



**Minutes of NAC 11 Meeting
Tuesday August 21, 2018
Brewers Alley, 2nd Floor**

Meeting Minutes submitted by Darcy Richards

NAC Coordinators Present: Barbara Dillon, Darcy Richards, Bruce Albaugh, Ricardo Bairan, Phil LeBlanc, Glen Ferguson

Introductions

City Officials Present: Ben McShane, Planning: Joe Adkins, Marshall Brown, Sherry Kelly, Michele Bowman

Police Report

Officer Antczack and Lt. Beliveau gave the police report. Sgt Wiles and Cpl. Alger were present as well. Police report: the theft of package from porch - they have a couple of suspects identified for package thefts. A bike was stolen from a yard. Eight thefts were from motor vehicles (majority of these cars were unlocked). Police did make one arrest for motor vehicle theft. Lt. Beliveau reiterated: 95% of thefts from car are unlocked cars. Report suspicious activity! Call the police and they will come check it out.

In reference to ongoing issues on Carroll Creek and in Mullinix Park, there were 19 arrests. Some of the 19 citations were for spice and alcohol. Unfortunately, the offenders can just keep getting the citations, there is nothing the police can do right now. One suggestion was to make officials aware of need to possibly ban people from city parks if they get too many citations. Lt. Beliveau said they were often the same offenders over and over again. A resident suggested NAC 11 look into that type of penalty and bump up the consequences. You might be able to call it trespass. One resident mentioned that the cameras installed in the Park don't seem to work. People are drinking and relieving themselves right under the cameras. Residents were urged to contact elected officials to tell them the drug and alcohol use in Mullinix Park is unacceptable and urge them to increase penalties and consequences to discourage this and make the park available to the neighborhood. See Mayor and Aldermen email addresses at the end of the minutes if you would like to send your opinion on this to our elected officials.

Planning

Sound Center For Mind Body & Spirit 28 E 6th St. - Sherry Kelly - City Planner. The developer is proposing removal of some structures to create a 2 story studio and there will also be a residence. This will be a new nonconforming use, the old was also a nonconforming use. It was approved in January. An Initial archeological study was done and requires no further review, but will monitor once excavation begins. Mark Crissman was present to describe the project. Owners were present to provide details on the type of business. The owners will be sound proofing the building.

410 Chapel Alley - New Townhouses - Marshall Brown, City Planner described the new development at 410 Chapel Alley. It will be 8 townhouses. It has HPC approval at the first level. Resident on E 4th wanted to know if they can still access their backyards after the project is finished. Mark says they are not at that point in decision yet, so can't say. There will be a Planning Commission workshop. Contact Marshall Brown for next steps. 301-600-1770 mbrown@cityoffrederick.com. The townhouses are 34 ft tall, 6 feet shorter than townhouse at

Maxwell Square. One resident was concerned about additional traffic in Chapel Alley. Another questioned the traffic pattern into the development. Marshall also mentioned that this project will come before the bicycle and pedestrian committee. The planning commission workshop is Aug 27 at 11 am at the Conference Room A / B of the Municipal Annex at 140 W Patrick St. One resident who lives in a house backing up to this lot says neighbors are concerned about loss of parking in that lot. Mark reminded residents that they have been fortunate that the lot has been vacant so long and residents could park there. Resident says they may need to ask for permit parking on that street. Bruce Albaugh mentioned that you can petition your neighbors to change the parking requirements such as adding meters. Mark said, in the future if you put in a parking pad we might be able to allow use of the driveway. One resident objected to looking at the back and sides of the houses facing the alley instead of the front as you go by.

Mirage 3rd and Market St – Mirage owners have applied for a conditional use for DJ entertainment on Saturdays from 9:30 pm - 1:30 am. The Public Hearing will be August 28, 2018, at 7 pm at City Hall. Joseph, one of the owners was present to take any questions. One resident was concerned about whether they would leave the doors open and thus bring the sound outside to the nearby houses. Joseph said their AC was very good and that should not happen.

Guest Speakers

- Needle Exchange Program - Jessica Ellis (Syringe Services Program Coordinator, Behavioral Health Services), Sarah Drennan (Assistant Director, Behavioral Health Services) and Andrea Walker (Director, Behavioral Health Services) with the Frederick County Health Department. Jessica described Harm Reduction-a set of practical strategies used to reduce the negative consequences of drug use and sex work. BHS currently offers the following Harm Reduction strategies: Overdose Response Training and Naloxone Distribution, Rapid HIV testing, Sexual Health In Recovery and Syringe Take Back. BHS has been approved by the Maryland Department of Health to pilot a Syringe Services Program. Services will initially be piloted at the Frederick County Health Department, 350 Montevue Lane, Frederick, MD. Additional proposed secondary sites include Frederick Community Action Agency, 100 South Market Street and mobile sites to municipalities county-wide. All SSP sites will offer the following services: distribution of sterile syringes & other injection equipment, distribution of Fentanyl test strips, rapid HIV testing & linkage to care, sharps disposal containers, overdose response training & naloxone distribution, education and linkages to care & community supports. Rapid HCV testing & linkage to care to be piloted in the fall of 2018. These services with the goal of reducing transmission of bloodborne pathogens, particularly HIV and viral Hepatitis and are aimed to reach a population of individuals that are not accessing services “meeting people where they are at, but not leaving them there”. For more information, please see the attached Harm Reduction & Syringe Services Program (SSP) fact sheet.

Bruce Albaugh mentioned the neighborhood concern that fresh needles will mean more needles on the ground where they are now being thrown. Jessica said they will get incentives to bring back used needles. BHS wants to have disposal boxes in public places. The director spoke and said they want to employ peer recovery for active users. One resident says he travels up and down country and sees needles in public bathrooms and public spaces on floor. Suggests you don't put in bathrooms or parks – it's a bad idea. Member of South End Coalition wants to know why that area is being considered. Darcy Richards brought up the concerns of residents near Mullinix Park who were not present at the NAC 11 meeting tonight. Those residents were very concerned that this

program would bring even more people using drugs to the area to exchange needles and then stay and encroach on residents. See police report, above, for issues police are trying to deal with in Mullinix Park. Jessica Ellis said she is in touch with people in both coalitions (Friends of Mullinix Park and the South End Coalition) to discuss.

One resident asked what the new service would look like. Ellis responded that they will not be encouraging people to use onsite at the exchange sites. Resident concern is where will people be using the new needles to take the drugs? Will it be near the Exchange site? In the South End, in Mullinix Park? Exchange could be quick or longer if they will sit down and talk. Needle exchange program will be trying to engage drug users and gauge their needs - housing, medical, mental health, etc. A resident asked how many come to Health Department a week for this now. SSP Coordinator said they are proposing this as a pilot program and it is not being done at the Health Department now. A resident asked how many needle exchanges they were expecting? Ms. Ellis said they did not know as this was a proposed pilot and had not been done before. Jim Schmearsal suggested a van to do this so there is no permanent place for users to congregate but it would bring the needles to them and could be used at a location other than S. Market St. One of the South End residents said we have had enough and this would lead to more problems. Another suggested using a Frederick Memorial Hospital, others suggested Fire Stations. In both cases there would be trained medical staff on site. The Health Department says they are interested in resident input and understand our concerns. They have explored and researched the mobile services. They want to do a pilot and collect data. One resident said that drug users are coming here from Baltimore and it's the worst idea to offer them an easier way to do what they are doing wrong.

NAC 11 has already been told that Meritus Hospital in Hagerstown provides cost of transportation to discharged drug patents who choose to come to Frederick. Jessica Ellis said it is not a requirement for them to get into treatment. She stated forcing treatment does not work. Jim Schmearsal suggested taxi vouchers to take the addicts to where the needle exchange is (Health Dept). Residents were encouraged to send to Michele Bowman any other ideas on this issue (mbowman@frederickmdpolice.org). The general concern from residents is that so many social services are now offered in a very small area at the southern end of NAC 11. Hundreds of people are using the current services and the neighborhood is struggling to deal with current issues of drug sales, drug overdoses, discarded drug needles, SPICE, alcohol abuse, and homelessness. There is great concern about the addition of this social service to a small area already impacted greatly by the variety of needs being addressed within a few block area. Contact information,

NAC 11 Residents can send questions or comments to Jessica Ellis at 301-600-1777 or email at jellis@frederickcountymd.gov Comments directed to the Mayor and Board of Alderman can be made by using the contact info at the bottom of the minutes.

- Rescue Mission 419 W South St - Arnold Farrow - Arnold reported that the Rescue Mission Serves daily breakfast from 7:00-8:30 a.m.(100-130 people) and lunch 1:30-3:30 p.m.(220-350 people) to those in need in the community. They have a food distribution center and are open Tues, Wed, Fri, and Sat from 1:30-3:30 and Thursday 5-7 p.m. They provide food to 5,000 families with about 2,000 of the families being served in any given week through the food center. They also offer a Life Recovery Program. One of their programs is Beacon House which has 32 men and two transitional houses next to it. The men are there for a year long recovery program. Currently 90 men a year go through the program. Rescue Mission also has "rescue treasures" which are household goods and

necessities, and clothes which is open Monday - Friday from 2:30-4:00. When it's cold they are open from breakfast until 5 p.m. The clients can also go down the street for dinner at the Community Action Agency. If weather is too cold or hot, they offer the dining hall as a refuge during the day. Rescue Mission is constructing a new kitchen using funds from individuals, church and private foundations. A resident said he recently cleaned out closet and took good clothing to the Rescue Mission and they were glad to have them. Rescue Mission also has services for women - clothes, food, and shelter at 729 N Market - Faith house. Faith House has 20 women and their children residing in the house and more affordable housing behind it. Bruce Albaugh mentioned that residents at last NAC 11 meeting in Mullinix Park complained about participants taking carry out food and then leaving food and trash on the ground. Arnold says they have trash cans, but they do have take out so they don't go hungry. They send men out once a week to clean up trash. If residents see problems related to their services contact Arnold Farlow directly at afarlow@therescuemission.org or 301-695-6633 ex 208. They want to be good neighbors and want to know if there are neighborhood problems related to their services.

- The Tale of a Lion - David Key - AARCH is the African American Resources Cultural and Heritage Society. Tale of a Lion celebrates African American men and women 90 and over. The title from an African proverb: "Until the story of the hunt is told by the lion, the tale of the hunt will always glorify the lion". David emphasized that we need to talk about the importance of African Americans in this country. He used examples of what it was like to be an African American in Frederick when it was a segregated city. He personally interviewed a woman who was 105 – one of our living treasures. Come to the Weinberg center Sept 15 at 1:15, to see the honorees who will have a red carpet entrance and be in the VIP section. The film will start at 2:00 p.m. It is time to celebrate these folks.

It is important to remember that the people who will be celebrated at this event were not allowed to go into the Weinberg, which was then called the Tivoli. Eventually, African Americans were only allowed to sit in the balcony, prior to Civil Rights being enacted. He also used the example of the Brewer's Alley building, which was an Opera House. African Americans were only allowed to come to the 2nd floor. Tale of a Lion will be shown in other places and Mr. Key will provide details. AARCH is bringing open and honest discussions to the community. They are starting a series in November to begin this open conversation. Mr. Key suggests: Many Rivers to Cross as one of the great documentaries on African American history. Tale of a Lion is free to public but reserve tickets if you can. They would like to know how many people may go. Go to ARCH website: <http://aarchsociety.org/>

Interest Group Updates

Alley Safety - Bruce Albaugh - DPW is continuing the pilot project, with an additional block of paint recently added to increase pedestrian and bike safety. Michele Bowman will ask to have Zack Kershner and Cherian Eapen attend an upcoming NAC meeting to discuss the pilot results.

Air B&B Short Term Rental - No update

Downtown Litter Group - Barbara Dillon read an update from Julia Schaeffer who could not be present. Earlier this month, the DLG and DFP had a successful campaign to draw attention to

the new cigarette butt receptacles including the Carroll Creek display of cigarette butts and banners and 'move your butt over here' cards distributed to restaurants.

The group was pleased to see the lead editorial in the 8/18 FNP, supporting our call for code changes to hold property owners responsible for sidewalk clean-up.

The group continues to work at garnering support for a clean and healthy Frederick, and encourage residents to share their support via email and letters to the Mayor and Aldermen.

Live Downtown - John Menke - a year or so ago, the Downtown Partnership presented an analysis and policy development to encourage resident development downtown. The study recommended a half a dozen policies - many were minor, but one of the key ideas was to take more buildings downtown and add residences to the upper floors. This triggered an immediate concern about parking which was not addressed in the study. John is now on committee on Live Downtown and heard nothing about parking initially, but due to his efforts they are now moving in that direction. He prepared a memo asking for data before increasing residences downtown. He wants to determine how much potential there is for additional residences based on data. Currently, there is little data on this issue. He raised this at the last meeting and the city and county statistics employees were there. Data collection is underway. Most members of the committee are aware they will have to understand and include this issue. John reported that they were more receptive to gathering and considering the data. One survey was done in last two years on Market street to see how many residences there were but the data was never published. John is looking to get that data.

East Street Corridor Small Area Plan (ESCAP) Steering Committee - the ESCAP steering committee is in the process of making final recommendations. Kevin Sellner described that traffic flow and parking is big issue for that committee. He suggests that new development guarantee parking. East Street will remain commercial, residential, etc. but the group is looking to improve the streets, sidewalks and make recommendations for proceeding with development.

East Frederick Rising - Glen Ferguson reported for Julia Ferguson. EFR has received 1500 responses to the art survey and will be looking for artist proposals.

South Market St Group – no update

Sidewalk Cafe Ordinance – Darcy Richards reported that the 8 residents of the Sidewalk Café Ordinance Group have concluded their research and has produced a report with 4 priority recommendations for changes to the Sidewalk Café rules. Their next steps are to meet with the Downtown Partnership to go over the recommendations, then present to the Mayor and Alderman. The report is attached. The specific recommendations are:

Sidewalk cafés should not span more than 50% of the width of the sidewalk.

Current law states that cafés must maintain a 5' right of way. The 5' should begin at the outermost edges of the enclosures, edge of the stanchion base, or any objects on the fence (such as planters) that intrude into the sidewalk. The 5' right of way should not include tree wells unless they have been improved with stable material (metal grate, "brown asphalt" etc.) which must be firm enough to carry the weight of a wheelchair, stroller, or walker. Trees should not be removed to make way for sidewalk cafés. No obstacles, such as sandwich boards, signs, trash cans, cigarette cans, overhanging umbrellas or other items, should be in or over the 5' right of way nor can they be in the 50% of the sidewalk between the enclosure and the curb.

There should be a minimum of 2' distance between the outer portion of any enclosure and any inclines in the sidewalk, such as those leading to an alley or passageway between buildings.

All portions of the sidewalk cafés: railings, planters, and tables/chairs should be removed during winter months between December 1st and March 31st.

Old Business

Sandwich Board Code Change – NAC 11 submitted a request to modify the code concerning sandwich boards to prevent retailers and restaurants from obstructing the sidewalk with signs placed in the middle of the pedestrian through way. The revised ordinance follows the requirements for other sidewalk displays. Violations can be reported in iSpires or on the city website for code violations. <http://spires2.cityoffrederick.com/codeenforcement/codecomplaint/>
The code specifically states:

Sandwich Board signs must be placed directly in front of the premises only during business hours and cannot exceed 12 square feet with a maximum width of 3 feet and a maximum height of 4 feet. When located on a public sidewalk or other public way, the sign must be placed either directly abutting the building or directly abutting the curb so as to leave a clear travel way of at least 5 feet but in no instance can interfere with the opening of car doors, operation of accessible ramps, loading zones, cab stands or bus stops.

Blighted Properties - Barbara Dillon reported that NAC 11 will be preparing a response to the City's 3rd Blight Committee report. She asked for a show of hands to indicate public interest in this topic. (At least 12 hands went up) A sign up sheet was circulated to add to those residents who signed up during the July NAC 11 meeting in Mullinix Park. Interested residents will be contacted to consider next steps. The question will be asked again at the start of the next meeting.

New Business

Downtown Frederick Partnership update - Danielle Doll – The DFP approached the city about redoing the holiday lights and they will be doing a test group of trees. They will wrap the trees in LED lights. There is info on their website. She will send out link to that. They need to raise about 60K to complete the project and there will be roving street closures during installation. The company doing this work also does the tree lighting in Rockville. The lights will start at 8' high and they are doing trunks and branches. Some storefronts may have these lights too. There will be a lighting ceremony Friday after Thanksgiving. They will stay on till daylight savings changes.

Transportation to NAC 11 Meetings - NAC 11 Coordinators are still looking for transportation to assist residents with mobility issues in South and West Part of NAC 11 to get to NAC 11 meetings at Brewers Alley. We have reached out to city officials for ideas on how to help our neighbors attend the meetings.

Upcoming Events

In The Streets is from 10 am – 6 pm on Sept 8 <https://www.celebratefrederick.com/events/in-the-street/>

Space for NAC 11 Meetings - With so many people in the room for the NAC 11 meeting, it may be necessary to find a bigger space to hold the meetings. One resident reported that Serendipity offers their 2nd floor space for this. NAC 11 Coordinators will begin researching this.

Frederick Downtown Partnership - Pitch Craft - DFP is offering a “placemaking” competition to pitch an ideas for a capital project. Pitches must be received by September 21. The event is ticketed. See the website for further information. <https://downtownfrederick.org/pitchcraft/>

Contact Information for the Mayor and Alderman

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