

EXECUTIVE SESSION AND WORK SESSION – August 15, 2023

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City Clerk Donna K. Spickler called the Executive Session to order in the absence of Mayor Martinez at 3:05 p.m.

On a motion duly made by Councilmember S. McIntire and seconded by Councilmember K. B. Aleshire, the Council appointed Councilmember R. E. Bruchey, II as the chair of the meeting.

On a motion duly made by Councilmember S. McIntire and seconded by Councilmember M. Schindler, 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 15, 2023 at 3:06 p.m. in the Council Chamber, 2nd floor, City Hall, Hagerstown, Maryland. Participating with Councilmember R. E. Bruchey, II were Councilmembers K. B. Aleshire, T. Burnett, S. McIntire, and M. J. Schindler, City Administrator Scott Nicewarner, Jill Thompson, Director of Community and Economic Development, Fire Chief Steven Lohr, Michelle Hepburn, Chief Financial Officer, Margi Joe, Community Development Manager, Rachel Paul, Planning and Outreach Coordinator, and City Clerk Donna K. Spickler. Mayor T. Martinez was not present.

The meeting was held to discuss membership of the Hagerstown Youth Council Partner Group, Historic District Commission and Hagerstown Housing Authority and various personnel issues. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the meeting was adjourned at 3:50 p.m.

WORK SESSION – August 15, 2023

Councilmember R. E. Bruchey, II called this Work Session of the Mayor and City Council to order at 4:04 p.m., Tuesday, August 15, 2023, in the Council Chamber at City Hall. Participating with Councilmember Bruchey were Councilmembers K. B. Aleshire, T. Burnett, S. McIntire, and M. J. Schindler, City Administrator Scott A. Nicewarner, and City Clerk D. K. Spickler. Mayor T. Martinez was not present.

Cultural Trail Design Discussion and Maryland Stadium Authority

Jim Bender, City Engineer, and Al Tyler, Maryland Stadium Authority (MSA), were present to discuss the Hagerstown Multi-Use Event and Sports Facility (MUSEF) and the Hagerstown Cultural Trail (Trail).

Phase I of the Trail was completed in 2016-2017, connecting Antietam Street to City Park. A portion of the trail passed through land where the MUSEF is currently under construction. The City and the MSA previously entered into a Memorandum of

Understanding (MOU) regarding an exchange of property for the project, and for the relocation of a portion of the trail necessitated by the construction. As the design of the MUSEF has evolved, the exact path and configuration of the relocated trail has also evolved. This Work Session item is to discuss the Trail's relocation, and to present the latest design for the trail on the MUSEF property and along W. Baltimore Street.

The City and MSA entered into a MOU on April 14, 2022. Articles 2 & 3 of the MOU deal with the relocation of the trail, and of artwork that would be disturbed by the MUSEF construction. According to the document, MSA is responsible for designing and constructing a relocated trail that is "substantially similar to and substantially the same square footage" as the section of the trail disturbed by construction. The relocated trail "...shall extend continuously from Baltimore Street" to City-owned lands to the north, and "...as closely as possible, it shall meet up with the existing portions of the trail so that the trail remains one continuous, connected trail."

From the earliest prototype design of the MUSEF, it was assumed that the relocated trail would (coming from Antietam Street) turn east to wrap around the stadium's center field wall and ticket booth and would then turn south and follow the right field wall toward Baltimore Street. Nearing Baltimore Street, the initial designs for the trail had it turning west and following the street to the existing crosswalk near the Mural of Unusual Size. As the design of the MUSEF was refined, it became clear that the section of the trail along Baltimore Street was going to be challenging to integrate with loading docks and other amenities on that side of the stadium. MSA and their design team have been studying this area and developing preliminary designs to address these issues.

The trail was originally constructed using bond funds. In order to meet the bond financing requirements, the relocated trail will need to be at least as long as the original trail. Based upon the MUSEF plans to date, it does not appear that this will be an issue.

The current plan is to run the trail to Baltimore Street with the City relocating the crosswalk closer to Potomac Towers. The concrete sidewalk will be replaced with brick pavers to match the original trail.

Councilmember Aleshire asked specifically what part will be brick. Mr. Bender indicated it will be on the left-hand side at the Housing Authority. Councilmember Aleshire asked if people will have to cross the Housing Authority's entrance apron. Mr. Bender stated people won't be walking on concrete but on pavers.

Councilmember Aleshire asked if there will be two crossings. Mr. Bender stated the crossing will start at the utility pole at the entrance to Potomac Towers and run diagonally across Baltimore Street as it does now.

Councilmember Aleshire referred to a drawing from May, 2021 showing the new trail location which is different than what is being discussed. Mr. Tyler stated that document was a concept drawing. He stated after the MOU was approved, they realized the size of the existing RISE sculpture would not fit on the site appropriately after the stadium is

constructed and the field is complete. The State has responsibility for moving that sculpture to somewhere else on the trail.

Councilmember Aleshire stated he was pleased the sculpture was within the stadium project from the May, 2021 drawing and then a July, 2022 drawing shows it in a different place with pieces of the trail being included within the stadium site. This is the last drawing the Mayor and City Council received and now they are being told it is still in the design stage. Then in April, 2023, a picture was shown with the trail outside the stadium. A black iron fence will enclose the entire area. This means the trail will now be a 10' wide sidewalk that will be shielded from view from people passing by. He is trying to figure out where the Trail components will be located. This has been a two-year process. He believes the City was given the impression the trail would be relocated in a similar manner.

Mr. Tyler indicated the City removed what they wanted kept prior to the start of construction. Part of the agreement is that those elements are put back on the trail where they fit. The agreement also details maintenance responsibilities of the elements. In reference to the original drawings for the fenced area, he noted those designs were preliminary and cost \$ 50,000. What is being shown here is a \$ 3 million design project. The two cannot be compared accurately. Another concept was that the trail would be open and accessible during events. It was apparent rather quickly this would not be possible for safety and security reasons. The trail needs to be separate from the stadium and transferred back to the City.

Councilmember Aleshire stated he was under the impression the trail would be incorporated into the stadium project. Mr. Tyler stated they realized the trail would need to be closed during a game, which is what will happen if the trail and the stadium are connected. This is not what the City wanted to happen. Councilmember Aleshire clarified that, after more than 2 years of thinking the two would be combined, they will not be. He noted the trail will be enclosed behind a fence, limiting viewing. Mr. Tyler indicated the fence will be wrought iron. Even when the trail is closed, people will still be able to view the trail through the fence.

Councilmember Aleshire stated the trail was constructed with bond financing. He wants to ensure the appropriate components are covered to maintain the requirements for that financing. Mr. Tyler indicated the City's Bond Counsel and the State's Bond Counsel worked closely together to make sure the financing requirements were not violated, including maintaining the profile of the original trail. Mr. Bender indicated he believes the relocation of the trail will actually make the trail longer.

Councilmember Aleshire noted the impression of the original trail was artistic and now it will have a linear appearance. He asked what measures will be taken to accommodate the artistic feel of the trail. Mr. Tyler stated they will work with the City to make it as close to the original appearance as possible. He pointed out the allocated space is different and they will consult with the City to determine placement of the amenities. They will incorporate what they can.

Councilmember Aleshire asked who owns the white space behind center field. Mr. Tyler stated this is the Antietam Paper building. That portion of the trail will not be changed. Councilmember Aleshire asked who will be responsible for the relocation and construction of the portion of the trail through the Hagerstown Housing Authority property. Mr. Bender stated it will be the City's responsibility. Mr. Tyler stated the City will be reimbursed for those costs as part of this project. They will not reimburse the City for work that is done outside the parameters of the agreement.

Councilmember Aleshire asked how Mr. Tyler envisions limitations on the access of the trail for security and public safety. He asked if additional public safety measures will be needed during events. Mr. Tyler stated that would be determined during operational conversations with the operator/promoter.

Councilmember Schindler asked if there will be additional lighting for pedestrian traffic. Mr. Bender indicated there will be. Councilmember Aleshire stated this is important since the crossover is now mid-block and not at an intersection. Mr. Nicewarner stated it is important to not have the cross walk where tractor trailers will be delivering supplies to the stadium. Mr. Bender noted the loading docks are typically for food service deliveries. Larger vehicles for performers would be accessing the stadium through the right field area.

Councilmember Aleshire asked who would be involved in operational discussions. Mr. Tyler indicated logistics would be handled by the local operator of the facility. Councilmember Aleshire asked if the MSA will hand over the keys to the operational group when the stadium is finished. He also asked if that is the point where ownership is transferred. Mr. Tyler indicated the keys will be turned over to the Hagerstown-Washington County Industrial Foundation (CHIEF). While bonds are outstanding, the State will retain ownership of the stadium.

Councilmember Aleshire confirmed that once the bond is paid, the MSA is out of the project. Mr. Tyler indicated that is correct. Councilmember Aleshire asked if a new agreement with the operational group would be required if ownership is transferred during the bond repayment. Mr. Tyler indicated a transfer would have to be approved by bond counsel and the State Board of Public Works.

Councilmember Bruchey confirmed City representatives would determine where the artwork will be replaced to make the trail flow easily. Mr. Tyler indicated the artist removed the artwork and will come back and reinstall it. Mr. Bender noted staff will look for opportunities for additional artwork. Councilmember Aleshire confirmed CHIEF is responsible for the area from the fence inward. Mr. Tyler indicated that is correct.

Mr. Nicewarner thanked Mr. Tyler, and all MSA staff for being great to work with throughout this process.

Washington County Museum of Fine Arts Expansion Project Update

Jill Thompson, Director of Community and Economic Development, Sarah Hall, Executive Director of the Washington County Museum of Fine Arts, and Elizabeth Smith, Director of Development, were present to provide the community an update on the museum's expansion project.

The \$ 18 million investment will increase the size of the museum by 17,200 square feet. The project includes adding square footage to the main building and 11,000 square feet at an adjacent site. Construction is expected to begin in late 2024 or early 2025.

Ms. Hall stated everyone deserves great art. This project acknowledges that the displays can't stay the same. They do not want to be known as the old fashioned museum over in the park. To enhance the museum experience, they consulted with Schwartz/Silver to design a master plan to increase the offerings of the museum. The focus will be on an interactive museum campus. They envision an active and flexible Interactive Museum Campus which will include an expansion of over 17,000 square feet of interior space.

With the recent purchase of the Key Street Site and the connections to the Jonathan Hager House and the Valley Art Association's Mansion House, they will transform City Park into an anchor for arts, history, and culture in Hagerstown.

The new campus will also drive regional tourism, foster collaboration with other nonprofits and educational partners, offer family programming and space for community meetings and events, and more.

Options for transit between buildings for mobility impaired patrons include designated carts and a well-maintained rail for easy navigation. Daily parking has been negotiated with the City Park and contracted valet services will be established for special events. To ensure operating support is handled responsibly, a minimum of 10% of campaign funds will be allocated for maintenance and program endowments.

21-st century Museum Education is conversation-based, experimental, and broad-reaching. It is as likely to take place in galleries as in a classroom, with spaces for play and spaces for rest. By transforming the capacity for more educational programming, accessibility will be increased for all with a focus on expanding education to a range of museum-based curriculum for all ages.

A café is not part of the master plan but there are areas where it could be located at a future time.

Councilmember Aleshire spent a lot of time at the museum when he was a child. He likes the design of the building itself. It has the same industrial architecture that lends itself to being a museum. The building is cool.

Ms. Hall stated they are looking at ways to reactivate interest in the museum by expanding beyond visual artists. They want to work with the community. Councilmember Aleshire stated his oldest child has a great interest in art and in design and fashion clothing. Including this kind of art would be a good addition.

Ms. Hall loves the historical building as well. The strategic plan says the museum needs to appeal to younger artists and be hipper. She isn't scared of that concept.

Councilmember Schindler stated it would be amazing to see the museum grow in this way.

### Preliminary Agenda Review

Councilmember Bruchey announced that Citizen Comments for the August 22, 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.

### **Consent Agenda**

#### A. Engineering:

1. 2023 Ford Escape – Keystone Ford (Chambersburg, PA) \$ 33,750.00
2. Hagerstown Hub City Garage Construction Inspection and Testing – Triad Engineering, Inc. (Hagerstown, MD) \$ 36,571.32
3. Potomac at Baltimore Intersection Design – KCI Technologies, Inc. (Sparks, MD) \$ 55,012.00

#### B. Information Technology:

1. ESRI GIS Software Renewal – ESRI (Redlands, CA) \$ 39,700.00

#### C. Police Department:

1. Annual Software Maintenance Agreement for Police Mobile – Keystone Public Safety, Inc. (Maple Shade, NJ) \$ 114,998.00
2. Body Armor – Atlantic Tactical (New Cumberland, PA) \$ 16,746.66
3. Ammunition – The Gun Shop (Vincentown, NJ) \$ 33,256.71
4. Open Container Exemption – Porch Fest – September 23, 2023

#### D. Public Works:

1. Emergency Repairs to Boiler – Beaver Mechanical Contractors, Inc. (Hagerstown, MD) \$ 13,200.00
2. 2024 Ford Bronco Sport – Keystone Ford (Chambersburg, PA) \$ 31,200.00

E. Utilities:

1. Light – Flame Resistant Clothing Blanket Contract – Hudson Workwear (Brecksville, OH) \$ 23,000.00
2. Water and Wastewater – Aggregates (Stone) – Martin Marietta (Williamsport, MD) \$ 85,690.00
3. Wastewater – Aggregates (Asphalt) – C. William Hetzer (Hagerstown, MD) \$ 24,925.00
4. Water - Pump Station 3 Peerless Pumps – Shafer, Troxell & Howe, Inc. (Frederick, MD) \$ 38,100.00
5. Wastewater – WWTP Dumpster Service – Republic Services (Hagerstown, MD) \$ 13,141.80
6. Wastewater – Pelletizer Facility Operations Contact – New England Fertilizer Company (NEFCO) (North Quincey, MA) \$ 1,169,110.00
7. Wastewater – Pelletizer Facility Asset Management and Upfront Capital – New England Fertilizer Company (North Quincey, MA) \$ 1,200,000.00

This completed the Preliminary Agenda Review. There were no additional questions about any items. All items, unless noted, are scheduled for approval on August 22, 2023.

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

Eric Deike, Director of Public Works, was present to follow-up from the discussion that occurred on Tuesday, August, 8, 2023, regarding the reallocation of unused summer camp funds in the amount of \$ 15,000. It was decided the funds would be split, in undetermined amounts, between enhancing the City event called Harvest Hoedown and to support the Ruthann V. Monroe Summer Basketball League (“League”). Staff recommends providing \$ 5,000 toward the City event and \$ 10,000 to support the basketball league.

Funding cannot be provided directly to the league program, as they do not exist as an organized corporation, business or non-profit. The League’s primary sponsor is the Beyond the Arc Foundation (“Arc”), which exists as a 501(c)3 organization as defined by the Internal Revenue Service. Funding could be provided to the Arc as a means to indirectly support the basketball league.

Staff will use the additional funding to enhance the Harvest Hoedown to be held later in October. This could go towards additional supplies or entertainment for this popular, well-attended event.

Councilmember Burnett recused herself from this discussion because of her association with the basketball league.

It was the general consensus to schedule formal approval of the funding as presented for the August 22, 2023 Regular Session.

Proposed 2023 Land Management Code Amendments, 2<sup>nd</sup> package

Stephen Bockmiller, Development Review Planner/Zoning Administrator, was present to brief the Mayor and City Council about proposed text amendments to the Land Management Code (LMC).

The Planning Commission held a public review meeting on July 26, 2023 and received comment on one unrelated issue, which will be studied in more detail before bringing any proposals to the Mayor and City Council. After hearing public input, the Planning Commission moved to forward the following amendments to the Mayor and Council.

This package contains 11 proposals to address issues or deficiencies in the LMC. Staff received input from the public, and the potential developer of a property in the City earlier in the summer to amend specific text in the Code and other proposals followed soon after. The proposals are as follows:

1. 2023-05 – Open space requirements and N-MU Housing Mix Percentages  
A developer is exploring the creation of a mixed-use development on a large, N-MU (Neighborhood Mixed-Use) zoned “greenfield tract”. In doing their site assessment, they concluded that the recently adopted housing type mix requirements are inconsistent with most other jurisdictions. Also, in reviewing this issue, staff determined that the open space requirements are below reasonable expectation, and although the City encourages mixed-use new development, the existing standards (as far as they relate to the development and use of open space) are perhaps somewhat too accommodating.
2. 2023-06 – Clarification of Exemption to Nonconformity for Certain Dwellings  
Earlier this year, an appellant attempted to use a provision regarding exemption to nonconforming use expiration for dwellings built as duplexes or townhouses made nonconforming by lot area and width requirements to void a determination that a house with a later-retrofitted second unit is an expired nonconformity and cannot be re-established. Had this been successful, it would have opened a large hole in the regulation of nonconforming multiple dwelling units on undersized lots. The City Attorney and staff both felt that the language should be tightened so that this provision cannot be misinterpreted in the future.
3. 2023-07 – Minor Adjustments to the Motor Vehicle Sales Facility Design Standards  
The proposed amendment clarifies when this standard applies, including when additional uses are added to a site that has an existing vehicle sales facility.
4. 2023-08 – Minor Adjustments to the Use of Vending Machines and ATMs as a Principal Permitted Use  
This proposal closes a loophole in the Ordinance that currently does not prohibit the installation of vending and ATM machines in front of dwellings and institutional uses in the mixed-use zoning districts. Currently, vending machines

as a principal use are permitted only in commercial and mixed-use districts. They are not permitted in the residential districts. But, there is nothing that prohibits them in the mixed-use districts on a property used for dwelling or institutional purposes which are not generally commercial in nature.

5. 2023-09 – Parking Requirements for New Assembly Uses in Existing Buildings  
When there is no approved site plan on record, and a property is proposed to change from one use permitted by right to another, the Planning Office has a long history of not evaluating the proposed permitted use for compliance with current parking requirements. This proposal adds requirements that when six certain assembly-type uses are proposed in certain districts, they must comply with ordinance requirements. This language is built into the description of the use, meaning that variance relief will not be available in these cases. It does not apply to the CC-MU district.
6. 2023-10 – Revisions to Article 4, Section M (Nonconforming Uses) and section U (Board of Zoning Appeals) Including Procedures and Review Standards  
Historically, the zoning ordinance has always had wording that blurs the difference between a special exception and a change of a nonconforming use. This change removes that confusion and clearly addresses these actions separately. Also, this change consolidates redundant language and removes wording regarding notice that exceeds State law requirements. With these changes, special exceptions, changes of nonconforming uses and enlargement of nonconforming uses each have their own separate criteria that tracks the way they have been addressed.
7. 2023-11 – Codify Parking Requirements for Child Day Care Centers  
Child day care centers are occasionally new-construction, subject to site plans. The ordinance does not currently enumerate parking requirements for this use, requiring staff to make a determination based on guidance from the ITE Parking manual. This proposal codifies a uniform requirement for a standard use, eliminating use of the back-up source.
8. 2023-12 – Create Ability to Maintain a Pre-Approved Inventory of Street Names  
This proposal creates the authorization for staff to explore creation of pre-approved street names, which removes a complexity from the subdivision plan review process.
9. 2023-13 – Exempt Mostly Decorative Banners from Sign Regulations  
Some locations, mostly institutional uses on larger tracts, utilize decorative banners for beautification. This proposal removes these from sign requirements provided they are not used for obvious signage.
10. 2023-14 – Permit CL District Uses in Commercial Spaces in Existing Mixed-Use Buildings in the RO District by Special Exception  
This proposal would permit CL district commercial use in existing buildings that are built as mixed-use buildings in the RO District. This allows for a wider array of potential commercial uses that could potentially occupy storefronts in mixed-

use buildings that are difficult to attract only those commercial uses permitted in the RO District by right.

11. 2023-15 – Correction of an Overlooked Remnant of Past Amendments

The term “preliminary plan” is no longer used in the LMC, having been replaced with “development plan.” This proposal removes one last reference found in the text.

A Public Hearing before the Mayor and City Council on these proposals is scheduled for September 26, 2023.

There were no questions at this time.

Local Conversion District Overlay Amendment ZM-2021-01

Joanna Wu, Planner, was present to review the Planning Commission’s recommendation for an amendment to an existing Local Conversion District Overlay at 4 Cypress Street.

The property at 4 Cypress Street was approved as a Local Conversion District Overlay on May 24, 2022. The property was an existing mixed-use building on the corner of Cypress Street and Potomac Avenue, with office space and one dwelling unit. The prior application allowed the applicant to add a parking lot, retain one dwelling unit, and expand the permitted commercial uses for the office space.

The applicant is seeking to amend the application by constructing a 304 square foot addition to the front of the building. The addition would enclose the existing staircase, add hallway space, and a patient restroom. They would also amend the overlay by altering the use of the second floor to be used for administrative purposes and storage, rather than an apartment. All the requirements for a Local Conversion District would still be met with the proposed change.

The Land Management Code v3.10 was approved on May 23, 2023, and became effective June 22, 2023. The text amendment lessened the restrictions on building additions in the Local Conversion District. It also addressed that if the zoning overlay is approved by the Mayor and City Council, BZA approval of a setback variance is not required.

Edward Little and Brenda Little, 8 Cypress Street indicated they were not opposed to the overlay amendment, but they expressed concerns about the current parking issue in the neighboring alleyway behind 6 Cypress Street. They also want to see landscaping maintenance performed regularly at 6 Cypress Street.

There were no questions at this time.

A Public Hearing before the Mayor and City Council on this amendment is scheduled for September 26, 2023.

Advanced Metering Infrastructure Deployment Plan

Nathan Fridinger, Deputy Director of Electric Operations, and Jason Bachtell, Electrical Engineering Manager, were present to review the Advanced Metering Infrastructure Deployment Plan that staff developed following the August 1, 2023 Work Session discussion.

The following deployment plan and sequence of events are subject to modification by directives from the State of Maryland, supply chain relief or constraints, and/or other unplanned events or circumstances.

HLD staff intends to develop, publish, and distribute a notice to customers and property owners describing the nature of the project, the anticipated timeline, and what to expect. Illustrations will be provided to identify the line of demarcation between utility owned and customer owned infrastructure, with sample images of damaged or degraded facilities, detailing the responsibilities of each party. This notice is an attempt to boost awareness that issues could exist and should be addressed to prevent unexpected failure or disconnection due to safety hazards.

An official notice to the Maryland Public Service Commission will be filed to detail the intended use of the system and receive any prescribed orders or directives.

By Spring of 2024: The base communication system is anticipated to be installed to begin testing and evaluating a Pilot System.

By Fall of 2024: With an acceptable pilot test completed, full deployment is anticipated to begin. Staff will develop and advertise an RFQ to obtain basic repair costs from local electrical contractors, subject to quarterly adjustment, for repairs within the meter socket enclosure (jaw replacement). Customer notification efforts will continue as routes are selected and added to the replacement schedule.

The inspection process includes a visual inspection of the meter site to identify any obstructions or hazards. If obstructions or hazards are identified that prevent the meter exchange, the meter will be skipped. A notification will be made to the customer with a reasonable timeline for correction to conform with standard operating procedures. A visual inspection of the socket jaws, wiring, and connection points will be performed in addition to a socket jaw tension test. HLD supervisory staff will respond immediately to investigate any public safety hazards identified. HLD staff will determine if temporary measures can be taken to restore service and provide notice for corrective action to be taken within a reasonable timeline. If temporary repairs cannot be made, the customer or landlord will be notified to contact an electrical contractor for repairs and PCAD inspectors will be notified to make any necessary arrangements.

Customers and/or landlords are responsible for the coordination and repair costs of their facilities by either the electrical contractor(s) identified in HLD's RFQ or their contractor of choice. Should the Customer be identified to live within a designated DDA according to HUD census date, any funding provided by CDBG will be applied to these

costs. The process for this will be coordinated and determined prior to implementation. In conjunction with Finance and CDBG staff, staff will identify and budget for qualified customer assistance funds. Staff will continue to search for applicable grants for those not meeting CDBG requirements.

Staff intends to complete deployment by November, 2028, depending on funding sources available. Annual access and inspection procedures will be developed to maintain the City's efforts toward safe access to HLD infrastructure for the purpose of maintenance, inspection, and testing.

Permits staff will allow HLD to issue a permit for the necessary work which won't bog down the permits office and makes the process quicker.

Councilmember Schindler thinks staff will fund some of the inside of the meter socket will need to be repaired. Mr. Fridinger stated they are anticipating that.

Councilmember Aleshire noted the plan indicates HLD will determine temporary measures to restore service. He does not want this to imply the customer will be without service for an extended time until they can get it repaired. Mr. Fridinger agreed and stated HLD will not put anything back in place that is in poor condition or dangerous. Temporarily restoring service will be the first option.

It was the general consensus to move forward with the plan as indicated.

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

*Scott Nicewarner, City Administrator*, attended the Maryland Municipal League's Cannabis seminar last week. Kathleen Maher, Director of Planning and Code Administration, was a panelist. The City's planning department was proactive in determining regulations for establishing where this type of business would be most appropriate.

He stated it is important for the City elected officials to review Washington County's Draft Comprehensive Plan 2040. Staff has already started a review and will discuss their comments with the Mayor and City Council at a September Work Session. This will be a very important document for how future development evolves in Washington County.

The MDWK Market and Music continues tomorrow evening in University Plaza. The monthly Farmer's Market will be held on Thursday. An event celebrating the 50<sup>th</sup> Anniversary of Hip Hop is planned for Saturday at University Plaza.

### **MAYOR AND COUNCIL COMMENTS**

*Councilmember M. J. Schindler* had no additional comments.

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

*Councilmember T. Burnett* had no additional comments.

*Councilmember S. McIntire* had no additional comments.

*Councilmember R. E. Bruchey, II* reminded everyone Augustoberfest will be held at the Washington County Agriculture Center 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 5:34 p.m.

Respectfully submitted,

*Original signed by D. K. Spickler*

Donna K. Spickler  
City Clerk

Approved: September 26, 2023