

Mayor and Council Work Session December 4, 2018 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."*

*"December, being the last month of the year, cannot help but make us think of what is to come."
- Fennel Hudson*

1:20 PM Washington County Legislative Day

Hager Hall Conference and Event Center, 901 Dual Highway, Hagerstown, Maryland

1:50 PM Break

EXECUTIVE SESSION

3:15 PM 1. EXECUTIVE SESSION

4:00 PM WORK SESSION

4:00 PM 1. FY18 Comprehensive Annual Financial Report - *Michelle Hepburn, Director of Finance, and Chris Lehman, S.B. & Company*

4:30 PM 2. Hagerstown Municipal Band Presentation – *Chris Stockslager, President, and Dawn Raynor, Treasurer*

4:45 PM 3. Proposed Hagerstown Youth Advisory Council – *Councilmember Shelley McIntire and Jill Thompson, Director of Community and Economic Development*

5:00 PM 4. PICCR Update - Improvements to be More Business Friendly – *Kathleen Maher, Director of Planning and Code Administration*

SPECIAL SESSION

5:30 PM 1. Introduction of Ordinance: Land Management Code Amendment

CITY ADMINISTRATOR'S COMMENTS

MAYOR AND COUNCIL COMMENTS

ADJOURN

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

Topic:

Washington County Legislative Day

Hager Hall Conference and Event Center, 901 Dual Highway, Hagerstown, Maryland

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

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

Topic:

Break

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

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

Topic:

EXECUTIVE SESSION

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

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

Topic:

FY18 Comprehensive Annual Financial Report - *Michelle Hepburn, Director of Finance, and Chris Lehman, S.B. & Company*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

12.4.18_Memo_for_FY_18_CAFR_Presentation.docx.pdf

12.4.18_FY18_Comprehensive_Annual_Financial_Report.pdf

Description

FY18 CAFR Memo

FY18 CAFR Presentation



CITY OF HAGERSTOWN, MARYLAND

Finance Department

TO: Mayor & Council Members
Valerie Means, City Administrator

FROM: Michelle Hepburn, Director of Finance
Jennifer Peterson, Accounting/Budget Manager

SUBJECT: FY18 Comprehensive Annual Financial Report (CAFR)

DATE: November 28, 2018

The Finance Department will be joined by our independent auditing firm, SB& Company, LLC to present the City's Comprehensive Annual Financial Report (CAFR) for FY18. The presentation will provide an overview of SB& Company, LLC's comments and recommendations for our FY18 financial statements audit.

The preparation of this report would not have been possible without the dedicated efforts of the entire Finance Department.

The copies of the FY18 CAFR were distributed in early November and you can find a copy of the FY18 CAFR electronically on the City's website (www.hagerstownmd.org).



FY18 Comprehensive Annual Financial Report (CAFR)

Michelle Hepburn
Director of Finance
City of Hagerstown

Jennifer Peterson
Accounting and Budget Manager
City of Hagerstown



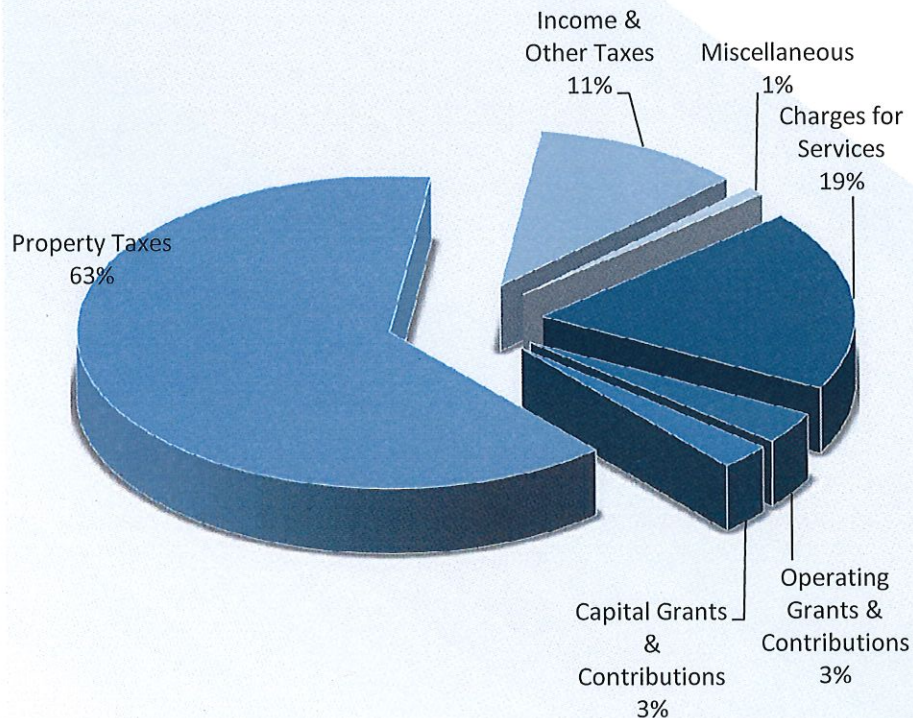
Agenda

- ◉ Introductions
- ◉ Acknowledgements
 - > S B & Company, LLC
- ◉ S B & Company, LLC Comments

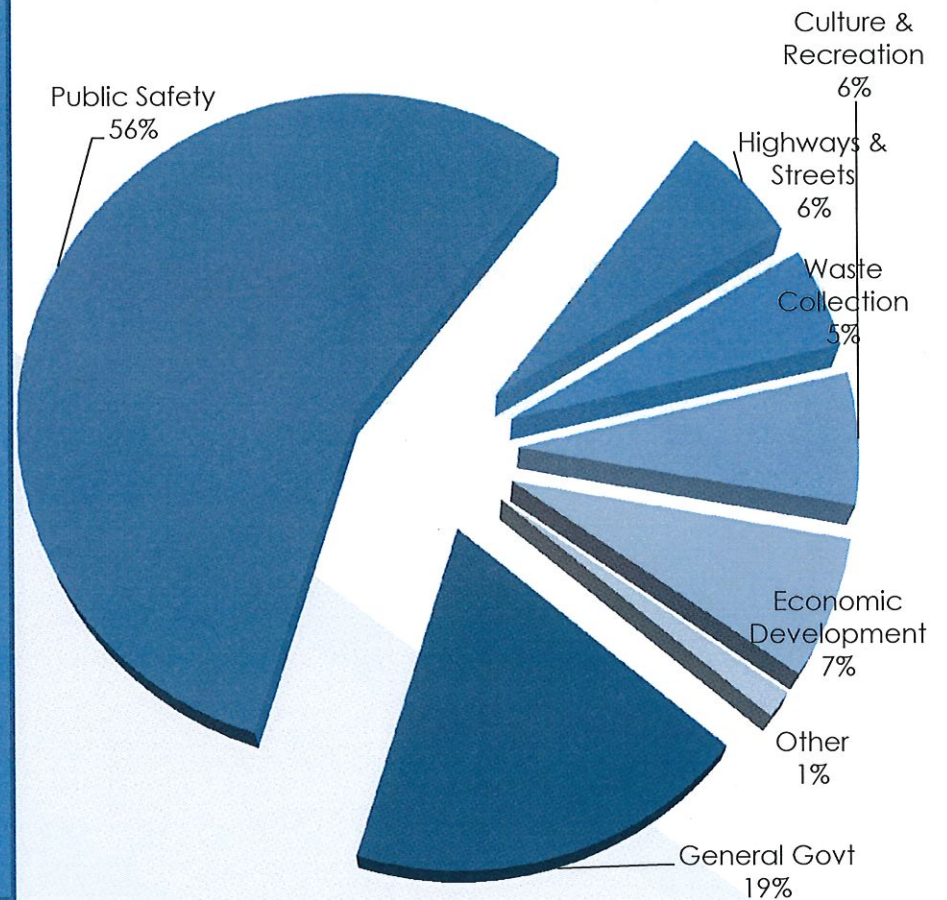


Where does the money come from and where does it go?

FY18 Governmental Activities: Revenue



FY18 Governmental Activity Expenditures

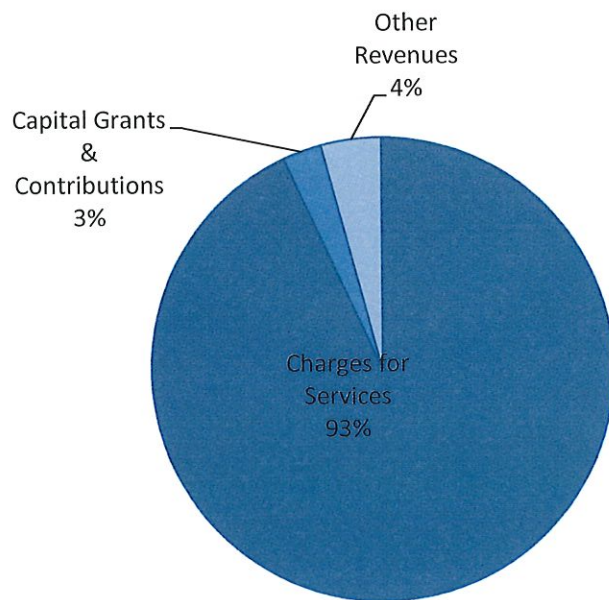


- Governmental Fund Statements begin on Page 20

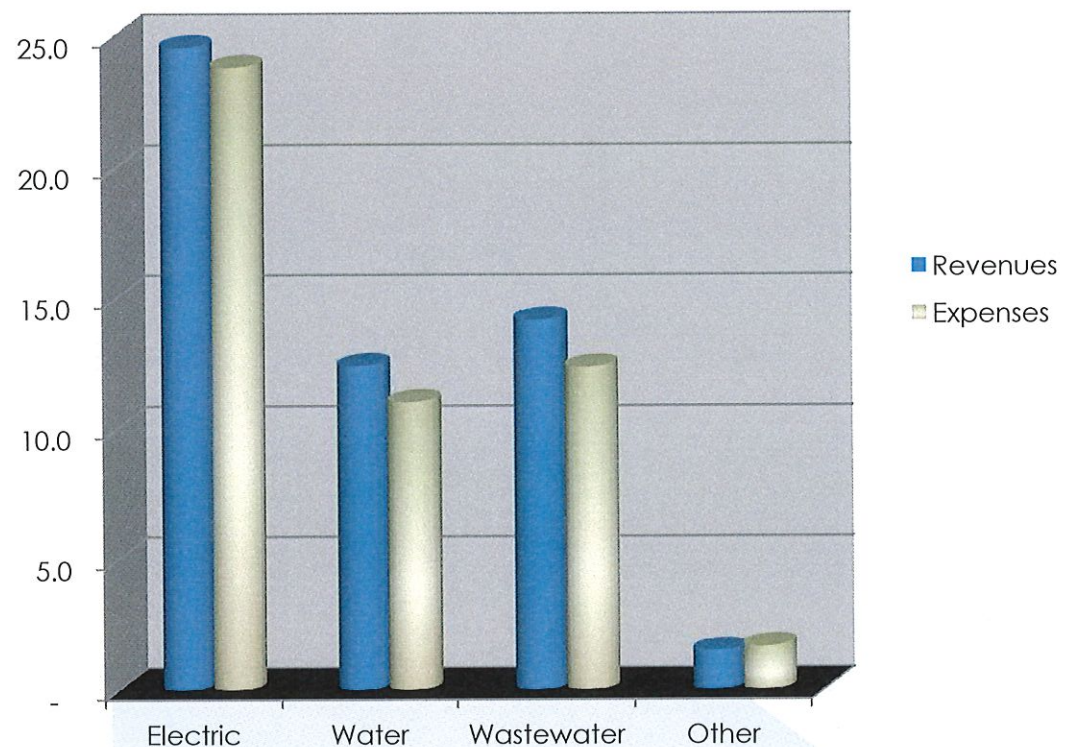


Where does the money come from and where does it go?

**FY18 Business-Type Activities
Revenue**



**FY18 Business-Type Activities:
Revenues & Expenses**





Funding Levels

- ◉ Police & Fire Pension Plan
 - > Net pension liability (unfunded) at 6/30/18 is \$33.8 million
 - > Net position (funded) at 6/30/18 is \$21.0 million
 - > Net position as percentage of total pension liability is 38.37%

 - ◉ MD State Retirement & Pension System
 - > City's portion net pension liability(unfunded) at 6/30/18 is \$17.7 million
 - > City's portion is equal to 0.0820% of total State plan
 - > FY18 contribution is \$1.7 million

 - ◉ Other Post Employment Benefits (OPEB)
 - > City's Net OPEB Liability(unfunded) at 6/30/18 is \$24.2 million
 - > Net position (funded) at 6/30/18 is \$10.0 million
 - > Net Position as percentage of OPEB liability 29.38%
- Begin on Page 65



General Fund Budget to Actual

General Fund FY18 Revenues & Expenditures Budget to Actual Comparison (in millions)

	Budget	Actual	Variance
Total Revenues	42.1	43.5	1.4
Total Expenditures	42.0	42.3	-0.3
Change in Fund Balance	0.1	1.2	1.1
Fund Balance Beginning	10.4	10.4	0.0
Fund Balance Ending	10.5	11.6	1.1

Detail of Ending Fund Balances

Nonspendable, Restricted, Committed, or Assigned Fund Balance	1.6
Unassigned Fund Balance	10.0
Fund Balance Ending	11.6

Unassigned Fund Balance as % of Total Expenditures	24.4%
Unassigned Fund Balance in months	2.9



First Quarter FY19 Review

	Actual 2017/18	Revised Budget 2018/19	YTD 1st Quarter Actual: Sept 2018 2018/19	Actual % Used to Date 2018/19
Revenue				
Property Tax Revenue	29,674,582	31,496,725	28,872,541	91.7%
State & County Shared Taxes	3,668,062	3,764,235	621,568	16.5%
Licenses & Permits	2,157,177	2,174,672	331,421	15.2%
Intergovernmental Revenues	571,515	445,824	41,924	9.4%
Service Charges	3,333,800	3,239,170	741,516	22.9%
Fine & Forfeitures	1,163,093	1,625,100	351,079	21.6%
Unallocated Revenues	2,328,351	2,419,852	58,539	2.4%
Transfer from Other Funds	566,210	566,975	521,815	92.0%
Subtotal - Revenue	43,462,790	45,732,553	31,540,402	69.0%
Expenses				
Wages (includes OT)	19,361,363	20,276,597	4,955,475	24.4%
Benefits	9,477,659	9,908,975	2,228,808	22.5%
Wage & Overhead Allocations	(999,705)	(850,619)	(112,749)	13.3%
Subtotal Salaries & Benefits	27,839,317	29,334,953	7,071,534	24.1%
Contracted Services	4,602,635	5,046,205	878,370	17.4%
Materials & Supplies	1,868,599	1,991,111	453,411	22.8%
Insurance	214,651	289,568	194,079	67.0%
Other Expenditures	3,755,997	5,230,223	1,492,253	28.5%
Capital Expenditures	131,439	161,349	40,240	24.9%
Debt Service	2,395,182	2,608,571	1,367,978	52.4%
Transfers To Other Funds	825,537	1,070,215	327,711	30.6%
Fund Balance Transfer	636,253	635,101	-	0.0%
Subtotal Expenses & Transfers	14,430,293	17,032,343	4,754,041	27.9%
Total Expenses & Transfers	42,269,610	46,367,296	11,825,575	25.5%
Excess (Deficit) of Revenues over Expenses with GF FB Reserves Used	\$ 1,193,180	\$ (634,743)	\$ 19,714,828	
GF- Fund Balance Reserves Used	636,253	635,101	-	
Excess (Deficit) of Revenues with no GF FB Reserves Used	\$ 1,829,433	\$ 358	\$ 19,714,828	



FY18 Excess of General Fund

- Balance FY18 Actual \$1,193,180
- Less: Class A Building <\$200,000>
Obligation per Approved Motion
- Less: FY20 Projected CIP <\$900,000>
- Remaining FY18 Balance \$93,180



Questions?

- The CAFR and Budget documents are located on the web at www.hagerstownmd.org

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

Topic:

Hagerstown Municipal Band Presentation – *Chris Stockslager, President, and Dawn Raynor, Treasurer*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

11.27.18_Memo_Hagerstown_Municipal_Band.pdf

Description

Hagerstown Municipal Band
Memo



CITY OF HAGERSTOWN, MARYLAND

Finance Department

TO: Mayor & Council Members
Valerie Means, City Administrator

FROM: Michelle Hepburn, Director of Finance
Jennifer Peterson, Accounting/Budget Manager

SUBJECT: Presentation for FY 2020 General Fund Agency Contributions

DATE: November 27, 2018

RE: Presentations from organizations that receive general fund agency contributions

The City of Hagerstown has started to discuss items for the upcoming budget season for FY 2020. In this beginning stage of preparations, it is the Mayor & Council's request that the organizations that receive general fund agency contributions present a quick 10-15 minute overview of their organization. The overview will include a summary of what the City of Hagerstown funds are utilized for in their organization, an update on their last financial statements of their organization and what other funding sources they utilize to run their organization. Again, this is just a quick informational summary about their organization for Mayor & Council to prepare for the next budget season for FY2020.

Chris Stockslager, President- Hagerstown Municipal Band and Dawn Raynor, Treasurer –Hagerstown Municipal Band will be presenting on Tuesday, December 4, 2018.

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

Topic:

Proposed Hagerstown Youth Advisory Council – *Councilmember Shelley McIntire and Jill Thompson, Director of Community and Economic Development*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Proposed_Hagerstown_Youth_Advisory_Council_(HYAC).pdf

Description

Proposed Hagerstown
Youth Advisory Council
(HYAC)



CITY OF HAGERSTOWN, MARYLAND

Donna K. Spickler

City Clerk

One East Franklin Street • Hagerstown, MD 21740

E-mail: dspickler@hagerstownmd.org

Telephone: 301.766.4183 • TDD: 301.797.6617

TO: Mayor and City Council Members
Valerie Means, City Administrator

FROM: Donna K. Spickler, City Clerk

SUBJECT: Proposed Hagerstown Youth Advisory Council (HYAC)

DATE: November 29, 2018

Councilmember Shelley McIntire and Jill Thompson, Director of Community and Economic Development, will be present at the December 4, 2018 Work Session to discuss the possibility of establishing a Hagerstown Youth Advisory Council (HYAC).

A copy of the proposal is attached for your information.

Thank you.





CITY OF HAGERSTOWN, MARYLAND

CITY HALL | 1 EAST FRANKLIN STREET | HAGERSTOWN, MD | 21740

PROPOSED HAGERSTOWN YOUTH ADVISORY COUNCIL (HYAC) AD-HOC COMMITTEE

December 4, 2018

OPPORTUNITY

- Giving a voice to the city youth in their local government's decision-making or planning can create a solid foundation for young people to thrive through leadership development and fostering an attachment to the community.
- Communication between the City government and the city's youth regarding recreation programs, special events, and other opportunities available will allow community youth a chance to experience the benefits of taking initiative.
- Creating a formal process for the City Council or Mayor to hear the concerns or perspective of the city's youth will make young people feel more important/accepted and increase interest in politics and social issues.
- Awareness of entertainment options, recreational programs and communication between the city's adults and youth will give young people a chance to bring new ideas to the community. More opinions = more ideas = more change.
- By engaging the youth as an integral part of the local government decision making and community planning will increase civic engagement by treating them as social partners. Voicing the youth's concerns and advising community leaders will be a positive effect on the future of Hagerstown.

PURPOSE

- To advise Mayor, Council Members and City staff to ensure the official place of youth in city comprehensive planning, the 10-year City Center Plan, and other planning efforts.
- Youth in the community should be an integral part of government decision making.
- The Hagerstown Youth Advisory Council will be established by the Mayor and Council to increase youth input and involvement in Hagerstown City Government.

RESPONSIBILITIES

- Inform the Hagerstown municipal government of the needs and wishes of our youth.
- Planning and implementing social, educational, cultural and recreational activities for the youth.



Proposed Hagerstown Youth Advisory Council (HYAC) Ad-Hoc Committee
December 4, 2018
Page 2

- Work with the Mayor, City Council, City Department Managers, Student Government Associations, civic clubs and service organizations to provide service and leadership opportunities for the youth of our city.
- Help to instill a feeling of positive self-worth and esteem, teaching respect for the rights of others, and promoting community pride and responsible citizenship.

MEMBERS/QUALIFICATIONS

- The Hagerstown Youth Advisory Council will consist of nine voting members who reside in the City. Non-voting members will be adults affiliated with organizations that provide services to children or youth in the City.
- Members must be enrolled in or entering grades 9-12 when they begin their first year of service. They must actively attend public or private school or be homeschooled.
- Two of the non-voting members, up to age 21, must have graduated high school and be enrolled in a postsecondary institution within Washington County. These non-voting members must also reside within the City limits.

MEETING FREQUENCY

- The Hagerstown Youth Advisory Council shall meet as often as it deems necessary to discharge its duties between September and April. Meetings will be held in a city facility or public venue during non-instructional times.
- Members may attend and participate in City Council meetings as needed to increase engagement with Hagerstown City Government.

STAFF

- Department of Community and Economic Development as staff lead – with participation from other City departments

NOMINATION & APPOINTMENT

- The Mayor will appoint members to the Hagerstown Youth Advisory Council (HYAC) with subsequent approval by the City Council.

EXAMPLE OF GOALS

- Develop youth programs in consultation with the City's Parks & Recreation Department.
- Host a City-Wide Teen Forum.
- Advocate City issues before State legislative leaders.
- Summer intern jobs program

CITY COUNCILMEMBER LIAISON

- Appointed by the Mayor

COMMUNITY PARTNERSHIP

- Boys and Girls Club, Hagerstown
- YMCA, Hagerstown
- The Boy Scouts
- The Girl Scouts
- Washington County Public Schools (WCPS)
- Housing Authority (City of Hagerstown)
- Beacon House
- Washington County Association of Student Councils
- Girls Incorporated-Girls on the Run
- Washington Goes Purple
- Police Athletic League (PAL)
- City's Parks and Recreation Department

PROPOSED TIMELINE

- December: Introduce a proposal to establish a Hagerstown Youth Advisory Council for the City of Hagerstown
- December: Develop a resolution to be passed by the Hagerstown City Council
- January: Pass resolution
- February: Open application process
- April: Close application process
- May: Select members
- September: First meeting

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

Topic:

PICCR Update - Improvements to be More Business Friendly – *Kathleen Maher, Director of Planning and Code Administration*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

12/4/18 - discussion

ATTACHMENTS:

File Name

M_CC_PICCR_Update_12_4_18.pdf

Description

PICCR Update -
Improvements to be More
Business Friendly



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: November 29, 2018

SUBJECT: PICCR Update – Improvements to be More Business friendly

Staff will be present at the December 4 Mayor and City Council work session to provide an update on what improvements have been made for the Planning and Code Administration Department's (PCAD) processes to be more business friendly and to gain clarification from the Mayor and City Council on code changes that are desired to the permitting requirements. A powerpoint will be presented at the meeting to provide more detail on what is outlined below.

Being More Business Friendly

PCAD has been assessing and tweaking our plan review, permitting and inspections processes over the past several years in an effort to make our processes more business friendly while maintaining our department's core responsibility to ensure the safety and quality of life of people living, working, and visiting in our city. These changes resulted from our observations, from input from our customers, and interaction with stakeholder groups. In 2017, the Mayor and City Council-appointed PICCR Committee worked with staff on further assessments and recommended enhancements. A Survey Monkey survey system has been developed which we promote to all of our customers so they can share their experiences and to help us see how we are doing and making customer service enhancements as necessary.

As a result of these efforts, a large number of enhancements have been made to reduce what may be viewed as "unnecessary bureaucracy" by our customers and to improve public perceptions of the business friendliness of the City. It is clear from comments made by elected officials and within the community that public awareness of these changes is not where we would like it to be. It would appear that old experiences are being repeated, since specific issues are rarely brought to me or my staff so that we can address them. We have begun discussions with the younger members of our staff to brainstorm social media ideas for sharing and promoting. It is in our work plan to work with the Communication's Manager on development of a Positive Messaging Campaign for our department to help overcome negativity that circulates about our operations.

If an elected official or City staff person hears of a concern about our operations, please forward that person to us so we can learn what the issue was and address it. We need specific input from our customers if we are going to make enhancements to address their concerns and be more business friendly

Procedural Changes Made at PCAD's Initiation

1. To be more customer-friendly –

- a. created eight 'how to' brochures for simple home improvement permit projects.
- b. created door-hangers on 14 simple yard violations (rather than starting with an official notice of violation).
- c. sending emails in conjunction with written notices of violation, so property managers learn of issues quickly (requested change).
- d. updated PCAD web page based on how web statistics showed what features were of most interest.
- e. sending out letters a few days in advance of expiration of permits to alert applicant of the need to seek an extension if project is still in process.
- f. modified administrative policy on expiring building permits to allow up to three extensions (instead of only one). If City is in a new code cycle, permit can still be extended provided all trades permits are active and current.
- g. Modified FOIA policy to shorten time required for providing requested information if it just requires quick response on outstanding fines, code violations, etc. and does not require extensive research or copies.

2. To educate public on code requirements and to help with consistency between inspectors –

- a. created a more detailed checklist for Property Maintenance Code inspections.

3. To help applicants and interested citizens follow permitted work or enforcement actions –

- a. created on-line tool to track status of permits and inspections.

4. To save time and allow applicants to be more prepared –

- a. developed permit application forms so applicants can have all needed information prior to visit to office; writeable on-line.

Staffing Enhancements to Better Support Construction Activity

1. To create better communication and remove surprises in the field –

- a. requiring inclusion of City staff in kick-off meeting with contractors on large projects and encouraging inclusion of City staff in project progress meetings to ensure contractors are aware of permit comments and to allow face-to-face interaction on field complications and plan changes.

2. To facilitate the Maryland Theatre expansion project –

- a. assigned a PCAD Construction Liaison at the project - daily inspections by building inspector, attendance at progress meetings by multiple staff, engagement in problem solving sessions with associated building and trade experts on staff.

3. To cover growing construction activity and to allow more time for on-site interaction with contractors –

- b. shifted staffing responsibilities this fall to have two positions dedicated to building inspections.

Procedural Changes Made by Staff As a Result of PICCR Input

1. To be more customer-friendly –

- a. accepting copies of owner's affidavit and digital signatures (rather than only an original).
- b. allowing payment of most utility fees when meter is set (rather than all up front with permit).
- c. accepting building permit applications from permit-runner (rather than only from applicant).

- d. posted a manual on how to make on-line payments on PCAD web page, so packets can be ready when come to pick up permit. Promoted by email to all licensed contractors.
- 2. **To facilitate architect review of permit comments –**
 - a. Identified project-specific permit comments with an asterisk to make a clear distinction from the boilerplate comments.
- 3. **To help home-owners find contractors –**
 - a. added page to City web site which identifies licensed contractors and provides link to HBA and ABC web sites. Promoted on the front page of the City web site and on the City's cable channel.
- 4. **To help keep permit reviews and inspections moving –**
 - a. sending weekly emails to internal and external reviewers indicating which plan reviews are pending.
 - b. inspectors will conduct requested inspection even though it cannot pass until other work is completed and has passed inspection.
- 5. **To help permit applicants track issues holding up issuance of permit –**
 - a. modified on-line plan review status check feature to let applicants know what review agencies have not completed their review.

Permitting and Inspection Changes Directed by Mayor and City Council (PICCR input)

- 1. Issue building permit without associated trades permits, except for pools, electric signs, and solar panels –
 - a. **Implementation** – code change required
- 2. Inspectors should focus on 'health and safety issues' during permit inspection and let other issues observed go –
 - a. **Need clarification from M&CC - what is meant by 'health and safety issues,' since all provisions of the code were developed for health and safety reasons.**
- 3. Issue U&O permit even if unpermitted work is observed at property –
 - a. **Staff solution** – issue temporary U&O if unpermitted work is associated with permit; if unpermitted work is unassociated with permit (e.g., permit is for addition and unpermitted work is observed elsewhere in the house), issue final U&O for permitted work and issue *notice of permit required* (unless it is more than a year old and meets minimums of PMC).
- 4. When field changes observed, finish inspection and provide punch list of corrections; require architect input on change –
 - a. **Staff solution** – implemented a 'proceed at your own risk' process when inspectors find work does not match permit plans and allow construction to continue with understanding sealed plan revisions or as-built plans must be submitted before final inspection.
- 5. Issue demolition permits even if do not have MDE review and sign-off –
 - a. **Implementation** – develop policy for City Administrator's signature
- 6. Waive permit application fee for water heater replacement
 - a. **Implementation** - can be done by administrative order
- 7. Exempting certain work from permit requirements to allow handyman to undertake the work on a residential projects, including apartments, rather than a licensed tradesperson (**implementation requires Code amendment**) –
 - a. replacement of **single fixture (right?)** for sink/lavatory, faucet, shower head, toilet, and dishwasher
 - b. replacement of ceiling light with ceiling fan (**right?**)

- c. replacement of electrical outlets, same for same only, **unless arc fault protection is required (right?)**
- 8. Work NOT to be exempted from permits –
 - a. replacement of water heater
 - b. replacement of furnaces, HVAC, and heat pumps

Next Steps

Once clarification is provided from Mayor and City Council on issues questioned above in red, staff propose including any necessary amendments to the Building Code in the local amendments made during the 2019 Code Update. We will also prepare the policy document and administrative order for staff to implement the demo permit policy change and the water heater fee change.

Staff will continue brainstorming on positive messaging ideas to address public perceptions about the business friendliness of our operations and work with the Communications Manager on implementation planning.

C: Blaine Mowen, Chief Code Official
Paul Fulk, Neighborhood Services Manager
Jill Thompson, Director, DCED
Scott Nicewarner, Director, Info Tech & Support Services
Wes Decker, Communications Manager
Mike Spiker, Utilities Director
Steve Lohr, Fire Chief
Doug Dehaven, Fire Marshal
Jenn Keefer, City Attorney

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

Topic:

Introduction of Ordinance: Land Management Code Amendment

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

November 27 - public hearing on Planning Commission's recommended 2018 package of LMC amendments

December 4 - introduction of ordinance to add hair, nail and skin care stores in IR

December 11 - approval of ordinance to add hair, nail and skin care stores in IR; discussion of Planning Commission's recommended 2018 package of LMC amendments and other input from the hearing

ATTACHMENTS:

File Name

Description

Motion_and_ordinance_intro_ordinance_to_amend_LMC_for_barber_shops_in_IR_12_4_18.pdf

Intro
Ordinance:
LMC
Amendment
to add Hair,
Nail and
Skin Care
Stores to IR

REQUIRED MOTION

MAYOR AND CITY COUNCIL HAGERSTOWN, MARYLAND

Date: December 4, 2018

TOPIC: Introduction of Ordinance: Land Management Code

Amendment

Charter Amendment

Code Amendment

Ordinance

X

Resolution

Other

MOTION: I hereby move that the Mayor and City Council introduce an ordinance to amend Chapter 140, Land Management Code, of the City Code, to add *hair, nail, and skin care stores* as a permitted principal use in the IR (Industrial Restricted) zoning district. The attached ordinance details the code citations associated with this amendment. This proposed amendment is a result of a request made during the Mayor and City Council's public hearing on the Planning Commission's recommended 2018 package of proposed amendments to the Land Management Code. In a future action, the Mayor and City Council will move on the package of proposed amendments forwarded by the Planning Commission, as forwarded or with revisions.

DATE OF INTRODUCTION: 12/4/18

DATE OF PASSAGE: 12/11/18

EFFECTIVE DATE: 1/10/19

CITY OF HAGERSTOWN, MARYLAND

**AN AMENDED ORDINANCE TO AMEND THE CODE
OF THE CITY OF HAGERSTOWN TO REVISE CHAPTER 140, *LAND
MANAGEMENT CODE***

RECITALS

WHEREAS, by virtue of State Law and the City Charter, the City of Hagerstown regulates land use within the City; and

WHEREAS, the Mayor and Council have a responsibility to promote public health, safety and general welfare of the citizens of Hagerstown; and

WHEREAS, the Mayor and Council have a responsibility to implement the policies of the Comprehensive Plan and provide a system of land use and development regulations that provides for harmonious use and development of land; and

WHEREAS, the Planning Commission have recommended a package of amendments to the *Land Management Code* to better protect our neighborhoods and facilitate desirable use and development of land within the City of Hagerstown; and

WHEREAS, as part of the Mayor and City Council's public hearing process on the proposed amendments to the *Land Management Code* a request was made by a property owner for an additional amendment which is of a time sensitive nature for a business recruitment initiative; and

WHEREAS, the Mayor and Council find it in the best interests of the citizens to move forward with the following amendment ahead of action on the Planning Commission's forwarded package of proposed amendments and to revise Chapter 140 as hereafter described;

NOW, THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED by the Mayor and Council of the City of Hagerstown, Maryland, as it's duly constituted legislative body, as follows:

1. The foregoing recitals be and are incorporated herein as if restated verbatim.
2. The Code of the City of Hagerstown is hereby amended to revise Chapter 140, *Land Management Code*, as follows:

Amend the Chart of Permitted and Special Exception Uses in Section Z of Article 4, Zoning Ordinance, to add *hair, nail, and skin care stores* as a permitted principal use in the IR zone.

3. This amendment to the Code of the City of Hagerstown shall become effective immediately upon the effective date of this Enacting Ordinance.

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that this Enacting Ordinance shall become effective upon the expiration of thirty (30) calendar days following its approval.

WITNESS AND ATTEST
AS TO CORPORATE SEAL

MAYOR AND COUNCIL OF THE
CITY OF HAGERSTOWN, MARYLAND

Donna Spickler, City Clerk

Robert E. Bruchey, II, Mayor

Date of Introduction: December 4, 2018
Date of Passage: December 11, 2018
Effective Date: January 10, 2019