

EXECUTIVE SESSION – May 3, 2022

Mayor Keller called the Executive Session to order at 3:05 p.m.

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 at the time of the vote to meet in closed session 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)), and to conduct collective bargaining negotiations or consider matters that relate to the negotiations; (#9) (Section 3-305(b)), on Tuesday, May 3, 2022 at 3:05 p.m. in the Council Chamber, 2<sup>nd</sup> floor, City Hall, Hagerstown, Maryland. Councilmember T. Burnett was not present at the time of the vote.

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 Ann Rotz, City Attorney Jason Morton, Michelle Hepburn, Chief Financial Officer, Eric Deike, Director of Public Works, Rodney Tissue, City Engineer, Don Francis, Director of Human Resources, Jill Thompson, Director of Community and Economic Development, Fire Chief Steven Lohr, Doug Reaser, Business Development Specialist, Mark Cleck, Battalion Chief, Adam Hopkins, Battalion Chief, Wes Decker, Communications Manager, and Donna K. Spickler, City Clerk.

The meeting was held to discuss two separate business proposals and to review union negotiations. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the meeting was adjourned at 4:04 p.m.

WORK SESSION – May 3, 2022

Mayor E. Keller called this Work Session of the Mayor and City Council to order at 4:13 p.m., Tuesday, May 3, 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.

Proclamation: Building Safety Month

Mayor Keller read a proclamation naming May, 2022 as Building Safety Month in Hagerstown, Maryland. Kathleen Maher, Director of Planning and Code Administration, Pam Harris, Building Inspector, Paul Fulk, Neighborhood Services Coordinator, and Blaine Mowen, Chief Code Official, accepted the proclamation.

FY 23 Budget Review

Michelle Hepburn, Chief Financial Officer, and Brooke Garver, Accounting and Budget Manager, were present to continue review of the FY23 Budget.

The User Fee Schedule is located in Section 8 of the budget book. The proposed budget includes changes already adopted by the Mayor and City Council and rate changes that will take effect upon adoption of the FY23 Proposed Budget. New changes for the Planning Department include subdivision plan, nonresidential full site plan, minor site plan, site plan waiver, zoning letters, fence permits, after hours building securing, repeat calls for service for vacant properties, and forest conservation fee changes. Also, recycling and refuse collection fees are increasing to \$ 50.00 for quarterly residential customers and to \$ 110.00 for annual commercial customers.

Kathleen Maher, Director of Planning and Code Administration, stated staff will be reviewing fees for professional tradesmen with the Mayor and City Council later this year.

Many fees are approved by administrative order and they will go in effect with the budget. Other amendments require City Code amendments by ordinance and those will be presented to the Mayor and City Council for consideration separately.

Jonathan Kerns, Community Development Manager, reviewed the City's Community Development Block Grant (CDBG) program. From 1989 through 2011, the average CDBG entitlement amount received by the City was \$ 1,1034,875. From 2012 through 2018, federal budget cuts significantly reduced the City's CDBG funding resulting in an average entitlement amount of \$ 682,565 over this seven year period. After this long span of the significantly reduced entitlement amounts, the City's entitlements have gradually increased each year since FY19. The estimated entitlement amount for FY23 is \$ 825,000. At this time, an exact entitlement amount for FY23 has not been provided by HUD due to the ongoing federal budget process. Staff anticipate the amount will be slightly lower this year.

In April of 2020, the City received a \$ 472,845 allocation of "CDBG-CV" funding. CDBG-CV funding was provided through the Federal CARES Act legislation in response to the COVID-19 pandemic. The City distributed this funding in FY21 to multiple non-profit organizations for housing crisis assistance and food resource assistance. An additional \$ 274,365 of CDBG-CV funding has been awarded to the City and this funding was also distributed to multiple non-profit organizations for public service activities associated with the COVID-19 pandemic response. As of today, \$ 130,000 remains to be spent across those organizations. Mr. Kerns noted Hagerstown is far ahead of other jurisdictions in distributing the funds. He praised the subrecipients for moving the programs forward.

The Department of Community and Economic Development (DCED) works in cooperation with other City Departments to carry out neighborhood based projects. Proposed FY23 Public Facility projects to be carried out in cooperation with the Public Works and Engineering Department include Wheaton Park enhancements, pedestrian bridges at City Park and sidewalk accessibility ramp construction. In cooperation with the Hagerstown Police Department, phased renovations are planned for the vacant Alms house property to create a police substation and community room.

Ms. Hepburn pointed out \$ 475,000 is included in the proposed budget for the Commercial/Industrial Improvements, which includes commercial rehabilitation of City owned properties.

Mr. Kerns noted the Alms House (Locust Street) was removed from the Competitive Negotiated Sale (CNS) list due to possible other City uses. Two ideas are a police substation and/or a community room. Chief Paul Kifer believes this use will be a positive project for the neighborhood and the police department. Mr. Kerns stated the City should focus on the Alms House next year, as the allocated funding needs to be used or moved to another project within a certain timeframe.

Mr. Kerns reported the Microenterprise Program has been successful. Businesses provided positive feedback and funding is proposed to continue the program into FY23.

Ms. Hepburn stated \$ 120,000 of the proposed budget for the Public Facilities and Improvements category is intended to be used for City owned infrastructure, sidewalk ramps, Phase 1 of the Wheaton Park improvements, and pedestrian bridges in City Park.

Ms. Hepburn thanked Mr. Kerns for making sure the City of Hagerstown stays within the HUD guidelines. The City met the compliance and standard requirements and should receive confirmation soon.

Mayor Keller stated she thinks the current housing market warrants putting the Alms House back on the CNS list.

The Economic Development Fund was established to promote the revitalization of the City's downtown and older neighborhood areas. Currently, the fund is being used to promote businesses and home ownership through the Invest Hagerstown Programs. Additionally, this fund is used for the Partners in Economic Progress (PEP) Program, holding real property for resale, and related development activities. Revenues in this fund consist of periodic transfers from other funds, State Grant funds (when available), and a transfer from the General Fund to continue carrying out strategic revitalization efforts through Invest Hagerstown.

Revenue is from grants, program income, and property taxes. The proposed budget includes \$ 1.4 million in expenditures, which includes the Invest Hagerstown program. Projects include addressing ghost properties, and life safety grants.

Review of the proposed budget will continue on May 10, 2022 and will cover Utilities and other Enterprise Funds. Public Hearings for the property tax rate and the proposed budget are scheduled for 7:00 p.m. on May 10, 2022. Introduction of the ordinances will follow the Public Hearing.

#### Potomac Street at Baltimore Street Intersection

Rodney Tissue, City Engineer, was present to discuss the Potomac Street and Baltimore Street intersection.

In 2020, the Maryland Department of Transportation developed the “Hagerstown Bicycle and Pedestrian Priority Area Plan” that included concepts for safety and walkability improvements in the city center. One project they recommended is the reconstruction of the referenced intersection to shorten the crosswalks, remove the unconventional alignment, modernize the equipment and make the intersection fully Americans with Disabilities Act compatible. The three traffic signal strain poles and the controller/signal equipment were installed in 1980’s. The southwest corner pedestrian lights are mounted on a wooden utility pole and a new mast arm system will eliminate a lot of unnecessary overhead wires.

The construction drawings are about 30% complete. Staff is prepared to apply for a Safe Routes to School grant for 80% of the funds. The engineer’s estimate is \$ 750,000 so staff would apply for a \$ 600,000 grant and the City’s match would be \$ 150,000. This was anticipated in the FY24 CIP budget currently under review by the Mayor and City Council.

Consistent with the City’s grant policy, staff is seeking approval from the Mayor and City Council to apply for a Safe Routes to School grant for 80% of the funds to improve this intersection. If the City is fortunate enough to get the grant, the cash match would be included in the FY24 and FY25 budget years. Since this is Federal funding, it typically takes three to five years to implement the project.

It was the general consensus to authorize staff to apply for the grant.

Review Case No. ZM-2021-02 for a Local Conversion District Overlay at 245 N. Potomac Street

Kathleen Maher, Director of Planning and Code Administration, was present to review the Local Conversion District Overlay at 245 North Potomac Street request filed by O’Sick Family Trust.

The property is an existing mixed-use building located on the corner of Potomac Street and Bethel Street. The zoning is Residential-Office (RO). It is currently occupied by 7 dwelling units and 1 office space with an additional commercial space that is vacant. The applicant wishes to expand the permitted commercial uses for that front facing commercial space to include the following uses per Land Management Code V3.6 City of Hagerstown, Maryland Article 4: Zoning Ordinance:

1. Bank or credit union
2. Business Service Centers or Quick Printing Services
3. Bed & Breakfast Inns, including short-term rental with food service
4. Retail/wholesale trade excluding auto, up to 5,000 sf in net floor area. May include retail bakeries and retail confectioneries

The applicant also proposes removing the vinyl siding on the sides of the commercial front door as part of replacing the door with a commercial unit consistent with adjacent display windows; installing security cameras and ambient lighting to front of building; and no other fencing, landscaping, parking, or exterior changes at this time.

During the consultation with the applicant, the Planning Commission discussed the condition of requiring the applicant to combine the 2 lots to ensure parking on site. There are no other specific request or recommendations from the Commission.

Staff received an email from Michael J. Amontree, 329 N. Potomac Street, Hagerstown, Maryland expressing his concern of unintended consequences for the neighborhood with some of the proposed uses, especially a convenience store. He requested the public have a clear explanation of how the area would be patrolled and how abatement of potential adverse issues would be addressed.

The Planning Commission recommends approval of the Local Conversion District Overlay at 245 N. Potomac Street with the conditions that the applicant combines the building lot with the parking lot into one consolidated lot to ensure the parking stays with the building in the future. They also agreed with the recommendation from the Historic District Commission to require some type of landscaping that will be decided at the site plan stage.

The full staff analysis on this case and the application and exhibits submitted by the applicant are included with the meeting material. .

It was the general consensus to move forward with the request. A Public Hearing before the Mayor and City Council is scheduled for May 24, 2022.

#### Imagine Hagerstown, Music on the Square, and #DowntownHagerstownpass Update

Cassie Hershberger, Events Planner, and Jill Thompson, Director of Community and Economic Development, were present to provide information about the upcoming Imagine Hagerstown Concert Series and the Music on the Square Concert Series.

Concerts will be held in University Plaza on the 4<sup>th</sup> Friday of each month as part of the Imagine Hagerstown program. Concerts begin on Friday, May 27, 2022 and continue through September 23, 2022.

Music on the Square will be held on the first, second, and third Friday's of each month beginning on May 13, 2022.

The new #DowntownHagerstownpass features specials from local businesses. These passes will be available at each event for attendees to participate in downtown dining and shopping. More information is available at [www.downtownhagerstown.org](http://www.downtownhagerstown.org).

Imagine Hagerstown, Music on the Square, and the Downtown Hagerstown Pass are programs of Main Street Hagerstown and the Hagerstown Arts & Entertainment District.

Merchandise will be available soon for a new Main Street rebranding initiative.

#### CITY ADMINISTRATOR'S COMMENTS

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

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

*Councilmember S. McIntire* thanked the ENVY partnership for another successful 5<sup>th</sup> Quarter event. Future events will include weight lifting. More than 200 kids participated in the most recent event. She congratulated Kevin Bokum, one of the original members of the Hagerstown Youth Council, for being accepted at Harvard University. She noted Governor Hogan also appointed him to the State Education Board.

*Councilmember T. Burnett* reminded everyone May is motorcycle awareness month. She urged drivers to look twice for motorcyclists and share the road. Her father was killed 12 years ago in a motorcycle accident and she urged people to be extra aware.

*Councilmember K. B. Aleshire* visited the AAUW book sale with his oldest daughters and found some old records. It was fun to review things from his old neighborhood.

*Councilmember T. Martinez* thanked Tribe Cold Press Juice Bar for their hospitality last week. It was like a family reunion. She wished Reggie Johnson a happy 80<sup>th</sup> birthday. He was the first black quarterback at South High. He is still active and drives tour buses.

*Mayor E. Keller* also recognized Tribe Cold Press Juice Bar. She reminded everyone May is Mental Health Awareness Month and urged anyone struggling to reach out for help. The recent ENVY events were incredible and a lot of fun. She thanked Councilmember McIntire for her leadership with these events. The recent Harm Reduction program featured poets at their event last week, including Councilmember Tekesha Martinez.

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 5:04 p.m.

Respectfully submitted,

*Original signed by D. K. Spickler*

Donna K. Spickler  
City Clerk

Approved: June 28, 2022