

EXECUTIVE SESSION, SPECIAL SESSION (30<sup>TH</sup> VOTING SESSION), AND WORK SESSION – January 11, 2022

EXECUTIVE SESSION – January 11, 2022

Mayor Keller called this Executive Session to order at 2:35 p.m. 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 meet in closed session to consult with counsel to obtain legal advice (#7) (Section 3-305(b)), and 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 11, 2022 at 2:35 p.m. in the Council Chamber, 2<sup>nd</sup> 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, City Attorney Jason Morton, Ann Rotz, Attorney, Michelle Hepburn, Chief Financial Officer, Fire Chief Steven Lohr, Mark Cleck, Battalion Chief, Adam Hopkins, Battalion Chief, Rodney Tissue, City Engineer, Stephen Bockmiller, Zoning Administrator/Development Planner, William Schildt, Attorney, Nancy Hausrath, Director of Utilities, Kellen Douglas, Water and Wastewater Engineer, Kathleen Maher, Director of Planning and Code Administrator, Jill Thompson, Director of Community and Economic Development, Doug Reaser, Business Development Specialist, Wes Decker, Communications Manager, Jason Divelbiss, JD Law Company, and Donna K. Spickler, City Clerk.

The meeting was held to consult with legal counsel and to discuss three business proposals. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the meeting was adjourned at 4:10 p.m.

SPECIAL SESSION (30<sup>TH</sup> VOTING SESSION) AND WORK SESSION – January 11, 2022

Mayor E. Keller called this Special Session (30<sup>th</sup> voting session), and Work Session of the Mayor and City Council to order at 4:21 p.m., Tuesday, January 11, 2022 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.

SPECIAL SESSION (30<sup>TH</sup> VOTING SESSION) – January 11, 2022

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 of all members present to meet in Special Session at 4:21 p.m.

Scott Nicewarner, City Administrator, reported Communications Department staff, the Mayor, and he met over the last several months to craft and solicit responses for a campaign to review and re-imagine the City’s marketing efforts through re-branding and re-imaging. The City received 10 responses, of which the closest company was located in Martinsburg, West Virginia.

This project is a priority objective in the focus area “Community Promotion/Pride” in the 2021-2024 strategic plan of the Mayor and City Council. This project will establish the message and positioning of the City’s brand, including a brand values statement, logo development and associated graphic standards, and recommendations for brand rollout through social media marketing as well as traditional marketing and will be utilized in all marketing efforts through video, audio, online sales, and marketing opportunities.

The project team selected three of the ten respondents to interview via ZOOM, and ultimately selected Guide Studios of Cleveland, Ohio as the contractor. This selection was not the lowest bid. The project team thought that, though the companies with lower bids were certainly qualified, Guide’s work with municipalities and the level of experience and quality they have brought to similar campaigns made it worth the investment. The investment remains within the projected budget for the project.

**Approval of Contract for Professional Services: Branding and Imaging**

**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 contract with Guide Studio, Inc. (Cleveland, OH) for branding and imaging professional services for the City of Hagerstown. The estimated fees are \$ 52,730.00, with additional site visits of \$ 2,500.00 per person/per day. The work is to be completed in 24 weeks.

The funding sources for this contract are General Fund Contingency and the Communications budget.

The Special Session was closed at 4:24 p.m.

WORK SESSION – January 11, 2022

Gatekeepers Presentation

Bill Gaertner, Executive Director of Gatekeepers, and Edward Hagen, were present provide an overview of the Gatekeepers program. Mr. Gaertner started Gatekeepers when he was released from prison and he realized there was no re-entry program. What is missing in Hagerstown is a focus on re-entry into the community. He testified in Annapolis with then Mayor Robert Bruchey, II on the need for this program. Hagerstown is becoming an asylum for all kinds of people. There are 9 recovery houses in the

community but people flunk out of these places and end up on the streets – causing homelessness and creating violence.

He hopes to bring light to the need for this program. Gatekeepers is the only re-entry program. They meet every Saturday at Trinity Lutheran Church. He believes Gatekeepers is making an impact in how people return to a normal life after serving their time. He has noticed a lack of the use of ex-offenders to help heal people in prison. They work with the Day Reporting Center, which is an excellent program for non-violent ex-offenders. They are involved with the pre-trial drug course and teach business programs.

Edward Hagen has been volunteering with Gatekeepers since 2015. Gatekeepers focuses on a theory of change by prioritizing the response to basic needs, fostering individual capacity for choice with strong personal support, and working to mitigate structural impediments.

Gatekeeper helps clients secure safe housing, obtain critical job skills and work, take responsibility for financial obligations, pay taxes, and establish healthy relationships. Accordingly, it is in this context of strong personal support that Gatekeepers Business of Living program achieves re-integrative success demonstrated by reducing recidivism, moving clients toward gainful employment, and full re-integration into the community.

During the first nine months of calendar 2021 Gatekeepers assisted clients as follows:

1. Persons Assisted	45
2. Transactions per Month	
a. January to May (prior to re-starting weekly Resource Club)	7
b. May -September (after re-starting Weekly Resource Club)	15
3. Average subsidy per client recipient	\$ 608.00
4. Average subsidy for top 10 recipients	\$ 1,163.00

Mr. Gaertner stated they use a workbook written by ex-offenders for ex-offenders. He was in prison for 8 years and didn't know what he was going to do when he was released. Many ex-offenders don't have a chance. He messed his whole life up and was determined that he could do something when he got out. Gatekeepers has been that something for him. He appreciates the City's support of the program. He encouraged the Mayor and Councilmembers to each purchase a backpack with \$ 25.00 worth of items to help people when they are released.

Councilmember McIntire thanked Mr. Gaertner and the Gatekeepers volunteers for all they do in the community. Their work is impactful.

Mayor Keller thanked the group for their tremendous work. Most citizens don't realize what is involved with this program.

Councilmember Martinez stated this is one of her favorite programs. One reason she ran for office was to build people up as the City economically develops. She sat in on one of the group meetings and one participant told her Mr. Gaertner was like a godfather to him. Anything that restores people is a priority for her. She thanked the group for their work.

Washington County Sheriff's Office Day Reporting Center Presentation

Meghan Willis, Washington County Sheriff's Office Day Reporting Center, was present to provide an overview of the Day Reporting Center.

The Day Reporting Center (DRC) helps individuals with substance related issues, including criminal conviction, charges or violation of probation. The DRC also provides an on-site, intensive cognitive restructuring program, designed to change an offender's adverse thinking patterns and attitudes, decrease substance relapse, enhance coping skills, improve job skills and job retention, enhance pro-social attitudes and activity, and to reduce recidivism.

The program is funded by the Board of County Commissioners and the Governor's Office of Crime Control and Prevention. Participants must be a Washington County resident, with no current or prior crimes of violence. They cannot have current detainers or pending charges, excluding MVA. They must have a substance related disorder or a mental health disorder. They must be sentenced by a Washington County judge to the Washington County Detention Center, or have pending sentencing, or be on probation. If they are sentenced to the detention center, they must be sentenced for a minimum of six months.

The DRC program structure consists of five phases and continuing care. Participants are required to report to the center a set number of times per week during their program. The DRC program costs \$ 100.00 for each phase of the program, totaling \$ 500.00. Health insurance does not cover this administrative program fee, though most insurances do cover services provided, such as medication assisted treatment, counseling/therapy sessions, etc.

Non-compliance with program rules, poor attendance, resumed use of alcohol and other drugs, etc. will result in a report to a Judge and could result in a warrant, and/or reincarceration. If terminated from the program, individuals may apply for re-admission after 30 days.

The DRC is staffed by the program director, sworn deputy sheriff, one re-entry coordinator, Washington County Drug Court (WCDC) Addictions Counselor and WCDC Peer Recovery Specialist. In addition to DRC staffing, there are many sub-vendors, private practitioners, and community partners.

There are currently 29 people enrolled in the program, with 2 more expected next week.

Councilmember McIntire asked how success is measured. Ms. Willis noted much of the success is not measurable however, they consider it a success when a participant has a full time job and is reconnecting with their family.

Participants are considered in the DRC program throughout their supervised probation.

Councilmember Martinez thanked Ms. Willis for this program. When she started with mediation, there was a limited day center program. She is proof that people can have bad experiences and overcome them and be good members of the community.

### Invest Hagerstown Homeownership Program Update

Christopher Siemerling, Economic Development Specialist, and Jonathan Kerns, Community Development Manager, were present to follow up on proposed changes to the Homeownership Grant under the Invest Hagerstown Program. These changes were made in line with Mayor and Council's comments from the December 7, 2021 Work Session, and internal staff discussions, in order to lower the barrier of entry for homeownership in the community, and pursue aggressive homeownership policies in line with Catalyst #8 of the City Center Plan.

Key updates include:

1. Removing the 12 month vacancy requirement
2. Removing the "built prior to 1960" property age requirement
3. Removing rehabilitation expenses as an eligible use of the grant funding
4. Extending eligible properties to include townhomes and condos
5. Establishing priority to first time home buyers and current renters
6. Requirement applications to be submitted 30 days prior to settlement versus 15 business days
7. Clarifying that the program is loan to grant, and no payments would be required to the City if conditions are met

It was the consensus to move forward with approving these changes.

### Annual Package of Amendments to the Land Management Code – 2021

Stephen Bockmiller, Development Review Planner/Zoning Administrator, was present to review the Land Management Code (LMC) amendments recommended this year by the Planning Commission. It consists of six amendments or groupings of amendments.

This year's package consists of six proposals. Five proposals address single issue or several adjustments closely related to one another. However, one of the proposals (number 6) is a grouping of unrelated, miscellaneous adjustments. The proposals

contained herein for 2021 are as follows (proposals 2021-01 and 02 were in last year's package):

Proposal 2021-03	Page 3	Addresses homeless shelters and crisis centers
Proposal 2021-04	Page 5	Addresses alternate uses for properties in the POM District that are subject to environmental remediation orders by permitting mini-storage facilities with required design standards
Proposal 2021-05	Page 7	Adjustments to the Conversion Overlay District to make redevelopment of existing buildings more achievable, mostly with permitting outdoor dining facilities for certain uses
Proposal 2021-06	Page 8	Grouping of 12 unrelated minor adjustments and corrections
Proposal 2021-07	Page 16	Grouping of 10 related adjustments to clarify provisions in existing regulations about traditional residential subdivision design, and make use of traditional subdivision design more attractive to developers
Proposal 2021-08	Page 22	Adjustments to the sign regulations

An explanation of the structure of the proposed amendments are included on page 2 of the report included in the meeting material.

The Planning Commission held a public review meeting on December 8, 2021 and met on December 20, 2021, voting to forward these six proposals to the elected body for its consideration and approval. Proposals numbered 3, 4, 5, 6, and 8 passed by unanimous vote of 6-0 (Councilmember McIntire abstained). Proposal 7, regarding traditional neighborhood design passed by a vote of 5-1. Mr. Stone voted in the negative, and Councilmember McIntire abstained.

Negative commentary was received by local engineering firm president Fred Frederick regarding the amendment to wording the ordinance to prioritize traditional neighborhood subdivision design. He raised concerns with the creation of additional impervious surface in traditional design developments, increased engineering and construction costs that would be passed through to builders and purchasers, and the potential of a builder's decision to avoid developing residentially zoned land in or adjacent to the City. While his views are respected, for a number of reasons, the Commission and planning staff disagree with this assessment.

New residential subdivisions within the City will be part of the local environment for the next 200 years or more. Homes built in a rush in the west end to meet the influx of railroad workers in the 1880s to 1910s remain in place, serviceable, and do not approach contemporary building code standards. These 110 – 140 year old homes will be occupied and part of the streetscapes for the indefinite future. What is subdivided and

built today can be expected to be part of the landscape two centuries from now. It is important to plan communities that will withstand the test of time and be the best possible community design product for a very long time to come.

Traditional design may or may not result in additional impervious surface depending on the existing conditions of a site and the nature of the proposed design. However, this does not deter other urban communities and municipalities in the region from promoting or requiring new development to fit in with the character of the existing locality. Also, required adherence to the State's stormwater management standards addresses any additional runoff. The Subdivision and Land Development Ordinance, as re-written in 2007 already promotes the use of traditional design; these amendments merely clarify and prioritize it and makes some standards more flexible to allow design engineers more latitude in creating interesting and creative communities that will retain and build value over time. These amendments do not prohibit suburban designs in circumstances and locations where the Planning Commission determines them to be appropriate.

Currently, there are two new developments that employ these expectations: Brookmeadow on Security Road (currently under plan review) and the single-family component of McCleary Hill facing MD 144 (and to a tangential extent, the HHA townhouse development behind it). Not only can traditional streetscape design be expected in Hagerstown – it is being done. The Planning Commission has researched this issue carefully and debated the details at length. Developments in other communities were analyzed and the Commission even took the unusual step of conducting a field trip meeting at an especially well-done development near Mechanicsburg, Pennsylvania.

Councilmember Aleshire does not follow the necessity of proposed changes to the Historic District Commission's (HDC) process as it applies to the burden of proof for a certificate of hardship for demolition. The amendment appears to permit the HDC to call in outside certified consultants to prove an individual's hardship. This is too subjective in his opinion.

Mr. Bockmiller indicated the HDC currently has this authority. The amendment would allow the HDC to seek outside, objective third-party assistance to determine the validity of the hardship claim.

Councilmember Aleshire asked how this amendment makes it more objective. Mr. Bockmiller stated the language is currently vague and the proposed language makes it clearer.

Councilmember Aleshire is concerned the proposed amendment gives the HDC the ability to arbitrarily decide what is valid. Mr. Bockmiller stated this is why having outside review is important.

Mr. Nicewarner noted there is a significant amount of redevelopment in downtown's architecturally significant buildings. He asked if the HDC could decide based on the

information provided and determine if it is accurate. Mr. Bockmiller stated the HDC could call in an expert for an opinion if the owner agrees to pay for it.

Councilmember Aleshire stated he sees this as something that will delay development. He does not want anything to cause a delay, especially since this amount of development has not been seen in Hagerstown for years. HDC is one of the few boards that have specific criteria for members so there is expertise. He doesn't understand why an outside review would be needed.

A Public Hearing to receive testimony on the proposed amendments is scheduled for January 25, 2022.

Recommended Amendment to Transportation Element of 2018 Comprehensive Plan, visionHagerstown 2035

Kathleen Maher, Director of Planning and Code Administration, was present to review a recommended amendment to the transportation element of the 2018 Comprehensive Plan, *visionHagerstown 2035*.

After conducting the 60-day State clearinghouse review in September-November 2021 and after the public review meeting on December 8, 2021, the Planning Commission recommended approval on December 20, 2021 of proposed amendments to the Transportation Element of the 2018 Comprehensive Plan. The amendment process was initiated because of the Mayor and City Council's direction to remove the northern leg of R. Paul Smith Boulevard from the plan. Other revisions were included to update sections prepared in 2015 and to recommend additional road improvements in the southeast area of the City.

A summary of recommended amendments are as follows:

1. New Map 5-5 - creation of new map to show modifications to the R. Paul Smith Boulevard alignment and additions of connector roads within the Harrison tracts. This amendment follows Mayor and City Council direction to remove the north leg of R. Paul Smith Boulevard. It also includes connection alignments along the Dual Highway between the Harrison Tracts approved by the State Highway Administration.
2. MPO's 2040 Long Range Transportation Plan – revised text on Page 5-7 and 5-8 to show updates on projects in the list of recommended transportation improvements
3. Explanation of Recommended Transportation modifications on Map 5-5 – addition of text on Page 5-8 to explain changes made to recommended transportation improvements in the southeast area of the city which are illustrated on new Map 5-5
4. MPO's 2045 LRTP – new section added on Page 5-9 to outline changes made to recommended transportation improvements in the Medium Range Growth Area in the MPO's 2045 LRTP, no further amendments are recommended until after the 2050 LRTP is adopted (scheduled for May, 2022)

5. Policy 5-6 – additional text to elaborate on the City goal to fill gaps in the pedestrian network as funding allows. Added in response to State input.
6. Action 5-8 – added new action statement that indicates that as development comes forward for vacant land in the southeast area of the city, the City should ensure traffic studies include assessment of the Comp Plan’s transportation improvement recommendations for that area. Added in response to State input.

The complete text for the Transportation Element, with recommended revisions in red, is included with the meeting material and is posted on the City web site.

Ms. Maher stated City staff met with the Mayor of Funkstown and David Lyles, Developer to discuss the proposed amendments. Several County staff and the MPO director joined that meeting via ZOOM.

The County confirmed the traffic study indicated the traffic could be handled. Mr. Lyles would be responsible for widening Emmert Road.

Recommendations from the meeting include the following:

1. Keep Southern Boulevard Phase II in the Comprehensive Plan
2. Add extension of R. Paul Smith Boulevard to the Dual Highway to the Comprehensive Plan
3. Add proposed roadway improvements on the Harrison tract on the north side of the Dual Highway to the Comprehensive Plan. This includes extension of Day Road
4. Several updates related to the MPO’s 2040 LRTP

A Public Hearing to receive testimony on the proposed amendments is scheduled for January 25, 2022.

#### Synagro Project – Phase 1B and Phase 2 Project Closeout

Nancy Hausrath, Director of Utilities, and Joseph Moss, Wastewater Operations Manager, were present to discuss the Synagro Project.

Work is now complete for all phases of the upgrades to the sludge handling and processing at the Wastewater Treatment Plant. Rehabilitation of the Sludge Storage Tank was completed first followed by the replacement of the Dissolved Air Flotation (DAF) unit. The final phase of the project was the Pelletizer Facility upgrade, which involved replacing most of the equipment used in the pelletizing process.

On September 24, 2013 the City and Synagro signed the Third Extension Agreement for Maintenance and Operations Services and Capital Improvements extending Synagro’s O&M contract for the Hagerstown sludge dryer facility for an additional 10 years. Going back to the original agreement signed in 1988, Synagro’s services include, in addition to operations and maintenance of the dryer facility, management of certain capital improvements to both the dryer and other systems located at the WWTP. Such

improvements are stated within the contract as being at the request of the City, and Synagro's compensation for managing such projects is defined as cost plus 15%.

In August and October, 2018, staff prepared and presented project updates which included an increase in the project budget from \$ 5,100,000 to \$ 10,531,441. Staff also included this project in the five-year rate plan for FY20-FY24 – the assumption used in the rate model. This project included City Bond funding. The City Bond financing total was \$ 7.2 million. Mayor and City Council completed a bond issue for \$ 1.2 million in FY15 and \$ 1.0 million in FY17 for the Synagro Project. The balance of the project has been Wastewater Fund cash.

Proposals were solicited by Synagro under a design/build project format from Black & Veatch, HM Heisey Mechanical, and the team of Johnston Construction/GHD Engineering. The vendor/team selected for the first phase would be the same team used for the full capital project, since all phases are interrelated. Proposals were received and ranked, and JCC/GHD was selected, at a total cost of \$ 821,552. The primary contractor team member was Johnston Construction (JCC) and the design engineer team member was GHD. GHD would serve as a sub-contractor to JCC. The project included the renovation of the existing unused digester tank into an additional liquid sludge storage tank with a new aeration system, controls, and dome cover added. This work was henceforth known as Phase 1, Part 1 of the Capital Improvement Project. Note that Phase 1 Part 2 would be the thickening improvements, and Phase 2 would be the Pelletizing Building upgrades.

During startup of the new pelletizing equipment, it was realized that some changes to the original design were needed to obtain successful operation and the ability to produce a marketable pellet meeting the requirements of a Class A sludge as required by MDE. Synagro took the lead in investigating the issues by paying for a third-party consultant to design some changes, and paying for installation of the changes. Similar challenges were discovered during startup of ID fan and ductwork for dust collection and pellet transportation to the storage silo. Synagro again took the lead by installing the 100-horsepower variable-frequency drive needed to adjust the speed of the fan to balance the air needed throughout the pelletizing system.

All Change Orders covering the additional work have been completed and the Pelletizer Facility now is producing marketable pellets. Staff continue to work closely with Synagro staff to fine-tune the composition of the thickened sludge that the City provides them to produce the pellets.

In April of 2020, Synagro estimated the cost to complete the Phase 2 project, which required an increase of \$ 402,878 to pay the additional engineering costs of the design engineers and landfill costs to dispose of sludge during the startup of the facility as well as a contingency. Thus the project cost was increased to \$ 10,934,319 after the \$ 402,878 was approved by Mayor and Council in April of 2020. Since that time, Synagro has worked diligently to bring the Pelletizing Facility online, and is now consistently producing marketable pellets.

The final pay requests have been submitted for payment, and Synagro is requesting an additional \$ 130,772 to cover their expenses. Many challenges have been addressed by Synagro during the construction of these improvements, without additional costs being incurred by the City. They hired a new plant manager several years ago and he has been instrumental in the process of completing this facility and making necessary modifications to produce the desired pellets.

Staff is requesting approval of \$ 130,772.00 to close out this project with Synagro. Currently there is \$ 56,869.70 in approved funding. Adding the \$ 130,772.00 to the final project cost will subsequently increase the final amount to \$ 11,065,091.00. The final payment due to Synagro will be \$ 187,641.70.

It was the general consensus to include approval of the final amount of \$ 187,641.70 on the January 25, 2022 Regular Session agenda.

#### Helicopter at Vietnam Memorial Discussion

Mayor Keller invited Jim Kline, Joint Veterans Council, to join the Council for a discussion about a helicopter at the Vietnam Memorial. Since the last discussion, staff placed balloons at the site to simulate the positioning of the proposed helicopter.

Councilmember Aleshire stated that although it is difficult to get a good idea from balloons and superimposed photos, he viewed the site from all angles. He walked the Prospect Street area in the early evening and was surprised by how bright the area already is. He is concerned including a helicopter at the site will require more lighting for security reasons. He is struck by how much unnecessary consternation has been created among the supporters of the helicopter and the residents in the area. This is not what memorials are supposed to be.

Mr. Kline indicated this is not a memorial.

Councilmember Aleshire noted the City's parks are visited often. The City has an obligation to keep them maintained and provide entertainment to the community and the people who live close by. The Vietnam Veterans Monument is a beautiful thing the Joint Veterans Council has created in the park. He isn't sure what benefit placing a helicopter there would be to the community considering the amount of concern the proposal has caused. He does not know if he has an interest in committing to an effort that has this effect on the community.

Councilmember McIntire lived across the street from a memorial site. She completely understands how the neighbors at this site would feel. While she appreciates the memorial and its reverence and significance, she can't ignore the effect on the visitors and residents.

Mr. Kline pointed out the memorial Councilmember McIntire lived near is different than the Vietnam Veterans Monument. The closest neighbors to this one are 200 feet away. Before the monument was placed there it was a dark spot where homeless people

stayed. The helicopter does not need to lit. The lights do not shine into people's homes. He had asked to be notified when the balloons were put up but that did not happen. He happened to be in the area and saw they were in place. He acknowledged that the helicopter will be visible from the Hager House at this time of year. When the trees are full with leaves, it will not be visible. He asked if the Mayor and City Council are also receiving letters and emails in support of the helicopter, as well as in opposition to it.

Councilmember Aleshire reiterated he did not have any real issue of visibility from the Hager House or from across the street. He is concerned there is clear consternation between parties for a project that is not being proposed by the City. It would be appropriate for reconciliation between the parties before the Council makes any further decisions. He believes the parties could get together and find some common ground for the proposal. He does not think the Council should be arbitrators of that.

Councilmember Bruchey has looked at other monuments and memorials. One of the speakers at the December 21, 2021 Regular Session mentioned memorials being solemn sites where spiritual connections occur. That resonated with him. He will not be the individual that says no to this request. It is not a City project or the City's monument. It is for Vietnam Veterans. He talked with Mr. Kline about trying to find some other symbol that would be as meaningful as the helicopter. He wondered if Toby Mendez, artist, could create a statue of a Vietnam soldier or two. He hopes people won't be angry if this proposal does not move forward.

Mr. Kline stated they thought a helicopter at the site would be an excellent attraction to the monument and would not overpower it. It has never been their intent to put the helicopter as close to the street as the monument.

Debbie Kline supports placing the Huey helicopter at the monument. She has been involved with the Vietnam Veterans monument for 5 years. She asked why a decision should be made based on just what citizens say. The group did not restrict fundraising for the monument to just City residents. This monument honors the 17 men who died in Vietnam. This site does offer a calm place for reflections. The Huey helicopter represents thousands of veterans being transported. If we forget the past, we are doomed to repeat it. The helicopter would be elevated to the south of the monument. It will remind everyone of what the war was like. It will provide an education opportunity for students. She doesn't think the comments of the historical district residents should be regarded more highly than any other comments about the helicopter.

Mayor Keller stated she and the Council don't disagree with the Joint Veterans Council. It is a beautiful monument and people are there every day. These discussions are not a slight on the memorial or anything the group has done. The Mayor and City Council are elected to represent the citizens of Hagerstown. They have to look at all aspects of any project.

Mr. Kline stated he talked to Mayor Keller and Councilmember McIntire about a helicopter during the second annual recognition of the monument. They indicated he had to attend a Mayor and City Council meeting requesting permission. Then the Mayor and

Council received a letter in opposition of the proposal months later, before it was even discussed with the City.

Mr. Nicewarner indicated permission to place the helicopter at the site should follow the same process as the original monument. That permission was granted by formal vote of the Mayor and City Council. This could be added to the agenda for January 25, 2022.

Mr. Kline asked if could get copies of the letters the City has received regarding the helicopter proposal. Mr. Nicewarner indicated he could. Mr. Kline stated it is up to the Mayor and City Council if the helicopter goes at the monument – he doesn't care. He wondered if a new Mayor and City Council would consider granting the permission.

Councilmember Aleshire reiterated the concerns of both parties should be resolved between them before any vote is presented to the Mayor and City Council. If it is up for a vote at this time, he would abstain from the vote.

Mr. Nicewarner indicated staff could try to schedule a meeting for the two groups to meet. This might not occur within the next 2 weeks.

Mr. Kline asked if the monument is just for City residents or is it open for anyone to visit.

Mr. Nicewarner indicated no one disputes the beauty of the monument or the reverence at the site. No one in the City or County will deny that. But, the people that live there will see it every day. He suggested Mr., Kline's group meet with the Neighborhoods 1<sup>st</sup> Group to discuss all the concerns. There may be options that are mentioned that have not been thought of. The Mayor and City Council will make the final decision but they will have as much information as possible following that meeting.

### **CITY ADMINISTRATOR'S COMMENTS**

*Scott A. Nicewarner, City Administrator*, reminded everyone City Hall will be closed on Monday, January 17, 2022 in observance of Martin Luther King, Jr. Day. There will be no change in the trash collection schedule. He encouraged everyone to sign up for the annual Hub City 100 Miler.

### **MAYOR AND COUNCIL COMMENTS**

*Councilmember T. Martinez* announced there will be a community walk on Monday, January 17, 2022 in the Jonathan Street community.

*Councilmember K. B. Aleshire* had no additional comments.

*Councilmember T. Burnett* had no additional comments.

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

*Councilmember S. McIntire* spoke at a women’s workshop yesterday and some people asked her about how to use the pay by phone parking. She asked that a reminder of how to use the app be broadcast. She wished Mayor Keller a happy birthday.

*Mayor E. Keller* noted the COVID positivity rate in Washington County is 32%, which is extremely high. She urged everyone to stay safe and help reduce the rate. Opening day of the 2022 Legislative Session is tomorrow in Annapolis. She reminded Senator Corderman and Delegate Thiam that the City needs assistance with funding for the indoor sports facility.

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 6:39 p.m.

Respectfully submitted,

*Original signed by D. K. Spickler*

Donna K. Spickler  
City Clerk

Approved: February 22, 2022