

5th REGULAR SESSION – January 31, 2017

Mayor R. E. Bruchey, II called this 5th Session of the Mayor and City Council to order at 7:01 p.m. Tuesday, January 31, 2017, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, P. D. Corderman, E. Keller, L. C. Metzner, and D. F. Munson, City Administrator Valerie Means, City Attorney Jason Morton, and City Clerk D. K. Spickler.

The invocation was offered by Councilmember K. B. Aleshire. The Pledge of Allegiance was then recited.

Mayor Bruchey announced the Rules of Procedure for this meeting will be followed as adopted December 20, 2016. It was announced that the use of cell phones during meetings is restricted and that all correspondence for distribution to elected officials should be provided to the City Clerk and should include a copy for the City Clerk for inclusion in the official record.

The next scheduled meetings are: Work Sessions beginning at 4:00 p.m. on Tuesday, February 7, 2017, Tuesday, February 14, 2017, and Tuesday, February 21, 2017, and the Regular Session on Tuesday, February 28, 2017 at 7:00 p.m.

GUESTS

Special Recognition – James L. Sprecher, Jr.

Mayor Bruchey congratulated and thanked James L. Sprecher, Jr. for his 35 years of service as a volunteer firefighter, Lieutenant, and Captain with the Antietam Volunteer Fire Company. A Special Recognition certificate was presented to Mr. Sprecher.

Certificate of Appreciation – City of Hagerstown Finance Department

Mayor Bruchey read a Certificate of Appreciation to the employees of the City of Hagerstown Finance Department for receiving the Distinguished Budget Presentation Award for the current budget from the Government Finance Officers Association (GFOA). Michelle Hepburn, Director of Finance, accepted the Certificate on behalf of the Finance Department.

Special Recognition – Jill Frick, Director of Community and Economic Development

Mayor Bruchey presented a Special Recognition certificate to Jill Frick, Director of Community and Economic Development for the City of Hagerstown, Maryland. Ms. Frick was named one of North America's Top 50 Economic Developers for 2016 by Consultant Connect.

CITIZEN COMMENTS

Marvin Lohr, 1135 Sunnyside Drive, Hagerstown, Maryland, has been waiting for the downtown to improve. One of the biggest problems is trash and trash cans. Trash cans are not being placed to the side of the property, as required by the City Code. He noted that a newspaper article (copy handed out) from 2011 mentions trash issues as well. He doesn't think the art gallery, which averages 6 visitors per day, is a good investment. A theme other than art is needed to attract people to downtown. He stated good quality craftsman shops should attract people. He suggested offering businesses in Montgomery County a temporary sales tax exemption to relocate in downtown Hagerstown. The square footage rental rates could be reduced as well. He spoke to people in the Governor's office and they think this would be a good idea. There may be less need for social services because there would be more jobs available. After 7 years, the tax exemption could be transferred to a different municipality. He also suggested encouraging police officers and firefighters to live in the City limits by encouraging them to combine their resources with another officer or firefighter to purchase a house, with the City co-signing the mortgage.

Mayor Bruchey indicated he and Councilmember Aleshire have been talking about the trash situation.

CITY ADMINISTRATOR COMMENTS

Valerie Means, City Administrator, had no additional comments.

MAYOR AND COUNCIL COMMENTS

Councilmember D. F. Munson thanked Eric Deike, Director of Public Works, and the Public Works Department employees for taking care of a situation he reported.

Councilmember L. C. Metzner had no additional comments.

Councilmember E. Keller thanked Chief Lohr and the Hagerstown firefighters for allowing her to spend the day being a firefighter recently. She also thanked Michael Spiker, Director of Utilities, for providing a tour of the utility operations.

Councilmember P. D. Corderman thanked Captain Sprecher and his family for their level of service to the citizens of Hagerstown. He commended the Hagerstown Police Department officers for their outstanding work in apprehending suspects in several cases. He is looking forward to the judicial system carrying through with strict sentencing. He thanked Ms. Frick for her commitment to Economic Development.

Councilmember K. B. Aleshire noted it was a difficult, but productive, month for Chief Brito and the police department. He thanked the Greater Hagerstown Committee and the Chamber of Commerce for spearheading the Community Coalition information. The Day

in Annapolis is tomorrow (February 1, 2017). The Coalition information will be provided to legislators.

Mayor R. E. Bruchey, II also thanked Mr. Sprecher. He thanked employees for taking care of issues that are mentioned by elected officials. Police officer assignments are being adjusted to better cover the City.

MINUTES

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 approve the minutes, as presented, for the Mayor and Council meetings held on November 28, 2016, November 29, 2016, December 2, 2016, December 6, 2016, December 13, 2016, and December 20, 2016.

CONSENT AGENDA

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

- A. Community and Economic Development:
 - 1. Street Closure Requests – 2017 Events
 - 2. 2017 Open Container Law Exemption Application-Permits for Special Events

- B. Information Technology and Customer Support:
 - 1. Phone System Additional Ports – Glessner Protective Services, Inc. (Hagerstown, MD) \$ 11,860.00

- C. Parks and Engineering:
 - 1. Parks – General Mowing Services – J R Services (Smithsburg, MD) \$ 86,579.52
 - 2. Parks – Golf Course Mowing Services – J R Services (Smithsburg, MD) \$ 16,500.00

- D. Police:
 - 1. Predictive Policing Software Subscription – PredPol, Inc. (Santa Cruz, CA) \$ 15,000.00
 - 2. Purchase of 10 Radios – Motorola \$ 34,495.00
 - 3. Purchase of Tasers, Cartridges, and Holsters – TASER (Scottsdale, ZA) \$ 20,096.21

- E. Public Works:
 - 1. Purchase and Installation of 3 Vehicle Lifts – NAPA Auto Parts (Hagerstown, MD) \$ 70,308.36

F. Utilities:

1. Electric – Emergency Repair: Frederick Street Substation Transformer – ABB, Inc. (South Boston, VA) \$ 35,500.00

UNFINISHED BUSINESS

A. Approval of an Ordinance: Conversion District Amendment – Jeffrey Crampton, 901 Pope Avenue

Action: On a motion duly made by Councilmember P. D. Corderman and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote to approve an ordinance for an amendment to the Conversion District Overlay, including the condition endorsed by the Planning Commission, on property located at 901 Pope Avenue.

B. Approval of an Ordinance: Quit Claim a Portion of Alley 4-48

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 approve an ordinance making a determination that certain property (a portion of Alley 4-48) is no longer needed by the City of Hagerstown for a public purpose, and authorizing the execution of a quit claim deed for the same.

NEW BUSINESS

A. Introduction of an Ordinance: Amending Chapter 60-18.2, School Zones, of the City Code – School Zone at Jonathan Hager Elementary School

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember K. B. Aleshire, the Mayor and City Council unanimously agreed by voice vote to introduce an ordinance to amend Chapter 60-18.2, School Zones of the City Code, to establish a school zone and approve a Speed Monitoring System. The additional school zone will be on Sedgwick Way in the vicinity of the Jonathan Hager Elementary School.

Additionally, the Mayor and City Council authorized the Hagerstown Police Department to move forward with the location of a speed monitoring system at this location.

B. Introduction of an Annexation Resolution: 2009 Salem Avenue North LLC (Fulton), 12839 and 12919 Salem Avenue Case No. A-2017-01

Action: On a motion duly made by Councilmember P. D. Corderman and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to introduce an Annexation Resolution for property located at 12839 and 12919 Salem Avenue. The property to be annexed is approximately 5.75 acres in size and is intended to be added to and made part of the adjacent municipal lands.

C. Approval of an Annexation Plan: 2009 Salem Avenue North LLC, 12839 and 12919 Salem Avenue Case No. A-2017-01

Action: On a motion duly made by Councilmember D. F. Munson and seconded by Councilmember P. D. Corderman, the Mayor and City Council unanimously agreed by voice vote to approve an Annexation Plan for property located at 12839 and 12919 Salem Avenue, Case Number A-2017-01.

D. Approval of a Resolution: Establishing a Permits, Inspection and Code Compliance Review Committee

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember P. D. Corderman, the Mayor and City Council unanimously agreed by voice vote to approve a resolution establishing a Permits, Inspection and Code Compliance Review Committee to review the code enforcement, permitting, and inspection process and present to the Mayor and Council written recommendations, if any. The Committee shall be comprised of twelve (12) members. Eight (8) shall be selected by the Mayor and Council, and four (4) shall be selected by the City Administrator from the Department of Community and Economic Development and the Planning and Code Administration Department. The member designated as the Chairperson shall not have a vote. The term of the Committee shall be one year, commencing February 1, 2017 and terminating on January 31, 2018.

The City Attorney shall be an advisory member of the Board, but shall not vote, and will attend meetings as necessary. The City Administrator shall assign employees as necessary to serve as liaison to the Committee and shall provide staff services. These appointees shall not vote.

E. Approval of a Resolution: Authorizing the City of Hagerstown to Approve the Form of Snow Services Contract with Independent Contractors for Snow Removal and Related Services and Authorizing City Personnel to Execute Such on Behalf of the City Without Need for Further Authorization

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 approve of a resolution authorizing and approving the form of the Snow Services Contract and authorizing appropriate personnel of the Department of Public Works to execute said Snow Services Contract, without the need for approval from the Mayor and City Council or an additional Resolution.

A copy of the Contract is attached as part of the Resolution.

F. Approval of Addition of the Pioneer Hook and Ladder Building at 21-23 W. Franklin Street to the City's Competitive Negotiated Sale (CNS) Process

Action: On a motion duly made by Councilmember D. F. Munson and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote to add the Pioneer Hook and Ladder Building at 21-23 W. Franklin Street to the City's Competitive Negotiated Sale (CNS) Process, with the goal of transferring the property to the private sector for its redevelopment and highest/best use. The Hagerstown Fire Department and the Pioneer Hook and Ladder Company mutually agree to a decision to vacate the building. Any contract of sale prior to June 30, 2017 will include the condition that the purchaser must allow the Pioneer Hook and Ladder Company to continue to use the property through June 30, 2017, unless an alternative date is agreed upon by all parties.

G. Approval of Memorandum of Understanding: Hagerstown Urban Revitalization Project

Action: On a motion duly made by Councilmember P. D. Corderman and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote to approve a Memorandum of Understanding (MOU) between the City of Hagerstown, the Board of County Commissioners of Washington County, the Washington County Board of Education, the Maryland Theatre, and the University System of Maryland at Hagerstown for the Hagerstown Urban Revitalization Project. This action approves the City of Hagerstown's component of the agreement.

A copy of the MOU is attached with the Resolution.

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 7:38 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: February 28, 2017