

82ND SPECIAL SESSION, WORK SESSION, AND EXECUTIVE SESSION –
September 17, 2019

EXECUTIVE SESSION – September 17, 2019

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 meet in closed session to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; #4 (Section 3-305(b)), on Tuesday, September 17, 2019 at 3:04 p.m. in Room 407, 4th floor, City Hall, Hagerstown, Maryland. Councilmember K. B. Aleshire was not present for the vote.

The following people were in attendance: Mayor R. E. Bruchey, II, Councilmember K. B. Aleshire, Councilmember A. Heffernan, Councilmember E. Keller, Councilmember S. McIntire, Councilmember L. C. Metzner, City Administrator Scott Nicewarner, City Attorney Jennifer Keefer, Michelle Hepburn, Director of Finance, Jill Thompson, Director of Community and Economic Development, Eric Deike, Director of Public Works, Jonathan Kerns, Community Development Manager, and Donna K. Spickler, City Clerk.

The meeting was held to discuss three separate business proposals. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the meeting was adjourned at 3:49 p.m.

82nd SPECIAL SESSION AND WORK SESSION – September 17, 2019

Mayor R. E. Bruchey, II called this 82nd Special Session and Work Session of the Mayor and City Council to order at 4:04 p.m., Tuesday, September 17, 2019 in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, A. Heffernan, E. Keller, S. McIntire, and L. C. Metzner, City Administrator Scott A. Nicewarner, and City Clerk D. K. Spickler.

82nd Special Session – September 17, 2019

On a motion duly made by Councilmember A. Heffernan and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to meet in Special Session at 4:05 p.m.

Introduction of an Ordinance: Amend the Code of the City of Hagerstown by Repealing and Reenacting Sections of Chapter 64 Building Construction, Article I Thereof, Building Standards

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 to introduce an ordinance to amend the Code of the

City of Hagerstown, Chapter 64, Article I by deleting and repealing Chapter 64 Building Construction, Article 1, Building Standards, and replacing it with a new Article I, Building Standards, which provides for updated building requirements, licensing, and penalties. With this ordinance, the present code provisions will be enforced through December 1, 2019 and the new code provisions would become applicable January 1, 2020.

Introduction of an Ordinance: Amend the Code of the City of Hagerstown by Repealing Sections of Chapter 64 Building Construction, Article II Thereof, Demolition of Structures

Action: On a motion duly made by Councilmember A. Heffernan and seconded by Councilmember S. McIntire, the Mayor and City Council unanimously agreed by voice vote to introduce an ordinance to amend the Code of the City of Hagerstown, Chapter 64, Article II, Demolition of Structures, which provides requirements for building demolition that are covered under sections of Article I, Building Standards and Chapter 187 Nuisance and Abandoned Property Abatement. With this ordinance, the code provisions shall become effective immediately upon the effective date of this enacting ordinance.

Introduction of an Ordinance: Amend the Code of the City of Hagerstown by Repealing and Reenacting Sections of Chapter 64 Building Construction, Article III Thereof, Property Maintenance Standards

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 to introduce an ordinance to amend the Code of the City of Hagerstown, Chapter 64, Article III by adding sections to Chapter 64 Building Construction, Article III, Property Maintenance Standards, which provides requirements for rooftop egress routes. With this ordinance, the code provisions shall become effective immediately upon the effective date of this enacting ordinance.

Introduction of an Ordinance: Amend the Code of the City of Hagerstown by Repealing and Reenacting Sections of Chapter 64 Building Construction, Article IV Thereof, Electrical Standards

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 to introduce an ordinance to amend the Code of the City of Hagerstown, Chapter 64, Building Construction, Article IV, Electrical Standards, by deleting and repealing Chapter 64 Building Construction, Article IV, Electrical Standards, and replacing it with a new Article IV, Electrical Standards, which provides for updated building

requirements, licensing, and penalties. With this ordinance, the present code provisions will be enforced through December 31, 2019 and the new code provisions would become applicable January 1, 2020.

Introduction of an Ordinance: Amend the Code of the City of Hagerstown by Repealing and Reenacting sections of Chapter 64 Building Construction, Article V Thereof, Plumbing Standards

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 to introduce an ordinance to amend the Code of the City of Hagerstown, Chapter 64, Building Construction, Article V, Plumbing Standards, by deleting and repealing Chapter 64 Building Construction, Article V, Plumbing Standards, and replacing it with a new Article V, Plumbing Standards, which provides for updated building requirements, licensing, and penalties. With this ordinance, the present code provisions will be enforced through December 31, 2019 and the new code provisions would become application January 1, 2020.

Introduction of an Ordinance: Amend the Code of the City of Hagerstown by Repealing and Reenacting Sections of Chapter 64 Building Construction, Article VI Thereof, Mechanical Standards

Action: On a motion duly made by Councilmember A. Heffernan and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to introduce an ordinance to amend the Code of the City of Hagerstown, Chapter 64, Building Construction, Article VI, Mechanical Standards, by deleting and repealing Chapter 64 Building Construction, Article VI, Mechanical Standards, and replacing it with a new Article VI, Mechanical Standards, which provides for updated building requirements, licensing, and penalties. With this ordinance, the present code provisions will be enforced through December 31, 2019 and the new code provisions would become applicable January 1, 2020.

Approval of Revised Policy for Chapter 64 Building Construction Standards Permit Exemptions

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember A. Heffernan, the Mayor and City Council unanimously agreed by voice vote to approve a revised Chapter 64, Building Construction Standards, Permit Exemption Policy. This policy will guide staff as they inspect properties and provide permit services for customers. This policy shall take effect on October 1, 2019 and shall remain in effect until the enforcement date of the pending ordinance updates for Chapter 64 of January 1, 2020.

**Approval of a Resolution: Addendum to the Purchase Agreement for
Unimproved Real Property Wesel Boulevard with NorthPoint Development, LLC**

Action: On a motion duly made by Councilmember S. McIntire and seconded by Councilmember E. Keller, the Mayor and City Council unanimously approved a resolution authorizing an addendum to the purchase agreement for unimproved real property on Wesel Boulevard in Hagerstown, Maryland with NorthPoint Development, LLC to extend the settlement date to October 31, 2019. The addendum to the purchase agreement is attached to the motion.

Approval of a Change Order for the 2019 Pavement Preservation Program

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 to approve Change Order No. 01 for the 2019 Pavement Preservation Program between the City of Hagerstown and Craig Paving, Inc. This change order is for additional paving work on Northern Avenue from Potomac Avenue to Oak Hill Avenue and also on Northern Avenue from Fountainhead Road to Pennsylvania Avenue, in the amount of \$ 84,543.00. This amount will be refunded in full by Columbia Gas and repaves areas recently damaged by gas line installations.

**Approval of Two New Full-Time Positions: Support Services and Utility Billing
Departments**

Action: On a motion duly made by Councilmember A. Heffernan and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to approve the addition of two full-time staff positions: one Support Services Supervisor and one Utility Billing Supervisor. These positions are necessary to ensure vital segregation of duties and expand level of current service. These positions will be funded across all applicable funds including but not limited to: General, Electric, Water and Wastewater.

Approval of Acceptance of Assistance to Firefighters Grant

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 to accept the Assistance to Firefighters Grant for the purchase of 86 Self-Contained Breathing Apparatus (SCBA) units to include harness/backpack, face piece and 2 cylinders by the U. S. Department of Homeland Security. The equipment will increase the safety of the City's firefighters. The total grant awarded is \$ 673,730.00; the Federal share is \$ 612,510.00. The City match portion of \$ 61,250.00 will be funded by CIP and the General Fund.

The Special Session was closed at 4:13 p.m.

Work Session – September 17, 2019

Proclamation: Careers in Construction Month

Mayor Bruchey presented a proclamation to Amos McCoy, Chief Executive Officer of ABC Cumberland Valley Chapter, recognizing October, 2019 as Careers in Construction Month in Hagerstown, Maryland. Careers in Construction Month is an annual month designated to increase public awareness and appreciation of construction craft professionals and the entire construction workforce. Mr. McCoy stated there will be a Skills Competition held on October 19, 2019 to celebrate the work of those in the construction industry.

Western Maryland Food Council

Dan Fiscus, Western Maryland Food Council Coordinator, and Lisa McCoy, Washington County Extension Service, were present to provide an update on the Western Maryland Food Council.

Mr. Fiscus reported the Western Maryland Food Council (WMFC) is a collaboration among farmers and food producers, health and nutrition experts, extension educators, business people, economic development professionals, local government staff, food assistance agencies, and others from Garrett, Allegany and Washington Counties. By 2030, they hope to increase the portion of the food supply that is grown locally from 1% to 10%, decrease food insecurity from 13% to 5%, and decrease the rate of diabetes from 10% to 5%.

The WMFC's mission is to bring together diverse stakeholders to integrate aspects of the food system to sustain and enhance the environmental, economic, social, and nutritional health of western Maryland. They propose to co-lead the Partnership on a one-year launch process toward a ten-year mission. They propose that the Partnership will cultivate a shared vision for the food future that is desired, set common goals and refine the initial three target goals as needed, identify how each partner will contribute to the coordinated efforts, have frequent communications and bimonthly meetings to collaborate, agree on evaluation measures, conduct evaluations, make needed adjustments, and succeed together in transforming the food system for the better.

The WMFC is seeking a group of partners and sponsors to collectively contribute \$ 25,000 to support a half-time staff person in the first year. They would like to have 10 funders provide \$ 2,500.00 annually. They also welcome in-kind contributions and support through time, energy, ideas, and information sharing.

Ms. McCoy noted the first step in reaching these goals is to make people aware of the local produce and agriculture in the neighborhood. In order to raise awareness of this, a "buy local" campaign encouraged people to take selfies while eating local food. The group would like to assist with a second community garden in Hagerstown. They are

seeking ways to provide access to people with limited incomes for locally grown food. They are conducting a healthy restaurant selections promotion.

Councilmember Heffernan pointed out that eating healthy costs more. He wondered how the gap of higher food costs for low income citizens can be addressed. Ms. McCoy indicated stated that is a challenge. One thought is that some of the produce from a community garden could be donated to low income residents.

Councilmember McIntire asked if the City Farmer's Market accepts food assistance vouchers. Ms. McCoy stated the Farmer's Market does not qualify for the program because of the ratio of produce to other products.

Mr. Fiscus indicated the City could adopt the SWAP (Supporting Wellness of Pantries) nutrition ranking system. SWAP is a spotlight ranking system combined with simple messaging based on the most current nutritional guidelines and recommendations.

The Mayor and City Council thanked Mr. Fiscus and Ms. McCoy for providing this information.

On Track Update

Linda Mercurio, Interim Executive Director, Paul Frey, Board Vice Chair, and Mark Halsey, Board Chair, of OnTrack Washington County, were present to present the 2019-2020 OnTrack Cradle to Career Readiness Report.

OnTrack is the backbone organization for a collective impact cradle to career initiative made up of 40 (and growing) community organizations called partners. Collective impact brings the group together in a structured way to achieve change. As a group, they envision a Washington County where every citizen, no matter race, class, or zip code, has an opportunity to be educated and empowered to their full potential. To do this, they know they must begin at birth – providing a network of support from cradle to career.

OnTrack partners come from the education, business, nonprofit, philanthropic, and civic sector of the county. They each have their own organizational mission, vision, outcomes, and constituencies. What brings them together through OnTrack is an unparalleled commitment to making Washington County a vibrant, healthy, and economically thriving place to live, work, and play by improving educational outcomes, closing skills and opportunity gaps, and readying the workforce for the jobs of the future.

With significant input from community stakeholders and a commitment to continuous improvement, OnTrack's specific role is to:

1. Facilitate a community vision and agenda for college and career readiness
2. Define and articulate the educational and career challenges facing the community
3. Establish shared measurements and local benchmarks for college and career readiness

4. Share this annual data with the community to openly track their progress, and use the data to advance evidence-based decision making among stakeholder organizations
5. Encourage and facilitate collaborations and strategic action designed to address educational and vocational challenges

The top five priorities are:

1. Collaboration: Family, School, Community
2. Children enter kindergarten ready to succeed
3. Students achieve grade level reading and math
4. Students and adults acquire skills, direction, and access to post-secondary education and career credentials
5. High percentage of workforce has the education and training to be employed in a rewarding career

The efforts of the partners are working. Improvement was noted in all but two of the performance indicators during the last year. Increased, accelerated, and sustained growth is needed for the community. As a community, there is work to do to improve student success. OnTrack exists because no single entity or system is responsible for making this happen.

Effecting social change requires patience, perseverance and resolve. OnTrack is always looking to welcome new constituents to the table. To advance the mission and support their role, OnTrack Washington County has modeled and aligned with Strive Together, a national, non-profit network of more than 70 community partnerships across 32 states, working to ensure that every child succeeds. Strive Together helps communities identify and scale what works in education. They provide annual convening, coaching, connections, and resources to help partnerships like OnTrack Washington County share data, align resources, and shape policy.

Councilmember Aleshire has 5 kids in school. It seemed simpler to achieve equity when he was in school than it is as a parent. His children are in four different schools. His twin boys are in pre-kindergarten and they were on a waiting list to see if children from low income families applied. This is not equitable. As they were waiting, he and his wife were finding it difficult to find an alternative for them if they weren't accepted into the pre-k program. The requirements for reading readiness has disengaged his daughter, who is in third grade, from creatively reading. He suggested a re-evaluations of gauging the success rate.

Ms. Mercurio, as a single mother of a 12 year old, understands the challenges of finding a pre-k program. She stated OnTrack would welcome Councilmember Aleshire's voice at the table because these types of discussions are important.

Mr. Frey noted that a high school student recently commented students want to be able to ask instructors questions. That is not possible if the class is on a computer.

Councilmember Aleshire stated virtual math further disassociates the parents from the learning process as well.

Mr. Halsey stated the annual book drive was completed on September 12, 2019. There are usually 14,000 to 16,000 books collected during the drive. Those books are then distributed to school age kids.

Next Generation 911 System Status Update

Jim Bender, Assistant City Engineer, Bud Gudmundson, Washington County GIS Manager, and Tom Brown, Assistant Director of Emergency Management, were present to provide an update of the Next Generation 911 System. David Hays, Director of Emergency Services, and Jennifer Kinzer, GIS Coordinator, Department of Planning and Zoning, were also present.

In 2018, the Maryland General Assembly passed legislation requiring the State to upgrade its 911 emergency response system. The new system, known as Next Generation 911, will allow dispatchers to determine the location of cell phone callers requesting service, will allow for the transmission of digital data over the network, and other improvements made possible by advances in technology. Washington County has been leading the effort on this upgrade, with input and support from the City and other municipalities. The purpose of this presentation is to provide an update on the status of the upgrade, and to present a timeline for full implementation.

No action is required at this time; this information is being presented for informational purposes only.

The Next Generation 911 system will provide greatly enhanced capabilities, increasing the accuracy and responsiveness of emergency response in both the City and Washington County. However, preliminary analysis indicates that hundreds of existing addresses in the City will need to be reassigned in order to conform to the requirements of the new system. This will present a major inconvenience to residents that must change their address in multiple systems, and with multiple entities.

Mr. Gudmundson reported this a nationwide program to update and upgrade 911 in the next year or two. The old 911 system was like magic when it was implemented and it has been improving over time. The new version includes the capability to text to 911 and stream live video to 911. Calls will be located by a map instead of by a list. This will require every structure to be addressed. Under the new infrastructure, calls will be handled differently. Addresses across the County have to be as accurate as possible. A Public Safety grade of 90% accuracy is the goal established by the State of Maryland. Washington County officials want to reach 100% accuracy. The smaller jurisdictions are being asked to sign a Memorandum of Understanding establishing one addressing authority. The City of Hagerstown will continue to do their own addressing, while coordinating with the County. A pilot project is being reviewed in the Leitersburg

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District. Some of the issues to be addressed include similar sounding road and street names and odd and even numbers on the same side. The group will be working with the City over the next year and neighbors in other counties to define the boundary of where 911 calls are divided.

Councilmember Metzner used his street as an example where there are gaps in the numbering. He wondered how that will be addressed. Mr. Gudmundson indicated numbers need to be in order. However, if it doesn't post a problem as first responders see it, the numbers won't be changed.

Mr. Nicewarner asked if there is an estimate of the number of addresses that may need changes. Mr. Gudmundson indicated an initial estimate would be 2,300 errors noted (10% of the 23,000 addresses). Further review would be completed and the number would likely be considerably less than that.

Mr. Nicewarner asked who would be responsible for fixing the addresses. Mr. Gudmundson stated they would work with the City. He thinks the City would send a letter to the resident explaining the need to change the address. Mr. Nicewarner wondered why the City should send the letter when it isn't the City changing the address. He asked if an appeal process has been established. Mr. Gudmundson indicated the County's Planning and Zoning staff would take the calls and explain the need for the change. If the resident still doesn't understand, Mr. Brown would contact them.

Councilmember Aleshire asked if the post office has the final say on addresses. Mr. Bender indicated the Engineering Department sets the initial address and the post office is notified of the new name.

Mr. Nicewarner wants to ensure the process is consistent. He asked what happens if the City established name does not match the Next Gen criteria. He asked how often addresses are changed currently. Mr. Bender indicated not often but it does happen. This is usually based on a contact from emergency services or the post office. He noted even with notification letters, it doesn't help the citizens with contact for insurance, mortgages, etc.

Preliminary Agenda Review

A Work Session will be held on Tuesday, September 24, 2019 at 6:00 p.m.

Consent Agenda

A. Department of Information Technology and Support Services:

1. ESRI GIS Maintenance Agreement Renewal – ESRI (Redland, CA)
\$ 35,000.00

B. Department of Parks and Engineering:

1. Bridge Repairs, E. Memorial Boulevard – Concrete General, Inc.

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- (Hagerstown, MD) \$ 17,200.00
2. Street Tree Contract – Botanica Enterprises, Inc. (Boonsboro, MD)
\$ 42,288.10
 3. City Park Weir Outfall Pipe Replacement – Greenridge Contractors, Inc. (Williamsport, MD) \$ 56,700.00
- C. Police Department:
1. Replacement of Heat Pump – Beaver Mechanical Contractors, Inc. (Hagerstown, MD) \$ 17,200.00
 2. Storage of Body Worn Camera Footage – Axon Enterprises, Inc. (Phoenix, AZ) \$ 16,236.00
- D. Utilities Department:
1. Wastewater – Roof Replacement at Operations Building – Paneko Construction, Inc. (Bowie, MD) \$ 210,000.00
 2. Water – RC Willson Water Treatment Plant Boiler Replacement – Beaver Mechanical Contractors, Inc. (Hagerstown, MD) \$ 127,358.00
 3. Water – Change Order to Water Pumping Improvement Project – EMH Environmental (Glenwood, MD) \$ 70,687.09

Councilmember Metzner wondered why the roof replacement at the Wastewater Operations Building is so high. He noted there was only one bidder. Nancy Hausrath, Director of Utilities, stated staff advertised for bids and anticipated the cost to be about \$ 200,000. One potential bidder indicated they had too much work to bid on the project.

This completed the Preliminary Agenda Review. There were no additional questions about any item. All items are scheduled for approval on September 24, 2019.

Reprogramming Funds for Haven Road Sidewalk Match

This item was postponed pending information from the State of Maryland.

CITY ADMINISTRATOR’S COMMENTS

Scott A. Nicewarner, City Administrator, noted September 16, 2019 was International Gang Awareness Day. A proclamation was presented to the group. Fall Fest, Monarch Buttery Parade, and Porch Fest are all taking place this coming weekend.

MAYOR AND COUNCIL COMMENTS

Councilmember S. McIntire had no additional comments.

Councilmember L. C. Metzner had no additional comments.

Councilmember A. Heffernan had no additional comments.

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Councilmember E. Keller had no additional comments.

Councilmember K. B. Aleshire had no additional comments.

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

There being no further business to come before the Mayor and City Council, on a motion duly made, seconded and passed, the meeting was adjourned at 5:28 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: October 22, 2019