

AMERICAN RESCUE PLAN ACT (ARPA) DISCUSSION, SPECIAL SESSION
(28TH VOTING SESSION), AND WORK SESSION
2021

DECEMBER 14,

MAYOR AND CITY COUNCIL

HAGERSTOWN, MARYLAND

AMERICAN RESCUE PLAN ACT (ARPA) DISCUSSION, SPECIAL SESSION (28TH
VOTING SESSION), AND WORK SESSION – December 14, 2021

AMERICAN RESCUE PLAN ACT (ARPA) DISCUSSION – December 14, 2021

An American Rescue Plan Act (ARPA) Discussion was held on Tuesday, December 14, 2021 in the Council Chamber, 2nd floor, City Hall, Hagerstown, Maryland.

Mayor Keller called the meeting to order at 9:08 a.m. The following people were present: Mayor Emily Keller, Councilmember Kristin B. Aleshire, Councilmember Robert E. Bruchey, II, Councilmember Tiara Burnett, Councilmember Tekesha Martinez, Councilmember Shelley McIntire, City Administrator Scott Nicewarner, Michelle Hepburn, Chief Financial Officer, Brooke Garver, Accounting and Budget Manager, Eric Deike, Director of Public Works, Don Francis, Director of Human Resources, James Snyder, IT Director, Police Chief Paul “Joey” Kifer, Kathleen Maher, Director of Planning and Code Administration, Jill Thompson, Director of Community and Economic Development, Nancy Hausrath, Director of Utilities, Fire Chief Steven Lohr, Rodney Tissue, City Engineer, Wes Decker, Communications Manager, and Donna K. Spickler, City Clerk.

Ms. Hepburn stated this discussion will review the Mayor and City Council’s strategy for the use of the first allotment of \$ 10.2 million in ARPA funding. During the previous discussion, the Mayor and City Council asked for time to review the categories established by the Federal government and determine which areas they wanted to focus on. All members received a handout of the seven Expenditure Categories distributed by the U. S. Department of the Treasury. The list includes sub-categories under each main category.

Staff anticipates compiling a list of the categories that a majority of the Mayor and City Council wish to pursue. Projects, funded through ARPA, could be planned based on the categories.

Mr. Nicewarner noted the first main category is Public Health, and within that category are 12 specific uses. The first three are related to COVID-19 specifically and the fourth is for nursing homes, which don’t apply to the City of Hagerstown unless the Mayor and City Council want to provide money for the groups providing testing and vaccinations and nursing home care to assist them in helping eliminate COVID.

The City has already been reimbursed for personal protective equipment through the CARES act.

The Capital Investments to Public Facilities that respond to the COVID-19 public health emergency category could possibly be used for a public restroom or repairs to the ice rink.

Councilmember Bruchey asked how repairs to the ice rink could qualify under the ARPA regulations. Mr. Tissue stated the facility was not built with a fresh air exchange system, which helps with circulation and could prevent the spread of COVID-19. He also pointed out a ventilation system is needed because of operating the Zamboni inside the building. The estimated cost is \$ 500,000.00.

Under this category, payroll costs for an outreach coordinator and a youth violence prevention program coordinator could be eligible.

Ms. Hepburn stated payroll costs for public sector staff responding to COVID would require tracking hours for every fire fighter for the time they are specifically responding to a COVID call. Reporting requirements would be significant.

Under the mental health category, a mobile crisis unit and substance abuse services could be eligible for ARPA funding.

Mr. Nicewarner asked if the elected officials had priorities for the use of either the remaining \$ 5.19 million or the anticipated \$ 10.2 million.

Councilmember Aleshire has reviewed the full Federal final rule. He stated it seems staff went through most of the subpoints.

Ms. Hepburn stated staff prepared a spreadsheet showing the eligible uses. She noted the interim rule included eligible uses with specific examples, which are not the actual categories. Staff has listed the eligible uses by the IRS categories.

Councilmember Aleshire noted information relative to vaccinations, improvements to ventilation systems, and sick leave payments for individuals during the period associated with COVID are clearly eligible uses.

Ms. Hepburn stated the uses listed under the Public Health Sector categories show very specific examples of how the funds can be used. In order for the City to provide sick and family medical leave to comply with health precautions, there would have to be written policies in place. The funding has to be trackable.

Councilmember Aleshire noted they all received an email about COVID related issues for a City operation. He believes the Federal rule covers sick leave pay for an instance where an operation is limited due to COVID. Councilmember Bruchey clarified that employees on leave due to COVID are required to use their own sick leave.

Ms. Hepburn reiterated there would have to be written policies in place to cover the situation used as an example. She asked if Councilmember Aleshire is referring to employees who tested positive for COVID.

Councilmember Aleshire stated not at this point. He does not think the elected body has decided whether they intend covering sick leave to be an included expense yet. As this continues to occur, he wants to know if Federal funds are going to be used to cover sick leave or if employees will have to use their own sick leave.

Mr. Nicewarner stated when an employee is sent home due to a positive result or from an exposure, they use their own sick leave. He pointed out if the Mayor and City Council want to use ARPA funding to cover this leave, staff can prepare the necessary documents.

It was the general consensus to not use ARPA funding for COVID sick leave. Councilmember Aleshire is concerned employees may come to work sick if the pay is not covered.

The following Expenditure Categories were agreed to by a general consensus:

1. 1.7 Capital Investments of Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency
2. 1.9 Payroll Costs for Public Health, Safety and Other Public Sector Staff Responding to COVID-19
3. 1.10 Mental Health Services
4. 1.11 Substance Use Services

Councilmember Aleshire noted this funding is being provided to the City of Hagerstown and for him, the primary purpose is to benefit citizens. The things that create new programs or initiatives are low on his list.

Category 2 is titled Negative Economic Impacts. Ms. Hepburn pointed out there are 14 items listed and many are for household assistance. Staff felt these are great community needs but did not include any potential projects because there is significant funding available to agencies providing these services. The City would have to partner with agencies and the records would have to show the agency had not received prior funding for the program. Any funding provided to agencies must be spent in a way that shows how they are mitigating an issue and ways they are ensuring it impacts those affected due to covid.

Mr. Nicewarner stated the National League of Cities released information showing how other communities are using the funding. Staff has used this information as a guide.

The following Expenditure Categories were agreed to by a general consensus:

1. 2.7 Job Training Assistance
2. 2.9 Small Business Economic Assistance
3. 2.10 Aid to Nonprofit Organizations

Councilmember McIntire pointed out there are food deserts within the City and some citizens are not able to get food. This has increased due to the pandemic. Food programs in the City are important.

Councilmember Martinez stated people are not picking up food, even though there is so much assistance available.

Councilmember Bruchey spoke with Geordie Newman, Director of Community Action Council, and there is an overwhelming amount of food available. He asked if Councilmember McIntire would support creation of a grocery store.

Councilmember McIntire stated this is a general list and agreed a grocery store looks good. She noted there may be other, more specific projects that would be more beneficial.

Ms. Hepburn stated there will be additional funding from the anticipated infrastructure bill.

Ms. Hepburn pointed out funding to aid tourism, travel or hospitality (2.11) does not require justification for serving disadvantaged communities. Mayor Keller believes the sports complex would fit in this category.

Councilmember Aleshire stated the objective of the federal funding is to cover losses or delays due to COVID.

Category 3 is Services to Disproportionally Impacted Communities.

Ms. Hepburn stated reporting for any funding used under this category has to include any other federal funding (such as Community Development Block Grant funding) used for programs. Use of funds under this category must match the City's census track for CDBG funds. Examples included on the project spreadsheet are youth violence prevention, year round homeless shelters, and rental property improvements.

The following subcategories were agreed to by general consensus:

1. 3.4 Education Assistance: Social, Emotional, and Mental Health Services
2. 3.11 Housing Support: Services for Unhoused Persons
3. 3.12 Housing Support: Other Housing Assistance
4. 3.16 Social Determinants of Health: Community Violence Interventions

Councilmember McIntire asked if a blight remediation program would fit within this category. Ms. Hepburn stated staff think it would be eligible for 3.11 and 3.12. The City is also anticipating additional funding for blight eradication.

Category 4 is Premium Pay. Earlier this year, the Mayor and City Council agreed to provide a bonus to City employees under this category.

Category 5 is Infrastructure.

Ms. Hepburn noted the infrastructure is specific to water, wastewater, stormwater and broadband. Projects approved through the Maryland Department of the Environment (MDE) for loans or grants would qualify for the infrastructure category.

Mayor Keller pointed out the federal infrastructure bill has passed so there will be funding specifically for infrastructure under that bill.

Ms. Hepburn stated there are not many details about this bill. It appears the State will receive the money and jurisdictions will have to apply for the funding. Staff identified two projects that would be eligible.

Councilmember Aleshire stated every jurisdiction across the nation could spend all of the ARPA money on infrastructure and still not have roads repaired. He thinks a cap should be set for this entire category.

Councilmember Bruchey stated he supports anything that provides funding for the Edgemont Reservoir.

Nancy Hausrath, Director of Utilities, informed the group MDE has indicated the funding may be \$ 144 million and it would be distributed over five years. Staff asked about the Edgemont Reservoir project and MDE said they will defer to EPA Region 3 for funding.

Councilmember Aleshire wants to prioritize projects that are improvements that have the most direct benefit to the taxpayers within the City's boundaries.

Category 6 is Revenue Replacement. Ms. Hepburn stated this is calculated every January. The City received \$ 3.6 million for calendar year 2020. A fire ladder truck, backhoe, and camera truck have been identified by staff for expenditures under this category. As items are identified, staff will review them with the Mayor and City Council.

Category 7 is Administrative. This category covers things like the Grant Coordinator Position, which has already been approved.

Ms. Hepburn noted there is \$ 5.196 million left to spend of the first \$ 10.2 allotment. The Mayor and City Council previously approved premium pay and use of lost revenue funds.

Councilmember Aleshire reiterated that he will review how a project benefits the City and long term operational responsibility for anything presented to the Mayor and City Council for ARPA funding. ARPA funding was approved to address the challenges caused by the pandemic, not to create a long term financial responsibility.

Councilmember McIntire spoke to Ernesto Olivares, Director of the youth violence program in Santa Rosa, California. To implement their program, they completed a community survey to determine the community's needs to address youth violence. They developed a strategic plan to address the needs and then reassess the program every three years. They have been successful with obtaining grants to supplement the program.

Councilmember Aleshire asked if this project would require the City to expend funds in 2025 to continue it and how that would impact future budgets. Councilmember McIntire stated something has to be done to help the youth in the community.

Mr. Nicewarner stated during the early stakeholder meetings, it was noted that the City could possibly provide seed money to start a program but the organization would have to find funding for the future.

Councilmember Bruchey asked if a violence prevention program would become a City function. Councilmember McIntire stated programs like this in California are all municipal government functions and they work. Hagerstown's program would be to reduce bullying and to reduce the drop-out rate. The coordinator would be a City employee.

Councilmember Bruchey asked if this program could be under the Boys and Girls Club functions. Councilmember McIntire thinks following a proven, successful model is best.

Councilmember Aleshire stated he is not opposed to a violence reduction program. He just wants to understand what happens after the ARPA funding is expended. This is true for any of the projects. Safe Place is a program that brings agencies together to assist and support youths in need.

Councilmember Bruchey stated he views these funds as a one-time use, similar to reserve funds. The City can help entities create the programs and then let the entity continue it. The City should not be running the programs alone, they should be supporting the programs with other community partners.

Police Chief Kifer stated Safe Place started as an initiative of the Department of Social Services and includes many government agencies. The idea of a City youth violence program is to allow the City to take ownership of the program and to coordinate entities from the non-profit community and government agencies to provide continuity. City involvement could include grant writing and helping the agencies find funding sources.

Government has to take some type of authoritative role in addition to funding. A primary agency is needed to take on the leadership role. The City's youth violence is on the cusp of being more prevalent. The most recent homicide was committed by a 16 year old. There are kids walking around with guns.

Mayor Keller stated it is not unusual for a municipality to have community outreach functions.

Councilmember Aleshire is concerned how the City would fund any of the good programs started with the ARPA funding.

Chief Kifer stated a youth violence prevention program will grow into something beyond a single person. The hope is that with a concentrated program to reduce violence, the police department can use a more preventative approach rather than a reactive approach. Preventing youth violence should reduce the need for additional staffing in public safety.

Mayor Keller asked if the next step should be to go through the projects spreadsheet and remove any of the items that did not have a consensus to move forward with additional information.

Mr. Nicewarner asked if the Mayor and City Council would prefer setting a cap for each category and have staff fit projects within those categories.

Councilmember Aleshire does not want staff to spend time putting information together for projects he definitely would not support.

Ms. Hepburn pointed out the spreadsheet includes projects/items that have been requested by agencies (shaded with green) and expenditures completed (shaded in yellow) and potential projects.

Staff will return with estimated costs and additional information for the projects the Mayor and City Council agree to keep on the list following this meeting. In order to show multiple uses were considered for the ARPA funding, all the projects will be included on the list but will be color coded for moving forward.

The following projects were determined to be included on a list of projects to review further:

1. 24 hour crisis center
2. Supermarkets in Neighborhoods – this may be started by Horizon Goodwill
3. Public restrooms
4. Permitting software
5. Ice rink ventilation system

6. Relocation of Customer Service division
7. Sick leave/family leave due to COVID – All agreed to add this to the list and then mark it as not moving forward to show an inclusive list
8. Increase Educational Opportunities – new job centers, scholarship program, affordable daycare and downtown training space – Councilmember Aleshire stated he doesn't think this should be associated with the United Way specifically. Mr. Nicewarner indicated United Way was named on the list as an organizer.
9. Create Home-office space
10. Support local artists and bands
11. Increase Economic Incentives – Ms. Hepburn pointed out this has to be defined incentive
12. Hagerstown Visitor's Kiosk – Mayor Keller asked that this stay on the list until after the City's branding and imaging campaign is complete
13. Whole Family Center – more information requested
14. Youth Violence Prevention Program
15. Year round Homeless Shelter – Councilmember Aleshire wondered how many of these initiatives are on the County's list. If the City does not have similar initiatives, it will be difficult to begin a discussion with the County.
16. Blight Eradication
17. Make Our Neighborhoods Bright
18. FT City Employee Stipends – completed

For the Infrastructure Category, it was the general consensus to allocate 30% of the ARPA funding to complete infrastructure projects.

This list reflects the Mayor and City Council's priorities for utilizing the ARPA funding. Staff will compile cost estimates and information for moving forward with all these projects. Additional review and discussion will be scheduled for a future Work Session.

This portion of the Work Session was adjourned at 11:08 a.m.

SPECIAL SESSION (28TH VOTING SESSION), WORK SESSION, AND EXECUTIVE SESSION – December 14, 2021

Mayor E. Keller called this Special Session (28th voting session), Work Session, and Executive Session of the Mayor and City Council to order at 4:05 p.m., Tuesday, December 14, 2021 in the Council Chamber at City Hall. Participating with the Mayor were Councilmembers R. E. Bruchey, II, T. Burnett, T. Martinez, S. McIntire, City Administrator Scott A. Nicewarner, and City Clerk D. K. Spickler. Councilmember K. B. Aleshire was not present.

SPECIAL SESSION (28TH VOTING SESSION) – December 14, 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 by voice vote of all members present to meet in Special Session at 4:05 p.m.

Approval of an Ordinance: Quit Claim Deed for Portion of Alley #2-105 to Columbia Gas of Maryland, 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 of all members present to approve an ordinance approving a Quit Claim Deed for a portion of Alley #2-105 to Columbia Gas of Maryland, Inc. The Mayor and City Council have determined that this property is no longer needed for a public purpose and are authorizing its conveyance to an adjoining property owner subject to certain conditions set forth in the Ordinance.

The Special Session was closed at 4:06 p.m.

WORK SESSION – December 14, 2021

FY21 Comprehensive Annual Financial Report

Michelle Hepburn, Chief Financial Officer, and Chris Lehman, Engagement Partnered with SB & Company, LLC, were present to provide the City's Comprehensive Annual Financial Report for FY21. Copies of the FY21 Comprehensive Annual Financial Report were distributed in early November and is available electronically on the City's website. Ms. Hepburn stated preparation of this report would not have been possible without the dedicated efforts of the entire Finance Department.

An independent audit and a complete single audit concentrating on Federal grant awards are conducted each year.

Ms. Lehman reported SB & Company, LLC has issued an unmodified opinion on the financial statements. They discovered no instances of fraud or material weakness in internal controls. Management provided full cooperation during the audit process. The City's total net position as of June 30, 2021 is just over \$ 37 million, compared to \$ 31 million in 2019.

Mr. Lehman stated the scope of services included the audit of the June 30, 2021 financial statements, performance of Uniform Guidance Single Audit, review of Uniform Financial Report, and review of the Data Collection form. SB & Company is available year-round for consultation.

To complete the audit, SB & Company uses the FORCAM Audit Approach. The reviews focuses on risk, controls, and account misstatement. The evaluation of key processes were rated as effective.

Ms. Hepburn reported the General Fund is supported by property tax activities. The Enterprise Funds are business funds and should be supporting the expenses with the

business income. The City had a surplus of \$ 4.5 million for FY21. This occurred for a number of reasons. Property tax revenue was \$ 1.6 over the budget due to annexations, new development, and overall growth. Revenue also increased because of Federal grants provided due to the COVID-19 pandemic. The City has received \$ 3 million in grant funding from the CARES and ARPA acts. Revenue from building permits also increased.

Councilmember Bruchey stated this shows people are investing in the City of Hagerstown.

Ms. Hepburn cautioned that the excess revenue will not continue. Expenses were also lower than budgeted amounts. The overall Public Safety expenses decreased by \$ 800,000.

Funding will be needed for the indoor sports complex project, to cover the \$ 500,000 loan forgiveness for Antietam Fire Company, and to increase the FY23 Capital Budget. In order to maintain a healthy fiscal balance, \$ 100,000 should be retained in General Fund Reserves. Ms. Hepburn proposed the following uses for a portion of the \$ 4.5 million surplus:

- | | |
|--|--------------|
| 1. Renovation of the former M & T Building | \$ 1,000,000 |
| 2. Indoor Sports Complex | \$ 2,200,000 |

Ms. Hepburn stated that with two high dollar projects planned (Indoor Sports Complex and third parking deck) the City needs to have some cash on hand to move forward with the projects. If obligations for OPEB and pensions are excluded, the City is at 37% and the target is 17%.

Mayor Keller informed the group that an ask was made of Delegate Thiam for \$ 20 million from Governor Hogan's budget for the indoor sports plex.

Councilmember McIntire stated this is an excellent report and shows the hard work the Economic Development team has been doing.

Mayor Keller announced that Citizen Comments for the December 21, 2021 Regular Session will be welcome either in person or by submitting comments by email to councilcomments@hagerstownm.org by 5:00 p.m. that day. If by email, 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.

Consent Agenda

A. Engineering:

1. Design of Phase I of Improvements to Wheaton Park – Mahan Rykiel Associates, Inc. (Triad Engineering is sub for Mahan Rykiel) (Baltimore, MD) \$ 36,200.00
2. Restoration of Fairgrounds Entrance Building and Gatekeepers House and Contingency for Change Orders – Popowski Brothers, Inc. (Hunt Valley, MD) \$ 160,000.00

B. Public Works:

1. 2022 F-150 4x4 SuperCab Pickup 6 Foot Box – Keystone Ford (Chambersburg, PA) \$ 33,457.00
2. 2022 F-150 4x4 SuperCab pickup 8 Foot Box – Keystone Ford (Chambersburg, PA) \$ 33,958.00
3. Roof Replacement at 60 West Washington Street – Ruff Roofing and Sheet Metal, Inc. (Baltimore, MD) \$ 191,679.00

C. Technology & Support Services:

1. Barracuda Backup Server and Cloud Storage – Three Year Agreement – System Source (Hunt Valley, MD) \$ 90,000.00
2. ESO Fire RMS-Incident Management Software Renewal (Year 2 of 3) – ESO Solutions, Inc. (Dallas, TX) \$ 24,705.60

D. Utilities:

1. Wastewater: MSA LEL Gas Detection Transmitter and Sensor Assembly with Start Up Services – Sherwood Logan and Associates (Annapolis, MD) \$ 15,546.00
2. Wastewater: FY22 Pass Thru Costs for the Pelletizer Facility – Synagro (Baltimore, MD) \$ 60,000.00
3. Wastewater: Engineering Services to Evaluate the Solids Processing Operation – Black & Veatch Corporation (Gaithersburg, MD) \$ 219,440.00

4. Water: Annual Software Support and Services at the Willson Plant for
SCADA ABB, Inc. (Warminster, PD) \$ 70,688.00

This completed the Preliminary Agenda Review. There were no questions about any items. All items, unless noted, are scheduled for approval on December 21, 2021.

Red Light and Speed Camera Program Update

Police Chief Paul “Joey” Kifer was present to review the City’s Red Light and Speed Camera programs. The speed camera program started in 2012 with 12 locations. There are currently 12 camera locations. Citations are \$ 40.00 each, with a \$ 5.00 discount for early payment. Approximately 24,000 citations were issued in the past year and revenue was \$ 865,000.00. The number of citations decreased from the previous year, which was expected. The program is designed to get drivers to slow down. It is evident drivers are

slowing down around schools. HPD has seen the value and benefit of the program. The cameras are required by law to be calibrated annually. The Hagerstown Police Department calibrates the cameras every 6 months and also completes a monthly driving test.

Red Light cameras were installed at 2 intersections in 2017. The State Highway Administration must approve all red light camera locations. HPD has been working with the SHA for an additional camera on the Dual Highway. Revenue and expenses were essentially even last year. The idea of this program is not to make money but to increase safety. The red light cameras have not been in place long enough to gauge their impact.

Renewal contracts for both the speed camera and red light camera programs will be presented to the Mayor and City Council in January, 2022. Chief Kifer stated these programs are worthwhile and should be continued.

Code Amendments – Chapter 238 and 240

Nancy Hausrath, Director of Utilities, was present to review potential City Code amendments for Chapters 238 and 240. Over the past six to twelve months, staff has been evaluating the existing capacity at the Hagerstown Wastewater Treatment Plant and the R. C. Willson and Breichner Water Production Plants. Staff has also reviewed customer usage inside and outside municipal limits.

There have been numerous requests for service in the MRGA and a couple requests in the County UGA. Staff, along with legal counsel, continues to work with Washington County on the Consolidated General Services Agreement and the Flow Transfer Agreement. These agreements will transfer County flow in the Maugansville area back to the County and flow from the Hagers Crossing/Western Maryland parkway area back to the City.

Both the Water and Wastewater Plants are at or exceed 85% capacity and as such, staff is working on amendments to Sections 238 and 240 to restrict allocation, to reduce assigned allocation, and to establish a process and fees to manage system capacity. Staff has initiated a dialog with NewGen to review the City's rate structure to include usage, fixed fee, benefit fee, fire-line, etc. to determine the best way to address future funding needs.

Ms. Hausrath stated the proposed code amendments proved for capacity and the ability to grow with an emphasis on phosphorus treatment. The City Code allows for requiring a residence to connect to the system. To date, the City has not exercised the ability to do that. Eliminating septic systems is one way to gain credits for phosphorus treatment.

Treatment requirements for water facilities has changed significantly since the plant was built in the late 1920's. Only so much water can be pushed out of the plant. Ms.

Hausrath anticipates staff will request permission to start moving forward with a transmission increase. This is important because the plant is nearing permitted capacity.

Councilmember Bruchey pointed out there is allocated capacity that has not been used. He asked when that allocation will be clawed back. Ms. Hausrath stated this will be discussed with the Mayor and City Council soon. There are 1,600 to 1,800 accounts that will never reach the allowed allocation. Her recommendation will be to review these accounts and develop a process to manage them moving forward.

Currently, a non-residential customer pays for the allocation and then never has to return to request additional allocation, which is the way the Code is written. Staff is looking at an amendment that will restrict the allocation.

The rate structure is also being reviewed as it hasn't changed since 2005.

Ms. Hausrath reported City and County staff have come to an agreement on the Joint Service Area and Flow Transfer Agreements and will discuss the agreements with the Mayor and City Council in January, 2022.

Review of Ideas and Options for Proposed New Farmer's Market

Jill Thompson, Director of Community and Economic Development, and Cathleen Miller, Part-time Farmer's Market Coordinator, were present to review ideas and options for a proposed new Farmer's Market.

The current property at 25 W. Church Street is under contract for sale, and the City is exploring options for the creation of a new Farmer's Market.

Staff seek Mayor and City Council discussion of the options and direction so that a preferred option or options could be more fully explored.

The following are proposed options for a Seasonal Outdoor Farmers Market on Saturdays from May through September/October:

Location Options:

- Option 1 – University Plaza – Downtown
- Option 2 – Cultural Trail – Downtown
- Option 3 – Former Stables in Fairgrounds Park

Format:

- City provides space and market coordination/promotion
- Vendors provide their needed equipment, tables, tents, (if desired)

Other Points of Consideration and Discussion

- Vendor Fee or No Vendor Fee
- Day of the week proposed to be Saturdays

- Hours proposed to be 8:00 a.m. to 1:00 p.m., or alternatives
- Annual Application/Selection Process

The former stables in Fairgrounds Park are scheduled for a roof replacement in Spring, 2022.

In addition to the options, staff have outlined the idea of Pop-Up Market Events in select seasons. An Easter/Spring pop-up could be scheduled for a Saturday in April, 2022. Holiday pop-ups could be scheduled on the following Saturdays in December: December 3, December 10, and December 17, 2022.

Additionally, for more long-term planning, staff provided photo examples of permanent pavilion structures, some with permanent tables, that could be explored. If

desired, any such project would require lead time beyond 2022 for planning, budgeting/financing and construction. Construction costs may be estimated at \$ 100/sf - \$120/sf. An average size pavilion structure may be approximately 7,500 sf.

Ms. Miller stated current vendors are sad and frustrated as are their customers. They are concerned this is the end of the market. During a vendor meeting, it was the consensus that they would prefer to keep the market on Saturdays from 8:00 a.m. to 1:00 p.m. Food vendors are concerned and would like to be indoors. They do understand the difficulty in finding another building structured the same way. The City does not want to lose vendors and staff are trying to keep everything uplifting and positive. She has assured the vendors the market is not ending on December 24, 2021. It will be open on January 8, 2022.

Attendance has remained steady and most vendors are satisfied with their sales.

Councilmember Bruchey likes the University Plaza location for an outdoor market. He asked if anyone has asked Mark Halsey, USMH Director, if there is a possibility to hold an indoor market there.

Councilmember Martinez asked if the market has to be in a permanent location. Ms. Thompson stated a permanent location would provide continuity.

Councilmember McIntire stated the stables seem so far away from the current location.

Councilmember Bruchey suggested looking at the plaza that is being constructed at the Cultural Trail behind the Maryland Theatre. Ms. Thompson stated this location would be difficult to see.

Mr. Nicewarner noted the Christkindl Mrkt was held in the University Plaza and it was a nice event. The Farmer's Market would look similar.

Mayor Keller suggested holding the market in the square and possibly partner with Bridge of Life for use of their indoor commercial space.

Councilmember McIntire reminded the group that space for food trucks was also discussed and distance from existing restaurants needs to be considered.

Another consideration is the availability of electric outlets. There is ample service available in the square.

The general consensus is the square is the location of choice, however, more information about University Plaza, Hatters Plaza, and the Central Lot could be reviewed.

Councilmember McIntire suggested free vendor space to start with because the whole model is changing.

Mayor Keller thinks they need to see what the City's costs will be for the locations before deciding on a final fee.

Staff will return with additional information at a future Work Session.

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

Councilmember T. Burnett had no additional comments.

Councilmember T. Martinez wished her grandson, Ares, a happy 8th birthday.

Mayor E. Keller thanked the Parks and Recreation Department, Randy Lee the Hagerstown Fire Department, and everyone else who helped with the holiday ham drive on December 11, 2021. She thanked Krumpe's Donuts for having her as their guest baker last night.

EXECUTIVE SESSION – December 14, 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 by voice vote of all members present to meet in closed session to consult with counsel to obtain legal advice (#7) (Section 3-305(b)), on Tuesday, December 21, 2021 at 5:17 p.m. in the

Council Chamber, 2nd floor, City Hall, Hagerstown, Maryland. Councilmember K. B. Aleshire was not present.

The following people were in attendance: Mayor E. Keller, Councilmember R. E. Bruchey, II, Councilmember T. Burnett, Councilmember T. Martinez, Councilmember S. McIntire, City Administrator Scott Nicewarner, City Attorney Jason Morton, Michelle Hepburn, Chief Financial Officer, Jill Thompson, Director of Community and Economic Development, Kathleen Maher, Director of Planning and Code Administration, Police Chief Paul "Joey" Kifer, Wes Decker, Communications Manager, and Donna K. Spickler.

The meeting was held to obtain legal advice. No formal action was taken at the meeting. 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 5:24 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: January 25, 2022