

REGULAR SESSION (18TH VOTING SESSION) – July 27, 2021

Mayor E. Keller called this Regular Session (18th voting session) of the Mayor and City Council to order at 7:01 p.m., Tuesday, July 27, 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.

The invocation was offered by Councilmember T. Martinez. The Pledge of Allegiance was recited and led by Mayor E. Keller.

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, August 3, 2021, Tuesday, August 10, 2021, and Tuesday, August 17, 2021, and the Regular Session on Tuesday, August 24, 2021. No meeting is scheduled for Tuesday, August 31, 2021.

APPOINTMENTS

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 appoint Douglas Wright and Ronald Thomas to the Planning Commission, both with terms to expire May 1, 2026.

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 appoint Joseph Jefferson to the City Ethics Commission, with a term to expire September 1, 2026.

CITIZEN COMMENTS

Citizen Comments were accepted by email at councilcomments@hagerstownmd.org prior to 5:00 p.m. on Tuesday, July 27, 2021. Citizen Comments were also accepted during the meeting.

Malcom Gross, 424 Virginia Avenue, Hagerstown, Maryland, spoke at the June 22, 2021 meeting regarding a stipend for the City's part-time employees. He stated no one has reached out to him with answers to his questions. He stated Parks and other employees are asking him questions. He asked if there is information the Mayor and City Council would like to share with him.

Mayor Keller indicated the possibility of stipends for part time employees will be discussed at a public meeting when year-end financial information is available.

Councilmember Bruchey stated the audit will be completed in October.

Mr. Gross stated he understood it was to be discussed in August.

Mayor Keller stated it will be discussed as soon as information is available.

MINUTES

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 minutes, as presented, for June 8, 2021, June 15, 2021, and June 22, 2021

CONSENT AGENDA

On a motion duly made by Councilmember S. McIntire and seconded by Councilmember T. Martinez, the Mayor and City Council unanimously approved the Consent Agenda as follows:

A. Information Technology:

1. VX-Rail 5th Server Node – Mavenspire, Inc. (Annapolis, MD) \$ 33,148.24
2. Tenable Nessus Vulnerability Management Tool – Software House International, Inc. (Philadelphia, PA) \$ 13,096.11

B. Engineering:

1. Change Order for On-Call Services during Final Implementation of Stormwater Utility – Wood Environment & Infrastructure, Inc. (Chicago, IL) Not to Exceed \$ 20,000.00
2. Design of Retrofit of MKS Business Park Stormwater Basin – Triad Engineering, Inc. (Hagerstown, MD) \$ 47,100.00
3. Replace Sidewalk and Stabilize Bank along Pangborn Boulevard – C. William Hetzer, Inc. (Hagerstown, MD) \$ 161,295.00

C. Human Resources:

1. Liability and Property Insurance – Local Government Insurance Trust (LGIT) (Hanover, MD) \$ 479,211.00

D. Utilities:

1. Electric – Reconditioned Substation Transformer – Solomon Corporation (Solomon, KS) \$ 86,000.00
2. Water – Double Check Detector Assemblies – Core & Main (Martinsburg, WV) \$ 53,134.56
3. Water – Emergency Repair of the Mack Water Tank - Corrosion Control Corporation (Pedricktown, NJ) \$ 74,830.00
4. Water – Programmable Logic Controller Upgrade – Rexel, Inc. (Hagerstown, MD) \$ 52,580.97
5. Water – RCW Water Plant – Filter Removal and Replacement - HRI Bridge Company (State college, PA) \$ 619,265.00

6. Wastewater – Submersible Pumps – Sherwood Logan and Associates
(Annapolis, MD) \$ 31,260.00

UNFINISHED BUSINESS

A. Approval of an Ordinance: Amend the City Code, Chapter 10, Administration of the Government to add an Article XV, Hagerstown Youth Council

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 an ordinance to amend the Code of the City of Hagerstown, Chapter 10 to add an article establishing a permanent Hagerstown Youth Council. The goal of the Council is to facilitate communication and participation by City youth regarding City government decision making and planning.

B. Approval of an Ordinance: Urban Improvement Project: Easement to Washington County

Action: On a motion duly made by Councilmember R. E. Bruchey, II and seconded by Councilmember T. Martinez, the Mayor and City Council unanimously agreed by voice vote to approve an ordinance authorizing the execution of a Deed of Easement and Maintenance Agreement for the use of a portion of the City's property for the installation, maintenance and access to a solid waste dumpster. The brick dumpster enclosure will be constructed as part of the Urban improvement Project.

NEW BUSINESS

A. Approval of a Resolution: Technical Assistance and Maintenance Agreement with HUB Parking Technology

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 a resolution approving an agreement between the City of Hagerstown and HUB Parking Technology for certain technical assistance and maintenance services to maintain HUB Parking products used at the two current parking decks.

The term of the lease is four years and commences on August 1, 2021. The annual lease amount to be paid to HUB Parking Technology is \$ 12,480.00 for the first year, \$ 12,279.00 for the second year, \$ 13,111.00 for the third year, and \$ 13,365.00 for year four.

B. Approval of a Resolution: Parking Lease for Central Parking Lot with the State of Maryland - Department of Assessments and Taxation (SDAT)

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 resolution approving a parking lease agreement between the City of Hagerstown and the State of Maryland for the rental of ten parking spaces in the Central Parking Lot for use by the Maryland Department of Assessments and Taxation (SDAT).

The terms of the lease is two years and commences on October 1, 2021. The annual rent to be paid to the City is \$ 6,720.00.

C. Approval of a Resolution: Execution of a Lease Agreement Between the City of Hagerstown and Goshen Investment Properties for a portion of the City of Hagerstown property known as BuroBox located at 60 West Washington Street

Action: On a motion duly made by Councilmember T. Martinez and seconded by Councilmember T. Burnett, the Mayor and City Council unanimously agreed by voice vote to approve a resolution authorizing the execution of a Lease Agreement for a portion of the City of Hagerstown property known as BuroBox located at 60 West Washington Street in Hagerstown, Maryland. The Lease will be between the City of Hagerstown and Goshen Investment Properties and shall be month-to-month beginning August 1, 2021.

D. Approval of a Resolution: Agreement for Public Art

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 an agreement for public art between the City of Hagerstown and Mark Schwenk for an aerial sculpture to be located between the County office building and the Bead Building over the Cultural Trail at 43 West Washington Street. Funding of the project is \$ 50,000 and is part of the previously approved funding plan for the UIP Plaza/Cultural Trail project.

E. Approval of Invest Hagerstown: City Center Redevelopment Grant Application for 17-21 E. Franklin Street – WLR Residential Properties, Inc.

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 an Invest Hagerstown City Center Redevelopment Grant application for the renovation project at 17-21 E. Franklin Street with estimated total projects costs of \$ 1,250,000.

Staff are authorized to issue a Letter of Commitment to WLR Residential Properties, Inc. for a grant in the amount of \$ 250,000 with a project completion deadline of July 1, 2022.

No funds will be dispersed until staff have verified that all work in the development plan is completed to the City's satisfaction and the total project cost expenditure requirements have been met. Funding for this grant will come from the Invest Hagerstown line item in the Economic Redevelopment Fund.

F. Approval of Funding to Ares Investment Group, LLC for Hamilton Hotel Building Stabilization Project at 86-98 W. Washington Street

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 direct staff to approve a grant of \$ 358,053 and a loan-to-grant of \$ 358,053 for total funding of \$ 716,106 to Ares Investment Group, LLC for a building stabilization project for the Hamilton Hotel Building at 86-98 W. Washington Street.

The full terms and conditions of the funding will be outlined in a Financial Incentive Agreement to be separately approved by the Mayor and City Council.

The funding for the Financial Incentive Agreement will come from an FY21 transfer from the General Fund to the Economic Redevelopment Fund.

G. Approval of One Full-time Temporary Position: Grant Coordinator

Action: On a motion duly made by Councilmember T. Martinez and seconded by Councilmember T. Burnett, the Mayor and City Council unanimously agreed by voice vote to approve the hiring of one full-time, temporary, grant funded position of Grant coordinator. This position will serve as the primary administrator of American Rescue Plan Act of 2021 funding.

H. Approval of Guideline and Application for the CDBG Microenterprise Grant Program

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 guidelines and application, as presented, for the CDBG funded Microenterprise Grant Program. Eligible businesses must meet the U. S. Department of Housing and Urban Development definition of a microenterprise and meet CDBG household income requirements. Grant funding will be distributed on a rolling basis until all program funds have been disbursed.

I. Approval of FY2022 Invest Hagerstown Grant Program Funding Levels

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 the Invest Hagerstown Grant Program's funding levels for FY2022 according to the chart attached with the motion.

The program includes five categories: 1) the City Center Redevelopment Grant Program; 2) the City-Wide Redevelopment Grant Program; 3) the Homeownership Grant Program; 4) the Rental Property Rehabilitation Grant Program; and 5) the Façade Grant Program.

Mayor and City Council approve the City Center Redevelopment Grant applications making up \$ 500,000 of the total \$ 819,000 in FY2022 funds. The Mayor and City Council will approve the reuse of any undisbursed and/or forfeited commitments in the City Center Redevelopment Grant category.

The Program Review Committee approves the grant applications across the other categories for the remaining \$ 319,000 in FY2022 funds. The Review Committee will approve the reuse of any undisbursed and/or forfeited commitments in all categories, except the City Center Redevelopment Grant category, with the ability to reuse such funds across any of those program components.

Funding of this program will come from the Economic Redevelopment Fund Invest Hagerstown line items in the Fiscal Year 2022 budget.

Discussion: Councilmember Bruchey pointed out this program is an example of how the City of Hagerstown goes above and beyond to enhance Economic Development. He implored people who want to invest in Hagerstown to contact the Economic Development department. There are programs in place to help make dreams come true.

CITY ADMINISTRATOR COMMENTS

Scott Nicewarner, City Administrator, had no additional comments.

MAYOR AND CITY COUNCIL COMMENTS

Councilmember K. B. Aleshire stated citizens have expressed concerns about neighborhoods. He stated there has been a decline in the quality of life component in many neighborhoods. He urged everyone to do a little better to make their neighborhoods a little better.

Councilmember R. E. Bruchey, II stated quality of life issues were discussed at a neighborhood meeting at Hager Park. He is looking forward to follow up discussions from that meeting. Councilmember Aleshire is right, if each person focuses on being kind and loving to their neighbors, all neighborhoods will improve.

Councilmember T. Burnett encouraged people to attend the Freedom Festival at University Plaza on Saturday, July 31, 2021. It will be a fun event.

Councilmember T. Martinez stated summer camps are being held with multiple partners and she enjoys seeing people lift each other to make life better.

Councilmember S. McIntire had no additional comments.

Mayor E. Keller thanked everyone who attended the recent Imagine Hagerstown event. She did a neighborhood tour earlier today to view a trash complaint. On August 7, 2021, from 9:00 a.m. to Noon, a Neighborhood Clean Up event will be held. She hopes this clean up inspires pride in neighborhoods. She appreciates the partnership the City has with many organizations in the community.

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 7:21 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: August 24, 2021