

EXECUTIVE SESSION, WORK SESSION, AND SPECIAL SESSION (74TH VOTING SESSION) – August 8, 2023

EXECUTIVE SESSION – August 8, 2023

Mayor Martinez called the Executive Session to order at 3:52 p.m.

On a motion duly made by Councilmember R. E. Bruchey, II and seconded by Councilmember T. Burnett, the Mayor and City Council unanimously agreed by voice vote of all members present to meet in closed session to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; (#1) (Section 3-305(b)), on Tuesday, August 8, 2023 at 3:52 p.m. in the Council Chamber, 2nd floor, City Hall, Hagerstown, Maryland. Participating with the Mayor were Councilmembers K. B. Aleshire, R. E. Bruchey, II, and T. Burnett, City Administrator Scott Nicewarner, and City Clerk Donna K. Spickler. Councilmember S. McIntire and Councilmember M. J. Schindler were not present.

The meeting was held to discuss membership of the City Ethics Commission. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the meeting was adjourned at 3:57 p.m.

WORK SESSION AND SPECIAL SESSION (74TH VOTING SESSION) – August 8, 2023

Mayor T. Martinez called this Work Session and Special Session (74th voting session) of the Mayor and City Council to order at 4:02 p.m., Tuesday, August 8, 2023, in the Council Chamber at City Hall. Participating with the Mayor were Councilmembers K. B. Aleshire, R. E. Bruchey, II, and T. Burnett, City Administrator Scott A. Nicewarner, Ann Rotz, City Attorney, and City Clerk D. K. Spickler. Councilmember S. McIntire and Councilmember M. J. Schindler were not present.

REACH Bridge to Change Update

Jeannie Asbury, Executive Director, Liz Yingling, Shelter Administrator and Bridge to Change Supervisor, Jill Zamostny, Director of Housing and Case Management, and Chip Kearns, Bridge to Change Crew Supervisor – REACH of Washington County, were present to provide an update of the Bridge to Change program.

Ms. Asbury stated the program provides an opportunity for individuals who are ready for change to work within the City and their community. They pick up trash and also learn soft skills. They work with a crew supervisor and learn teamwork and gain self-confidence. These individuals often feel like they can't get or hold a job. It takes the entire REACH team to encourage people to move on to a better life.

Councilmember McIntire discussed the idea for this program with Ms. Zamostny several years ago. There are currently people working 3 days per week in 4-hour shifts.

To see them working as a team is a great success story. The teamwork they build is amazing.

Ms. Yingling stated people don't always see the miracle success stories. The miracles seem small, but they are huge for many of the people in the program.

Mr. Kearns noted participation is voluntary. The people working within the program want to help the community. He has been able to be a friend and mentor to people who are feeling helpless. This is a big stepping stone for a lot of people. They feel like they belong.

Mayor Martinez likes seeing the teams working together. She thanked REACH for their efforts. Knowing this program is actually a bridge is impressive.

Councilmember Burnet noted the program is clearly working as shown by the number of gallons of trash cleared. Since the beginning of the program, 315,780 gallons of trash have been cleared. She thanked everyone for their leadership and efforts.

Mr. Kearns stated the number of needles picked up is increasing. Councilmember Bruchey stated it doesn't appear the Health Department's needle exchange program is working.

Councilmember Aleshire asked if there is a limit to the number of participants. Mr. Kearns stated the program would need to change if there are more than 10 people working. They would probably have to look at adding another team and team leader.

Councilmember Aleshire asked if there are transportation needs for the program. Mr. Kearns stated there are not.

Mr. Nicewarner asked if many retired folks are volunteering to be team leaders, for example local pastors. Ms. Asbury stated that would be wonderful, but it is very physical work in all types of weather. Ms. Yingling has been reaching out to houses of faith asking if they need someone to clean as a way to increase the program.

Councilmember Burnett urged people to put their trash in trash cans so there is less on the streets and sidewalks.

Reallocation of Summer Camp Funding: R. W. Johnson Community Center

Eric Deike, Director of Public Works, was present to discuss reallocation of Summer Camp Funding.

The Robert W. Johnson Community Center (RWJCC) was allocated \$ 15,000 in summer camp grant funding for the 2023 Summer Camp program. A decision was made by the RWJCC late into the summer not to hold their summer camp. The \$ 15,000 can be reallocated to any number of other functions within the Recreation Division of Public

Works. Staff are asking for the Council's guidance on how the funds should be used since the funding was approved by Resolution.

Total summer camp funding was budgeted at \$ 75,000. This is the single largest line item in the Recreation Division budget. These funds were divided amongst five local entities to help host summer camps. Four of the five entities are conducting or are completing their summer camp programs for this year and will receive their allotted funding.

RWJCC was allotted \$ 15,000 for their camp program. Staff is asking Council to consider one or more of the following recommendations for use of this funding:

1. Since the funds were budgeted for summer camps, the money could be given to the four groups that actually held camps. The funding provided by the City is only a fraction of the costs incurred by these groups. The money would be evenly divided or divided into some other percentage per group. As a reminder, the following organizations conducted a summer camp program: YMCA; Boys & Girls, Inc.; Girls, Inc; and Beacon House.
2. Increase the funding for Fall Fest. This event occurs in September in City Park. Last year, fireworks were added to the event. There is a break between the end of the festival and the fireworks. Entertainment is needed to keep the crowds on site and interested in the fireworks program. The current budget for Fall Fest is \$ 16,000.
3. Another popular event is Harvest Hoedown which takes place in Fairgrounds Park. This event provides multiple fee events (scarecrow making, pony rides, etc.) and entertainment for the residents. Boosting the budget could provide for additional give-away items (e.g., pumpkins) or additional entertainment. Budget for FY24 is \$ 11,000.
4. City Park Christmas lighting is a very popular drive through by residents and visitors alike. Over 20,000 cars will circle through the park to see the displays. The additional funding could be used to purchase an additional display for this scenic drive.
5. Use a small portion of the funding at the Hager House museum for archival efforts. The museum contains numerous artifacts never seen by the public. These pieces need to be sorted, categorized and properly stored.
6. Invest additional funding in the facilities beyond what is budgeted. This could include signs, paint, and other maintenance items. The Fit Room entry is an example of an area that needs to be refreshed with paint.

The money has already been budgeted in the General Fund for FY24. The money can be used towards one of these recommendations or split amongst several.

Mayor Martinez recently realized the women organizing the Ruth Ann Monroe Basketball Tournament are doing fundraising to pay for the referees. If they didn't fundraise, they would be paying for things out of their pockets. She suggested using

some of this funding to purchase uniforms for the players. She also suggested using the funding for continued improvements at Wheaton Park.

Councilmember Bruchey suggested some of the funding be used for improvements at the Fit Room. He supports assisting the Ruth Ann Monroe Basketball League with uniforms and other expenses.

Councilmember Burnett abstained from the discussion as she is a board member of the Ruth Ann Monroe Basketball League.

Mayor Martinez hopes there can be a place for kids in the Jonathan Street community to go after school.

Councilmember Aleshire is not interested in providing additional funding for the other summer camps since there are a number of other options. He supports additional funding for the Harvest Hoedown and funding for the basketball league.

Mr. Nicewarner stated staff will come back with suggested amounts for a split between the Harvest Hoedown and the basketball league.

Halfway National Little League User Agreement Addendum Sublease to Diamond Birds Baseball Club

Eric Deike, Director of Public Works, was present to review a sublease agreement to the Diamond Birds Baseball Club.

On December 15, 2021, National Little League joined with the Halfway Little League to become the Halfway National Little League (Halfway National). The City entered into a user agreement with Halfway National on June 28, 2022, for the use of the fields at Staley Park located at 726 Frederick Street, Hagerstown, Maryland. A copy of the agreement was provided with the meeting material.

The Diamond Birds approached Halfway National with interest in using the major league field at Staley park. In exchange for use of the facilities, the Diamond Birds will assist with the field maintenance.

At this time, little to no significant financial impact is expected.

Some leagues are struggling to find an adequate number of volunteers to maintain their facilities. The additional league members should allow for more volunteers to maintain the field and facilities as described in the agreement.

Councilmember Aleshire thinks this type of request is an evolutionary thing.

Mr. Nicewarner recommends looking at including this language in all the user agreements next year.

Councilmember Aleshire stated one of the biggest changes at the field is that it can be seen.

It was the general consensus to move forward with approving the amendment during the Special Session scheduled for later today.

Ann Rotz, City Attorney, arrived at the meeting.

Hagerstown Field House Project Progress Update

John Wack, Eastern Sports Management (ESM), Jim Bender, City Engineer, Eric Deike, Director of Public Works, and Michelle Hepburn, Chief Financial Officer, were present to provide a project progress update for the Hagerstown Field House. An updated schedule and timeline were also reviewed.

The construction Request for Proposals (RFP) is being reviewed by attorneys this week and should be ready to be posted on August 16, 2023. A pre-bid meeting is planned for August 23, 2023. Bids will be due on September 22, 2023. It is anticipated the bid will be awarded on October 17, 2023. The selected contractor must also be approved by the State Board of Public Works (BPW). Mr. Bender stated he believes the selected contractor will be acceptable to the BPW.

Mr. Wack stated bids will be reviewed using a matrix that is composed of staff designation, company qualifications, experience, project work plan, and fee summary. Incentives will be provided for on-schedule work since everyone wants to make this project happen as soon as possible.

The budget estimate is being re-priced by a local contractor. The costs have not changed much, with some items increasing in cost and others decreasing. Mr. Wack anticipated an adjustment of 3% to 4%. Pricing for the steel is being finalized. Based on the current schedule, construction will begin in November.

Mr. Wack stated marketing starts when construction starts. A website will be launched showing a fly through view of the facility. People have already contacted ESM to book national events at the Hagerstown Field House. A General Manager will be hired next year. The finish date is now by June, 2025. Ideally, ESM would like to see it finished by the end of 2024.

A logo was created for the Field House using colors from the new City of Hagerstown logo. This logo will be in multiple places throughout the facility. The selected logo is a combination of dark blue and lime green (Option A in the meeting material).

Mr. Wack reviewed the floor plan and finishes. There will be a column running the length of the building with a food area between two courts. A viewing area will be upstairs. He showed a fly through video of the concept. He would like to see most walls

with some sort of sponsorship. This would not be multiple signs but with a one sponsor per area scenario.

Councilmember Bruchey asked about parking capacity. Mr. Wack estimated there will be 460 spaces, but he will confirm that number.

Councilmember Aleshire asked what the viewer capacity is for each court. Mr. Wack indicated there will be seating capacity for 40-50 people. The courts are lined for basketball, field hockey, and some other sports.

Councilmember Aleshire asked what will be prohibited because of wear on the courts. Mr. Wack stated lacrosse will not be permitted. No cleats will be allowed. Most of the floor damage is not from the sports but the folding and moving of bleachers. The floor will be stone-based and will last about 10 years.

Mr. Deike noted this is true. His wife is a band director and most indoor facilities are not welcoming because of the band equipment.

Mr. Wack stated there will be a gym on the mezzanine level. The gym will open for membership. Councilmember Aleshire asked if the large workout area is included because of the connection to a sport or assumed demand. Mr. Wack stated both are important. It is mostly for the financial stability of the facility. It would be difficult to be cash flow positive without this component. Food and beverage and entertainment outside the team sports are important. Some facilities now also charge for parking.

Mr. Nicewarner asked where the party rooms are located. Mr. Wack stated the 5 party rooms are located on the ground level. These areas could also be used as tournament operations as hospitality areas during events. These rooms would not be used for the participants' equipment.

Councilmember Aleshire does not want a patron to feel like they can't get past the front desk. He wants people to feel they are able to freely move around the facility. Mr. Wack stated the participants in league play will typically go straight to their play area. Many leagues have moved to the use of an app. This has eliminated lines when entering the facility. Councilmember Aleshire has witnessed people not paying when they enter. Mr. Wack stated there will be field marshals checking to make sure people on the courts have paid to be there.

Councilmember Aleshire asked if there are windows on the back. Mr. Wack stated there are not. They are trying to keep costs contained and are looking at using translucent panels for some natural light.

Mr. Bender anticipates the scoring matrix will help the project move through the BPW process smoothly. The matrix will provide justification for why a particular contractor was selected.

Councilmember Burnett asked about the website. Mr. Wack stated it will be just a few pages at the beginning. More information will be added as the project moves forward. Councilmember Burnett asked if local people will be able to apply for jobs. Mr. Wack stated there will be an employment tab on the website showing all the available positions throughout the facility's existence. He anticipates there will be 30-50 part-time positions available, with a large number of those being in the food and beverage areas.

Councilmember Aleshire finds it interesting to see that the public has noticed the project, even though Mr. Wack has been to many Mayor and City Council Work Sessions. He wishes the Herald Mail article would have focused more on the facility itself rather than other issues that are not related. Many of the questions could have been answered if that was the case. As it applies to the portion of state funding the City received for the project, the Herald Mail missed an opportunity to thank Mr. Wack and former Mayor Emily Keller for pushing for funding from the State of Maryland. This showed the City was serious about this project. If the article had stated the facility included hard courts and turf fields, people may have realized there would be multiple sports housed at the facility. This is a public-private project with a private venture. This is not going to be a free facility. The parties are investing a significant amount of time and money on the project and there has to be a return on the investment. The building will not be big enough for the stuff people want to do there at a free or reduced cost. The partnership and relationship are for 20 years' worth of obligation to make back what ESM has invested.

Mr. Wack has a sports related not-for-profit whose mission is to provide access for people who wouldn't normally be able to play. They like to help people in the community to get to the facility.

Councilmember Aleshire assumes the operator (ESM) will determine the highest return on investment uses will be accommodated. This is not going to be a facility where any one entity can use it for their headquarters and corner the market for the time and use of it. Mr. Wack stated that is correct. ESM will also look at ways to diversify their customer base.

Citywide Trash and Recycling Collection Contract

Jim Bender, City Engineer, was present to discuss the Citywide Trash and Recycling Collection Contract.

On June 27, 2023, staff opened bids for the Citywide Trash & Recycling Collection Contract. Only one bid was received, and it was from the City's current vendor, Waste Management. If accepted, there would be significant increases in the cost to provide

these services beginning in July 2024, which would necessitate an increase in the rates that residents would need to pay on a quarterly basis.

The existing contract with Waste Management dates from 2017. The City pays a monthly rate for trash, recycling, and yard waste collection for each unit that is served.

Per the contract, the number of units is updated quarterly, and the collection rate is adjusted annually to account for changes in the Consumer Price Index.

Waste Management's bid represents a significant increase in collection costs. The increases are summarized below:

1. Residential Trash	Increase of 36.6%
2. Residential Recycling	Increase of 43.9%
3. Residential Yard Waste	Increase of 28.2%
4. Commercial Trash	Increase of 38.6%
5. Commercial Recycling	Increase of 43.9%

Currently, residents of the City pay \$55/quarter or \$220/year for trash, recycling, and yard waste collection. Based upon the 16,027 units served in the City and Waste Management's proposed rates, the collection fee would have to increase by \$ 16.42/quarter, to a quarterly fee of \$ 71.42 (\$ 285.68/year). Waste Management has agreed to match the landfill disposal rate currently being charged at Washington County's 40 West Landfill (even though they will use their own landfill near Greencastle, Pennsylvania for disposal), so there will be no change in disposal costs charged to the City.

After reviewing the bid, staff met with Waste Management representatives and asked why such large increases were being proposed. They cite several reasons for their proposed rates:

1. Inflationary costs: the current collection rates were based upon the original contract rates from 2017. While the rates have been adjusted annually in accordance with the contract, those adjustments have not kept pace with Waste Management's increased cost for labor and equipment.
2. Recycling: the market for recyclable materials continues to be depressed worldwide. In 2017, China and other countries were still importing and processing recyclable materials, and prices for those materials were relatively high. That export market, and the demand from domestic processors, has significantly contracted; the value of recyclables (particularly wastepaper) has decreased to the point where, in many cases, it would be cheaper to dispose of those materials in a landfill instead of recycling them.
3. Equipment costs: based upon national trends in trash collection, the City is purchasing trash totes that are compatible with automated/semi-automated collection trucks. The cost for Waste Management to purchase trucks capable of automated collection is significant, and the extra mechanical equipment (e.g., the

“grabber arm” that handles the totes) results in higher maintenance costs. They said that these costs are offset to a certain extent by reduced labor costs if they can do automated collection, but it still results in a net increase in cost.

Waste Management stated that overall recycling costs could decrease if the City went to a once-every-other-week collection, but they wouldn't be cut in half. They did not provide a revised price for bi-weekly collection. As previously discussed with the

Council, bi-weekly recycling collection will likely cause confusion for residents and may well decrease their participation in the recycling program.

While these proposed cost increases are significant, the level of service provided by Waste Management is favorable compared to other vendors. Staff contacted Republic Services and Apple Valley Waste, the other two large vendors that provide service in Washington County, to compare rates:

1. Republic Services – Weekly trash, bi-weekly recycling collection, no yard waste - \$ 430.80/year, plus \$125 tote delivery fee and \$ 50 deposit
2. Apple Valley Waste – Weekly trash, bi-weekly recycling collection, no yard waste - \$ 466.48/year, plus \$ 23.77 tote delivery fee

If the Council decides to accept Waste Management's proposal, they may wish to consider an incremental increase in rates instead of a single, full increase in July, 2024.

Councilmember Aleshire is fine with the increase. The increase in gas costs alone would make the increase necessary. The rate has only increased \$ 50.00 per year since 2017, which seems low to him.

Mr. Bender noted Republic Services indicated they did not bid on the contract because they don't want to do trash collection in an urban area.

Councilmember Burnett confirmed the collection is once per week. She asked about the cost of the recycling totes. Mr. Bender stated new trash totes will be needed for the automated collection. The goal is to start this component in the Spring of 2024.

It was the general consensus to include approval of the trash collection contract with Waste Management on the August 22, 2023 Regular Session agenda.

Design of Replacement Traffic Signals

Jim Bender, City Engineer, was present to discuss the design of replacement traffic signals.

The City of Hagerstown owns and maintains more than seventy traffic signals citywide. Some of these signals date from the 1970's, and are approaching the end of their service life. Other signals have been damaged by vehicular accidents and are

overdue for replacement. Also, the majority of these signals do not meet current requirements for countdown pedestrian lights, audible pedestrian facilities, handicap curb ramps, and other items. There may be an opportunity to use American Rescue Plan Act (ARPA) funding to replace and upgrade two or more of these signals before the December 31, 2024 deadline to spend those funds.

While there are many traffic signals that could or should be upgraded, staff have identified two that they feel are the best candidates for replacement. They are as follows:

1. W. Antietam Street/Summit Avenue Intersection – this intersection at the Dagmar Hotel was selected for several reasons. The signal poles at this intersection are very old-style “Keegan” poles, indicating that this is one of the older signals in the system. The pole at the northwest corner of the intersection (in front of the Dagmar) has been hit multiple times by vehicles; the City has had to temporarily reinforce the pole and remove signs and other items from the mast arms to limit the stress on the pole. With the construction of the Multi-Use Sports and Events Center and the Hub City Parking Garage, it is anticipated there will be an increase in pedestrian traffic at this intersection. Replacement of the signal would include new pedestrian lights and audible crossing indicators.
2. Salem Avenue at West Side Avenue – the existing signal at this intersection is suspended above the roadway on wires that are connected to very non-standard signal poles; the poles are basically slender pipes that appear to have been planted into the ground without the usual concrete base or bolted connections. Having portions of these poles underground leads to concerns over the condition due to corrosion; there is a danger that they could fail without any advance warning signs. Replacing these poles with standard traffic signal poles bolted to a concrete base would eliminate this concern; the pedestrian facilities at the intersection would also be upgraded.

Based upon previous traffic signal designs prepared by the City’s consultants, staff anticipate that the cost to design these two signals will be \$ 20,000 to \$ 25,000, with construction costs estimated at \$ 800,000 to \$ 900,000. Staff would aim to have the signal designs complete by the end of 2023, which would allow staff to solicit bids for the construction in January/February of 2024. Given the long lead times for traffic signal poles and controllers, staff would want to give a Notice to Proceed to the selected contractor as early in 2024 as possible so that the work can be completed by the December 31, 2024, deadline.

If the Council decides to not use ARPA funds for these signal replacements, the City will at least have shovel-ready plans that can be used to solicit bids in the future through the CIP budget.

It was the general consensus to move forward with the design of both traffic signals.

Wastewater Treatment Plant: Pelletizer Facility Operations Contract

Nancy Hausrath, Director of Utilities, and Ann Rotz, City Attorney, were present to review a pelletizer facility operations contract.

On August 23, 2022, the Mayor and City Council authorized the Issuance of a Notice of Termination to Synagro WWT, Inc., of the City's intention not to renew or extend the Contract to Operate the City's Pelletizer Facility.

On December 9, 2022, the City advertised the Request for Proposals for the Operation and Maintenance Services for the Pelletizer Facility Operations with a bid due date of

February 15, 2023. The firms bidding this project were Denali Water, Synagro, and NEFCO. Bidders were required to submit a technical proposal and a separate cost proposal. New England Fertilizer Company (NEFCO) was selected by the review team comprised of City staff with technical assistance provided by Black and Veatch and legal assistance by Ms. Rotz (Project Team).

The City was made aware on May 17, 2023 that NEFCO became a wholly owned, indirect subsidiary of Synagro Technologies, Inc. on May 12, 2023. While this resulted in some delays with regard to finalization of a Service Agreement/Contract, the Project Team continued working with NEFCO on the finalization of the service Agreement (contract) for the operations and maintenance of the Pelletizer Facility.

The Service Agreement will commence on September 24, 2023 and be in effect through June 30, 2033. The ten-year contract has two five-year renewal options under mutually agreeable terms. The twelve-month base fee will be \$ 1,529,481.00 (\$ 127,456.75 per month). FY24 prorated twelve-month Base Fee is \$ 1,169,110.00 for services through June 30, 2024. The contract also includes an annual Asset Management Fee of \$ 100,000.00 and an Upfront Capital Items Cost not to exceed \$ 1,000,000.00. The Upfront Capital Items Cost will occur during the first 18 months of the contract with expenses occurring in FY24 and FY25. Funding is included in the FY24 Operating and Capital Budget for this Contract.

During the term of the contract, annual adjustments will occur using defined indices and formulas incorporated into the contract. An Annual True-Up will also occur associated with the Asset Management Fee. NEFCO will work with the City to identify short and long-term capital improvements associated with age, functionality, safety, etc., for the Pelletizer facility.

The contract includes Performance Guarantees which will be determined in the first 18-months beginning September 24, 2023. NEFCO is required to meet performance standards for energy and water consumption (potable and final effluent). The contract also requires NEFCO to meet filtrate solids, nitrogen, and phosphorus limits in solids capture.

NEFCO is required to maximize operational efficiencies to minimize impact on the overall operation of the wastewater treatment plant and to ensure compliance with all applicable regulations associated with the operations and maintenance for the production and reuse of Class A Biosolids. NEFCO employees must acquire a Maryland Class S operator's license through Maryland Department of the Environment.

Staff recommends approval of the Operation Professional Service Agreement (contract) for the Operation and Maintenance Services of the Pelletizer Facility with New England Fertilizer Company. The ten-year contract with two five-year renewal options under mutually agreeable terms will commence on September 24, 2023. The twelve-month Base Fee is \$ 1,529,481.00 (FY24 Prorated Base Fee is \$ 1,169,110.00 for services through June 30, 2024), the Annual Asset Management Fee is \$ 100,000.00. Approval includes the Upfront Capital Fee not to exceed \$ 1,000,000.00.

It was the general consensus to add approval of the recommended agreement to the August 22, 2023 Regular Session Agenda.

2023-2024 Police Recruitment Grant Acceptance

Chief Paul "Joey" Kifer was present to seek Mayor and Council approval to accept a Governor's Office of Crime Control and Prevention grant for \$ 20,000.

The purpose of the grant is to assist in the Hagerstown Police Department's Recruitment program. The program's efforts are to attract more qualified candidates that can successfully complete the hiring process and police academy.

Acceptance of the grant will not require additional funding to the approved budget and will run through the remainder of FY24.

It was the general consensus to move forward with acceptance of the grant during the Special Session scheduled to follow this work session.

Special Session (74th Voting Session)

On a motion duly made by Councilmember R. E. Bruchey, II and seconded by Councilmember T. Burnett, the Mayor and City Council unanimously agreed by voice vote of all members present to meet in Special Session at 5:34 p.m.

Authorization of a Letter Related to the Financial Incentive Agreement for 72 W. Washington Street (Holly)

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember T. Burnett, the Mayor and City Council unanimously agreed by voice vote of all members present to authorize staff to send a letter related to the Financial Incentive Agreement with Gideon Properties LLC for "the Holly" project located at 72 W. Washington Street. This will

set a deadline of September 1, 2023 for the developer to resolve the non-compliance of its obligations under the requirements set forth under Paragraph 2.C.1-6 and Paragraph 2.D.3 of their Custom Incentive Agreement.

Brittany Arizmendi, Community Engagement Officer, stated Open Container Exemptions and Road Closures are needed for the next two Wind Down events on South Potomac Street. Both events will require the closure of the first block of South Potomac Street.

Approval of Open Container Exemptions and Road Closures for Wind Down Events

Action: On a motion duly made by Councilmember R. E. Bruchey, II and seconded by Councilmember T. Burnett, the Mayor and City Council unanimously agreed by voice vote of all members present to approve the Open Container Exemptions and road closures for Wind Down Events on Friday, August 25, 2023 and Friday, September 15, 2023. These Wind Down events will take place on South Potomac Street.

Approval to Accept the Police Recruitment Grant

Action: On a motion duly made by Councilmember T. Burnett and seconded by Councilmember R. E. Bruchey, II the Mayor and City Council unanimously agreed by voice vote of all members present to accept the Police Recruitment Grant, which is 100% grant funded and totals \$ 20,000. The goal of this grant is for recruitment of new officers.

This non-match grant has been offered and awarded annually for the last few years. The recruitment component of the grant would provide billboard advertising (\$ 7,500), digital media advertising (\$ 7,500), and radio advertising (\$ 5,000).

Hagerstown Police Department will follow all purchasing policies.

Approval of a Resolution: Amendments to the Agreement with Halfway/National Little League

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember T. Burnett, the Mayor and City Council unanimously agreed by voice vote of all members present to approve a resolution to enter into an addendum to the Staley Park Youth Baseball Long-term User Agreement with Halfway National Little League dated June 28, 2022. This addendum allows Halfway National to sublease the premises to the Diamond Birds Baseball Club. All of the terms of the Staley Park Youth

Baseball Field Long-term User Agreement dated June 28, 2022, shall remain in full force and effect.

Approval of a Motion: Board Appointment – Ethics Commission Member

Action: On a motion duly made by Councilmember R. E. Bruchey, II and seconded by Councilmember T. Burnett, the Mayor and City Council unanimously agreed by voice vote of all members present to appoint Stacy Michael to the City Ethics Commission. Ms. Michael’s term will expire September 1, 2028.

The Special Session was closed at 5:37 p.m.

CITY ADMINISTRATOR’S COMMENTS

Scott Nicewarner, City Administrator, noted there are many events this week including the MDWK Market and Music, Krump’s Donut Alley Rally, yard sale at Fairgrounds Park, a plein air art festival at the Hager House, and a Hagerstown Municipal Band concert. Details for these events can be found on the City of Hagerstown webpage. The Ruth Ann Monroe Basketball League Tournament continues at Wheaton Park.

MAYOR AND COUNCIL COMMENTS

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

Councilmember T. Burnett had no additional comments.

Councilmember K. B. Aleshire had no additional comments.

Mayor T. Martinez encouraged everyone to do their part to keep their communities clean.

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 5:40 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: September 26, 2023