

SPECIAL SESSION (3<sup>RD</sup> VOTING SESSION)  
EXECUTIVE SESSION AND WORK SESSION  
2021  
MAYOR AND CITY COUNCIL

JANUARY 19,  
HAGERSTOWN, MARYLAND

SPECIAL SESSION (3<sup>RD</sup> VOTING SESSION), EXECUTIVE SESSION AND WORK  
SESSION – JANUARY 19, 2021

EXECUTIVE SESSION – January 19, 2021

Councilmember R. E. Bruchey, II made a motion to meet in closed session to consult with counsel 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, January 12, 2021 at 2:31 p.m. in the Council Chamber, 2<sup>nd</sup> floor, City Hall, Hagerstown, Maryland. Councilmember S. McIntire seconded the motion.

Motion carried 4-1 with Councilmember K. B. Aleshire voting No.

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, Jill Thompson, Director of Community and Economic Development, Wes Decker, Communications Manager, Senator Paul Corderman, Delegate Brenda Thiam, Howard “Blackie” Bowen, Frank Boulton (remotely) President of Atlantic League Independent Baseball, Will Smith (remotely) Former President of Staten Island Yankees and former General Manager with Hagerstown Suns, Jim Kercheval (remotely) Executive Director of Greater Hagerstown Committee, Dan Spedden (remotely) Executive Director of Visit Hagerstown and Washington County, Paul Frey (remotely) CEO/President of Washington County Chamber of Commerce, and Donna K. Spickler, City Clerk.

The meeting was held to discuss a business proposal. Two proposals were scheduled to be discussed but one was postponed. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the meeting was adjourned at 4:45 p.m.

SPECIAL SESSION (3<sup>RD</sup> VOTING SESSION) AND WORK SESSION – January 19,  
2021

Mayor E. Keller called this Special Session (3<sup>rd</sup> Voting Session) and Work Session of the Mayor and City Council to order at 4:49 p.m., Tuesday, January 19, 2021 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, City Attorney Jennifer Keefer, and City Clerk D. K. Spickler.

Due to time constraints of scheduled speakers, the Special Session was moved to the end of the meeting.

Councilmember R. E. Bruchey, II left the meeting.

### COVID 19 Vaccine Update

Earl Stoner (remotely), Washington County Health Officer, provided an update on the COVID 19 vaccine. Phase 1a of the vaccination schedule is being completed. Adults 75 and over are the priority for Phase 1b. The Health Department is working in partnership with Meritus Medical Center to work through the phases. The next phase includes the school system and those who are classified as continuance of government. Approximately 1,000 vaccines will be given to school administrators and teachers in the next week or so. The focus for the Governor and State officials has been to provide vaccines to the vulnerable population. There is currently a waiting list of 4,000 individuals in the senior population. Appointments will be scheduled when vaccines are available. The State of Maryland directed health departments and hospital to focus on vaccines for the senior population. There is currently no definition for continuity of government. When the health department knows what that means, they will begin contacting the City, County, and municipalities for appointments. The local health department receives 1,300 vaccines per week. The State receives 73,000 and part of those are kept for nursing care. The doses available do not meet the demand. Finding individuals to be vaccinators is challenging, as is handling and storage of the vaccine. Once the vaccine is thawed, you have six hours to use it and when the vial is punctured you have six hours to use it. He urged everyone to be patient as the State explores other ways to provide vaccines for everyone. Pilot vaccination programs are being planned for pharmacies and grocery store pharmacies.

Councilmember Aleshire thanked Mr. Stoner for this update. It is reassuring to hear that other jurisdictions are facing the same challenges. People need to be assured they are not being overlooked or forgotten. He wants to make sure senior citizens are receiving communications on the status of the vaccine.

Councilmember Bruchey returned to the meeting.

### Preliminary Agenda Review

Mayor Keller announced that Citizen Comments for the January 26, 2021 Regular Session may be submitted by email to [councilcomments@hagerstownmd.org](mailto:councilcomments@hagerstownmd.org) prior to 5:00 p.m. that day. The submitters name, address, and a summary of the comments will be announced during the Citizen Comments portion of the meeting. The email will not be read in its entirety but it will be included in the public record for the meeting and may be viewed by the public at any time.

An Executive Session will be held prior to the Regular Session on January 26, 2021.

### **Consent Agenda**

- A. Department of Community and Economic Development:
  - 1. Street Closure Requests – 2021 Events
  
- B. Information Technology:
  - 1. Upgrade of ESRI GIS ArcServer – ESRI (Redlands, CA) \$ 15,500.00
  
- C. Parks and Engineering:
  - 1. Replacement of Parks and Recreation Office Roof – Soella, Inc. (Upper Marlboro, MD) \$ 64,900.00
  
- D. Police Department:
  - 1. Annual Barracuda Backup Service – HCGI (Columbia, MD) \$ 20,544.00
  - 2. Police Interceptor Vehicle Purchase:
    - a. Eight 2021 Dodge Police Interceptors – Hetrich Dodge Fleet Services (Denton, MD) \$ 234,168.00
    - b. Up-fitting of 2021 Dodge Police Interceptors – Occasion of a Lifetime, LLC (Frederick, MD) \$ 96,479.88
    - c. Tri-Band, TDMA, Encrypted Radios for Interceptors – Motorola Solutions – Washington County Wireless Communications (Hagerstown, MD) \$ 58,048.16
    - d. Dell Latitude 5424 Mobile Computers for Interceptors – Dell EMC (Round Rock, TX) \$ 20,190.88
  
- E. Public Works:
  - 1. Ford F-150 SuperCab Pickup Truck – Keystone Ford (Chambersburg, PA) \$ 30,653.00
  - 2. Ford F-750 Diesel Regular Cab Truck – Outfitted for Snow Operations – Keystone Ford (Chambersburg, PA) \$ 126,276.00
  
- F. Utilities:
  - 1. Electric – Milsoft Utility Software – Milsoft Utility Solutions (Abilene, TX) \$ 95,195.00
  - 2. Water – Hach Fluoride Analyzer – Hach (Loveland, CO) \$ 13,416.22
  - 3. Wastewater – Underflow Pump – Evoqua Water Technologies (Waukesha, WI) \$ 22,989.08

This completed the Preliminary Agenda Review There were no questions about any items. All items, unless noted, are scheduled for approval on January 26, 2021.

Milsoft Utility Solutions

Nathan Fridinger, Electric Operations Manager, and Nancy Hausrath, Director of Utilities, were present to discuss the City's utility billing software.

Mr. Fridinger noted that Milsoft Utility Solutions and the Light Department has been doing business together since 2008. The GIS Electric Utility modeling software provides the following:

1. he entire Hagerstown Light Department (HLD) infrastructure at staff's fingertips
2. Engineers with infrastructure analysis tools
3. Line-workers with mobile mapping to identify trouble locations

Milsoft acquired Daffron to expand their Utility Management software toolbox. In addition to mapping and analysis, Milsoft provides interactive voice recognition and outage management. Daffron provides the Work Management and Customer Information Systems. All systems are fully integrated.

HLD staff have been looking at ways to better manage the work management and customer management system. Milsoft has a component to do this. Currently, everything is logged on paper. Using a program to manage this will make it easier to invoice for and track jobs. Specific reports to the meet Federal guidelines will be more efficient. Servers will be offsite, making customer information more secure. All upgrades would be included in the monthly maintenance fees. Other benefits of the system are fewer transferred calls and an augmented method for making payments. With this program, customers will also be able to pay property taxes and parking tickets online.

The initial cost for the system is \$ 55,195.00. Annual software and communication charges will be \$ 77,736.00. The Work Management system cost of \$ 18,000.00 annually will be funded through the Electric Division. Customer service and communication fees will be \$ 15,236.00 annually.

Staff from Utilities, Finance, Customer Service, and Information Technology collectively recommend implementing this new component of the Milsoft Utility Solutions program.

It was the general consensus of the Mayor and City Council to include approval of the Milsoft Utility program on the agenda for January 26, 2021.

#### FY20 Popular Annual Financial Report (PAFR)

The PAFR was postponed to a future Work Session.

#### Proposed Updates for Awarding Community Development Block Grant (CDBG) Public Service Grant – CDBG Citizen Advisory Committee

Lauren Metz, Planning and Outreach Coordinator, and Jonathan Kerns (remotely), Community Development Manager, were present to discuss proposed updates for awarding Community Development Block Grant (CDBG) Public Service Grants and the CDBG Citizen Advisory Committee.

The City of Hagerstown is currently one of eight entitlement cities in the State of Maryland to administer funding through the U. S. Department of Housing and Urban Development's Community Development Block Grant (CDBG) program. This funding is primarily used to remove slum and blight conditions or foster programs that benefit low-to-moderate income or high-risk populations through capital improvement projects, residential rehabilitation programs, and public service grants to local non-profit organizations.

In 2013, the Mayor and City Council approved the framework to create a Public Service Review Committee that would assist city staff with making recommendations for which local non-profit organizations should receive CDBG public service funding. Due to HUD regulations, funding allowed for public service grants cannot exceed fifteen percent of the annual CDBG grant allocation that the City receives, plus any program income, and as such makes the application process that much more competitive.

It was determined at that time that the committee would be comprised of the following members: a member of the faith community, a member of the Neighborhoods 1<sup>st</sup> program, and a low-to-moderate income resident.

While the Public Service Review Committee has been successful since its inception, staff seek to make the following proposed changes to create both increased transparency and increased opportunities for citizen participation:

1. Updating the committee name to Community Development Block Grant Citizen Advisory Committee
2. Removing the membership requirements to allow any interested resident to apply for the committee (with a preference to those that have a social services background) as well as expanding the committee to include no more than five members. Note: eligible applicants cannot be affiliated with any organizations either seeking or receiving CDBG funding.
3. Expand the role of the committee to not only assist with the review of public service grants but also to provide feedback on other CDBG programs including the amendment process to the annual Action Plan.

These proposed changes to the program are minor in nature; however, staff believe the changes will create even greater communication and engagement from the community. All members of the committee will still be selected through an application process and appointed by the Mayor and City Council.

Councilmember Aleshire asked what the definition is for applicants not being affiliated with an organization seeking or receiving this funding. He specifically asked if

someone who is a subrecipient of a program using these funds to provide assistance is prohibited from serving on the committee. Ms. Metz stated details could be added to the program description. She noted this situation has not come up before. The member could recuse themselves from the discussion.

Councilmember McIntire suggested including language to prohibit someone who has a conflict of interest from serving on the committee.

Councilmember Aleshire asked if this could become a committee of three people from three non-profits administering the funds to other non-profits. He prefers the current eligibility requirements – different individuals from the community. He is opposed to the membership eligibility requirement amendment.

Councilmember Bruchey stated he thinks wording about not having a conflict of interest is sufficient.

It was the general consensus to approve the amendments as proposed.

#### Proposed CDBG Action Plan Amendment for Reallocation of CDBG Funds

Rodney Tissue, City Engineer, and Jonathan Kerns (remotely), Community Development Manager, were present to discuss amendments to the CDBG FY21 Annual Action Plan. The amendment is required for recommended reallocation of available CDBG funding initially budgeted for Parks and Engineering projects that remain in the planning phase and/or Parks and Engineering projects with CDBG eligibility barriers. The proposed amendment would reallocate CDBG funding to existing CDBG projects (Hellane Park Basketball Court Rehabilitation) and new CDBG projects (Fairgrounds Park Fit Room Restroom Rehabilitation, Hagerstown Skate Park Construction).

Due to CDBG regulatory requirements related to timely expenditure of CDBG funds, staff perform periodic reviews of the CDBG budget each fiscal year to determine if funding budgeted for planned CDBG activities should be reallocated. This often occurs when a CDBG project or activity has been underutilized, completed under budget, and/or remains delayed within the project planning phase. If funds are available from such activities, CDBG regulations typically require a CDBG plan amendment to reallocate these funds to different activities.

After a recent review of the CDBG budget, it is recommended that a total of \$ 320,000.00 in CDBG funding be reallocated. \$ 250,000 of CDBG funding is available from the Neighborhood Parks line item due to the Downtown Splash Pad Park project remaining in the early planning phase. \$ 70,000 of CDBG funding is available from the Memorial Boulevard/Reynolds Avenue Intersection CIP due to CDBG eligibility requirements related to meeting a CDBG national objective.

Groundbreaking for the Hellane Park Basketball Court improvements, Fit Room Bathroom Rehabilitation, and Skate Park Construction projects would likely be targeted for Spring and Summer of 2021.

Amending the CDBG Action Plan involves routine processes typically handled by staff. The amendment for the proposed reallocations will also require Mayor and City Council approval since multiple activities are receiving reallocated funding in excess of \$ 25,000.00.

The CDBG amendment for these reallocations will be scheduled for Mayor and City Council approval during the February Regular Session, after required public comment periods have passed.

Mr. Tissue noted that the condition of two courts at Hellane Park is fair. He would like to make improvements similar to those made at Wheaton Park.

Councilmember Aleshire asked if reallocating means postponing the project or eliminating it. Mr. Kerns indicated when projects become delayed for multiple reasons, the funding process begins again when they begin moving forward. Mr. Tissue noted the

Skatepark project is a new project, but no other projects were pushed forward from their original schedules.

Councilmember Aleshire stated it is unfortunate the splash pad is in the area of the proposed stadium project.

It was the general consensus to include approval of the amendments on the February 23, 2021 Regular Session agenda.

#### Policy Addition for Department of Community and Economic Development Programs and Incentives

Kaitlin Bell (remotely), Economic Development Specialist, was present to discuss a recommended policy addition to the Department of Community and Economic Development programs and incentives.

The purpose of this amendment to the incentive program guidelines is to ensure that the incentive funds are used for their intended purpose outlined in the approved development plan and application. Additionally, the policy encourages safe and code compliant practices when renovating and completing construction.

For any property that is receiving incentives from the City of Hagerstown through any of the City's programs, the incentive benefits will be immediately suspended if the

property, project, or building is condemned due to reasons other than a natural disaster at any time during the agreement and/or benefit period. In order for incentive benefits to be reinstated the following conditions must be met:

1. The property owner/applicant must submit the following documents for review: corrective scope of work, updated development plan, budget, and timeline in which the corrective work will be completed
2. The corrective work must move forward in a timely and continuous manner and be completed by licensed contractors. The corrective work must be completed, approved, and the condemnation order must be lifted before the expiration date on the signed incentive agreement passes. Application extensions will not be granted after a property receives a condemnation order.
3. The Review Committee must review that the corrective work has been completed. If the corrective work hasn't been completed before the incentive agreement expiration date, the agreement will be terminated. The property owner will be eligible to reapply for the incentive/program in the future when the corrective work has been completed.
4. A walk through must be completed by the Department of Planning and Code Administration and/or the Fire Marshall's office.

Once steps 1-4 have been completed and, provided the project remains eligible, the benefits of the program/incentive will be reinstated/applied.

It was the general consensus to implement the policy addition as soon as possible.

SPECIAL SESSION (3<sup>RD</sup> VOTING SESSION – January 19, 2021

On a motion duly made by Councilmember R. E. Bruchey, II and seconded by Councilmember S. McIntire, the Mayor and City Council unanimously agreed to meet in Special Session at 5:38 p.m.

**Approval of 170 West Washington Partners LLC Development Plan for Sale of Property Located at 170 West Washington Street**

**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 170 West Washington Partners LLC Development Plan for the redevelopment of 170 West Washington Street. Approval of the Development Plan is required by the Purchase Agreement for the pending sale of this City-owned property. The required Development Plan documents were attached with the motion.

The Special Session was closed at 5:39 p.m.

**CITY ADMINISTRATOR'S COMMENTS**

*Scott A. Nicewarner, City Administrator*, had no additional comments.

**MAYOR AND COUNCIL COMMENTS**

*Councilmember S. McIntire* had no additional comments.

*Councilmember T. Martinez* had no additional comments.

*Councilmember T. Burnett* had no additional comments.

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

*Councilmember K. B. Aleshire* thanked Mr. Stoner and Dr. Joshi, Director of Meritus Medical Center, for discussing the vaccine plans with him last week. He realizes they are under extreme pressure from multiple sides. He is concerned that some senior citizens may have read or heard that the next phase of vaccines has started and think they were passed over. This is not the case and senior citizens should still contact Meritus to be placed on the vaccine waiting list.

*Mayor E. Keller* reminded everyone the Hub City 100 Miler kicked off on Saturday, January 16, 2021. People who want to participate can still register by contacting the City's Parks and Recreation office. The Community Survey has been mailed to randomly selected residents. She urged people who receive the survey to return them as soon as possible.

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 5:43 p.m.

Respectfully submitted,

*Original signed by D. K. Spickler*

Donna K. Spickler  
City Clerk

Approved: February 23, 2021