

Mayor and Council Work Session August 23, 2016 Agenda

*"A diverse, business-friendly, and sustainable community with clean, safe and strong neighborhoods."
"Providing the most efficient and highest-quality services as the municipal location of choice for all customers."*

"Don't tell me the sky's the limit when there are footprints on the moon."

Paul Brandt

4:00 PM WORK SESSION

1. Proclamation: Forget Me Not Month - Disabled American Veterans Chapter 14
- 4:10 PM** 2. Preliminary Agenda Review
- 4:25 PM** 3. Alternate Method of Paying Parking Meters Using Pay-By-Cell - *Eric Deike, Director of Public Works*
- 4:40 PM** 4. City Funding Support for Police Athletic League Country Music Festival- *Lauren Metz, Community Events Coordinator; and Rodney Tissue, City Engineer*
- 4:50 PM** 5. Proposal to Close McPherson Street (Between Franklin and Washington Streets) - *Rodney Tissue, City Engineer; and Chief Victor Brito*
- 5:00 PM** 6. Update on Excessive Use of City Services Program - *Kathleen Maher, Director of Planning, and Chief Victor Brito*
- 5:20 PM** 7. Inspections of Non-Profit Housing - *Kathleen Maher, Director of Planning*

CITY ADMINISTRATOR'S COMMENTS

MAYOR AND COUNCIL COMMENTS

ADJOURN

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Proclamation: Forget Me Not Month - Disabled American Veterans Chapter 14

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Preliminary Agenda Review

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Alternate Method of Paying Parking Meters Using Pay-By-Cell - *Eric Deike, Director of Public Works*

Mayor and City Council Action Required:

Staff is seeking Mayor and Council approval to work with Parkmobile to provide for an alternate method of paying for metered parking using pay-by-cell. For a minimum amount of cost, parking customers in the downtown can pay for metered parking on the street and in the parking lots using a credit card.

Discussion:

It is the intent of the staff within the Parking System to continuously examine the parking operations and find ways to improve upon it. We strive to find new and better ways to serve our customers. Requests have been made to find a way to pay for metered parking with credit cards. Cards are convenient and used more than ever as society slowly moves away from cash. The following proposal is an alternate method of meeting customer expectations with minimal costs.

The existing parking meters in Hagerstown, whether on the street or in parking lots, will only accept cash (coins) as payment for parking. No meters have been modified to accept credit cards nor are there any pay kiosks for programs such as pay-and-display. New meter heads and pay kiosks can be cost prohibitive with the current parking rates of \$0.50/hour at most locations (Antietam Street lot is the exception at \$1.00/hour). Meter heads that accept credit cards can cost \$450 to \$550 each plus monthly maintenance and service fees.

There is an alternate method of paying for metered parking that will cost the Parking System an estimated amount of \$5,000. The cost is for signs and a onetime setup charge. Through this program drivers can pay for parking using a phone app on their smart phones or via a landline. Time on the parking meter can be extended should the driver be running late to return to their vehicle. The city collects their normal fee for the meter and the pay-by-cell vendor charges a nominal fee of \$0.35 per transaction for the service.

Staff would like to partner with Parkmobile one of the premier pay-by-cell companies in the industry. The city of Frederick, Maryland currently uses Parkmobile for their parking meter program as does Washington, DC.

Pay-by-cell works this way. Users of the system register their personal information, vehicle license number and a credit card with Parkmobile. The driver then identifies the parking location via signs placed on the street. These signs designate zones predetermined by staff and Parkmobile. The driver contacts Parkmobile by a smart phone app or landline indicating the zone in which they wish to park and pays for the amount time. Additional time on the meter can be extended should the driver desire to do so.

The enforcement staff would have a separate smart phone app whereas they can verify parking has been paid. The driver can then extend time on the meter from anywhere and as necessary. Time on the meter cannot be extended past the time limits set for that meter.

Drivers will continue to have the option to use cash (coins) to pay for parking if they so desire. The cash sales will be collected by city staff while Parkmobile will collect the fees and forward to the city the revenue collected for parking through their system. Parkmobile has provided an overview of their services, including pricing as well as:

- Parkmobile Sign and Decal Branding Guidelines
- Parkmobile AOC (PCI Compliance)
- Parkmobile Media Kits (April 2016 – June 2016)
- Parkmobile Product Brochures

Financial Impact:

There are no current plans to raise the parking meter fees at this time. Meter fees were last adjusted in 2012 when the meter rates were raised to \$0.50 per hour from \$0.25 per hour. The Antietam Street Parking Lot near the District Court remained at \$1.00 per hour.

Users of the service will pay a \$0.35 service fee for each transaction.

There is an initial \$250 setup fee. The remaining costs are for signs along the streets and in the parking lots. Each sign will cost \$20 if purchased through Parkmobile. A rough estimate on the number of signs needed is 150 to 200 signs.

Recommendation:

Next Steps

Implementation of this program would take 3 to 4 months. Time is needed to determine the parking zones, sign designs, implementation strategies and a marketing plan. Signs would be installed and social media campaign implemented shortly before launch.

Conclusion

This alternate system provides a convenient and secure method of payment for parking in the downtown on the street or in the parking lots. It allows our customers to utilize credit cards in lieu of cash. The program can be modified to meet the future needs of the parking system including rate changes. This all can be done for a minimum amount of expense.

Motion:

NA

Action Dates:

NA

ATTACHMENTS:

File Name

Memo_Parkmobile_Parking.pdf

Description

Alternate Method of Paying
Parking Meters using Pay By
Cell



CITY OF HAGERSTOWN, MARYLAND

Public Works Department

(301)739-8577 ext. 178

August 19, 2016

To: Valerie Means, City Administrator

From: Eric B. Deike, Director of Public Works

Re: Alternate Method of Paying Parking Meters Using Pay-By-Cell

Action Requested

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Discussion

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Costs

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We look forward to discussing this issue with the Mayor and Council at an upcoming work session.

Cc: J. Rodgers
V. Brito

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

City Funding Support for Police Athletic League Country Music Festival- *Lauren Metz, Community Events Coordinator, and Rodney Tissue, City Engineer*

Mayor and City Council Action Required:

Discussion:

At the June 7th, 2016 Mayor and Council session, members of the Police Athletic League (PAL) requested that the City provide financial assistance for the 2016 Country Music Festival to be held in Fairgrounds Park. Prior to this presentation, staff received no indication that this event would occur again this year and as a result no funds were designated in the FY2017 budget for this event. During this presentation Mayor and Council indicated that the City could provide financial support pending a better financial breakdown for specific city services requested.

PAL is requesting financial assistance by the City to cover the following approximate costs:

- Park Rental Fee: \$1,000 per 6 hours (must be coordinated with the seven (7) user groups)
- Parks Services (tents, fencing, trash, set-up and tear down): \$2,500
- Polic Services: \$3,000

Total: \$6,500

To provide financial support to this event, staff recommend \$1,000 cash sponsorship to offset the cost of the park rental to be paid for from the DCED line item *Miscellaneous Downtown Events*. The remaining \$5,500 will be provided as an in-kind sponsorship from Police and Parks and Recreation budgets (\$3,000 from the Police Department and \$2,500 from the Parks and Recreation Department). With the in-kind sponsorship from the Parks and Recreation, department staff request that PAL minimize the amount of man-hours requested to limit the overall impact to the Parks and Recreation budget. If the event continues in 2017, we would recommend that PAL budget to cover the cost of the staff assistance.

At the June 7th, 2016 Mayor and Council session, PAL also requested assistance in approving an open containers law exemption permit for this event. This application will be presented by staff as part of the consent agenda during the Regular Session on August 30th, 2016.

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

082316_PAL_Memo.pdf

Description

082316 PAL memo



CITY OF HAGERSTOWN, MARYLAND

Department of Community & Economic Development

TO: Valerie Means, City Administrator

FROM: Lauren Metz, Community Events Coordinator
Rodney Tissue, Director of Parks and Engineering

DATE: August 17, 2016

SUBJECT: City Funding Support for Police Athletic League Country Music Festival

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c: Jill Frick, Director of Community and Economic Development
Mark Haddock, Parks Superintendent
Brian Burke and Nick Varner, PAL

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Proposal to Close McPherson Street (Between Franklin and Washington Streets) - *Rodney Tissue, City Engineer, and Chief Victor Brito*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

mcpherson_street.2016.pdf

Description

Proposal to Close
McPherson Street



CITY OF HAGERSTOWN, MARYLAND

Department of Parks and Engineering

August 23, 2016

TO: Valerie Means, City Administrator
FROM: Rodney Tissue, City Engineer *RT*
RE: Proposal to Close McPherson Street (Between Franklin and Washington Streets)

1. Mayor & Council Action Requested

Review the attached information and determine whether or not the City agrees to close McPherson Street to thru vehicular traffic between Franklin and Washington Streets. If the Council agrees to the request, staff will work with the City Attorney to prepare the necessary Resolution for approval at the Regular Session meeting on August 30th. Staff will be present at the work session to discuss.

2. Discussion

Please see the attached information from the Chief of Police regarding the reasons for the closure.

In accordance with policy, staff routed this request to the various agencies and City departments for review and comment. No objections were raised to the proposed quit claim; however, public sanitary sewer, storm drain and electric facilities all are located in this corridor and access to these facilities must be provided to the respective department for maintenance or in an emergency.

The Board of Traffic & Parking approved the closure at their July meeting. The City's Planning Commission also considered this request at their meeting on August 10th. The Commission had no concerns about this request.

One issue we wish to point out. The City does not have title to the street, but merely enjoys a dedication of the property for use as a public street. The property was dedicated to the City by a deed from Western Maryland Railway Co. (WMRR) in 1912 "for the proper maintenance of a public street and highway of the said town of Hagerstown."

Because the deed of dedication of this property was for a limited purpose, title to the property remains vested in the WMRR, or its successor, subject to the right of the City to use it for the dedicated purpose. Closing the street to the public could be deemed a diversion from the dedicated purpose of the property. That said, due to the timing, staff feels we should move forward with HPD's closure request and then make an attempt to track down the successors of this 1912 dedication, if possible.

Staff will be present at the next work session to answer any questions.

Attachments: * Information from HPD
* Street view
* Aerial photograph

RAT:jj

c: Chief Brito Eric Deike
Jeff Swan Mark Boyer
Mike Spiker

Parks and Recreation Division

351 North Cleveland Avenue • Hagerstown, MD 21740
Ph: 301.739.8577 Ext. 169 • Fax: 301.790.0171

Engineering Division

1 East Franklin Street • Hagerstown, MD 21740-4817
Ph: 301.739.8577 Ext. 125 • Fax: 301.733.2214

McPherson Street

Looking south from Franklin Street





Hagerstown Police Parking Safety Project



Hagerstown Police Department
50 N. Burhans Blvd.
Hagerstown, MD 21740
301-790-3700

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The Hagerstown Police Department has great concerns for the safety of pedestrians and private vehicles traversing the main parking area designated for police vehicles of the Hagerstown Police Department (HPD). The area is currently a City Street which precludes closing the parking lot at this time.

Civilians routinely traverse the HPD parking lot, greatly increasing the risk of being struck by a police vehicle who may be exiting and/or entering the parking area during an emergency response.

Unknown person examining HPD Impound lot.



Elderly person in motorized wheelchair



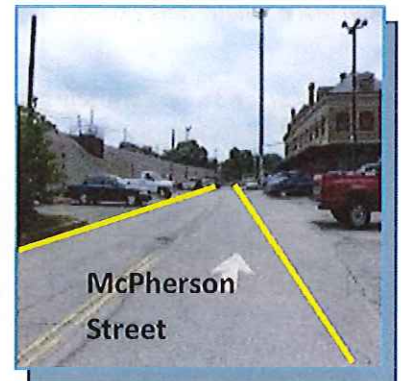
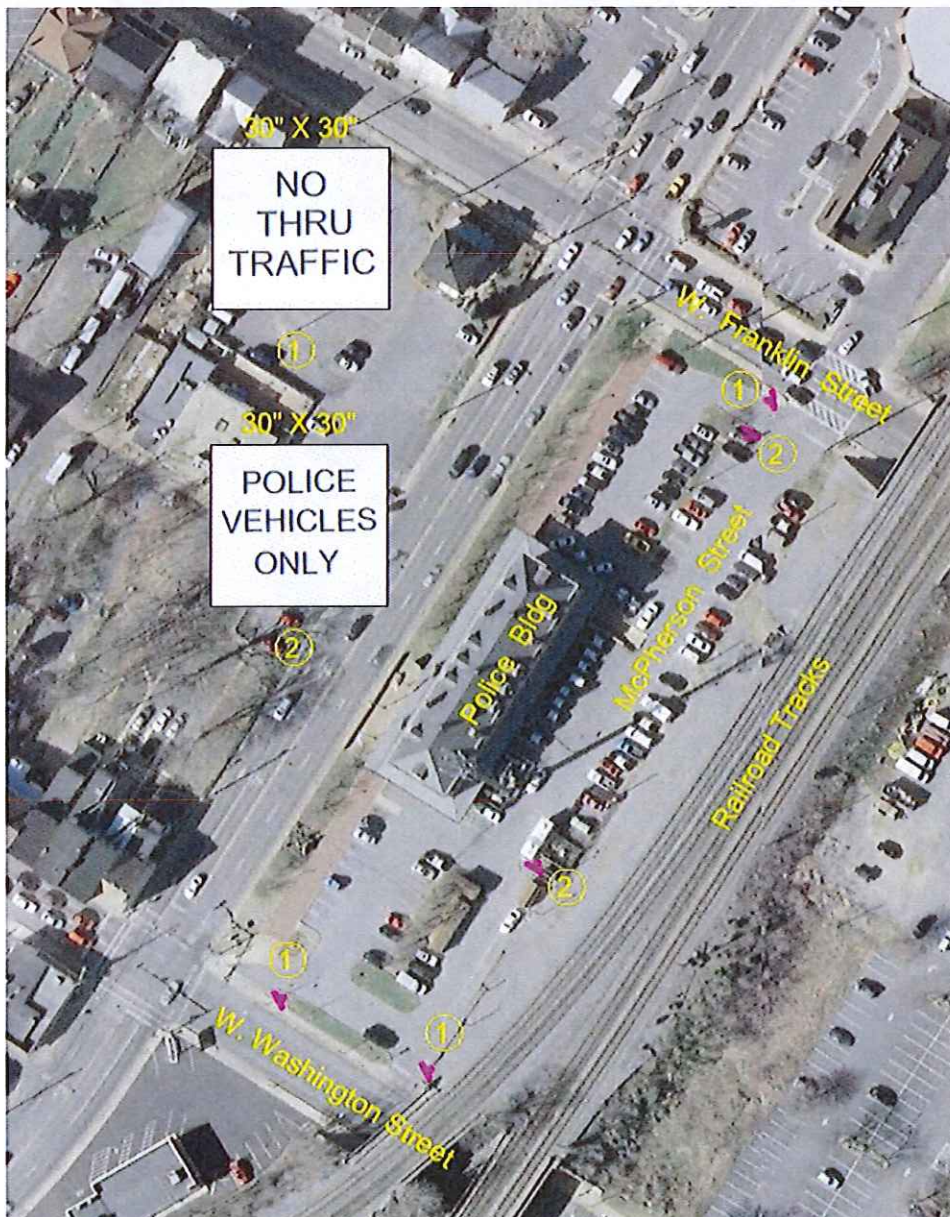
A few examples of persons "Cutting" through the HPD lot in just a 2 hour time frame.

McPherson Street currently bisects the Hagerstown Police Department Parking lots, increasing traffic in an area that should be secure.



An initial recommendation is to begin with signage of "No Thru Traffic" and "Police Vehicles Only" to begin minimizing traffic across the HPD parking areas. The photo below, shows the placement of the proposed signage. After this is complete, the recommendation of closing the street permanently through the Board of Traffic and Parking and eventually with an ordinance adopted by Mayor and Council.

The next phase as funding is made available, is for the temporary installation of swing arm barriers to begin the process of eliminating unauthorized civilian vehicle access through the police parking lot..





These are an example of the type of swing arm barriers recommended for restricting traffic into the Hagerstown Police Department's parking lot.



References:

ASIS International Facilities Physical Security Measures GDL FPSM-2009 pg. 13

Atlas, R. (2008). 21st Century security and CPTED: Designing for critical infrastructure protection and crime prevention. New York: CRC Press.

Crowe, T. D. (1991). Crime prevention through environmental design. Woburn, MA: Butterworth-Heinemann.

Newman, O. (1972). Defensible space: Crime prevention through urban design. New York: Macmillan.

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Update on Excessive Use of City Services Program - *Kathleen Maher, Director of Planning, and Chief Victor Brito*

Mayor and City Council Action Required:

Review and discussion of report by HPD and PCAD on Excessive Use of City Services Program.

Discussion:

Staff from the Hagerstown Police Department and the Planning and Code Administration Department will be present at the August 23rd work session to provide the Mayor and City Council with an update on the Excessive Use of City Services Program, also known as “Crime Free Housing” and “Chronic Nuisance Properties.” A prior update was provided by the Hagerstown Police Department on their application of the program on June 2, 2015. This will be the first joint update by our two departments.

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Description

Update_on__Excessive_Use_of_City_Services_Program_8_18_16.pdf

Update on Excessive
Use of City Services
Program



CITY OF HAGERSTOWN, MARYLAND

Planning and Code Administration Department

MEMORANDUM

TO: Valerie Means, City Administrator

FROM: Kathleen A. Maher, Director of Planning & Code Administration
Victor Brito, Police Chief

DATE: August 18, 2016

SUBJECT: Update on Excessive Use of City Services Program

Staff from the Hagerstown Police Department and the Planning and Code Administration Department will be present at the August 23rd work session to provide the Mayor and City Council with an update on the Excessive Use of City Services Program, also known as “Crime Free Housing” and “Chronic Nuisance Properties.” A prior update was provided by the Hagerstown Police Department on their application of the program on June 2, 2015. This will be the first joint update by our two departments.

Background

The City’s Excessive Use of City Services Program became effective on April 18, 2014 with the intent to advance the safety and welfare of neighborhoods throughout Hagerstown by educating landlords on tenant screening and leases and by holding all property owners accountable when chronic nuisance situations occur at their properties. The goal is not to be punitive to property owners but to encourage actions that result in lower calls for service and prevent nuisance situations from occurring and perpetuating in our neighborhoods.

Hagerstown’s program was modeled on a nationally recognized “Crime Free Program” and evidence was provided of its success by example of the Village of Mount Prospect in Chicago. Our program was established through amendments to Chapter 95, Excessive Use of Police Services, and Chapter 197, Rental Facilities. Prior to adoption, the Mayor and City Council deliberated on the merits and parameters of this program from November 2013 through March 2014.

Parameters of Excessive Use of City Services Program

The 2014 amendment process repealed Chapter 95, Excessive Use of Police Services, and replaced it with Chapter 95, Excessive Use of City Services, and amended Chapter 197, Rental Facilities. Chapter 95 applies to all properties throughout the city. Changes to Chapter 95

included the following:

- Established a definition for Chronic Nuisance Property;
- Amended the minimum number of police qualifying calls (domestic violence issues are exempt) from 10 to 3 (3 to any individual dwelling unit, but a rising number depending upon the size of the apartment complex or if it is a commercial property) which must be met within a 12 month period prior to becoming a chronic nuisance property;
- Establishes three as the minimum number of certain code administration violations (sanitation, weeds, and nuisance abatement) which must be met within a 12 month period prior to becoming a chronic nuisance property;
- Appeals will be heard by an Administrative Hearing Officer.

Changes to Chapter 197 included the following:

- Require all residential landlords or their property managers to obtain certification as a residential operator or designated agent;
- Residential operator or designated operator certification can be revoked for chronic nuisance properties if the property owner does not work with the Hagerstown Police Department to address the qualifying police calls and the training requirement;
- Following two qualifying calls for Police service, property owners/managers are required to attend a one-time, free training seminar on Crime Free Housing (voluntary for all others);
- Require use of a written lease which contains a Crime Free Housing provision;
- Appeals will be heard by an Administrative Hearing Officer.

Once a property has reached the minimum number of qualifying calls or qualifying Code Administration violations and has been placed on the Chronic Nuisance Properties list, any subsequent calls for service within the following 12 month period will result in fees being assessed to the owner of the property were the nuisance occurs. The first qualifying call after making the list would be \$100, the second would be \$250, and the third and subsequent qualifying calls would be \$500. If a residential landlord is in violation of Chapter 95 and refuses to work with the Hagerstown Police Department to address the Police issues at the property and the mandatory training requirement, the property owner's crime free housing operator's certification may be revoked. If this occurs, the property owner's rental facility license for Chapter 197 will be revoked. Operating a rental facility without a license is in violation of Chapter 197 which is a municipal infraction and subject to fines not exceeding \$1,000.

Update on Administration of the Program

Gerry Kendle of the Hagerstown Police Department and Paul Fulk of the Planning and Code Administration Department will provide a powerpoint presentation at the meeting with data on our administration of the Excessive Use of City Services Program. It is our determination from the data and our experience administering the program and working in our neighborhoods that the program is having a positive impact and helping to reduce chronic nuisance situations in the city.

c: Gerry Kendle, HPD
 Blaine Mowen, PCAD
 Paul Fulk, PCAD

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Inspections of Non-Profit Housing - *Kathleen Maher, Director of Planning*

Mayor and City Council Action Required:

Planning and Code Administration staff will be present at the August 23rd work session to provide the Mayor and City Council with a report on our research into what types of inspections are in place for the non-profit housing units managed in the city for special needs populations. Concerns had been expressed in the past by Councilman Aleshire as to whether sheltered housing was subject to the same or similar inspection standards as rental housing to ensure the safety of the residents.

Discussion:

Hagerstown's Rental Facilities Program

Chapter 197 of the City Code outlines the licensing and inspection requirements for the City's Rental Facilities Program. This code was adopted by the Mayor and City Council in 2003 for the purpose of protecting and promoting the public health, safety and welfare of the citizens of Hagerstown, establishing rights and obligations of the landlords and tenants in the rental of dwelling units, and encouraging the landlords and tenants to maintain and improve the quality of rental housing within the community. An additional purpose is promoting and assuring the safety, health and habitability in the housing conditions in rental facilities in the City, preventing deterioration of rental facilities in the City, supporting property values, and encouraging responsible management and use of rental facilities through licensing and inspection.

Licensing and Inspections Required by the Code: Chapter 197 requires any structure containing one or more dwelling units to be licensed with the City and subject to periodic inspections for compliance with the City's Property Maintenance Code. Rooming houses are considered rental facilities under this code. Exceptions are provided to owner-occupied structures containing no more than one rental unit ("owner plus one") and to rental facilities owned and operated by the Hagerstown Housing Authority.

Excluding from Licensing by the Code: Chapter 197 excludes traditional hotels, motels, bed-and-breakfasts, nursing homes and hospitals from the definition of "rental facility." The first three are "rented" on a very transient basis by travelers passing through the community, and any hotel or motel operating under the flag of a national chain would be subject to the operational and maintenance standards to remain under that flag. The last two are subject to oversight by the State of Maryland.

Excluded from Licensing by Interpretation: Planning and Code Administration staff have excluded homeless shelters due to their hotel-like transiency and assumption of oversight by the State of Maryland or other authority, residential treatment facilities due to on-site care and oversight by others, ARC of Washington County houses due to in-home nursing care and other

oversight, and assisted living facilities due to nursing care and other oversight.

Status of Licensing and Inspections of Non-Profit Housing and Shelter Providers

Staff will be available to discuss the results of our research on the attached report at the August 23rd work session. The data is from our Rental Licensing files and from contacts with non-profit housing providers.

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name	Description
Inspections_of_Non-Profit_Housing_8_18_16.pdf	Inspections of Non-Profit Housing




CITY OF HAGERSTOWN, MARYLAND

Planning and Code Administration Department

MEMORANDUM

TO: Valerie Means, City Administrator

FROM: Kathleen A. Maher, Director of Planning & Code Administration 

DATE: August 17, 2016

SUBJECT: Inspections of Non-Profit Housing

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Attachment

c: Blaine Mowen, Chief Code Official
 Paul Fulk, Inspections Manager
 Gary Lambert, Programs Manager
 Jon Kerns, Community Development Manager
 Sarah Nelson, Community Outreach Planner

Report on Inspections of Non-Profit Supported or Provided Housing

Housing in the City's Rental Licensing Program

Agency	Program	No. of Properties	No. of Units
Alexander House	Low income for elderly and disabled	1	94
Bethel Gardens	Low income for individuals	1	94
Community Action Council	temporary housing for homeless families	3	5
CASA	shelter for abused women and children	1	16
Elizabeth Court	Low income for elderly and disabled	1	111
Private Rental Properties and HHA	Section 8 Vouchers*	Multiple	943
Potomac Case Management	permanent supportive housing for homeless	1	12
Salvation Army	transitional housing for homeless	1	2
St. John's Shelter	shelter for homeless families	1	5
Turning Point	housing for persons with mental illness, development disabilities, and substance addiction	5	15
W House	transitional housing for recovering addicts	2	5
W House	treatment facility for recovering addicts**	1	?
Wells House	transitional housing for recovering addicts	1	3

* City may accept HHA inspection in lieu of City inspection.

** Never been inspected by City as part of Rental Licensing Program.

PCAD, Aug 17, 2016

Report on Inspections of Non-Profit Supported or Provided Housing

Housing NOT in the City's Rental Licensing Program

Agency	Program	No. of Properties	No. of Units	No. of Beds	Inspections by Others?
ARC of Washington County	supportive housing for mentally and physically disabled	Multiple	58		State unannounced inspections of ARC-owned homes. ARC inspections monthly of all units. HHA inspections of Section 8 units. No external oversight of client rented homes (unless Section 8).
Hagerstown Rescue Mission	13-month residential program	1		31	Health Department inspects kitchen.
Hagerstown Rescue Mission	shelter for transient men (30 consecutive nights maximum stay)	1		31	Health Department inspects kitchen.
Northpoint Veterans Home (Turning Point)	supportive housing for homeless, disabled veterans	1		27	Federally licensed and inspected by the Veterans Administration.
REACH Cold Weather Shelter	shelter for homeless adults	1		56	Self-inspection per Federal guidelines with annual report to Federal government.
Salvation Army	shelter for women and children	1		28	Annual inspection by SA HQ. Annual inspections of fire extinguishers and fire alarm system by outside contractor. Unannounced inspection by City Fire Dept.
Turning Point	treatment of non-vets for mental illness	4		?	State licensed and inspected by WC Mental Health Authority.
Turning Point	treatment of veterans for mental illness	2		?	Federally licensed and inspected by the Veterans Administration.
Wells House	treatment facility for recovering addicts	2		32	Annual inspection by the State and State Fire Marshall.