

73RD REGULAR SESSION – May 28, 2019

Mayor R. E. Bruchey, II called this 73rd Regular Session of the Mayor and City Council to order at 7:00 p.m., Tuesday, May 28, 2019, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, E. Keller, L. C. Metzner, and S. McIntire, City Administrator Scott Nicewarner, City Attorney Jason Morton, and City Clerk D. K. Spickler. Councilmember A. Heffernan was not present.

GUESTS

Mayor Bruchey welcomed Maryland Municipal League's "If I Were Mayor" Essay Contest winners to the meeting. Each student read their essay and then assisted in leading the meeting.

Jaliah Morgan, from Salem Avenue Elementary School, was chosen as MML's Washington County District Winner. The Mayor selected Rylee Armstrong, from Jonathan Hager Elementary School, and Rinat Akhmedov, from Salem Avenue Elementary School, as the Mayor's Choice Award recipients.

The invocation was offered by Councilmember Shelley McIntire. The Pledge of Allegiance was led by Scout Ian Watts, Troop 66, First Christian Church, Hagerstown, Maryland. The Mayor and City Council welcomed other members of Troop 66 to the meeting as well.

Mayor Bruchey announced the Rules of Procedure for this meeting will be followed as adopted December 20, 2016. It was announced that the use of cell phones during meetings is restricted and that all correspondence for distribution to elected officials should be provided to the City Clerk and should include a copy for the City Clerk for inclusion in the official record.

The next scheduled meetings are: Work Sessions beginning at 4:00 p.m. on Tuesday, June 4, 2019, 2019, Tuesday, June 11, 2019, and the Regular Session on Tuesday, June 18, 2019. There is no meeting scheduled on June 25, 2019 due to the Maryland Municipal League Convention

APPOINTMENTS

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember S. McIntire, the Mayor and City Council unanimously agreed by voice vote of all members present to appoint Tracy Carr-Kretzer to the Historic District Commission. Her term will expire on June 30, 2022.

CITIZEN COMMENTS

Kevin Spielman, 11 W. Baltimore Street, Hagerstown, Maryland, stated citizens don't want a stadium downtown. There was a petition in 2012 signed by many people who

were opposed to the stadium. He is still opposed to it. He believes this could be a major issue in the 2020 election. The best location would be at the former MELP site.

CITY ADMINISTRATOR COMMENTS

Scott Nicewarner, City Administrator, stated Thunder in the Square will be held on May 31, 2019. There will be some street closures to accommodate this event. Imagine Hagerstown begins on June 7, 2019. Visit the City's website for more information.

MAYOR AND CITY COUNCIL COMMENTS

Councilmember S. McIntire thanked the Honorable Assistant Mayors for leading this meeting.

Councilmember L. C. Metzner welcomed Judge Brett Wilson who attended the meeting with the Boy Scouts. He noted Hagerstown is a Character Counts City.

Councilmember E. Keller thanked the students for their ideas to get community support and for their interest. She stated it is very brave of them to express their views.

Councilmember K. B. Aleshire had no additional comments.

Mayor R. E. Bruchey, II had no additional comments.

MINUTES

On a motion duly made by Councilmember E. Keller and seconded by Councilmember L. C. Metzner, the minutes from April 2, 2019, April 9, 2019, April 16, 2019, April 23, 2019, and April 30, 2019 were unanimously approved by all members present as presented.

CONSENT AGENDA

On a motion duly made by Councilmember E. Keller and seconded by Councilmember S. McIntire, the Mayor and City Council unanimously approved the Consent Agenda as follows:

A. Department of Community and Economic Development:

1. Street Closure Request – Imagine Hagerstown

B. Fire Department:

1. Office Security System – Spichers Security Services (Hagerstown, MD) \$ 28,437.14
2. Two Triple Combination Attack Pumpers – 4 Guys Stainless Tank and Equipment (Meyersdale, PA) \$ 1,068,392.00

C. Department of Human Resources:

1. City Sponsored Life Insurance – Aetna (Hartford, CT) \$ 45,929.00
2. Specific Stop Loss Insurance – Tokio Marine HCC (Wakefield, MA) \$ 301,060.00

3. Employee Assistant Plan – ComPsych (Chicago, IL) \$ 10,000.00
 4. Administration of Medical Coverage – United HealthCare (Chicago, IL) \$ 304,000.00
 5. Dental Insurance Administration – UCCI (Hunt Valley, MD) \$ 40,005.00
 6. Approval of Wage Study Contract – Evergreen Solutions, LLC (Tallahassee, FL) \$ 45,000.00
- D. Department of Parks and Engineering:
1. S650 T4 Bobcat Skid-Steer Loader – Bobcat Company (West Fargo, ND) \$ 64,474.12
 2. Pavement Markings – Midlantic Marking, Inc. (Gaithersburg, MD) \$ 153,000.00
 3. Pavement Preservation – Craig Paving, Inc. (Hagerstown, MD) Not to Exceed \$ 1,261,000.00
 4. Curb/Sidewalk Replacement Program – Huntzberry Brothers, Inc. (Smithsburg, MD) \$ 72,210.00
 5. Safe Routes to Schools – Haven Road and Pennsylvania Avenue – Concrete Central, LLC (Hagerstown, MD) \$ 535,851.00
- E. Police Department:
1. Expansion of Crime Camera System – Multiple Vendors \$ 165,491.02
 2. Police Software – HCGI (Columbia, MD) \$ 51,705.00
- F. Utilities:
1. Light – Tree Trimming Services – All Reliable Services, Inc. (St. Augustine, FL) \$ 243,000.00
 2. Light – Services for Equipment Repair and Refurbishment – Southeaster Transformer Co. (Dunn, NC) \$ 50,000.00
 3. Light – Distribution Transformers – National Transformer Sales (Raleigh, NC) \$ 120,000.00
 4. Light – Contract to Provide Linework Services – Everhart & Hoover Power Line Construction, Inc. (Hustontown, PA) \$ 150,000.00
 5. Wastewater – Two Fairbanks Morse 8312AW Propeller Turbine Pumps – Apparatus Repair and Engineering (Hagerstown, MD) \$ 123,900.00
 6. Water – Change Order 1 – Traveling Screens and Miscellaneous SCADA and Piping Improvements – Carl Belt, Inc. (Cumberland, MD) \$ 55,907.00
 7. Water – 2019 Ford F250 XL – Keystone Ford (Chambersburg, PA) \$ 27,877.00

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

A. Approval of a Resolution: FY 2020 Community Development Block Grant Annual Action Plan

Action: On a motion duly made by Councilmember S. McIntire and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote of all members present to adopt a resolution approving the FY 2020 Annual Action Plan for the Community Development Block Grant program, authorizing the Mayor to file an application for financial assistance with the U. S. Department of Housing and Urban Development in the amount of \$ 771,221 for the Community Development Block Grant program, and further authorizing the Mayor to execute all other documents relating to the City's Community Development Block Grant program for FY 2020.

B. Approval of a Resolution: Execution of Lease Agreements for Residential Rentals in Parks

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote of all members present to adopt resolutions authorizing the execution of lease agreements between the City of Hagerstown and the following people:

1. Eric Hastings for the residence at 280 Mill Street
2. Gerald Bernhisel for the residence at 570 Jefferson Street
3. Lewie Thomas for the residence at 728 Frederick Street
4. Emily Conrad for the residence at 120 Key Street

C. Approval of a Resolution: Parking Lease for Use of Central Parking Lot with the State of Maryland

Action: On a motion duly made by Councilmember E. Keller and seconded by Councilmember S. McIntire, the Mayor and City Council unanimously agreed by voice vote of all members present to approve a resolution to approve a parking lease agreement between the City of Hagerstown and the State of Maryland for the rental of ten parking spaces in the Central Parking Lot for use by the State Department of Assessments of Taxation (SDAT).

The term of the lease is two years and commences on June 1, 2019. The annual rent to be paid to the City is \$ 6,240.00.

D. Approval of a Resolution: Public Improvement Bonds of 2019 for Various Public Purpose Projects

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember S. McIntire, the Mayor and City Council unanimously agreed by voice vote of all members present to approve a resolution providing for the sale, issuance and delivery by City of Hagerstown to Key Government Finance, Inc. of the City's Public Improvements Bond of 2019 (the "Bond") in the original principal amount of \$ 3,105,000.

The resolution provides that the Bond shall mature 15 years from the date of its issuance, shall bear interest at the rate of 2.98% per annum, and shall be subject to prepayment at the option of the City in whole or in part in accordance with the resolution. The resolution pledges the City's full faith and credit and unlimited taxing power to payment of the Bond. The resolution fixes or provides for other details relating to the Bond. Closing on the Bond shall take place no later than June 6, 2019 unless otherwise agreed to by Key Government Finance, Inc.

E. Approval of a Resolution: FY 2020 Community Legacy Application

Action: On a motion duly made by Councilmember S. McIntire and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote of all members present to approve a resolution indicating approval of the City's FY 2020 Community Legacy application to the Maryland Department of Housing and Community Development. The application requests: a \$ 400,000 grant to assist with a third student housing project downtown; \$ 200,000 to assist with UIP plaza construction; and \$ 50,000 for the façade grant program.

F. Approval of a Resolution: FY 2020 Strategic Demolition Fund Application

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote of all members present to approve a resolution indicating approval of the City's FY 2020 Strategic Demolition Fund application to the Maryland Department of Housing and Community Development. The application requests funding to assist with two projects: 1) a \$ 250,000 grant for the Life Safety Code Upgrades Fund; and 2) a \$ 250,000 grant for pre-construction costs for the Doleman Black Heritage Museum.

G. Approval of a Resolution: Amended Financial Incentive Agreement with 339 Antietam, LLC

Action: On a motion duly made by Councilmembers L. C. Metzner and seconded by Councilmember S. McIntire, the Mayor and City Council unanimously agreed by voice vote of all members present to approve a resolution for an amended Financial Incentive Agreement with 339 Antietam, LLC. 339

Antietam, LLC will now perform certain infrastructure improvements to the water vault and meter and make improvements to the parking lot, but will no longer be obligated to re-locate the driveway extending from Baltimore Street to the Washington County Free Library.

H. Approval of City Funding Support for the Maryland Theatre Expansion: General Fundraising Support

Action: On a motion duly made by Councilmember S. McIntire and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote to approve a total of \$ 300,000 in City funding to support the continuation of The Maryland Theatre Expansion. The Maryland Theatre has presented a funding gap for its expansion project and has requested general fundraising support. This \$ 300,000 for its expansion project would be paid in addition to any approved normal agency contribution over a three year period as follows and the FY20 funding sources would be a split combination from Economic Redevelopment incentives and General Fund agency contributions:

1. FY20 - \$ 100,000 (\$ 50,000 from Economic Redevelopment and \$ 50,000 from General Fund) to be paid in July 2019
2. FY21 - \$ 100,000 from General Fund Agency Contribution in July 2020
3. FY22 - \$ 100,000 from General Fund Agency Contribution in July 2021

I. Approval of Acceptance of Empower Maryland Incentive Rebate for EWIP Project at R. C. Willson Water Treatment Plant

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote of all members present to approve the Empower Maryland Energy Solutions for Business incentive through Potomac Edison. Maximum amount of award is \$ 74,238.45 and is for the replacement of the low service pumps at the R. C. Willson Plant. Actual Incentive Rebate amount will be based on energy saving realized as a result of this project.

J. Approval of Utilization of Wastewater Division Funds and Future Bond Funding for Synagro Wastewater Treatment Plant Sludge Thickening Project and Dryer Rebuild Project

Action: On a motion duly made by Councilmember E. Keller and seconded by Councilmember S. McIntire, the Mayor and City Council unanimously agreed by voice vote of all members present to approve additional funding in the amount of \$ 5,341,441 for the Synagro Wastewater Treatment Plant Phase 1B Sludge Thickening and Phase 2 Dryer Rebuild Projects

described in the attached documentation. Funding for this project is identified in Wastewater CIP 5485001-5380-C0712.

K. Approval of Addition of 117 S. Locust Street to City's Competitive Negotiated Sale Process

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote of all members present to approve the addition of 117 South Locust Street to the City's Competitive Negotiated Sale (CNS) Process, with the goal of transferring the property to the private sector for its redevelopment and highest/best use. The property was formerly part of the CDBG Homeownership Program and it remains a CDBG program asset. The property can be sold without CDBG income restrictions but all sale proceeds must be designated as CDBG program income to be utilized within the City of Hagerstown CDBG program.

There being no further business to come before the Mayor and City Council, on a motion duly made, seconded and passed, the meeting was adjourned at 7:37 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: June 18, 2019