

1st REGULAR SESSION – December 15, 2020

In response to the Mayor's declaration of a Civil Emergency, this Mayor and City Council meeting was held virtually.

Mayor and City Council members and meeting participants were provided with a specific meeting ID prior to the meeting. This meeting ID is required in order to join the meeting as a participant.

The meeting was streamed live through the City of Hagerstown's Cable Channel 25, Facebook, and YouTube accounts. All members of the public were welcome to view meetings through these platforms, but only able to participate in public meetings virtually.

Mayor E. Keller called this 1st Regular Session of the Mayor and City Council to order at 7:03 p.m., Tuesday, December 15, 2020, in the Council Chamber at City Hall. Participating with the Mayor were Councilmembers K. B. Aleshire (remotely), R. E. Bruchey, II (remotely), T. Burnett (remotely), T. Martinez (remotely), and S. McIntire (remotely), City Administrator Scott A. Nicewarner, City Attorney Jason Morton (remotely), and City Clerk D. K. Spickler.

The invocation was offered by Reverend Dr. Robert Apgar-Taylor (remotely), Grace United Church of Christ. The Pledge of Allegiance was recited and led by Mayor E. Keller.

NEW BUSINESS

Adoption of Rules of Procedure

Action: 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 to adopt the established Rules of Procedure dated December 15, 2020. These Rules of Procedure shall apply to all meetings of the Mayor and City Council to be held by this administration and shall be in effect upon adoption by the Mayor and City Council.

Mayor Keller announced the Rules of Procedure for this meeting will be followed as adopted December 15, 2020. 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, January 12, 2021, and Tuesday, January 19, 2021, and the Regular Session on Tuesday, January 26, 2021 at 7:00 p.m. There is no meeting scheduled for Tuesday, January 5, 2021.

CITIZEN COMMENTS

Citizen Comments were accepted by email at councilcomments@hagerstownmd.org prior to 5:00 p.m. on Tuesday, December 15, 2020.

No Citizen Comments were received.

MINUTES

On a motion duly made by Councilmember R. E. Bruchey, II and seconded by Councilmember S. McIntire, the minutes from November 10, 2020, November 17, 2020, November 23, 2020, and November 24, 2020 were unanimously approved as presented.

CONSENT AGENDA

On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember R. E. Bruchey, II, the Consent Agenda was approved as follows:

- A. Fire Department:
 - 1. Records Management System – ESO (Austin, TX) \$ 27,225.60

- B. Police Department:
 - 1. Replace Water Source Heat Pump (Mechanical Room) – M. S. Johnston (Hagerstown, MD) \$ 10,325.00

- C. Public Works:
 - 1. Bulk Gasoline Purchase – Petroleum Traders Corporation (Fort Wayne, IN) Estimated Cost Not to Exceed \$ 441,244.00
 - 2. Bulk Diesel Fuel Purchase – Mansfield Oil Company (Gainesville, GA) Estimated Cost Not to Exceed \$ 441,244.00

- D. Utilities:
 - 1. Water – Annual Software Support and Services at the Willson Plant for SCADA – ABB, Inc. (Cleveland, OH) \$ 67,100.00
 - 2. Water and Wastewater Chemical Purchase:
 - a. Water – Various Vendors \$ 811,034.00
 - b. Wastewater – Various Vendors \$ 433,912.00
 - 3. Wastewater – Replacement Ultra Violet Bulbs and Quartz Sleeves – SUEZ (Paramus, NJ) \$ 45,141.43

UNFINISHED BUSINESS

There is no unfinished business.

NEW BUSINESS

- A. Approval of a Resolution: Lease Agreement for the City of Hagerstown**

Property located at 36 N. Potomac Street – The Yarn Shop

Action: On a motion duly made by Councilmember S. McIntire and seconded by Councilmember T. Burnett, the Mayor and City Council unanimously agreed by voice vote to approve a resolution authorizing a Lease Agreement between Michelle Nolan doing business as The Yarn Shop and the City of Hagerstown for temporary use of City of Hagerstown property located at 36 North Potomac Street in Hagerstown, Maryland. The term of the lease shall be for 60 days.

B. Approval of a Resolution: Refuse Collection Agreement for McCleary Hill Development

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember R. E. Bruchey, II, the Mayor and City Council unanimously agreed by voice vote to approve a Refuse Collection Agreement with the Hagerstown Housing Authority for the McCleary Hill development. This agreement allows the City’s solid waste collection contractor to access the private streets and alleys of the development.

C. Approval of a Resolution: To Amend the Start of the Stormwater Utility Fee

Action: On a motion duly made by Councilmember S. McIntire and seconded by Councilmember T. Martinez, the Mayor and City Council unanimously agreed by voice vote to approve a resolution to amend a past resolution of the Council (dated and effective June 23, 2020) to delay start of the Stormwater Utility Fee from January 1, 2021 to March 1, 2021.

The fee will appear on the first full quarterly “Water and Wastewater” utility bill issued after March 1, 2021 for customers billed on a quarterly basis and on the first monthly “Water and Wastewater” utility bill issued after April 1, 2021 for customers billed on a monthly basis.

D. Approval of Application and Acceptance of Grant Funding from the Governor’s Maryland Strong: Economic Recovery Initiative for a Main Street Hagerstown Business Stabilization Grant Program

Action: On a motion duly made by Councilmember R. E. Bruchey, II and seconded by Councilmember T. Burnett, the Mayor and City Council unanimously agreed by voice vote to approve the application for and acceptance of grant funding up to a possible \$ 500,000 maximum from the Governor’s Maryland Strong: Economic Recovery Initiative for a Main Street Hagerstown Business Stabilization Grant Program per the Guidelines and Application Form. The grant funding is special COVID-19 business relief funding available to Main Street Maryland districts, and does not require a City of Hagerstown match. The approval provides that

the City Administrator may make administrative edits if necessary to finalize the grant program guidelines and application form.

Discussion: Councilmember Aleshire asked when staff expects to receive notification that the funding is available. Jill Thompson, Director of Community and Economic Development, stated the Department of Commerce notified the City that the grant funds should be dispersed to jurisdictions by the end of the year. He clarified that for-profit businesses will have a full 30 days to apply before non-profit agencies can apply. Ms. Thompson indicated that is correct.

Councilmember Aleshire asked who made the determination for the excluded for-profit businesses. Ms. Thompson stated there was no direction from the State of Maryland related to those businesses so staff made the determination based on the guidelines presented to the Mayor and City Council. This is patterned after exclusions that were part of other State funded programs.

E. Acceptance of Community Development Block Grant CDBG-CV Funding

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 acceptance of \$ 274,365.00 in CDBG-CV funding being awarded to the City as part of the Federal CARES Act legislation. This funding must be used via standard CDBG activities that also prepare for, respond to, or assist in prevention of COVID-19. Final allocation of this funding will be determined after an application and review process for local non-profit organizations.

F. Approval of Skatepark in Fairgrounds Park

Action: On a motion duly made by Councilmember S. McIntire and seconded by Councilmember R. E. Bruchey, II, the Mayor and City Council unanimously agreed by voice vote to approve of the installation of a skatepark in Fairgrounds Park. The Mayor and City Council further authorized staff to issue a Request for Design/Build proposals and to seek funding in accordance with the plan as presented by the Task Force to Mayor and Council on December 1, 2020. Staff will present recommendations for the design/build contract for Council approval at a later date.

The funding plan for this project shall be as follows:

1. \$ 375,000 in CDBG funds over fiscal years FY21 and FY22
2. \$ 150,000 in FY22 Program Open Space
3. Approximately \$ 30,000 from a fundraising/grant campaign by the Task Force

All CDBG funding is pending and subject to CDBG Action Plan processes and citizen participation plan requirements.

In approving this motion, the Mayor and Council hereby acknowledge and express their appreciation to the citizens serving on the Skatepark Task Force.

Discussion: Councilmember McIntire pointed out this is not the first time a skatepark has been discussed by the City. The City is fortunate to be in a community right now that sees the vision and wants to move this forward. The community is excited about a skatepark and there are fundraising activities being held. She thanked everyone for their support of this project.

Councilmember Aleshire wants to be sure approval of the motion does not imply approval of a specific plan for the final design. There should be specific management structures in place. Reviewing skateparks in other communities would be helpful in determining what is the best management of accessibility for citizens while limiting management required by staff.

Rodney Tissue, City Engineer, stated the motion provides staff the authority to move to the next step toward making this happen. Staff will develop a Request for Proposal and potential rules and regulations. communities can provide

Mayor Keller has contacted Bowie, Maryland for feedback about their experience with a skatepark.

G. Approval of Rates for the Greens at Hamilton Run 2021 Season

Action: 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 to approve the “Proposed Rates 2021” as shown in an attached chart. These rates apply to greens fees and season passes effective January 1, 2021.

The Mayor and City Council further moved to authorize staff to develop an administrative policy to limit the use of season passes on weekends and holidays before noon.

Discussion: Councilmember Bruchey proposed keeping the rates the same for the Senior 9-holes and Senior 18-holes and only increase the City and Non-City Senior Passes by \$ 100.00 instead of \$ 200.00. The other proposed rates presented by staff would be implemented as proposed.

Councilmember Aleshire supports the incremental increases in the show up and play rate. He would like further discussion about what the plan is for the season pass rate.

Councilmember Bruchey stated the subsidy provided to the golf course, the swimming pool, and the ice rink are discussed each year during the budget review. Although play at the golf course has increased during the beginning of the pandemic, he does not think increasing rates is the way to encourage people to continue visiting the golf course after the pandemic eases.

In summary, the motion to increase the rates effective January 1, 2021 is unanimously approved with the proposed increases, with the exception of senior passes, which will only increase by \$ 100.00 instead of \$ 200.00.

H. Approval of Application for FY 2022 Program Open Space Projects

Action: 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 to approve of an application to Washington County requesting FY 2022 Program Open Space (POS) development funding for improvements to the City's recreational facilities (POS share listed) as follows:

- | | |
|--------------------------------------|------------|
| 1. Fairgrounds Park Skatepark | \$ 150,000 |
| 2. Park Play Equipment and Amenities | \$ 171,000 |
| 3. Roof Replacements | \$ 108,000 |

CITY ADMINISTRATOR COMMENTS

Scott Nicewarner, City Administrator, announced there will be no trash collection tomorrow (December 16, 2020) due to the impending snowstorm. The remainder of the collection for the week will be delayed by one day. Trash will not be picked up on Friday, December 25, 2020 or January 1, 2021. Residents with regular Friday collections will be delayed one day. He wished everyone a happy holiday. He stated 2021 will be a challenging and opportunity filled new year.

MAYOR AND CITY COUNCIL COMMENTS

Councilmember K. B. Aleshire is looking forward to the new year. He wished everyone a good holiday season. As his kids look forward to their first snow day of the season, he hopes the school board will view it as a snow day too. He urged everyone to look out for their neighbors.

Councilmember R. E. Bruchey, II wished everyone a Merry Christmas and happy and prosperous new year. He is looking forward to 2021 and a return to some sense of normalcy.

Councilmember T. Burnett thanked the Mayor and City Council for their work during the last four weeks as the new administration took office. She thanked City staff, who have been helpful and informative. She is looking forward to reviewing the results of the community survey. She wished everyone a Merry Christmas.

Councilmember T. Martinez wished everyone a happy holiday season.

Councilmember S. McIntire knows there has been State and Federal funding assistance for businesses. The community's small businesses need everyone's patronage right now. The year has been difficult for many of the businesses and they need the community's support. She wished everyone a Merry Christmas and Happy New Year. She is looking forward to 2021.

Mayor E. Keller agreed that small businesses need extra support. She issued a challenge to the Council, City staff, and the community to post on social media every time they shop local between now and Christmas. Small businesses are struggling and she urged everyone to help these businesses and each other. She wished everyone a Merry Christmas and Happy New Year. As Washington County's positivity rate is 12.75% (which is high), Mayor Keller urged people to visit with family and friends during the holiday season by Zoom meetings or some other distanced means. Gathering in groups is being discouraged to help stop the spread of COVID-19.

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 7:38 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: January 26, 2021