

EXECUTIVE SESSION AND WORK SESSION – DECEMBER 1, 2020

EXECUTIVE SESSION – December 1, 2020

On a motion duly made by Councilmember R. E. Bruchey, II and seconded by Councilmember S. McIntire, the Mayor and City Council unanimously agreed by voice vote of all members present at the time of the vote 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, December 1, 2020 at 3:33 p.m. in the Council Chamber, 2nd floor, City Hall, Hagerstown, Maryland.

The following people were in attendance: Mayor E. Keller, Councilmember K. B. Aleshire, Councilmember R. E. Bruchey, II, Councilmember T. Burnett, Councilmember T. Martinez, Councilmember S. McIntire, City Administrator Scott Nicewarner, Kathleen Maher, Director of Planning and Code Administration, Blaine Mowen, Paul Fulk, Neighborhood Services Manager, Pam Harris, Building Inspector, Jason Babb, Nuisance Inspector, and Donna K. Spickler, City Clerk.

The meeting was held to discuss proposals for two businesses. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the meeting was adjourned at 4:07 p.m.

WORK SESSION – December 1, 2020

Mayor E. Keller called this Work Session of the Mayor and City Council to order at 4:15 p.m., Tuesday, December 1, 2020 in the Council Chamber at City Hall. Participating with the Mayor were Councilmembers K. B. Aleshire, R. E. Bruchey, II, T. Burnett, T. Martinez, and S. McIntire, City Administrator Scott A. Nicewarner, and City Clerk D. K. Spickler.

Proclamation – World AIDS Day

Mayor Keller read a proclamation recognizing December 1, 2020 as World AIDS Day in Hagerstown, Maryland. Michael Jones, Pastoral Administrator, Connections Six Eight UCC, accepted the proclamation.

Proclamation – Dennis Miller Volunteer Award

Councilmember Bruchey, II presented the annual Dennis Miller Volunteer Award to Paul Sweeney, Hagerstown Ice Amateur Athletic Association (HIAAA), in recognition of his volunteer service with the HIAAA. In November, 2020, then Mayor Bruchey selected Mr. Sweeney as the recipient of the award, which recognizes a board or commission member for their outstanding service as well as their commitment to the citizens of Hagerstown. Mr. Sweeney serves as Chairman of the HIAAA.

Governor's Maryland Strong Economic Recovery Initiative: Funding to Main Street Districts

Jill Thompson, Director of Community and Economic Development (DCED), and Kaitlin Bell, Economic Development Specialist, were present to review a proposed draft Main Street Hagerstown Business Stabilization Grant Program that is conditional on receiving special COVID-19 funding from the Governor's Maryland Strong: Economic Recovery Initiative (MD-SERI).

Staff have applied to the Maryland Department of Housing and Community Development (DHCD) for business assistance funding available for designated Main Street Maryland districts as part of the Governor's initiative.

Staff applied for the maximum grant amount of \$ 500,000. No City match is required. It is not yet known if the City will receive State funding, and the State has communicated that funding announcements will begin no later than November 30, 2020.

With the Mayor and City Council's support, staff recommend using 100% of awarded funding for a Main Street Hagerstown Business Stabilization Grant Program. Following a funding announcement and as soon as City and State requirements allow, staff will work expeditiously to get the funding in the hands of businesses as quickly as possible.

The proposed guidelines state the funding is open to both for-profit and non-profit organizations, as they both contribute to downtown. Eligibility requirements include the following:

1. Must be located in the Main Street District
2. May be a non-profit organization or for-profit business
3. Costs related to capital improvements operations in order for the business to continue to safely operate, expand operations and/or adapt their business model to respond to changes due to COVID-19 restrictions and prevention, rent payment, utilities, payroll, and to purchase services such as professional cleaning services, marketing consultant services, etc.
4. Maximum funding request is \$ 10,000
5. Must be in good standing with the City of Hagerstown and the State of Maryland
6. New businesses must have an executed lease and must have an Use and Occupancy permit by March 1, 2021.
7. Applicants may not include bail bonds businesses, hookah shops, adult bookstores, or other adult businesses.
8. All items, products, or services being requested cannot have been previously funded or fulfilled by additional grant funding resources. The accountability of responsible use of funds is final submission and verification of receipts.

Councilmember Aleshire clarified this is entirely State funding and the maximum individual funding is \$ 10,000. Ms. Thompson indicated that is correct. He asked if it can be used for business expansion and if that use applies equally to both businesses and

non-profit organizations. Ms. Thompson stated the way the guidelines are written that is correct. Councilmember Aleshire stated he would be completely opposed to the use of City funds for this program if non-profits are treated the same as for-profit businesses. His charge is not to use citizen tax funds for any of the 650 non-profit agencies. He is less opposed since it is entirely funded by the State. He opposed giving equal merit to for-profit businesses and non-profit organizations.

Councilmember McIntire asked how many non-profit agencies are located within the Main Street area. Ms. Thompson estimated there may be up to 120 agencies. Councilmember McIntire noted \$ 10,000 is not a huge amount to assist with expansion of a program or business. She is glad this funding may be available.

Councilmember Aleshire stated he would rather assist a struggling business than provide funding for expansion of a non-profit service. Ms. Thompson stated the eligibility guidelines could be revised to indicate state expansion of a for-profit business is eligible but expansion of a non-profit agency is not eligible.

Councilmember Bruchey suggested ensuring that for-profit businesses be given first consideration for the stabilization funds.

Councilmember Aleshire does not support this funding being provided to large businesses that have already received significant assistance.

Councilmember Burnett noted that non-profits are also still struggling. Today is Giving Tuesday which is an initiative to assist non-profits. She would also like to see a list of the non-profit agencies within the Main Street area.

Mayor Keller stated asking for the gross amount of costs is a good question.

Councilmember McIntire suggested lowering the maximum assistance to \$ 5,000. This would allow assistance for more businesses. Ms. Thompson stated she believes \$ 10,000 is sizeable enough to have a significant impact for a business. If the City does not receive the full \$ 500,000 lowering the maximum amount could be considered.

Councilmember Bruchey stated he would like businesses to ask for just what they need, instead of the maximum amount.

It was the general consensus of the Mayor and City Council to include approval of the application and acceptance of the grant funding on the December 15, 2020 Regular Session agenda.

Skatepark Task Force: Report and Recommendation

Rodney Tissue, City Engineer, and Phil Scolaro, Chairman of the Skatepark Task Force, were present to provide an update of the Task Force's findings. Members of the Task Force include Mr. Scolaro, Ryan McAllister, Cynthia Burton, Josh Kebe, Martin

Price, Dustin Socks, and Will Boyer. Mr. Tissue served as the City of Hagerstown representative.

Many communities have skateparks, including several local ones in Frederick (2), Waynesboro, Chambersburg (2), Urbana, Gaithersburg (3), and Leesburg. Skateparks are shown to reduce illicit behavior, provide safe environments for a portion of the population not served by conventional parks, offer health benefits for the users and even have a positive economic impact.

In August, the mayor and Council appointed a Task Force to study the issue in a comprehensive manner and report their findings back to the Mayor and Council.

This Task Force has been very diligent. They met six times to discuss the issues related to the skatepark including location, cost, funding, insurance, operation and maintenance. The participating members all had good insight and input into the process and they actively sought additional community involvement and financial donations.

The report is included with the meeting material. Also included is a letter of recommendation from the Hagerstown Youth Advisory Council.

Mr. Tissue stated that after having worked through the many issues with the Task Force, he believes they have provided a model that is likely to succeed.

Skatepark benefits include:

1. Skateboarding is a healthy, athletic activity
2. Skateboarding improves mental health
3. Skateparks facilitate a sense of community
4. Action sports encourage resilience
5. Skatepark sports are known for their diverse population
6. Low economic barriers
7. No age limit
8. Future professional athletes
9. Many sports enjoy skateparks

The Task Force looked at possible locations, the type of park design, facilities for all wheel sports, regulations, maintenance, costs, a timeline, and sought public input.

The group reviewed nine possible locations at various City parks. They determined the most appropriate location is at Fairgrounds Park where the current basketball court is located. They want to make sure the basketball court is relocated.

Community input will be invited for the design. Inclusivity and Safety are two important considerations for the design. The facility should accommodate multiple sports and welcome diverse skill levels with a variety of difficulty components. Local riders will have an opportunity to be heard for design considerations. Professional and experienced designers will ensure that maintenance is minimal and unnecessary

weathering does not create hazards. Creating visible space helps parents supervise young children from comfortable distances. The actual design will be a product of community input.

The overall project cost is estimated to be \$ 510,000, depending on final design. The average cost per square foot is \$ 45.00. An RFP will be sent out and a matrix will be used to select the design/build firm. A local civil engineer and site contractor will be utilized for site preparation.

A combination of grant funding and fundraising will be used to fund the project. Ensuring there is no cost to riders helps to address socio-economic barriers to access. No City taxpayer funds are proposed. Funding includes Community Development Block Grant (\$ 375,000 over two fiscal years), Maryland Project Open Space (\$ 150,000) and the Skatepark Project and fundraising (\$ 30,000).

The estimated increase in the City's general liability insurance cost is less than \$ 1,000 annually. City staff will need to routinely clean debris, remove stickers and every 10 years re-caulk, possibly reset coping, etc. The park will be unsupervised by City staff and will close at dusk. Professional designer/builder companies often provide warranties and comprehensive maintenance guides/schedules.

Will Boyer, Member, discussed fundraising. He is a managing partner of Bustin Boards and they recently held an auction and art show. The event, hosted by Cushwa Brewing Company, raised more than \$ 10,000.00.

Next steps include the following:

1. City Council endorsement of the project and funding plan
2. Receive proposed funding request endorsement
3. Budget per the funding plan
4. Issue "Design/Build" request for proposal (RFP) and have Task Force make recommendation to City Council (February, 2021)
5. Fundraising and grant seeking by Task Force

Mayor Keller thanked the Task Force for their efforts in completing the study during a short period of time.

Councilmember Bruchey asked how the insurance would be handled. Mr. Tissue indicated the City would carry the insurance as part of the general liability insurance policy. If someone would be injured and they weren't following the rules, the individual would be liable, not the City.

Councilmember McIntire thanked the Task Force members for all their efforts. She is glad this project is moving forward.

Councilmember Burnett also thanked the Task Force. She attended the fundraiser at Cushwa Brewing Company and was impressed with the support.

It was the general consensus of the Mayor and City Council to move forward with the next steps to support and endorse the skatepark.

CITY ADMINISTRATOR'S COMMENTS

Scott A. Nicewarner, City Administrator, reminded everyone the City Park tree lighting will take place on Friday, December 4, 2020. This will be a virtual event at 7:00 p.m. He thanked public safety employees, especially Planning and Code Enforcement (PCAD) and Department of Community and Economic Development (DCED) staff, who worked Wednesday night and most of Thanksgiving Day dealing with the partial building collapse of the Hamilton Hotel. They ensured the issue was dealt with as expeditiously and safely as possible. DCED is assisting with relocation of the Yarn Shop as the building is not habitable. City buildings will be closed to the public through the month of December. Staff may be reached by phone or email. Customer Service staff is on site and available to assist customers.

MAYOR AND COUNCIL COMMENTS

Councilmember K. B. Aleshire had no additional comments.

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

Councilmember T. Burnett had no additional comments.

Councilmember T. Martinez had no additional comments.

Councilmember S. McIntire had no additional comments.

Mayor E. Keller announced Washington Goes Purple will be having a family resource night at 6:00 p.m. on December 2, 2020 on Facebook Live. She urged citizens to continue wearing their masks. It is concerning that Washington County's positivity rate is currently over 10%.

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 5:33 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: January 26, 2021