

WORK SESSION – April 18, 2023

Mayor T. Martinez called this Work Session of the Mayor and City Council to order at 4:01 p.m., Tuesday, April 18, 2023 in the Council Chamber at City Hall. Participating with the Mayor were Councilmembers K. B. Aleshire, R. E. Bruchey, II, T. Burnett, S. McIntire, and M. J. Schindler, City Administrator Scott A. Nicewarner, and Janet Lung, Executive Assistant. City Clerk D. K. Spickler was not present.

Barbara Ingram School for the Arts (BISFA) Student Performance from The SpongeBob Musical

The SpongeBob Musical will be presented by the Barbara Ingram School for the Arts students on Friday, April 21, 2023, Saturday, April 22, 2023, and Sunday, April 23, 2023 at the Maryland Theatre. Students performed two numbers from the musical - Sandy & SpongeBob sang Jump to the Top and Patrick and SpongeBob sang Without You or I Miss You. Students performing were Dave Ryan, Krisalyn Nance, Luke Malott, Hayden Souders, Nathan Lushbaugh, and Denise Hunt.

Preliminary Agenda Review

Mayor Martinez announced that Citizen Comments for the April 25, 2023 Regular Session will be welcome either in person or by submitting comments by email to [councilcomments@hagerstownmd.org](mailto: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.

Mayor Martinez informed the group renewal of the InfoSec IQ Standard Software will be added to the Consent Agenda for approval on April 25, 2023. The resolution for an addendum to an agreement with Ares Investment Group, LLC is being removed from the agenda.

A. Engineering:

1. Replacement of Secondary Elevator at City Hall – Callas Contractors, LLC (Hagerstown, MD) \$ 557,000.00
2. Replacement of Alley Pavement – CDBG – SFMS, LLC (Bethesda, MD) \$ 84,000.00
3. Installation of Storm Drain System – MJ Double K Farms, LLC (Frederick, MD) \$ 203,000.00

B. Finance:

1. Utility Bill Processing and Mailing – Arista Information Systems (Duluth, GA) \$ 192,000.00

- C. Information Technology:
  - 1.. Payment Kiosk for Utility Billing Payments – DynaTouch Interactive Technologies (San Antonio, TX) \$ 70,791.73
  
- D. Police Department:
  - 1. Monthly Red Light Camera Charges – American Traffic Solutions (Mesa, AZ) \$ 165,000.00
  - 2. Monthly Speed Camera Charges – Rekor (Columbia, MD) \$ 463,200.00
  - 3. Annual MARGIN Conference Co-sponsorship – Mid-Atlantic Regional Gang Investigators Network (Fairplay, MD) \$ 20,000.00
  
- E. Public Works:
  - 1. Signal Controller Upgrades – Econolite (Glen Burnie, MD) \$ 18,891.72
  - 2. Open Container Exemption – BISFA Chili Cookoff
  - 3. Open Container Exemption/Application Permit and Street Closure – Gordon’s Grocery 100<sup>th</sup> Anniversary Block Party – Saturday, April 29, 2023
  - 4. Replacement of Water and Sanitary Waste Lines at Mansion House – Beaver Mechanical Contractors, Inc. (Hagerstown, MD) \$ 17,933.65
  
- F. Utilities:
  - 1. Water – Engineering Services for Chlorine Scrubber Study – L. S. Grim (Hagerstown, MD) \$ 36,950.00
  - 2. Water – 8’ x 2’ Protectus Meters – Core & Main (Martinsburg, WV) \$ 40,000.00
  - 3. Water and Wastewater – Engineering Service – Black and Veatch (Gaithersburg, MD) \$ 200,000.00
  - 4. Water and Wastewater – Engineering Service – Buchart Horn (Baltimore, MD) \$ 45,000.00
  - 5. Wastewater – 2023 F-550 Service Truck – Keystone Ford (Chambersburg, PA) \$ 104,628.00
  - 6. Wastewater – 2023 F-250 Supervisor Truck – Keystone Ford (Chambersburg, PA) \$ 66,508.00
  - 7. Wastewater – Bar Screen Repair Parts – Sherwood Logan & Associates, Inc. (Annapolis, MD) \$ 10,918.81
  - 8. Wastewater – Flow Meters – Miller Energy, Inc. (South Plainfield, NJ) \$ 150,472.34
  - 9. Wastewater – Line Wet Well of Pump Station 8 – Pleasant’s Construction, Inc. (Clarksburg, MD) \$ 41,067.78
  - 10. Wastewater – FY23&FY24 Liquid Oxygen – Air Products and Chemicals, Inc. (Allentown, PA) \$ 32,000.00

This completed the Preliminary Agenda Review. There were no additional questions about any item. All items, unless noted, are scheduled for approval on April 25, 2023.

FY24 Budget and ARPA Review

Michelle Hepburn, Chief Financial Officer, and Brooke Garver, Accounting and Budget Manager, were present to continue review of the FY24 Proposed Budget and to provide an update of the ARPA funding projects.

Ms. Hepburn noted the last review of the ARPA funds was in November, 2022. Staff is making quarterly updates and adding more information to the charts currently on the City's website. The charts include information for projects that are completed, started, or funded.

The following projects were highlighted:

- 1.. 32 N. Potomac Street – former M & T Building - \$ 2,200,000  
\$ 825,000 spent to date to acquire the building for future location of Customer Service and Department of Community and Economic Development operations. Project to be finished by Fall, 2023
- 2.. Goodwill Community Outreach – \$ 13,150 Outreach Coordinators for homeless coordinated entry services - \$ 10,908 spent to date
- 3.. Heart of Art - \$ 25,000 – provide incentives and support to local artists, 23 participating vendors - \$ 0 spent to date
4. Restaurant Ready Grant - \$ 250,000 – New incentive program to assist with opening a restaurant within the City - \$ 0 spent to date
5. Hagerstown Police Department Outreach Coordinator Position – \$ 90,000  
New position to be a liaison between the City and social service agencies - \$ 53,183 spent to date
- 6.. Office 365 Implementation – \$ 155,000 - Purchase of software for upgrade and standardization of all city employee workstation systems, stabilizing operational environment - \$ 0 spent to date
7. Trash Truck - \$ 125,000 – Replacement of trash truck serving trash collection customers, City events and general maintenance – purchase approved with delivery in a year
8. Pump Stations - \$ 5,420,000 – Will address service demands from flow transfer area - \$ 0 spent to date
9. Stormwater - \$ 700,00 – Stormwater retention area at municipal stadium site - \$ 0 spent to date. This is part of the Field House project. Although ARPA funds cannot be used to build the sports complex, it can be used for infrastructure associated with the project.
10. Hagerstown Fire Department Ladder Truck - \$ 1,200,000 – additional ladder truck - \$ 732,336 spent to date
11. Hagerstown Fire Department Natural Gas Generator - \$ 120,490 – replacement of the natural gas powered diesel generator at Fire Station 3 - \$ 0 spent to date
12. Police Body-Worn Cameras - \$ 522,796 – purchase of cameras/taser/virtual training program - \$ 174,265 spent to date
13. Solid Waste Collection Totes - \$ 1,000,000 – new totes for residents - \$ 37,452 spent to date

14. Professional Court Extension - \$ 1,150,000 – Costs shared with the County for development of new road access beyond the eastern edge of the City to Robinwood/hospital area - \$ 0 spent to date
15. Grant Coordinator - \$ 288,000 – Estimated annual salary/benefits for 3-year temporary position - \$ 114,892 spent to date

Funds have been allocated for the projects that have not been started:

1. Behavioral and Mental Health - \$ 500,000
2. Youth Violence Prevention Program - \$ 25,000
3. Negative Economic Impact - \$ 425,000
4. Blight Eradication/Operation Takeback Initiative - \$ 500,000
5. Brothers United Who Care Speak Up! Community News - \$ 25,000
6. Citywide Phone System Upgrade - \$ 75,000
7. Arctic Wolf Software - \$ 100,000
8. City Hall Elevator Replacement - \$ 575,000
9. HPD Firing Range Security Gate - \$ 50,000
10. Public Safety Radios and In-Station Alerting - \$ 187,500
11. HFD Community Risk Reduction Boards - \$ 150,000

Councilmember Aleshire is concerned there are large projects waiting to be started. Projects such as the utility projects and Professional Court extension will take significant time to be completed. Ms. Hepburn stated the Professional Court project is on track. Pump Station 33 has been delayed because of Federal grant funding for acquisition of the property. Design work has started. She agreed the projects need to be started soon in order to be complete within the deadlines for use of ARPA funding. These projects should be started by July, 2023.

Councilmember Aleshire noted the behavioral health services project seems to include a component similar to something that was presented by the United Way. He thought the need expressed by the non-profits in the community is a 24/7 crisis center. Councilmember McIntire stated she does not think a particular action item was provided to City staff for this funding.

Mr. Nicewarner stated officials and staff originally started working with the Health Department and Meritus Health to develop a plan for a crisis center. Meritus developed their own program. A meeting is scheduled this week with the Health Department to discuss whether or not to move forward with another initiative, as the 24/7 intervention hub is no longer possible. The Mayor and City Council will need to determine what to do with the \$ 500,000 allocated for behavior and mental health initiatives.

Ms. Hepburn indicated staff will be meeting with Kevin Simmers to discuss the funding needs of Brooke's House new counseling center.

Councilmember Aleshire asked if there is funding still available, should the City reach out to other organizations and agencies to submit an idea for potential funding. He sees a possibility of significant funds unspent as the spending deadline approaches. He

wondered at what point the City should say the remaining funds are allocated to existing projects. There are a lot of blighted properties that can be addressed. The \$ 200,000 set aside could be increased. Councilmember Aleshire doesn't want to hear next April that we could have used those remaining dollars for other projects.

Ms. Hepburn stated there are infrastructure needs that could possibly be funded with ARPA funds, such as replacing the traffic controls and signals system.

Mr. Nicewarner stated staff will discuss moving funds to other potential projects with the Mayor and City Council as the deadline gets closer.

Ms. Hepburn noted prior to the next update on ARPA funding, the Council can give staff directive to come up with an RFP for the mental health side. Councilmember Bruchey reminded everyone he previously suggested council get together for a discussion to see if Mr. Simmers' project meets ARPA criteria and discuss the amount he is requesting. Councilmember McIntire noted she doesn't feel Finance should be putting out an RFP, adding it would be better to have a coordinated effort with all the agencies to make a larger impact in our community instead of giving everything solely to one individual or agency. She doesn't feel \$ 500,000 is enough for a crisis center. Everyone should receive a portion of the funding. She agreed council should have a follow-up discussion.

Mayor Martinez stated she understood the City's intent was to provide funding to several organizations and agencies for them to provide crisis services to cover a 24 hour period. This needs to be a collaborative process. She wants to see the whole picture of mental health crisis agencies working together to provide the services they can. While there is competition for funding, people are dying.

Councilmember McIntire does not want to move the funding set aside for the crisis center. Councilmember Aleshire does not support providing the funding to one agency. Councilmember Bruchey stated the agencies need to meet the Council's guidelines for the funding. At this point they are not meeting what the Mayor and City Council needs to be accomplished and that is to fix the problem.

Councilmember Schindler asked if the work has to be completed prior to December, 2024. Ms. Hepburn indicated all the money needs to be spent by December 31, 2024. The only exception is for infrastructure, which must be in process. Any funds remaining must be returned to the Federal government.

Mr. Nicewarner stated the funding should be used to make a positive impact on the community, not just for infrastructure. He noted a bill was passed this session that will have a huge impact on addressing blight. Staff has contacted the County Attorney regarding a request to waive outstanding property taxes and interest. Properties on the Competitive Negotiated Sale list could be transferred to non-profit agencies to create and fund temporary or affordable housing.

Ms. Garver then discussed the Economic Redevelopment Fund. The Department of Community and Economic Development administers the Economic Redevelopment Fund which includes multiple economic incentive programs and property resale initiatives.

Revenue for the incentive programs include State Community Legacy Grant funding, State Strategic Demolition Grant, and transfers from the General Fund. Initiatives include addressing white elephant properties, rehabilitation of blighted buildings, and demolition of buildings.

The largest revenue source for the Invest Hagerstown program is transfers from the general fund.

The Community Development Block Grant Program is also administered by the City's Department of Community and Economic Development. For each funding year, there is a different entitlement number. The entitlement amount for FY24 is \$ 728,000.

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 was also awarded to the City and this funding was distributed to multiple non-profit organizations for public service activities associated with COVID-19 pandemic response. As of February 2023, approximately 88% of the City's CDBG-CV funding has been expended. Any remaining fund will revert back to the City to determine what to do with the balance.

CDBG-CV funding must be used via standard CDBG activities that also prevent, prepare for, or responded to the COVID-19 pandemic. These activities still must meet CDBG national objective requirements with the primary national objective being a benefit to low/moderate income citizens. In essence, CDBG-CV funds are more restrictive than standard CDBG funds with additional requirements related to COVID-19 prevention, preparation, and response.

Public facilities and improvements include projects to replace handicap ramps, alley reconstruction, and neighborhood parks. The park projects are at Wheaton Park and City Park.

Public services include an administrative cap of 20% to administer the funds.

Review of the FY24 Proposed Budget will continue next week.

### Ladders to Leaders

Brittany Arizmendi, Community Engagement Officer, and Eva Gillard, Program Director of Ladders to Leaders, were present to discuss a partnership with Downtown Hagerstown Main Street Program to provide clean-up kits when they host their clean-up efforts..

Ms. Gillard informed the group they have received grant funding of \$ 10,000 from the State of Maryland to do community cleanup in three target areas - Franklin Street, Jonathan Street, and Cannon Avenue. They have asked for \$ 15,000 for a community garden for people in recovery, with the produce going to people in need. They are working with Bridge to Change to hire people in recovery. They will use an Adopt a Block program and provide cleanup kits to volunteers.

Ms. Arizmendi stated this initiative falls under the Clean, Safe, and Green Committee of Main Street. If the Mayor and City Council approve the request, Ms. Arizmendi will work with Ms. Gillard to provide the supplies.

It was the general consensus to support this initiative.

Request to Extend Deadline on Financial Incentive Agreement (FIA) – Ares Investment Group – “The Hamilton Building”

This agenda item was postponed.

Allocation Take Back

Nancy Hausrath, Director of Utilities, was present to discuss taking back allocation for water and wastewater.

In July 2022, the Mayor and Council approved Code Amendments to Chapter 238 and 240 that allowed the City to take back allocation that was assigned when the allocation policy became effective. Staff evaluated the amount of allocation for water and wastewater that the City can take back from both active and inactive properties.

Criteria utilized took into consideration the amount of allocation assigned to a property, historical usage, changes in account status, changes in property use, etc.

Accounts with less than 1,500 gpd allocation were removed from the evaluation. In all circumstances, 1,000 to 1,500 gpd allocation was left with the account.

The total amount of water take back allocation, including active and inactive accounts, is 731,410 gpd. The total wastewater take back is 625,517 gpd.

Some developments and organizations have requested transfer of allocation from one lot to another.

Developers are asking for large blocks of allocation. Staff has been asking developers what the reasonable expectation on their maximum is, rather than forcing them to purchase full allocation. An amount not exceeding 5,000 gpd would be set aside.

The City Code limits the allocation amount that can be taken from one customer to another customer. The allocation can be kept in a bank until needed.

Councilmember Bruchey is in favor of banking allocation with the ability to discuss it further in the future.

Councilmember Aleshire agreed banking allocation is the best approach.

Councilmember Bruchey then left the meeting.

Ms. Hausrath noted all the allocation from inactive accounts can be taken back, with it being held in reserve for three years.

It was the general consensus to leave 1,000 gpd of allocation for the inactive accounts.

Once usage for 2022 is updated, staff will begin reaching out to property owners to make them aware of the process and of the reduction in allocation for water and/or wastewater that may occur.

#### ENVY (Ending Needless Violence with Our Youth)

Chief Paul “Joey” Kifer and Danielle Staley, MCIN Coordinator, were present to discuss the strategic plan for ENVY for the future of this initiative and determine the interest of the Council in making this a program guided by the City of Hagerstown.

ENVY is a collaborative community effort that addresses the violence affecting the youth of Washington County.

Councilmember McIntire and Addi Nardi, Boys and Girls Club, started the ENVY program in Hagerstown in 2019. It was mirrored after a program in Santa Rosa, California that was created to address gang violence.

The idea with ENVY is a way to prevent violence in our youth. Youth are surrounded by or live with violence routinely. The question is how do we deal with this. The cause of violence in Chicago is poverty and drugs. There is no common denominator so violence is looked at as a disease. The theory is to get away from issues that can push someone to a violent act and try to identify these items.

Legislative changes are needed because children under 13 can't be charged with a crime so there is no accountability. ENVY wants to look at state legislative reforms in two ways. The focus of ENVY is to prevention intervention suppression.

A City-wide needs assessment would be completed. The group will engage the community for direction and to increase participation from the community.

ENVY has been able to create a better connection with the Board of Education than there has been for a long time.

Some of ENVY's goals is to reduce violence by juveniles by 20%, reduce the recidivism rate for youthful offenders, reduce the number of first-time youthful offenders, positively impact risk factors for violence, and ensure distribution of resources.

With a community approach, the collected data will isolate areas within the City to identify needs that effect youth. Fairgrounds Park is an area to isolate and focus on. Another area may be violence at a specific school and determine what are those issues and where the kids are coming from. Economic downturn issues and difficulty to pay bills could contribute to violence. Community partners could set up events at schools and provide resources to help parents.

ENVY is a way to show kids on the wrong path a better path. Partners can reach out to families once it is determined the needs of the family/child.

Chief Kifer stated they are asking that ENVY be made a City initiative. As a City initiative, ENVY would be eligible for more grant funding given its government ties. ENVY would be applying for grant funding to help the community partners fund juvenile programs and services as necessary, funding various training, to assist juveniles in overcoming barriers to success as necessary and as able, and for ENVY to fund community events. HPD is asking permission to allocate current budget monies to fund the ENVY program Director responsibilities, which will be assigned to a current staff member. If approved, this action formalizes the City's commitment to this imitative.

Councilmember McIntire supports making ENVY a City initiative.

Mayor Martinez asked how many youth are a part of this concept and if the program has reached anyone. Ms. Staley stated events were held until the funding ended in October, 2022. Kids continue to meet with mentors.

ENVY is the glue to bring partners together to provide assistance. They would like to be in the elementary schools to eliminate a kid taking the wrong path.

Mr. Nicewarner noted the City cannot become the City that is doing what other agencies are doing. He doesn't want this to be a stand alone effort.

Chief Kifer stated ENVY representatives will identify youth that could benefit from services and then talk to agencies that could help the child.

Councilmember Aleshire pointed out that \$ 25,000 in ARPA funding is allocated for youth violence prevention. He feels that ENVY's plan fits better within the \$ 500,000 that is allocated to address the addiction issue. He wondered if the ARPA funds could be used for this program instead of the police department budget. The program needs to focus on City kids if it is solely funded by the City of Hagerstown.

Councilmember McIntire asked if this should be a County-wide initiative. The group agreed to make it a City initiative. The Washington County Commissioners were not interested in the program at this time. Washington County Public Schools is involved

and the focus is on City schools/students. The need is within the City limits. Mr. Nicewarner hopes the County Commissioners and the school system will get involved.

Councilmember Schindler fully supports this being a City initiative and to fund it with ARPA funds if possible.

Mayor Martinez noted those on the streets are not getting the services. Something is needed to reach youth on the street. She is not interested in throwing money at something and seeing the same issues.

Mr. Nicewarner stated this initiative is doing something and doing it right. Chief Kifer stated government needs to be more active outside its comfort zone.

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

*Scott A. Nicewarner, City Administrator*, stated the Halfway/National Little League has started revitalizing the fields at Staley Park. He appreciates the input from the former Skatepark Task Force members regarding safety at the park. A Work Session discussion will be scheduled in May, 2023. Recent and upcoming events include a Washington Capitals hockey clinic, the SpongeBob Musical, Rock the Run, Earth Day, Hub City 100 Miler final lap, and the first Handmade Hagerstown Market.

### **MAYOR AND COUNCIL COMMENTS**

*Councilmember S. McIntire* noted the City's social media presence is outstanding. She thanked Addi Nardi for being so supportive of the ENVY initiative.

*Councilmember T. Burnett* congratulated the winning Four Star Gymnastics Team. She gave a special shout out to her daughter.

*Councilmember K. B. Aleshire* is concerned about the conditions at the National Little League field. He played there as a youth. Communication is key to getting things done. It may not be revived overnight but he appreciates someone is willing to work to make it better.

*Councilmember M. J. Schindler* was happy the turnout for Handmade Hagerstown was good. He noted some downtown restaurants will be having specials prior to the SpongeBob shows.

*Mayor T. Martinez* pointed out the more collaboration there is in a community the better it will be. The Williamsport Diversity Club recently visited the African American Museum in Washington, DC. The group was very diverse. She commended teachers for wanting an event that allowed kids to experience diversity.

She thanked Captain Langston and Sergeant Lucas for walking with her in the community pointing out issues.

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 6:20 p.m.

Respectfully submitted,

*Original signed by J. Lung*

Janet Lung  
Executive Assistant

Approved: May 23, 2023