

WORK SESSION, SPECIAL SESSION (55TH VOTING SESSION), AND EXECUTIVE
SESSION – November 15, 2022

EXECUTIVE SESSION – November 15, 2022

Mayor Keller called the Executive Session to order at 3:36 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 to meet in closed session to consult with counsel to obtain legal advice; (#7) (Section 3-305(b)), on Tuesday, November 15, 2022 at 3:36 p.m. in the Council Chamber, 2nd floor, City Hall, Hagerstown, Maryland.

The following people were in attendance: Mayor E. Keller, Councilmember K. B. Aleshire, Councilmember T. Burnett, Councilmember T. Martinez, Councilmember S. McIntire, City Administrator Scott Nicewarner, Ann Rotz, City Attorney, Police Chief Paul “Joey” Kifer, Fire Chief Steven Lohr, and City Clerk D. K. Spickler. Councilmember R. E. Bruchey, II was not present.

The meeting was held to consult with the City Attorney regarding negotiation of an agreement. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the meeting was adjourned at 3:45 p.m.

SPECIAL SESSION (55th VOTING SESSION) AND WORK SESSION – November 15,
2022

Mayor E. Keller called this Work Session, Special Session (55TH voting session) and Executive Session of the Mayor and City Council to order at 4:00 p.m., Tuesday, November 15, 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. Councilmember R. E. Bruchey, II was not present.

SPECIAL SESSION – November 15, 2022

On a motion duly made by Councilmember T. Martinez and seconded by Councilmember S. McIntire, the Mayor and City Council unanimously agreed by voice vote to meet in Special Session at 4:01 p.m.

Approval of Amendment #2 to the Agreement with Eastern Sports Management, LLC

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember T. Martinez, the Mayor and City Council unanimously agreed by voice vote of all members present to approve Amendment #2 to the Consultant Services Agreement with Eastern Sports Management,

LLC for the final phase of the development of construction documents for an indoor recreation facility at the former Municipal Stadium property
Deliverables of this phase will include: final contract assignment with architect, complete building plans and specifications, finalize legal agreements for the construction and operation of the facility and fundraising. Funding will be \$ 500,000 from FY21 GF surplus.

The Special Session was closed at 4:01 p.m.

Proclamation: Small Business Saturday

Mayor Keller read a proclamation naming Saturday, November 26, 2022 as Small Business Saturday in Hagerstown, Maryland. Brittany Arizmendi, Community Engagement Officer, and Cassie Hershberger, Economic Development Coordinator, accepted the proclamation.

Ms. Arizmendi urged people to support the 25 small businesses that signed up to participate in special promotions on Small Business Saturday.

Preliminary Agenda Review

Mayor Keller announced that Citizen Comments for the October 25, 2022 Regular Session will be welcome either in person or by submitting comments by email to councilcomments@hagerstownmd.org by 5:00 p.m. that day. If by email, the submitter's 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. Replacement of Deteriorated Alley Paving – Advantage Landscape & Construction, Inc. (Hagerstown, MD) Not to Exceed \$ 145,000.00
2. Installation of New Sidewalks on West Irvin Avenue Prior to Overlay - DIR Construction, Inc. (Laurel, MD) Not to Exceed \$ 80,000.00

B. Information Technology:

1. City-Wide Office 365 Software Upgrade – vTech Solutions, Inc. (Washington, DC) \$ 155,593.78

C. Police:

1. AVCC Annual Subscription Fee – Lexis Nexis (Chicago, IL) \$ 18,961.90

D. Public Works:

Pricing shown is the total Washington County bid price – the original City Purchase Order for each component will be the approved FY23 budget totals.

1. Bulk Diesel Fuel and Gasoline Purchase: Tank Wagon Deliveries – A. C. & T. Co., Inc. (Hagerstown, MD) \$471,170.03
2. Bulk Diesel Fuel Purchase: Transport Deliveries – A. C. & T. Co., Inc. (Hagerstown, MD) \$ 2,566,758.10
3. Bulk Gasoline Purchase: Transport Deliveries – Petroleum Traders Corporation (Fort Wayne, IN) \$ 959,432.30

E. Utilities:

1. Water: Water Service Materials – Core and Main LP (Martinsburg, WV) \$ 48,885.88
2. Water: FY23 Chemical Purchase – Various Vendors \$ 1,791,618.16
3. Wastewater: FY23 and FY24 Chemical Purchase – Various Vendors \$ 392,206.00
4. Wastewater: Muffin Monster – JWC Environmental (Santa Ana, CA) \$ 24,481.00

Mr. Nicewarner pointed out the New Business Item for land acquisition for the Hub City Garage is the proposed, third parking deck. The City is not purchasing a property called Hub City Garage.

This completed the Preliminary Agenda Review. There were no additional questions about any items. All items, unless noted, are scheduled for approval on November 22, 2022.

Discussion of Robert W. Johnson Community Center (RWJCC)

Mayor Keller stated Secretary Kenneth Holt requested this discussion with the Mayor and City Council regarding the Robert W. Johnson Community Center (RWJCC). Secretary Holt has been dedicated to help the Jonathan Street Community and he wants to see this project completed. He asked that the City arrange a meeting with the Board of Directors (Board) to see what their needs are, etc. She invited the Board to this Work Session. They declined the invitation. Secretary Holt had not arrived by the time this agenda item was scheduled for discussion. Mayor Keller noted the next Jonathan Street community meeting will be held on Thursday, November 17, 2022 at Parkside Community Center at 7:00 p.m.

Councilmember Aleshire was unable to attend the first community meeting held in October. He is familiar with the City facilitating issues at the RWJCC as they have arisen during the last 20 years. The City has stepped in to a certain extent, including \$ 25,000 for pool repairs. These topics appear on the Mayor and City Council agendas. There are numerous conversations that happen outside the Council Chamber. The City is going to be an interested party in the facilitation and deliberation between the parties in this instance that is generally a non-profit. He believes the best practice is in the plain

purview of this public setting. The Mayor should have also mentioned that the Board's email response included they preferred to have the initial discussion in closed session. He would not support a closed session meeting. The City is not involved in the operation of the RWJCC or involved with the State funding that has been provided to the RWJCC. The City is a third party that was brought into the conversation. The State wants to help and the Board wants to keep the center operating. The City has been asked how they can help make this happen. The only way he will discuss the center is in a public setting so everyone understands the community's needs and wants and what the State can provide to achieve those needs and wants.

Councilmember McIntire thanked the people from the Jonathan Street community for attending this meeting. Many of these citizens attended the first community meeting in October. During that meeting, it was obvious the community wants to have a community center that benefits the kids and the community. The City wants to help them achieve that goal.

Councilmember Martinez stated this is a very personal topic for her. She is disappointed that the community showed up for this meeting but the Board and Secretary Holt have not. She doesn't know how to be an ambassador for the City or the State when it comes to the Jonathan Street community if an open and honest conversation can't be held. This is unfair to the people who keep showing up for meetings. The conversations need to be held in order to help the community. Everyone is restricted by laws and rules of procedure and in the meantime, there is a community in Hagerstown that is suffering. This is not okay.

Councilmember Burnett thanked everyone for attending this meeting and other meetings that have been held. She served on the Board and saw the positive impact the center had on the community. The center is not operational at this time. She wants to help figure out how to provide the help the community needs. Perhaps there are other venues for a community center. The RWJCC was home to her and she was a "rec kid". She stated it is sad that she can't take her daughter there and show her how it impacted her own childhood.

Councilmember McIntire stated the community wants the center to be operational and it is ok to have this discussion in a public setting.

Secretary Holt arrived at the meeting.

Councilmember Aleshire informed Secretary Holt that the Mayor and City Council, as a body, are ready to facilitate whatever resources that are available to assist this community. They are ready to take on the facilitation of that center. He understands the State is looking to the City to help navigate from Point A to Point B. He wants to do this as openly and as transparently as possible so all the partners see what everyone is trying to do to help the community.

Secretary Holt indicated the State is supportive of the improvements in the Jonathan Street neighborhood. The State wants to continue to support improvements. They are at the point they want to make sure there is partnership and collaboration. Eventually, they felt they needed to focus more on a relationship for solidarity with the City. He thinks the next step is meeting with the Board and ironing out whatever differences there are.

Mayor Keller noted the group was recapping the frustration they heard at the community meeting in October before Secretary Holt arrived. She stated there is a follow up meeting this week and she is sure the same frustration will be voiced.

Secretary Holt informed the group that the State has appropriated funding. The money is awarded with clear conditions. It is not for administrative overhead and can only be used for a capital purpose. It can't be used for salaries, etc. He believes the partners involved have been working toward the goal of helping the community. However, the funding at this point has not been deployed. There is \$ 1.2 million that is fundamentally available to begin renovations either to the building itself, the core and shell, or the swimming pool. In addition, there is another \$ 500,000 the City would have at its discretion for whatever they see as the next need. Funding is from these sources:

1. Governor's Capital Budget
2. Strategic Demolition Fund
3. African American Appropriation - \$ 100,000
4. Western Maryland CDC - \$ 400,000
5. Preservation Maryland - \$ 450,000 – (\$ 50,000 engineering and design work)

The total is \$ 1.5 million to \$ 1.7 million to commence work. There will be additional funding to do whatever has to get done. Every year they select from applications the projects they want to approve. The FY24 budget is being prepared now. These aren't line item earmarks for the RWJCC but there is funding available in the Strategic Demolition Fund in this budget for additional work. This is a multi-year deal. He believes there is also support from Congressman Trone for some of the on-going support. He believes there is \$ 50,000 set aside for salary of an executive director. That will be in the Board's budget to hire that person. He thinks the money is available and based on the number of people present at this meeting, he believes the will to make the community better is there.

Councilmember Martinez stated unfortunately, the people at this meeting have attended community meetings but they aren't on the Board. She grew up in the community and it is difficult for her as an elected official to speak about this. There is not community collaboration. The people in the audience don't know what is happening at the center. At one time, she ran the center and the programs. She knows it can work. The entire community – the churches, the elders, and the schools - was involved at that time. That is not happening now.

Councilmember Aleshire stated it is important to understand that Secretary Holt has indicated funding is available, for both capital and operational needs. It should not be difficult to list the capital needs by priority and impact on the users of the center. The

City can't demand the State funding is used in a particular order. At some point, the Board, the State, and the City need to sit together and discuss what the priorities are and how to make sure it is successful and moves forward. There need to be programs for the community. For him, that is all that is important. He doesn't need his name listed somewhere or any other recognition.

Secretary Holt stated it sounds like a face to face meeting with the Board is the next step. Councilmember McIntire noted the City has tried to meet with the Board, without success.

Councilmember Aleshire asked who oversees the use of funds provided by the State. Secretary Holt indicated the State can claw back the funding if the organization has not met the grant obligations. They don't do it often and in this case, it is not their interest in clawing it back.

Councilmember Aleshire is not sure what the City can do to ensure that the money in this case is spent with the original intent.

Secretary Holt thinks the Board has issued an invitation to the City to meet with them. He could attend that meeting. He stated Joe Jefferson (Board member) had requested information about the guidelines for the funding and he sent him the information by email.

Joe Jefferson (who was in the audience) stated he has not received an email from Secretary Holt. He pointed out he is attending this meeting as a private citizen, not as a member of the Board.

Councilmember Martinez stated people say often they aren't representing one group or another. People can't choose who they are at any time. This isn't helping the situation. She can't be a Councilwoman at times and not at other times. For the first time ever, there are two elected officials serving together who were born and raised in the Jonathan Street community.

Secretary Holt stated there is a division that has to be healed. Face to ace communication is the best way to do it. The State has the resources available and the will to direct those resources into the project.

Councilmember Aleshire stated it is good for citizens who attended this meeting to hear that support is available for the project and the City supports the project.

Mayor Keller stated she is thankful Secretary Holt reached out to the City. The elected body is asked all the time about what is happening at the Center. The City is willing to help, but there needs to be a partnership.

Secretary Holt stated those in control of the facility have an obligation to operate and facilitate it.

Mr. Nicewarner pointed out the funding awarded under the State's Strategic Demolition Fund does not mean the facility will be demolished.

Secretary Holt agreed the title of that funding program does not mean demolition. With this funding, an old building can be rebuilt or stabilized. Acquisition of the site is an eligible expense. In this case, the core, the engineering and work is all eligible. State funding was used to install broadband internet service to the building.

Mr. Nicewarner does not think a private meeting with the Board meets the requirements of the State of Maryland Open Meetings Act. The City does not want to own the building. The City does not have staffing resources to operate or staff the center. The City would look to the community to provide the operation and programming. The City does not want to take over the facility. It is for the community to operate it. The City is here to help get it operating again.

Secretary Holt stated maybe the City could enter into an agreement that assigns the operating responsibility to the Board so they feel they have an important, ongoing role, while the City provides the capital funding from the State to do the repairs. The agreement could include a deadline for the improvements to be completed and perhaps the requirement of hiring an Executive Director. There has to be a negotiation that ends with an agreement or it all falls apart. He isn't sure that can be prevented but he thinks it is a reasonable approach with an agreement where the Board is vested to operate the facility successfully. In addition to the funding he mentioned previously, the State has sundry dollars that can be used for rehabilitation work. He thinks a concrete proposal on the table will help and the State could help facilitate the work.

Councilmember Burnett thanked the Mayor for placing this discussion on the agenda. She thanked the Council and City staff for their support of the community. Contrary to social media posts that indicate the City doesn't do anything to help, this discussion shows many people are interested in helping the community. It is helpful to receive feedback from everyone.

Councilmember Aleshire thanked Secretary Holt for attending and for clarifying there is State funding to fix what is broken. The government does not need to take over the facility in order for the improvements to be made. He reiterated the City is not looking to take over any part of the Robert W. Johnson Community Center – operations or building.

Secretary Holt thinks Councilmember Aleshire is echoing everyone's feelings here. He believes the Board does want to meet with the Mayor and City Council. He wondered if there could be a meeting with a few representatives of the elected body. The State would be present at the meeting and possibly have a concept of the plans for the Center.

Councilmember Aleshire suggested the meeting be an informal conversation that includes walking around the building and determining what the needs are.

Councilmember McIntire stated the community deserves to know what is happening and to know there is hope.

Councilmember Martinez stated the City has always wanted to collaborate with the Board. The Mayor and City Council did not insert themselves in this situation because they wanted some of the money. That is not what is happening here. Before she was elected, she thought the City was keeping the work from being done. She now realizes that is not true.

Secretary Holt wants to help break through the log jam. He believes improvements can be accomplished. He hopes the next meeting will be a step forward, with a win/win for all involved. He offered an apology to Mr. Jefferson as he thought the requested information had been sent to him. He will see that it is sent.

The Mayor and City Council thanked Secretary Holt for having this discussion with them.

Transient Housing Ordinance

Kathleen Maher, Director of Planning and Code Administration, and Paul Fulk, Neighborhood Services Manager, were present to review draft provisions to license transient housing facilities in the City, amend Chapter 65, Habitual Offender, and amend Chapter 95, Excessive Use of City Services in preparation for introduction of a new ordinance and amending two established ordinances at the end of November.

The Mayor and City Council directed staff to pursue this approach on September 20, 2022.

The draft provisions include the following:

1. Definition of Transient Housing Facility including hotel, bed and breakfast, short-term rental
2. Definitions of Calls for Service and Calls for Service Room Ratio
3. Definition of Hotel to include any transient housing facility collecting Washington County Hotel/Motel tax
4. Establish a tier system for premises identified as a hotel and a fee structure for transient housing facilities
5. Establish an inspection schedule for transient housing facilities
6. Require transient housing facilities to train owners, managers, and all staff on how to identify human trafficking activities and victims consistent with state law Training requirement also includes overdose response program training provided by the Washington County Health Department. Require guest register at all transient housing facilities with transient visitor information related to their stay
7. Premises requirements of no hourly rates, not letting a room more than twice in twenty-four hours, no unit can be used for any illegal purpose, and posting Planning and Code Administration's main office number in units for transient visitor complaints

8. Establishing criteria for denying, suspending, or revoking application or licenses which includes a review of real property taxes, personal property taxes, and City-owned utility fees
9. Failure to comply with the ordinance requirements shall result in municipal infractions. Suspended licenses will not permit additional transient housing units being let and revoked licenses will require the premises to be vacated
10. Incorporating Transient Housing requirements in Chapter 65 and Chapter 95 similar to established licensing programs

Councilmember McIntire asked if this has been discussed with the hotels and how the information will be provided to the establishments these regulations apply to. She stated it is important to provide this information in multiple ways.

Mr. Fulk indicated staff has communicated with several owners. A question was raised if a call for undesirable people would be considered a call for service. Mr. Fulk clarified it would not.

It was the general consensus to include introduction of the required ordinances on the November 22, 2022 Regular Session agenda. Although the turnaround time is short, the Mayor and City Council agreed these amendments are necessary and important.

Hagerstown Fairground Softball Association Loan Request for Grading and Fence Repairs

Eric Deike, Director of Public Works, and Mike Kelbaugh, Hagerstown Softball Association (HFSA), were present to review a loan request in the amount of \$ 20,000 for field improvements.

The HFSA has a long-term user agreement with the City to use and manage the three softball fields in Fairgrounds Park through December 31, 2023. This user agreement also contains automatic renewals for up to two additional one year terms beginning on January 1, 2024, unless either party gives written notice of non-renewal to the other party. The HFSA does all the field maintenance and pays all the utility bills in exchange for no rent being charged by the City. They also operate the concession stand and keep any revenues related to that specific facility to facilitate their program and maintenance.

Since 2001, the HFSA has invested over \$ 300,000 into the Fairgrounds Park softball facility. They have successfully paid off three loans for field lights, fencing, and dugouts. Mr. Deike noted the Senior Division Baseball group has decided to not continue with their lease for fields at City Park. The HFSA will likely be the new user for those fields.

Funding for the loan would come from CIP Fund Balance for a proposed project in City Park that will no longer occur in FY23. The amount would be \$ 20,000 with payment terms of five years with annual payments of \$ 4,000. Councilmember McIntire asked what project is being delayed. Mr. Deike indicated additional Christmas displays were planned but could not be completed this year.

Staff recommends Council agree to loan the HFSA the requested funds of \$ 20,000 with payment terms as indicated previously.

It was the general consensus to approve the requested loan. The required Mayor and City Council action will be scheduled in December, 2022.

“Hub City Garage” Parking Deck

Rodney Tissue, City Engineer, was present to review a sales agreement to acquire the 0.88 acre, 109-space parking lot at 50-58 West Antietam Street from Hager5 for the construction of the City’s third parking deck. Some highlights of the agreement are as follows:

1. The purchase price is \$ 1,200,000
2. While there are no guarantees, Hager5 has indicated there is potential for over 100 daytime users of the deck by their tenants, hourly parking at District Court, Blackthorn development, District Court employees and upcoming local redevelopment.
3. City staff will need to find alternative parking for their tenants to rent during construction. This will likely be the University District deck or the Rochester Lot.
4. The sales agreement is worded that the City won’t close on the land until AFTER construction bids are opened and the City Council awards a construction contract confirming the project is indeed a “go”. This must be decoded by April 1, 2023.

If the City wishes to proceed and have a spring 2024 opening of the deck, construction needs to start in early 2023. To do that, staff plans to bid the construction by early December for contract award in February, 2023.

The deck project will be bid as a five story, 395 space structure as originally discussed with a deduct alternate to eliminate a level from the deck (total of four floors or 313 spaces) to attempt to stay within the budget n FY23 CIP #173 of \$ 10,000,000. The Mayor and City Council can decide whether to accept the deduct when the bids are presented by staff in February. The difference in cost will likely be over \$ 1.5 million.

Councilmember Aleshire asked if the City added the last highlight. Mr. Tissue indicated this provides protection for the City because of the unknown construction costs.

Councilmember Aleshire stated the alternative was the City would take ownership now. With possible ownership being delayed until after the bids are reviewed, Hager5 will continue leasing parking to their current users. He does not think there is a reverse course, as parking will absolutely be needed. The City is going to wait until April to purchase a property at twice the appraised value, which is a big concern to him. He is concerned that some of the Hager5 partners are also involved in the stadium project. He doesn’t understand why the City would be concerned about the cost of construction when the cost of the land is twice the appraised cost. This purchase price is driven by the seller, not the City. The City has a budget and has to stay within those limits.

Mr. Tissue stated the Mayor and City Council may decide to not move forward with the project, but staff wanted them to have options when construction prices are known.

Councilmember Aleshire stated it is concerning to him that the cost is above the budget, there may be one less level, and the City is obligated to honor the existing lease agreements. He wondered if any parking tenants moved during construction would automatically come back to that location. If so, there could be up to 100 spaces lost.

Mr. Tissue stated the City could probably mandate which deck the tenants use after the construction.

Mayor Keller stated she is adamantly opposed to a purchase price of \$ 1.2 million.

Councilmember McIntire asked if the drawing with the packet material is the final design. She stated as this is in the A & E District, it needs to be attractive. Mr. Tissue stated the drawing shows banners and these are just place holders.

Councilmember Aleshire stated the increased acquisition cost limits the City's ability to go above and beyond with the design and size. He wondered if other empty lots in this area could be more feasible options for location of the deck. He realizes it may not be the perfect place but it may be less costly.

Mr. Tissue indicated the design is site specific to that lot size for the parking spaces. Other site review would not have to start from scratch, some of the design could be used for estimates.

Councilmember Aleshire wondered if a lot that is empty and free of parking could be used to satisfy the City's parking obligation.

Mr. Tissue reported the environmental study is positive for the site.

Purchase of the property will be included on the November 22, 2022 Regular Session agenda.

Public Art on City-Owned Land North of Park Circle and Proposed Closure of Summit Avenue at CSX Rail Crossing

Rodney Tissue, City Engineer, and Toby Mendez, Sculptor, were present to review the proposed concepts and related ideas on City land north of Park Circle.

In addition to the Clara Barton Memorial, in June the City Council endorsed a public process to develop a concept plan for the rest of the City-owned triangular-shaped land for inclusion of interactive art related to the innovation/history of the City. This land is adjacent the Cultural Trail and is also very visible to motorists. Staff obtained a \$ 5,000 Maryland State Arts Council "Public Art Across Maryland" (PAAM) grant to facilitate this process.

Utilizing the two standing Neighborhoods 1st groups in that area and the Public Art Commission, the City hosted a well-attended public meeting on site on July 20, 2022. The Summary of Input was provided with the meeting material. To summarize, the majority of attendees suggested the following:

1. Art should be related to the bookmobile and/or past railroad/trolley car history of the city
2. The proposed art should be a “storied playscape” and potentially have illuminated elements
3. Consider closing Summit Avenue at the railroad crossing for traffic calming

The next steps for the Triangle Project will be to develop a call to artists through the Washington County Arts Council. The Public Art Commission will review and short list artists’ proposal to two. PAAM grant funds will be use to facilitate the artist selection process by paying honorarium for sketches/models of top two art proposals and then select the artist. By the march 24, 2023 deadline, the City will apply for up to \$ 50,000 PAAAM implementation grant that would fund the art installation. If the City obtains the grant, the project would be implemented in the second half of 2023.

The consensus is support of the art proposed, especially relating to the bookmobile.

Since 2105, staff has attempt to have the railroad crossing a Virginia Avenue (and also Walnut Street) improved. The Virginia Avenue crossing includes the Cultural Trail. At the City’s request, the Maryland Department of Transportation (MDOT) has indicated they pay for the bulk of these upgrades but their process must be followed.

As part of the discussion, CSX and the State Highway Administration in 2019 offered \$ 27,500.00 incentive to close the crossing at Summit Avenue. The Council denied this in November, 2019. They have now increased the offer to \$ 40,000.00. They feel there is safety concern of having three at-grade crossings so close together. Traffic data on file shows that less than 1,000 vehicles per day use this crossing. Trains using this spur track are servicing Conservit south of I-70 and cross about twice per week.

Staff has not surveyed the neighborhood but input at the above mentioned public meeting seems to favor the idea of closure. Staff assume that if the Council has interest in this closure, a formal “closure process” with public hearings would need facilitated.

Deb Kepler recently purchased the former trolley barn building at 94 West Lee Street. She has acquired old pictures of the trolley barn and is proposing that if the City has the pictures mounted on PVC (like the Faces of Hagerstown) they can be mounted on her building and she will pay to light them. The City would own the pictures. The estimated cost is less than \$ 2,500.000 and could be funded in the Public Art CIP and would be a nice addition to the north side of the Cultural Trail on West Lee Street.

The Mayor and City Council supported the placement of the trolley pictures as presented.

Mr. Nicewarner pointed out the trolley is sitting at the old train museum. The City approached the museum owners several years ago to discuss transferring ownership to the City. At that time, they were not interested. Staff will approach them again.

Councilmember Aleshire stated he liked the chemistry kit idea that was discussed at a recent meeting. The kit was produced in Germany in World War II. The production eventually moved to Hagerstown. He likes the idea of incorporating history like that into the pocket parks around the City as well.

Mr. Mendez finds it interesting that the home of Ms. Titcomb (who started the bookmobile) is directly across the street from the historical Clara Barton Memorial.

National Wastewater Sampling Initiative

Wendy Webster-Zahnow, Laboratory Manager, and Nancy Hausrath, Director of Utilities, were present to discuss the National Wastewater Sampling Initiative.

Ms. Webster-Zahnow stated everyone is aware that during the last few years the new disease influx into worldwide public health has been a daunting problem that everyone is anxious to resolve. The Wastewater Treatment Plant Laboratory was contacted in January, 2022 to begin participating with the CDC's National Wastewater Surveillance System initiative that would continually evaluate SARS-CoV-2 prevalence across the country using wastewater samples collected at treatment plants. The City has been actively participating in sampling events since then to assist local and national public health entities with monitoring SARS-CoV-2 in the City of Hagerstown.

As home testing for SARS-CoV-2 increased over the last year, cases reported by medical and testing centers have similarly decreased causing unreliable caseload summation. Sampling the wastewater of an area can serve as an early warning of SARS-CoV-2 spread in communities. Wastewater surveillance is a free monitoring system that allows for anonymous data collection of the area and provides information that assists public and health officials in times of an impending crisis. Collected data can be used to provide guidance to the community when extra protective measures are suggested for at-risk groups such as immunocompromised persons, hospitals and nursing homes, homeless shelters, and schools. These wastewater research programs have been expanding their capabilities to other disease analytes as the research has continued to progress.

The recent predictive reports for the combined rates of Respiratory Syncytial Virus (RSV), Influenza-A, and SARS-CoV-2 this year are concerning for U. S. Communities. The latest study the City has been asked to participate with is Wastewater Scan which is a national effort based at Stanford University that will monitor occurrence rates of RSV, Flu-A, SARS-CoV-2, and Monkeypox (MPX). In addition to receiving the weekly data from the study, the City will also receive funding for each wastewater sample that the City provides to the program. These funds can be incorporated into laboratory updates to increase regulatory efficiencies. The Wastewater Laboratory continues to support these

studies as a significant necessity to fight novel diseases in the communities. These results will allow health and public officials to provide information to the community and implement preventative procedures to keep the public safe and healthy.

Mr. Nicewarner stated this information is good to have and will be added to the City's website.

Councilmember Burnett thanked staff for providing this information including the protocols for the science of it. She knows that the science is real.

United Way Pathways to Hire Follow-up Discussion

The United Way presented a program called Live United @ Work to the Mayor and City Council in October, 2022. This new program is a financial wellness program focusing on ALICE families in Hagerstown. The United Way requested \$ 425,000.00 of ARPA funding to implement this program.

Scott Nicewarner, City Administrator, stated this discussion is included on the agenda to provide an opportunity for the Mayor and City Council to discuss whether or not they want to approve the requested funding.

Councilmember Aleshire stated this is not the program he envisioned using ARPA funds for.

Councilmember Martinez agreed with Councilmember Aleshire.

Mayor Keller suggested creating an application process for non-profit agencies with ARPA eligible programs to request funding from the City of Hagerstown. She thinks Live United @ Work is a great program but the request is for a large amount of funding. There may be other organizations interested in receiving funding from the City's ARPA funds.

Councilmember Aleshire stated funding in this amount also would require accountability procedures.

CITY ADMINISTRATOR'S COMMENTS

Scott A. Nicewarner, City Administrator, thanked staff for their work during the last couple of weeks. There have been many activities and there are more scheduled. Three events will be happening downtown on November 19, 2022 – the tree lighting, a Maker's Market (new this year), and Holly Fest. The City Park Tree lighting will be December 2, 2022. He thanked Brittany Arizmendi, Community Engagement Officer, Cassie Hershberger, Community Development Coordinator, and Jen Young, Event Planner, for doing a great job with the downtown events.

MAYOR AND COUNCIL COMMENTS

Councilmember T. Martinez congratulated Governor-elect Wes Moore and Vice Governor-elect Aruna Miller on their successful campaign. She congratulated Brooke Grossman (Delegate), Paul Corderman (Senator), and the Washington County Commissioners for winning their respective elections.

She stated conflict in community is inevitable. Communication is very important. She urged everyone concerned about and involved with the RWJCC to keep having the conversations and dialogs. It is hard to continue to be present after an offense but people need to keep communicating.

Councilmember K. B. Aleshire appreciates the election process but is thankful it is over. He is thankful to all the folks that helped make his wife more bionic than she already is. He congratulated the Clear Spring Ladies Volley Ball team and the North Hagerstown High School Ladies Volley Ball team for making it to the state championships. Both championship games will take place tomorrow.

Councilmember T. Burnett stated the Wheaton Park Project is moving forward. As it is important to have information about the history of park, she asked anyone having pictures of the park, the building, or activities there to please provide them to Janice Kelsh or Rodney Tissue, City Engineer, prior to November 29, 2022.

Councilmember T. Martinez reminded everyone there will be a community meeting on November 17, 2022 at 7:00 p.m. at Parkside Community Center, Sumans Avenue, Hagerstown, Maryland to continue the conversation about needs of the Jonathan Street community. She congratulated Congressman David Trone on his re-election.

Councilmember S. McIntire stated she and Mayor Keller participated in the Operation Warm program at Bester Elementary. Coats were provided to children through the donation efforts of the Hagerstown Fire Department. Many of the children couldn't believe they could take the coats home with them.

There are many Spanish speaking citizens in Hagerstown and she wants the City to be more inclusive with the communications. The City needs to work harder to make that community more inclusive. She asked if the City's website could include a Spanish version. Mr. Nicewarner will discuss this with staff and provide additional information.

Councilmember McIntire congratulated Mayor Keller for being appointed to Wes Moore's transition committee.

Mayor E. Keller stated, thanks to the Hagerstown Fire Department, more than 2,200 coats have been given to children over the years through the Operation Warm program. She hopes to see everyone at the festivities downtown this weekend.

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 5:45 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: December 20, 2022