

STATE OF THE CITY – March 3, 2020

The State of the City was held on March 3, 2020 at the Maryland Theatre, 21 S. Potomac Street, Hagerstown, Maryland. All members of the Mayor and City Council attended the event, which was held at 7:00 a.m.

WORK SESSION – March 3, 2020

Mayor R. E. Bruchey, II called this 95th Special Session and Work Session of the Mayor and City Council to order at 4:05 p.m., Tuesday, March 3, 2020 in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, A. Heffernan, E. Keller, L. C. Metzner, and S. McIntire, City Administrator Scott A. Nicewarner, and City Clerk D. K. Spickler.

95TH SPEICAL SESSION – March 3, 2020

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

Approval of an Ordinance: Authorizing the Sale of Property Located at 117 South Locust Street

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 an ordinance authorizing the sale of City-owned property located at 117 South Locust Street to 339 Antietam LLC for a purchase price of \$ 15,000. The sale will provide the opportunity for ongoing redevelopment and private investment at 117 South Locust Street. The property is a CDBG asset and all sale proceeds will be classified as CDBG program income to be used for the City’s CDBG program activities. The sale will be in accordance with all terms and conditions outlined in the purchase agreement.

Approval of an Ordinance: Authorizing the Sale of Property Located at 36-40 N. Potomac Street

Action: On a motion duly made by Councilmember A. Heffernan and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote to approve an ordinance authorizing the sale of City-owned property located at 36-40 N. Potomac Street to 339 Antietam LLC for a purchase price of \$ 460,000. The sale will provide the opportunity for ongoing redevelopment and private investment at 36-40 N. Potomac Street. The property is a Property Management asset funded in part with

CDBG monies so an applicable portion of the sale proceeds will be returned to the CDBG fund. The sale will be in accordance with all terms and conditions outlined in the purchase agreement.

The Special Session was closed at 4:07 p.m.

2020 Census – It's Almost Time to be Counted

Kathleen Maher, Director of Planning and Code Administration, Kim Buchanan, Chair of Washington County Complete Count Committee, Jill Baker and Jennifer Kinzer of Washington County Planning, were present to promote the importance of participating in the upcoming 2020 Census. April 1 is Census Day.

Every person living in Washington County matters and must be counted. Being counted is required by law and the information collected helps determine how many U S. Representatives the County has in Congress and helps determine how much public funding comes to the community for programs important to citizens like schools, libraries, healthcare, emergency services, public transportation, social assistance, etc. The data on the community also helps staff plan for services needed in the community. All individual information is confidential and cannot be shared with law enforcement or any other government entity.

The City and Washington County kicked off the 2020 Census on April 1, 2019 and the joint Complete Count Committee has been meeting at least monthly since April.

The U. S. Census will send out invitations to respond to the 2020 Census between March 12 – 20, 2020. Most people will receive a postcard inviting residents to respond on-line, by phone, or by mail. While the postcards to this community will be in English, contacting the Census by phone or on-line will make alternative languages available. The Census Bureau will count homeless populations and people living on college campuses, institutions, etc. From May – July, Census personnel will be visiting homes of non-responders to ensure everyone is counted.

Be counted. We all matter.

Ms. Buchanan reported the Committee started meeting in April, 2019. She volunteered herself and the Community Action Council to assist in the Census. There is also a non-English speaking group to assist with the Census. Efforts include education, promotion, motivation, and encouragement to complete the consensus. There is \$ 675 billion available for communities that is distributed based on Census count results. It is important for everyone to be counted. For every person not counted, the community could lose \$ 1,800 per person per year. Over 10 years, that would be \$ 67 million. On-line reporting should be available by March 14, 2020. They are planning a county-wide event encouraging people to be counted. She asked the City of Hagerstown and Washington County to support and promote the Census count through social media posts, resource lists of available computers, and information on the government webpages.

Councilmember Metzner asked if the Census Count is being promoted in schools. Ms. Buchanan noted Erin Anderson, Washington County Public Schools Communications Officer, is on the committee and the schools are including the app on all school issued iPads.

Councilmember Metzner asked if there is a plan for the hard to count group. Ms. Buchanan stated moderators have been visiting those groups for several months.

Fire Department Strategic Plan Executive Summary

Chief Steve Lohr and Battalion Chief Mark Cleck, were present to review the Hagerstown Fire Department's Strategic Plan. The quantity and quality of fire-rescue services to customers inside and outside of the Hagerstown Fire Department depends in large part on the Department's ability to accurately perform a self-assessment and subsequently plan for the future. Knowing the economic constraints of the City and the region, every attempt has been made to maximize their effectiveness while maintaining efficiency to the taxpayers as a critical public safety agency.

HFD staff has invested considerable time and effort in the previous four and a half years to perform a proper assessment of the risks, needs, and future demands facing the agency. Efforts to collaborate and interact with other agencies with a vested interest in public safety have been largely successful but constrained by the current political environment that has failed to address two critical issues necessary to make any strategic plan work, including this one. They are: 1) fire-rescue system governance, and 2) fair and sustainable funding for the City of Hagerstown and the Hagerstown Fire Department.

As a sovereign municipal government with duties and responsibilities established long ago via City Charter, Hagerstown stands alone among all other municipalities within Washington County. With the noted exception of the County's Robinwood Drive corridor, Hagerstown is the only area or municipality that meets the criteria for an urban service delivery area. As the county's largest municipality and the County seat, fire-rescue risks are simply greater there than in any other town or area of Washington County.

Population density drives call volume. Other demographics like building stock, code compliance, built-in fire protection features, average household income, property values, average age and wellness of citizens, and the ever present opioid crisis are all factors that drive the frequency and severity of the fire-rescue-EMS incidents in Anytown, USA. In order to manage call volume and incident severity, the HFD has systematically performed a self-assessment by analyzing data, measuring daily performance, and benchmarking ourselves against Federal, State and Local laws and of course, industry best practices.

Even though fire-rescue services have traditionally been delivered using volunteer based resources in Hagerstown, it remains clear that the volunteer based deployment model is no longer sustainable as the primary way to staff the HFD. Regrettably, this has

been true for more than several decades when career staffing was added to guarantee two firefighters on-duty in each company. By any reasonable measure or standard, this staffing model falls short and is unacceptable. Therefore, adequate staffing must elevate to the top of any future goals or priorities. As this plan is being written, the sustainability of the volunteer based deployment model elsewhere in Washington County is strained to the point that all leaders are engaged in conversations about the urgent need for staffing enhancements.

This plan is designed to serve as a road map and blueprint for the City of Hagerstown over the next five years with or without the cooperation of the current volunteer based governance model. It is recommended that this plan be evaluated and updated annually during budget deliberations, with a complete revisit of the plan performed every five years, which coincides with the current City of Hagerstown Capital Improvement Project cycle.

A plan is only valuable if all parties set goals and establish general timeframes in the form of actionable items necessary to achieve the goals. It is staff's recommendation that each of the Strategic Goals and their subsequent recommendations be reviewed, prioritized and assigned to staff internal and external to the HFD to implement as many of the recommendations as possible.

Chief Lohr thanked the command staff, partner agencies, other department heads, political leaders, and the career and volunteer members of the HFD who have all contributed to this first five-year Strategic Plan. He hopes that everyone with a vested interest in public safety will continue to collaborate with all parties moving forward to provide the best services possible to citizens with the resources available.

The plan includes the following 17 Strategic Goals:

1. Risks in the Community
2. Insurance Services Office (ISO) Rating
3. Community Risk Reduction (CRR): Prevent the 9-1-1 Call
4. Fire Marshal's Office
5. Deployment
6. Policies and Procedures
7. Technology
8. Training, Annual Certifications and Professional Development
9. Safety and Wellness
10. Vehicles and Equipment
11. Facilities
12. Human Resources
13. Volunteer Participation in the HFD
14. Standard of Cover
15. Authority and Governance
16. Funding
17. Washington County Fire-Rescue Plan

Each Strategic Goal includes multiple recommendations for reaching these goals.

Chief Lohr stated the City is laid out nicely for a 5 engine model. If funding was not a factor, he would champion for that model. Unfortunately, funding is a factor that is difficult to overcome for this model.

Battalion Chief Cleck reported during the time Chief Lohr has been with the City, the City's computer network has been installed at stations and in vehicles. Training opportunities are continually sought after. A Health, Safety, and Wellness Program has been implemented. Two trucks have been purchased and a fire station has been relocated. A number of facility upgrades and enhancements are needed at several locations.

Chief Lohr stated two of the biggest concerns discussed at Emergency Services Advisory Committee (ESAC) meetings are governance and funding. He doesn't feel the City can wait any longer to address this issue and an action plan is needed to move forward. More is needed than what is available to make the plan work and keep citizens safe. He intends to make the full report available to the public tomorrow and will be ready to discuss it further with the Mayor and City Council.

Councilmember Aleshire reviewed the goals and recommendations and attempted to separate them into items that would require elected official action and items that can be accomplished within the department. He recommends starting with the most impactful items for future discussion.

Chief Lohr stated a significant amount of time was on the risk assessment report. It doesn't appear there is a political will from one of the parties to address this issue. As things change, the HFD will do what they can to address the concerns.

Councilmember Keller stated the City needs to figure out what they can do without County involvement, as it is apparent that is not going to happen.

Councilmember Metzner commended the department for continuing the fire operations program. After participating in the program, he understood the need to send more than one person on a piece of equipment on a call. Currently three people on a piece of equipment is required. This will likely need to change as the City's coverage area changes. The main discussion is how to fund what is needed.

Councilmember Heffernan has reviewed the recommendations. He agrees that the Standard of Cover is accurate. One of the recommendations pointed out that as the Medium Range Growth Area (MRGA) is adjusted, capacity of the utility system will have to be considered.

Chief Lohr stated the HFD can't provide the service without volunteers, and the volunteer companies can't provide the service without the HFD. Everyone involved needs to figure out a way to deliver the service efficiently.

Councilmember Heffernan pointed out that City taxpayers pay \$ 280 worth of their City and County taxes for fire services, \$ 50 to the County and \$ 230 to the City. Based on this, citizens that live within the City limits of Hagerstown are paying \$ 850,000 more into fire services than the \$ 230,000 they receive back from the County. In addition to this, City residents pay \$ 400,000 annually toward the 911 system. He estimates City taxpayers lose about \$ 1.2 million of their taxes to fire service they don't need. The City taxpayer needs to be made whole in this situation.

Councilmember McIntire stated this issue needs to be corrected. It has been talked about since she was appointed to Council.

Councilmember Keller noted there is no incentive for the County to fix the issue.

Councilmember Metzner stated the City needs to do what it can to ensure the City department is able to continue to provide quality service when the County system breaks down, which he believes will happen.

Councilmember Heffernan thinks resolving the mutual aid component of fire service in the County is the only solution.

Councilmember Metzner stated the City cannot stop responding to mutual aid calls.

Chief Lohr pointed out there are multiple recommendations for facilities that he would like to discuss with the Mayor and City Council in more detail, with cost information.

Mr. Nicewarner noted that some conversations had been held with the former County Administrator before he resigned. Discussions will likely have to wait until a new County Administrator is named.

Councilmember Aleshire believes the issues can be resolved but it will take determination and willpower.

Concept Discussion – 239 N. Locust Street Alms House Property

Jonathan Kerns, Community Development Manager, and Police Chief Paul Kifer, were present to seek feedback and direction on a possible concept for repurposing the 239 N. Locust Street Alms House Property. The concept would involve significant rehabilitation to portions of the structure to create space that would be utilized by the Hagerstown Police Department (HPD). Additional space in the Alms House would also be available for neighborhood based activities. Similar law enforcement projects utilizing Community Development Block Grant (CDBG) funds have been carried out in other communities.

Based on review of Polk City Directories, it appears the Alms House was last occupied during the 1970s for use by the business "Rent It". The property was acquired by the City in November, 2004 for \$ 90,000 (Funds from CIP Fund Balance). The City

MAYOR AND CITY COUNCIL

HAGERSTOWN, MARYLAND

received \$ 85,00 of State Community Legacy Grant funds to assist with minor stabilization and repair work at the Alms House. Landmark zoning overlay was adopted by the Mayor and City Council in 2009 (property is subject to local Historic District Commission design review; landmark overlay designation can be removed). The property was added to the City's Competitive Negotiated Sale (CNS) process during the 2013-2014 time period. Staff estimate approximately \$ 700,000 to \$ 1,000,000 would be needed to fully renovate the building.

Chief Kifer noted police department staff toured the building and thought it could be a good location for a precinct type house and community gathering place. HPD would not need the entire building. If part of the building is renovated for HPD use, it may spur a developer to come in and do the rest. Police presence in this location would benefit the neighborhood and help with crime and nuisance issues. The Street Crimes Unit or a Community Policing base could be stationed there. He believes renovations with CDBG funding could be completed without too much impact on taxpayers.

Mayor Bruchey supports this idea.

Councilmember Metzner also supports the idea and wondered if the Fairgrounds Gatekeeper House could be used as well. Chief Kifer stated that could be a second option for consideration.

Councilmember Aleshire pointed out the Alms House has thick walls and utilities. The Gatekeeper House is a shell with no utilities or other amenities.

Mr. Kerns stated a designated use for the Fairgrounds Gatekeeper House may help with funding for renovations.

It was the general consensus of the Mayor and City Council to move forward with this idea and have staff obtain cost estimates for the work.

Councilmember Heffernan suggested considering a public restroom on the first floor of the Alms House as well.

Violent Crime Task Force Update

Police Chief Paul Kifer, and members of the Violent Crime Task Force, were present to provide an update of the Task Force's activities. Four members of the police department created the Task Force and through investigations and intelligence, they developed a list of suspects possibly involved in the recent increase of shots fired and shootings in the City. Just prior to the creation of the task force, Hagerstown was experiencing things that hadn't been occurring before. There were shots fired in the daytime. Multiple calls abouts shots fired were made. MCIN grant funds were used to fund the Task Force (\$ 20,000). The Task Force made 46 arrests (22 for felonies), and closed out a number of shooting cases.

In one instance, there were three people shooting at each other. The Task Force seized seven guns and nearly \$ 7,000 in seed money for contraband. Search warrants were successful in obtaining information. Recent intelligence indicates the word is out that HPD is looking for the people responsible for the increase in shootings and they may want to go somewhere else since the street is “hot”.

Lt. Zimmerer and Lt. Lehman have created a part time program. It uses the same concept but has a larger staff to run it. Chief Kifer does not want to let up the pressure on the streets. He intends to maintain the increased presence with the part time group until a full time group is possible.

Sgt. Andrew Lewis reported there was a spike in shootings recently, plus officers were dealing with the other typical crimes. The Task Force provided so much information to officers and a number of loose ends were tied up.

Chief Kifer stated HPD was able to take down huge players. The message has been these things won’t be tolerated in the community. HPD is working with partner agencies to put one person in particular in federal prison for some time.

Councilmember Keller hopes this good news spreads throughout the community.

Mr. Nicewarner knows some people in the community who thought HPD was not doing anything to stop the shootings. The Task Force was consistently working to end the shootings. He commended the task force members for a tremendous job. He believes a resolution on the shift issues is close. This would allow the Chief to put more of these task forces in place, while making sure the best candidates are retained and recruited.

Councilmember Aleshire is willing to do what is necessary to ensure those activities and incidents don’t repeat themselves. Another factor to keeping the criminals off the streets is the judge releasing them from prison.

Councilmember Metzner noted people committing crimes of violence involving use of a handgun will be sent to prison. The reason many judges don’t sentence them to prison is that the victims or witnesses disappear or refuse to cooperate.

Chief Kifer stated this spur of shootings did make the judicial groups aware this is not what is wanted in Hagerstown and there need to be additional consequences. He has met with Councilmember Heffernan to address what can be done with the people who house the criminals.

Mayor Bruchey thanked Chief Kifer, Lt. Zimmerer, Lt. Lehman, and Lt. Lewis for the update.

CITY ADMINISTRATOR'S COMMENTS

Scott A. Nicewarner, City Administrator, stated Delegate Corderman is seeking a letter of support for House Bill 1598 regarding Hotel Rental Tax. The bill is currently in the Rules and Nominations Committee.

Councilmember Aleshire clarified this bill has not been submitted for a hearing. Mr. Nicewarner indicated that is correct. Councilmember Aleshire stated the Convention and Visitors Bureau (CVB) is directly affected by this bill and they will be meeting shortly to determine the opinion they and their partners want to take. He isn't aware of a request for support being made to the Greater Hagerstown Committee, CHIEF or the County Commissioners. This bill has nothing to do with the City, it is for another political entity. It makes more sense that a position comes from the Washington County MML Chapter, as it would affect all the municipalities in Washington County.

Councilmember Metzner agreed and suggested discussing this during the next Washington County MML meeting.

Mayor Bruchey pointed out the bill has not made it out of committee yet. If no hearing is scheduled, it will die and not get a first hearing.

Councilmember Metzner stated he would support the bill, but agrees that this is a County wide issue. He wants to ensure this would not negatively affect the City in any way. He thinks it is premature for the Mayor and City Council to take a position on the bill.

Mr. Nicewarner will contact Delegate Corderman to see if any other municipalities have been asked for support.

Mr. Nicewarner thanked Wes Decker, Communications Manager, and Eric Hastings, TV Production/Web Coordinator, for their fantastic work on the State of the City video. He heard many compliments about the presentation.

MAYOR AND COUNCIL COMMENTS

Councilmember S. McIntire thanked everyone involved for making the first End Youth Violence event so successful. It was a great event for kids to have something positive for the weekend. She estimated more than 100 youth participated.

Councilmember L. C. Metzner thanked everyone for their efforts with the State of the City presentation. He noted it shows that everyone is proud to be part of the City.

Councilmember A. Heffernan had no additional comments.

Councilmember K. B. Aleshire participated with his daughter in cleaning up a portion of Hamilton Run. He thanked everyone who helps, and for those that have kept it going for 10 years.

Councilmember E. Keller is looking forward to this evening's State of the City presentation.

Mayor R. E. Bruchey, II visited students at Jonathan Hager Elementary School today. The students asked difficult and diverse questions today.

He thanked Wright Gardner for sponsoring the State of the City. He is thankful his 15th (and last) State of the City presentation was held at the Maryland Theatre.

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 5:42 p.m.

STATE OF THE CITY – March 3, 2020 – Evening Session

An evening session of the State of the City presentation was held on March 3, 2020 at the Bridge of Life Church, 14 South Potomac Street, Hagerstown, Maryland, at 6:00 p.m. Mayor Bruchey, Councilmember Aleshire, Councilmember Heffernan, Councilmember Keller, Councilmember McIntire, City Administrator Scott Nicewarner, and Donna K. Spickler, City Clerk attended the event.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: April 28, 2020