

EXECUTIVE SESSION – November 28, 2017

On a motion duly made by Councilmember E. Keller 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)), on Tuesday, November 28, 2017 at 6:20 p.m. in the Council Chamber, 2nd floor, City Hall, Hagerstown, Maryland.

The following people were in attendance: Mayor R. E. Bruchey, II, Councilmember K. B. Aleshire, Councilmember P. D. Corderman, Councilmember E. Keller, Councilmember L. C. Metzner, City Administrator Valerie Means, and D. K. Spickler, City Clerk.

The meeting was held to review the applications submitted for the vacant Council seat and select individuals for interviews during the open session on December 5, 2017. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the Executive Session was adjourned at 6:20 p.m.

29th REGULAR SESSION – November 28, 2017

Mayor R. E. Bruchey, II called this 29th Session of the Mayor and City Council to order at 7:00 p.m. Tuesday, November 28, 2017, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, P. D. Corderman, E. Keller, and L. C. Metzner, City Administrator Valerie Means, City Attorney Jason Morton, and City Clerk D. K. Spickler.

The invocation was offered by Mayor Robert E. Bruchey, II. 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, December 5, 2017, and Tuesday, December 12, 2017, and the Regular Session on Tuesday, December 19, 2017 at 7:00 p.m.

GUESTS

Hagerstown Gridiron Classic MVP Presentation

The 2017 Hagerstown Gridiron Championship Classic was held on Friday, November 3, 2017 at North's Calla Stadium. The final score was South Hagerstown 33 – North Hagerstown 6.

North Hagerstown High School MVP Dylan Shatzer received a scholarship check from Conservit, Inc. South Hagerstown High School MVP Duncan Burnett received a scholarship check from Sunrise Rotary Hagerstown, which was presented by Herb Smith.

CITIZEN COMMENTS

Ken Buckler, 19605 Shepherdstown Pike, Boonsboro, Maryland, thanked the Mayor and City Council for their consideration of a lease with his business for space at the Buro Box at 60 W. Washington Street. He believes the City is on the upswing of growth and if people come together as a community others will want to visit Hagerstown. A positive outlook for Hagerstown and promotion of what is good in the community is very important.

Marvin Lohr, 1135 Sunnyside Drive, Hagerstown, Maryland, believes Hagerstown can be a much better place. He is very concerned about the number of residential structures that are deteriorating. Another concern is the large number of vacant structures. He presented an idea to provide an incentive to City employees to renovate and live in these structures. A rental tax rate on residential properties is a bad idea. Rehabilitating the dilapidated buildings is a better idea. Better housing means better tax revenue.

Harold Wills, 140 Summit Avenue and 804 W. Washington Street, Hagerstown, Maryland, is very concerned about the violence that occurs at the National Road Park. He recently purchased a house adjacent to the park and sees the destruction and violence that occurs. His home has been damaged by vandals. He provided photos of the damage. He stated the neighbors are terrorized by the activities that are taking place. He asked that something be done about this criminal activity.

PUBLIC HEARING

Land Management Code Text Amendments – Revisions to Cluster Subdivision Requirements of Article 4, Section D (Residential Districts)

A Public Hearing was held to consider proposed amendments to the Land Management Code, Art. 4, Sect. D., regarding provisions for cluster subdivisions in the city's residential zoning districts.

The purpose of the proposed amendments are to 1) permit cluster subdivisions in all residential zoning districts and not just the RMOD District where currently permitted, 2) to revise the bulk requirements chart to be more flexible in creating cluster subdivision designs, and 3) to prohibit the use of bulk lots with multiple dwelling structures on them in cluster subdivisions (such as the currently pending McCleary Hill development which is not a cluster development proposal).

Stephen Bockmiller, Development Review Planner/Zoning Administrator, entered the Certificate of Advertisement and the Planning Commission file by reference as Exhibits.

There was no testimony presented either in favor of or against the proposed amendments.

Marvin Lohr, 1135 Sunnyside Drive, Hagerstown, Maryland, stated older sections of Hagerstown should be fixed up before creating new subdivisions.

The record will remain open for 10 days for additional comments.

The Public Hearing was closed at 7:29 p.m.

CITY ADMINISTRATOR COMMENTS

Valerie Means, City Administrator, reminded everyone that the City Park lighting will take place on Friday, December 1, 2017 at 7:00 p.m.

MAYOR AND COUNCIL COMMENTS

Councilmember L. C. Metzner had no additional comments.

Councilmember E. Keller thanked former Councilmember Don Munson for his service to the citizens of Hagerstown. He has dedicated 42 years of his life to public service as a Delegate, a Senator, and a Councilmember.

Councilmember P. D. Corderman congratulated all the players in the Gridiron Championship. He thanked Mr. Buckler for his investment in Hagerstown. He thanked Mr. Lohr for expressing his concerns. The Mayor and City Council and staff are discussing ways to address the building conditions. He stated a tiered tax rate has been discussed; however he is not in favor of this. He stated the focus should be on personnel and staffing costs and budget reductions rather than another tax.

Councilmember K. B. Aleshire is familiar with the situation described by Mr. Wills. He had thought a park in that area would be good for the neighborhood. When the owner of the National Road Park property gave the property to the City it was a good opportunity to make it into a park. Grant funding was used to make the improvements. Someone he knows in that neighborhood has also expressed his concerns about the activity in the park and surrounding area. This is an ongoing problem.

Councilmember Aleshire noted there is a disparity between what owner-occupied properties pay proportionately in taxes than multi-unit rental properties pay. The multi-unit properties typically create the need for more City resources. Homeownership in Hagerstown is only at 40%. The disparity creates a greater burden on the smaller percentage of property owners. He believes the number of vacant buildings is a direct result of the disparity.

Mayor R. E. Bruchey, II encouraged everyone to attend the City Park lighting. The first Christkindle Mrkt is being held on Saturday, December 2, 2017 in downtown Hagerstown.

MINUTES

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote to approve the minutes, as presented, for the Mayor and Council meetings held on October 3, 2017, October 10, 2017, October 17, 2017, and October 24, 2017.

CONSENT AGENDA

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember K. B. Aleshire, the Consent Agenda was approved as follows:

A. Parks and Engineering:

1. Engineering – 2018 and 2019 Pavement Preservation Lists

B. Police Department:

1. Downtown Fiber Loops material – FiberPlus (Jessup, MD) \$ 18,914.00
2. Signal Sidearm and Vehicle Systems – Axon Enterprise, Inc. (Scottsdale, ZA) \$ 28,834.92

C. Public Works:

1. Bulk Diesel Fuel – IPC (USA) Inc. (Columbia, MD) \$ 199,730.00 (\$ 1.6468/gallon)
2. Bulk Gasoline – Petroleum Traders Corporation (Fort Wayne, IN) \$ 259,162.00 (\$ 1.5628/gallon)

D. Utilities:

1. Neptune HP Protectus II Meters – Core & Main (Montrose, VA) \$ 20,400.00
2. Water – R. C. Willson Plant – Flocculator Rehabilitation – Jim Myers & Sons, Inc. (Charlotte, NC) \$ 43,560.00
3. Water and Wastewater – Bulk Chemical Purchase – Wastewater Division \$ 470,044.00 (multiple vendors) and Water Division \$ 741,734.00 (multiple vendors)
4. Wastewater – Vehicle Replacement Unit # 512 – Keystone Ford (Chambersburg, PA) \$ 117,416.00
5. Wastewater – Muffin Monster Repair – JWC Environmental (Santa Ana, CA) \$ 19,259.00

UNFINISHED BUSINESS

A. Termination of Contracts and Prohibiting Future Purchases with VerStandig Broadcasting (Tabled on October 24, 2017)

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember E. Keller, the motion was removed from the table.

The original motion was as follows: I hereby move for Mayor and Council action to authorize staff to terminate any and all existing contracts

and prohibit any future purchases with VerStandig Broadcasting due to the actions of the radio station known as 101.5.

Motion unanimously failed by a 0-4 vote.

NEW BUSINESS

A. Introduction of an Ordinance: Land Management Code Amendments – Revision to Cluster Subdivision Requirements of Article 4; Section D (Residential Districts)

Action: Councilmember K. B. Aleshire made a motion to introduce an ordinance to amend Chapter 140 (Land Management Code) of the City Code. This amendment shall revise Article 4 (Zoning), Section D (residential Zoning Districts), Subsection 6 (Cluster Subdivisions). This amendment shall extend the applicability of the cluster subdivision regulations beyond the currently permitted RMOD Zoning District to include also the RMED, RH and RO Zoning Districts, revised the minimum bulk requirements chart and require all dwellings to be on fee-simple lots for each dwelling or two-family dwelling.

Upon the effective date of this Ordinance, the newly updated Land Management Code that includes this amendment shall be identified as the Land Management Code, Version 3.3.

Councilmember L. C. Metzner seconded the motion.

Motion passed 3-1 with Councilmember P. D. Corderman voting No.

B. Approval of a Resolution: Approval of First Amendment to the Agreement with American Traffic Solutions, Inc. (ATS) Extending the Contract Through December 31, 2018

Action: Councilmember K. B. Aleshire made a motion to approve a resolution to approve a first amendment to the agreement with American Traffic Solutions, Inc. This amendment is to secure ATS's assistance with installation, approval of locations, training, technical and other support relating to Red Light Camera System in the City. Approval of the amendment extends the contract until December 31, 2018. Councilmember L. C. Metzner seconded the motion.

Motion passed 3-1 with Councilmember P. D. Corderman voting No.

C. Approval of Resolution: Lease Agreement with Buckler Business Services and Mycore at the BuroBox, 60 W. Washington Street

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember E. Keller, the Mayor and City Council unanimously

agreed by voice vote to approve a resolution authorizing the execution of a Lease Agreement for a portion of the City of Hagerstown property known as BuroBox located at 60 West Washington Street in Hagerstown, Maryland. The Lease will be between the City of Hagerstown and Buckler Business Services and Mycore and shall be in effect from December 1, 2017 to November 30, 2018.

D. Approval of Funding for a Community Coalition Lobbyist

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote to authorize the expenditure of \$ 5,000 from the General Fund in order to contribute toward hiring John Favazza with the firm of Manis, Canning & Associates, as the Community Coalition Lobbyist. Other committed partners include the Washington County Commissioners, Convention and Visitors Bureau, Chamber of Commerce, CHIEF, the Greater Hagerstown Committee, Friends of the Library, Washington County Public Schools, the Town of Williamsport, and the Town of Boonsboro.

E. Approval of Waiver of Permit Fees for an Economic Development Project by the Washington County Museum of Fine Arts

Action: On a motion duly made by Councilmember E. Keller and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to approve the waiver of permit fees not to exceed \$ 5,000 for an economic development project by the Washington County Museum of Fine Arts involving the replacement and upgrade of the museum's HVAC system.

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 7:47 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: December 19, 2017