

WORK SESSION AND EXECUTIVE SESSION – JUNE 12, 2012

EXECUTIVE SESSION – June 12, 2012

On a motion duly made by Councilmember F. W. Easton and seconded by Councilmember W. M. Breichner, 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 10-508(a) 1 (i)), to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, #4 (Section 10-508(a) 4) and to consult with counsel to obtain legal advice, #7 (Section 10-508(a) 7) at 3:04 p.m. in the Mayor's Office, 2nd Floor, City Hall, Hagerstown, Maryland.

The following people were in attendance: Mayor R. E. Bruchey, II, Councilmember W. M. Breichner, Councilmember M. E. Brubaker, Councilmember F. W. Easton, Councilmember L. C. Metzner, City Administrator Bruce Zimmerman, City Attorney John Urner, Michael Spiker, Director of Utilities, Michelle Burkner, Director of Finance, Kathleen Maher, Planning Director, and Donna K. Spickler, City Clerk. The meeting was held to discuss membership of the Historic District Commission and for legal counsel. No formal action was taken at the meeting. On a motion duly made, seconded and passed, the meeting was adjourned at 3:49 p.m. Councilmember A. C. Haywood was not present.

WORK SESSION – June 12, 2012

Mayor R. E. Bruchey, II called this Work Session and Executive Session of the Mayor and City Council to order at 4:10 p.m., Tuesday, June 12, 2012, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers W. M. Breichner, M. E. Brubaker, F. W. Easton, A. C. Haywood, L. C. Metzner; City Administrator Bruce Zimmerman, and City Clerk D. K. Spickler.

Mayor Bruchey reported the latest information regarding the multi-use stadium can be found on the City's website and on Channel 6.

Councilmember Metzner reported the discussion during the Executive Session on June 11, 2012 was a follow up executive session about a substantial private investment in the downtown area. The executive session on June 12, 2012 included a discussion about board appointments and the potential acquisition of property downtown for the stadium project.

Councilmember Brubaker stated he will be leaving the meeting early today due to a death in his family.

Preliminary Agenda Review

Consent Agenda

- A. Department of Parks and Engineering:
 - 1. 2012 Handicapped Ramp Contract – Concrete Central, LLC (Hagerstown, MD) Not to Exceed \$ 40,000.00
 - 2. Park Circle Traffic Improvements – Concrete Central, LLC (Hagerstown, MD) Not to Exceed \$ 36,000.00

- B. Department of Utilities:
 - 1. Light: Transformer Purchase – National Transformer Sales (Raleigh, NC) \$ 75,034.00
 - 2. Wastewater: Local Limits Study Project – Gannett Fleming, Inc., (Baltimore, MD) \$ 50,000.00

- C. Human Resources: Dental Insurance – Carefirst Administrators (Baltimore, MD) \$ 34,651.00

Approval of Resolutions: Residential Lease Agreements for Properties at 12727 Ritchie Road, 23510 Warner Hollow Road, 10831 Water Works Road, and 12140 Crystal Falls Road

Michael Spiker, Director of Utilities, stated the Utilities Department (Water) currently rents three residential properties that are located at water production facilities and one residential property that is located within the Edgemont watershed. Potomac Property Management performed a Market Analysis in 2000 to determine fair market rental value for each of the six rental properties that existed at that time. Due to the age and conditions of the rental properties, rents were established at 89% of the market value. In 2008, rents were increased \$ 200 across the board for the properties. Realizing the tenants have not received an increase in wages the past few years, Mr. Spiker proposes that no rent increases occur for the upcoming year.

Approval of Resolutions: Residential Lease Agreements for Properties at 280 Mill Street, 728 Frederick Street, 570 Jefferson Street, and 124 Charles Street

Rodney Tissue, City Engineer, presented four lease agreement renewals for the four residential properties located within various City parks, with no rent increases.

Approval of Water Residential Meter Purchase – L/B Water Service, Inc. (Chambersburg, PA) \$ 897,166.00

Beginning in Fiscal Year 2008, the Water Division initiated the current meter replacement program. The program was initiated to help address meter reading efficiencies, improve reading accuracy, and to help address unaccounted for water. The City has approximately 28,000 water meters and to date approximately 16,000 residential

and 200 non-residential water meters have been replaced. All three inch and larger meters have either been upgraded for radios or replaced.

As requested by the Mayor and Council at the May 17, 2011 Work Session, this purchase will supply the Water Division with the meters needed in FY13 thus minimizing or eliminating the need to bring multiple requests to replenish the meter inventory throughout the fiscal year. This is a sole source purchase made in order to maintain system continuity.

Approval of Fiscal 2013 Liability/Property Insurance – Local Government Insurance Trust Fund (LGIT) (Hanover, MD) \$ 381,691

Kevin DeHaven, Safety and Loss Control Coordinator, stated LGIT is wholly owned and managed by its local government members. The proposed premium of \$ 381,691 reflects membership rate stabilization, and longevity discounts totaling \$ 74,136. The City was awarded an additional discount of \$ 13,944 from this year's premium for their Loss Control Credit Program, and \$ 3,387 for police accreditation with CALEA. The cost of Excess Coverage in the amount of \$ 15, 710 will be paid by Hagerstown Housing Authority, per an agreement with CSX and Hagerstown Housing Authority.

The Fiscal 2013 premium will fluctuate slightly due to the addition or removal of property, vehicles, and mobile equipment.

Approval of Fiscal 2013 Workers Compensation Insurance – Injured Workers Insurance Fund (IWIF) \$ 1,073,561 Workers Compensation Insurance

Mr. DeHaven reported the City's worker's compensation insurance is eligible for renewal effective July 1, 2012. Staff instructed the broker, Keller-Stonebraker Insurance, to actively market the City's coverage, in-part to create competition with the current carrier, IWIF.

Hartford Insurance offered a loss retrospective plan that had the potential to reach \$1.8 million if the City incurred higher than normal losses, along with the reinsurance fee for that type of policy.

IWIF issued a premium quotation along with broker fees that total \$ 1,073,561, as compared to last year's premium and fees of \$ 935,382. The premium for Fiscal 2013 will fluctuate slightly due to changes to the base payroll figures throughout the year.

Approval of a Resolution: Lease Agreement with Valley Art Association

Rodney Tissue, City Engineer, stated the Georgian-style Mansion House in City Park was built by John Heyser in 1846. Today the mansion serves as the headquarters for the Valley Arts Association (VAA). Visitors can view and purchase the works of local artists who are members of the Association. The Mansion House offers classes and is a meeting place for the VAA Board.

A lease with the VAA needs to be established to continue to allow them to rent this City property. Some of the highlights of the Agreement include:

1. The agreement is for three years, from July 1, 2012 to July 1, 2015, with three optional one-year renewals after that.
2. The City may terminate the agreement at any time with 90 days written notice.
3. The VAA pays \$ 100 monthly rent during the three year term
4. The VAA shall maintain the interior of the building, the City takes care of the exterior.
5. The City will pay for electricity, water and sewer, and trash hauling.
6. The VAA shall indemnify and hold the City harmless from all losses and damages and they shall provide the City with a Certificate of Insurance.

Approval of License Agreement: Washington County Board of Education Bester Elementary School Construction Trailers

Jim Bender, Assistant City Engineer, reported the Washington County Board of Education (WCBOE) is preparing to begin the construction of the new Bester Elementary School. This project, scheduled to begin in July, 2012, will include the construction of new school buildings and facilities, and the demolition of the existing school buildings. WCBOE has requested that the City allow the use of a portion of the unimproved right-of-way of Mill Street to install construction/office trailers for the duration of the construction project, which is scheduled to be completed in 2014.

Approval of the Hagerstown Suns Fireworks Show for June 23, 2012

The Hagerstown Suns have requested permission to hold a fireworks show on Saturday, June 23, 2012. This is a show to be rescheduled from the original date of June 1, 2012, which was cancelled due to inclement weather.

Approval of Purchase of Patrol Vehicles – Brekford (Hanover, MD) \$ 204,018.00

A proposal for six marked patrol vehicles was presented for the Mayor and City Council's consideration. This purchase will use FY13 CIP funds, which have been approved in the FY13 City Budget.

This completed the preliminary agenda review.

Parking Study Presentation

Eric Deike, Director of Public Works, David W. Burr and Rick Rich, Rich and Associates, presented the Parking Management Plan for Hagerstown's City Center.

There were several reasons a parking management plan was pursued as per the discussion in May 2011 with the Mayor and City Council. It was unclear as to the exact needs of parking in the City Center. The City oversees street parking, parking lots and

parking decks but it was unknown how this worked together for the betterment of the City's business center. There were and are differing ideas and philosophies on parking, but the City needed facts and expertise in parking to make future, intelligent decisions.

There had been talk (before the idea of a stadium in City Center) for the need of a third parking deck. It simply was not known if this was a logical next step or not. Again, there were differing opinions regarding a third deck. The City needs to be confident in a decision to invest millions of dollars in a new deck by having the right data available.

Finally, the City simply needs to plan for the future. Parking is an economic tool and it should be considered in its entirety and not only as individual spaces, lots and decks. The economy is improving and will continue to improve. The City needs to be prepared for the future.

The following are the key recommendations by Rich & Associates:

1. Lack of adequate parking in the City Center is based on perception. At peak parking times, only about one-half of the available parking is actually being used.
2. No additional parking structures or lots are needed at this time. This could change given a major renovation project or new project such as the multi-use facility (stadium). For now, additional parking needs could be acquired through partnering with private entities to use their parking lots.
3. There are only two parking rate changes being recommended. The on-street meter rate would be raised from \$0.50 per hour to \$0.75 per hour while the parking deck rates would be lowered from \$1.00 per hour to \$ 0.50 per hour. This is to encourage long term parkers (more than 2 hours) to use the decks and lots and to discourage long term parking on the street. This needs to be in conjunction with changes in parking enforcement.
4. A parking deficit was found in the area south of Washington Street and west of Potomac Street. This area contains the District Court, the Keystone Building, Maryland Theatre and some government offices of Washington County. This deficit is within the block itself and does not take into consideration the available parking adjacent to the block.

Mr. Deike noted the difference between public and private parking. Public parking can be defined as a parking space whereas the driver may park with no restrictions on where they may visit. The space can be publicly or privately owned. A private parking space is restricted. The space is intended to be used by a specific group and the drive must move once their business has been concluded.

As part of the study, Rich & Associates conducted a survey of parking. Interested parties could go online to complete the study.

Other than the potential for the multi-use facility, staff could not cite another major project planned for the City Center core in the near future. Therefore, Rich & Associates had to make some assumptions regarding the parking needs for the future. Those assumptions included the discounting of the private supply of parking.

Staff provided the current building use data including vacant space. The study takes this data and determines the current parking surplus/deficit and the future parking surplus/deficit based on a block-by-block analysis. This is not the actual use of the parking supply in the City core but the parking demand as determined by the land use.

1. Current parking demand versus the current net parking supply shows a net surplus of 891 ± spaces. Nineteen blocks encompass the report with varying degrees of surpluses and deficits.
2. If the economy was simply improved and no additional space was occupied, the parking demand would increase. Given a more robust economy, the parking surplus would drop to 429 ± spaces.
3. There is currently 529,000 square feet of vacant property within the study area that could be reoccupied. Rich & Associates projected a scenario whereas 20% of the unoccupied space becomes renovated and put back into use over the next 2 to 4 years. Their analysis shows the public parking supply dropping to 20 ± spaces.

Mr. Burr and Mr. Rich provided the following from the findings summary:

1. Amount of publicly provided parking is less than best practice ratio of 50%.
2. Between eight and eighteen percent of vehicles overstaying on-street time limits are creating perception of insufficient parking.
3. Many private parking spaces with access only from alley are not easily located or necessarily desirable to patrons.
4. Surplus privately controlled spaces generally are not available to other users.
5. Existing conditions do not reflect parking needs during better economic conditions.
6. Adjusted parking requirement by +25 percent to demonstrate likely conditions with an improved economy but using existing square footage occupancy.
7. City should consider planning for additional parking in the near future. An improved economy could mean southern quadrants short by as many as 300 spaces from need. An average 20% increase in building occupancy within two to four years could mean southern quadrants 500 spaces short.
8. It is less expensive to park on-street for up to eight hours than in one of the two parking garages if the two-hour limit is not enforced.
9. The City needs to consider a consistent program of rate adjustments in order to have funds necessary to develop and maintain the parking system.

It is recommended that a family of signs be developed for the downtown. The four types of signage should be directional/location, identification, vehicular way finding and pedestrian way finding. All parking lots should be named and identification signs should be placed at the entrance to all public parking lots.

Marketing recommendations include updating the City's website for parking on a regular basis. Businesses should be encouraged to have a link to the City parking page. A marketing plan should be developed to encourage alternative forms of transportation. Specific marketing aimed at local business should be considered that inform employees of the importance of leaving on-street spaces for customers and visitors of the downtown.

The consultants recommended keeping the parking fund as an enterprise fund. They have found this is the best practice for municipal downtown parking.

Mr. Zimmerman asked if removing street meters to provide free parking would be advisable. Mr. Burr stated they would not recommend this. Abuse of the free spaces tends to occur and patrons find it difficult to find parking.

Councilmember Brubaker asked if there were any concerns with the age of the facilities or maintenance of the decks. Mr. Rich indicated there were not. He stated many communities issue a bond for capital expenditures for parking.

Councilmember Breichner asked if anything was included in the funding model for enforcement of the two hour parking limit, which would increase expenses. Mr. Burr stated they are recommending random enforcement of the two hour limit. Mr. Deike indicated enforcement of the regulations is consistent.

Councilmember Easton wondered if there would be questions raised if only 50% of the available parking is being utilized and the two hour limit is enforced. Councilmember Breichner stated on-street parking is utilized more than in the decks. Mr. Burr indicated the more convenient parking spaces should be accessible to customers.

This report provides good information that can be used in future planning for the downtown.

Councilmember Brubaker then left the meeting.

East First Street Rezoning, ZM-2012-01

Alex Rohrbaugh, Planner, stated the property owners (Kline Associated Roofing Contractors, Inc., Hagerstown Block Co., and Lycher, Inc.) have filed applications for rezoning. The properties included in the rezoning are 350 E. First Street, 448 E. First Street, a parcel on the west side of Oak Street, 645 E. First Street and 701 E. First Street. For conventional purposes, 350 and 448 E. First Street as well as the parcel on Oak Street

will be referred to as "Area 1", and 645 and 701 E. First Street will be referred to as "Area 2".

Both Areas 1 & 2 were originally zoned R1 (Residential) during the 1977 comprehensive rezoning. Historically, these properties have generally been used as industrial and office uses, although Area 1 does include a single-family residential dwelling. The properties in Area 1 are requesting IG (Industrial General), and the properties in Area 2 are requesting POM (Professional Office Mixed). The total acreage of the rezoning requests is approximately 5.5 acres.

The applicants are requesting the rezonings based on the argument that there was a mistake in the existing zoning classification because the City did not consider the fact that these properties were used non-residentially or whether the existing zoning was appropriate, and as a result these areas were inadvertently overlooked on the Future Land Use Map of the 2008 Comprehensive Plan and, subsequently, the Comprehensive Rezoning.

The Planning Commission held its Public Review Meeting on April 25, 2012. At the meeting, the Commission heard testimony from two of the applicants in which they each provided a brief history on their respective properties, and, subsequently, restated that they are in favor of the rezonings of Area 1 and Area 2. Testimony was also presented from two residents from the Kenwood subdivision (adjacent to Area 2) in which they expressed their concerns about the proposed rezoning of Area 2 to POM. Their primary concern was over the possibility of future use of the properties for light industrial. During the 10 day post-hearing period, staff also received a letter from one of the Kenwood Drive property owners represented at the meeting expressing similar concerns.

At the May 9, 2012 meeting, the Planning Commission considered the rezoning proposal and the public testimony provided at the Public Review Meeting and during the 10 days after the hearing. The Commission determined that light industrial use of Area 2 properties was remote given the configuration of the sites and building and the need for Board of Zoning Appeals approval of a special exception. The Planning Commission found in favor of the applicant's arguments for mistake in the existing zoning classifications for both Areas 1 & 2 and in favor of the appropriateness of the requested rezonings and ; therefore, recommended approval of the rezonings.

There were no questions from the Mayor and City Council at this time for the rezoning request.

Broadfording Road Improvement Project

Rodney Tissue, City Engineer, stated since 2010, staff have considered improvements to a section of Broadfording Road between MD 58 (Salem Avenue Extended) and Hollyhock Road (at the Shoppes at Hagerstown/Best Buy shopping center). The ultimate purpose was to provide a mechanism through which commercially-zoned property within City limits could be developed (thereby increasing the tax base), and to rehabilitate the

road's condition. These improvements are too costly for a single developer, so a Memorandum of Understanding (MOU) is needed by which these roadway improvements would be completed through a combination of funding by private developers and contributions from Washington County, with the City accepting the road into the street system for maintenance after the improvements are completed.

The Council agreed to the terms of an MOU in 2010, but the agreement was never executed by the other parties due to the economic downturn. However, Boadfording Road's condition continues to deteriorate. Now, two private developers indicate a desire to move ahead with development of their property. In order to improve the existing roadway, and to help move the project ahead for its economic development potential, the City agreed to take the lead and prepare plans and specifications for construction.

For bidding purposes, the project was divided into a Base Bid and an Alternate (Add) bid. The Base Bid included all of the required utility improvements, the widening of the northern 800 feet of the roadway, and the reconstruction of the southern portion of the existing road to Hollyhock Road. The Alternate Bid work would complete the road widening the rest of the way to Hollyhock Road. Last September, Craig Paving, Inc. submitted the lowest of six bids for the project at \$ 1,776,129.00. Craig Paving agreed to extend the bids twice (with no increases) and the bids currently expire June 30, 2012.

Per the MOU, funding for the project is anticipated to be a combination of previous contributions from the developer of the Best Buy shopping center, funds from Washington County, and funds from the proposed developers of the vacant land on the east side of the roadway. The total amount of funds proposed for this project is:

\$ 250,000	From Washington County
\$ 366,934	From Washington County
\$ 518,991	From AC & T
<u>\$ 665,895</u>	From Bowman
\$ 1,801,820	

In the event of overruns (which staff feels are relatively unlikely), staff will use "excise tax" collected from the projects to fund any shortfall.

If Council wishes to move forward and execute the MOU, the next step would be to approve the construction contract. Staff recommends this award with four conditions:

1. Execution of MOU by all parties
2. The County send the City the \$ 616,934 before work begins since they are not a party to the MOU
3. The developers acquire any easements
4. The developers obtain SHA access permit to widen Boadfording Road at Route 58.

Work would likely start late this summer and shut down prior to the Christmas shopping season in November as the road will need to be closed for a few weeks at some

point during construction to install the cement in the sub-base. Work would be completed in 2013.

Staff estimates annual property tax revenues in the range of \$ 40,000 to \$ 70,000 from the development. Excise taxes, employment, and more community amenities would also come out of the development of these lands.

Staff suggests that once the road is complete, the City execute the Road Transfer Agreement with State Highway (previously approved by City Council on September 28, 2010) to transfer the road to the City. Staff further recommends taking action to name the entire section from Rt. 58 to Rt. 40 as "Garland Groh Boulevard".

Mr. Tissue stated one developer has asked to have the payment deferred until the site plan is approved. Councilmember Metzner expressed his concern that deferring the payment will result in a different economic situation at the future time.

Councilmember Haywood expressed her concern about additional strip mall type of businesses in that portion of town.

Councilmember Easton stated he thought road building is one of the things a municipality does. Councilmember Haywood indicated developers usually build the roads. Councilmember Metzner stated roads are part of a government's responsibility. The reason this road needs these types of improvements is because developers asked for certain improvements to enhance the potential use of the properties. When roads are built in undeveloped property, the value of the property increases and the tax base increases.

Councilmember Metzner stated, at some point, the Mayor and City Council need to decide what type of development is appropriate in specific locations. He compared this request to the Eastern Boulevard development.

Councilmember Breichner asked if a guarantee bond (stating the City will receive the money) could be obtained from the developers. Mr. Tissue stated that may be possible but there will be a written contract with the developers.

Councilmember Easton stated the road was not designed to carry the traffic to the two shopping centers. He wonders how much of the improvement is due to additional traffic. Mr. Tissue stated the road work is not the most costly item in the project. The lighting, utilities and other upgrades bring the cost to \$ 1.8 million.

Councilmember Haywood is concerned that developments like this one will further deteriorate the downtown core.

Mayor Bruchey stated this was discussed before and it was supported by the Council. He wondered why the support changed.

Mr. Tissue stated the City could decline the funding and the County will pave the road, with no improvements.

Councilmember Metzner stated he is not saying stop the project. He is just voicing his concerns that the developer may not be able to pay the fees in the future. He stated the annexation of the shopping centers was a good plan for the City. The City receives taxes and utility revenue from both locations.

Mr. Zimmerman indicated approval of the MOU could be kept on the agenda for next week and options for the MOU could be identified.

It was the general consensus of the Mayor and City Council to include approval of the MOU on the agenda.

Watershed Improvement Plan Issues

Rodney Tissue, City Engineer, and Jim Bender, Assistant City Engineer, were present to provide information about the Watershed Implementation Plan (WIP). Mr. Bender stated in January 2012, staff presented information on the draft Phase II WIP that was submitted to the Maryland Department of the Environment (MDE) for review. MDE has now set a deadline of June 30 for each county to submit a final Phase II plan, and they have requested that each municipality submit an official acknowledgement or endorsement of the plan. This discussion is to review the Phase II plan, make Council aware of potentially significant future capital expenditures required to meet the plan's goals, and to review the recommended statement to MDE.

As discussed in previous presentations, the Environmental Protection Agency (EPA) has established a Total Maximum Daily Load (TMDL) for pollutants in the Chesapeake Bay. MDE has required each county in Maryland to prepare their own individual WIP that lays out strategies to meet the pollutant reduction goals; MDE will then combine all of these county scale WIPs into an overall statewide plan.

A Washington County WIP committee, comprised of representatives from the member municipalities and other stakeholders, was formed in February, 2011. The emphasis for City staff was directed toward the urban stormwater issue.

The Phase II report and the Milestones for FY 12/13 explain the strategies that the WIP Committee developed to meet the pollutant reduction goals. For the City, the strategies include:

1. Continue (and possibly expand) the street sweeping program
2. Continue the City's street tree planting/reforestation programs
3. Identify and develop plans for additional stream restoration projects
4. Implement an Urban Nutrient Management program on City-owned properties, and consider expanding this program to include private properties

5. Identify opportunities to retrofit existing stormwater facilities (or build new facilities) to improve runoff water quality in areas that are currently undermanaged

Using guidelines provided by MDE, the WIP Committee was able to prepare cost estimates to fully implement the strategies and reach the mandated pollutant reduction goals by the 2025 deadline. The total cost to Washington County and its member municipalities is calculated to be \$ 1.1 billion. Of that total, the city's estimated cost to implement the required urban stormwater pollutant reduction is approximately \$ 210 million.

The WIP Committee recognized that these costs were financially infeasible, and that it would be fiscally irresponsible for the County or its member municipalities to adopt such a plan. There, the WIP Committee recommended the development of a WIP that reflected only those projects and strategies that have already been contemplated or approved in each municipality's Capital Improvement budget, and that any additional programs and projects be reviewed and approved in future years based upon financial availability.

The WIP Committee developed a recommended statement for each municipality's elected body to endorse in response to MDE's request. A copy was presented for the Mayor and City Council's review. This information was presented by County staff to the County Commissioners at their meeting on May 22, 2012, and the Commissioners voted to endorse the recommended statement. The other member municipalities are in the process of endorsing similar statements that will be submitted to MDE with the final Phase II WIP document by June 30, 2012. If Council is in agreement, a motion to approve the statement and the submission of the Phase II plan will be offered for consideration at the Regular Session on June 19, 2012.

Mayor Bruchey asked how Number 5 would affect development. Mr. Bender stated new permits will be more restrictive. Up to 20% of the uncontrolled area could be required to have some form of stormwater plan. One way for pre-1985 construction to meet the requirement would be to catch run off. New construction would require new facilities and new ponds. MDE has produced a list of various best management practices.

Councilmember Metzner stated it is frustrating when government sets regulations without providing funding to implement the regulations. Everyone should do things to restore the Chesapeake Bay.

Councilmember Haywood stated the regulations don't take into consideration partnerships with the private sector. She looks forward to working with private entities.

It was the general consensus of the Mayor and City Council to include endorsement of the WIP Committee recommended statement to MDE for Hagerstown on the June 19, 2012 agenda.

Greens at Hamilton Run: Beverage Policy

Rodney Tissue, City Engineer, was present to review two issues with the Mayor and City Council regarding the Greens at Hamilton Run:

1. Issue #1 – Caterers – In an attempt to have more play on the golf course, the City is offering tournaments to groups. As part of these tournaments, the groups can engage a catering company to provide food and drink for their tournament. The catering companies could offer wine or beer under their license. The catering companies would contract their services directly with the tournament host. No City employee would be in contact with the alcohol. Any liability would fall on the tournament manager and the catering company.

The City Attorney has indicated that we should confirm that a caterer has the appropriate liquor board licensing and ensure the City's agreement with them is as an independent contractor. They handle and receive all payments and are not supervised by City staff.

Mayor and Council action requested for this issue is to allow caterers to offer wine/beer when they cater tournaments at the Greens at Hamilton Run following the guidance of the City Attorney as stated above.

2. Issue #2 – Sale of Beer – Staff suggested the City should consider selling bottled beer in the new Clubhouse. To do so, the City would need to get a Class "C" license from the liquor board and comply with their rules. Most other golf courses do sell beer, including the County's Black Rock Golf Course. On the positive side, beer sales would allow the City to continue the efforts to meet the needs of golfers and increase revenue. However, issues of people taking beer off premises and other related concerns need to be considered.

Mayor and Council action requested for this issue is to provide feedback regarding selling bottled beer at the Greens at Hamilton Run's concession area.

It was the general consensus of the Mayor and City Council to move forward with offering bottled beer for sale at the golf course.

CITY ADMINISTRATOR'S COMMENTS

Bruce Zimmerman, City Administrator, had no additional comments.

MAYOR AND COUNCIL COMMENTS

Councilmember F. W. Easton had no additional comments.

Councilmember A. C. Haywood stated she witnessed a situation on Jonathan Street in the early morning hours recently that seemed suspicious. She reported it to the police and found out it could have been a child prostitution situation. She encouraged everyone to be aware of what happens in the community and to report things that are suspicious.

Councilmember L. C. Metzner stated a sales person without an ID approached his residence. He stated photo ID's should be mandatory for traveling sales people. The ID should be visible, without a resident having to ask to see it. He mentioned people were collecting money from motorists at an intersection. This activity is not legal within the City limits. He is encouraged by the number of bicyclists registered for the Tour of Washington County, which kicks off in Hagerstown on Friday, June 15, 2012. Bicyclists from Pittsburg, Pennsylvania, Buffalo, New York, Virginia Beach, Virginia and Richmond, Virginia, are already registered. This will be an exciting event.

Councilmember W. M. Breichner is anxiously waiting for the scaffolding to be completely removed as the renovations are completed at 36-40 N. Potomac Street.

Mayor R. E. Bruchey, II expressed condolences to the family of retired Police Chief Clinton Mowen. Chief Mowen was Chief for 13 years. There will be lots of things to do in Hagerstown this weekend including the Tour of Washington County, Wind Down at the Maryland Theatre, Fishin' Frenzy, 150th Anniversary of the Civil War with the First Call Weekend, and the opening ceremonies for the Miss Maryland pageant. As the multi-use stadium and event facility project gains momentum, the City will be discussing details about the project, making sure citizens are well informed.

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 5:58 p.m.

Respectfully submitted,


Donna K. Spickler, City Clerk

Approved: July 24, 2012