cultural Trail (Catalyst #5):
 - a. The Public Arts Master Plan for the Hagerstown Cultural Trail has been completed and approved by the Mayor and City Council. A planning charrette with the public was held on January 11, 2016. The budget for Phase I of the art plan was approved by the Mayor and City Council on February 23, 2016.
 - b. Agreements have been reached on easements or fee simple transfer of the land necessary for the Hagerstown Cultural Trail.
 - c. The Mayor and City Council awarded the bids for construction of the Hagerstown Cultural Trail on February 23, 2016. Construction should begin in April and conclude by the fall.

The level of community involvement with this project has been exceptional.
7. Expanded Downtown Events Programming (Catalyst #6): The five work groups of Main Street Hagerstown are planning new events and projects. The Second Saturday program has been underway since October. Pop Up Shops events occurred in November.
8. Private Management of the Farmers' Market (Catalyst #7): The City posted a Request for Proposals for a market operator in November and received one response by the January deadline. The proposal did not meet the submittal requirements. Staff will work with the Mayor and City council to assess, consider alternatives and consider the opportunity to re-post the RFP.

Councilmember Aleshire wants the City to have the ability to use the market space for other uses if the farmers' market does not continue in its current capacity. He wondered if the space could be used in conjunction with the anticipated culinary program at USMH.

Mayor Gysberts wondered if a business management program would be interested in managing the market. Brainstorming for the most effective market or other uses will continue.

Councilmember Aleshire pointed out many farmers and growers now have their own stores at their locations, which was not customary when the farmers' market began.

Councilmember Metzner stated other markets in the community are open seven days per week, not just a few hours on a Saturday.

9. Protection of Neighborhoods and Support for home-ownership (Catalyst #8):
 - a. Vacant Structures Program: 908 vacant blighted and non-blighted properties have been identified for registration in the Vacant Structures Program in the past year. Inspections are underway to ensure protection of the neighborhoods and first responders from exterior blight and unsafe interior conditions.
 - b. Home-Ownership Program: Two proposals are under review in the Competitive Negotiated Sale process for acquisition of 278 S. Prospect Street for home-ownership. Architectural work is underway for creation of two condo units for home-ownership at 261 S. Prospect Street.

Councilmember Munson asked if attendance has been increasing at the Engine Room Artist's Gallery. He also asked if the space can be privately rented for events. Ms. Frick stated the curator reports events and showings are well attended. Staff can review the possibilities for renting the space as well.

Mayor Gysberts noted investor confidence is increasing, and the City is leading the way. As promised, the City Center plan is not sitting on a shelf, collecting dust.

Councilmember Munson thanked staff for the positive and upbeat presentation. This validates the strategies of the Mayor and City Council are working and progress is being made.

CITY ADMINISTRATOR'S COMMENTS

Valerie Means, City Administrator had no additional comments.

MAYOR AND COUNCIL COMMENTS

Councilmember L. C. Metzner congratulated the Mayor for the well done State of the City presentation earlier today. He congratulated Jamison Door Company for their 110th anniversary. He attended the open house in recognition of this milestone.

Councilmember P. M. Nigh hopes the issues with trash in view will be addressed with the amendments being approved.

Councilmember D. F. Munson had no additional comments.

Councilmember K. B. Aleshire also attended the open house at Jamison Door Company. The door that is a wall of air was impressive. He suggested looking into the possibility of blowing trash into the street and then using the street sweeper to clean it up. He stated another municipality does this and it works well.

Councilmember M. E. Brubaker was unable to attend the open house at Jamison Door Company and hopes to tour the plant sometime soon. He received many compliments on the State of the City address.

Mayor D. S. Gysberts congratulated the recipients of the Chamber of Commerce business awards last week.

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 5:03 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: April 19, 2016