

CLARA BARTON MEMORIAL GROUNDBREAKING CEREMONY

Members of the Mayor and City Council attended the Clara Barton Memorial Groundbreaking Ceremony at 2:00 p.m. on Tuesday, September 12, 2023 at 320 Virginia Avenue, Hagerstown, Maryland.

EXECUTIVE SESSION AND WORK SESSION – September 12, 2023

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Mayor Martinez called the Executive Session to order at 3:15 p.m.

Councilmember R. E. Bruchey, II made a motion 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)), and to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; #4 (Section 3-305(b)) on Tuesday, September 12, 2023 at 3:15 p.m. p.m. in the Council Chamber, 2nd floor, City Hall, Hagerstown, Maryland. Councilmember S. McIntire seconded the motion.

Motion carried 4-1 with Councilmember K. B. Aleshire voting No.

Participating with Mayor Martinez were Councilmembers K. B. Aleshire, R. E. Bruchey, II, T. Burnett, S. McIntire, and M. J. Schindler, City Administrator Scott Nicewarner, Michelle Hepburn, Chief Financial Officer, Police Chief Paul “Joey” Kifer, Captain Tom Langston, Jill Thompson, Director of Community and Economic Development, Chris Siemerling, Economic Development Specialist, Doug Reaser, Economic Development Manager, Margi Joe, Community Development Manager, and City Clerk Donna K. Spickler.

The meeting was held to discuss various personnel issues and the status of a continuing project. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the meeting was adjourned at 3:43 p.m.

WORK SESSION – September 12, 2023

Mayor T. Martinez called this Work Session of the Mayor and City Council to order at 4:02 p.m., Tuesday, September 12, 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 City Clerk D. K. Spickler.

Proclamation: Washington Goes Purple

Mayor Martinez read a proclamation naming September, 2023 as Washington Goes Purple “Recovery Month” in Hagerstown, Maryland. Melanie Watts, Co-Chair and Peer Support Specialist, accepted the proclamation.

Mayor Martinez stated she was in foster care and felt like she was a forgotten child. She thanked the Washington Goes Purple group for the work they do in helping people get their lives back on track.

Partners in Care, Inc.

Mandy Arnold, President and CEO, and Brenda Thiam, CFL Service Navigator, were present to provide information about the Partners in Care, Inc. program.

Partners in Care is a community nonprofit helping older adults remain independent in their own homes and engages in the community. They operate using an innovative time/service exchange model with values of reciprocity, social capital, and equality infused into the culture of the program. They engage people to use their time and talents to help themselves and each other with the myriad tasks of everyday living. Most people want to stay in the homes and communities they know and love. They help make this possible by providing transportation and handyman services, member care, advocacy, and social programs to support healthy, independent, active living.

They are celebrating their 30<sup>th</sup> anniversary in Anne Arundel County this year. New members are always welcome. Ms. Arnold encouraged people to visit their website and attend an orientation program to see how they might like to get involved.

Members engage in PIC programs and services utilizing the fundamental concept of reciprocity. It’s all about “Neighbors Helping Neighbors.” In FY2023, members volunteered 54,037 hours of service to members and drove 202,280 miles. Members helped PIC directly with fundraising, events, outreach, advocacy, and many office tasks, supporting program operations 10,546 times.

This is a fee-based service, and they plan to increase their service area to Washington County to allow seniors of this community to benefit from the program.

Dr. Thiam learned about the program by volunteering. It is a good experience to help people get out and about in the community. She now oversees volunteers going out into the community.

Councilmember Burnett asked how people can learn about the services offered. Ms. Arnold stated they can call the main office or visit the website. There is an office at 17 N. Mulberry Street.

Councilmember Bruchey suggested having Wes Decker, Communications Manager, create a video for the City’s website telling people about this program.

Councilmember Schindler stated getting information out is a struggle.

Councilmember McIntire suggested they apply for a grant through the City's ARPA nonprofit grant program if the deadline hasn't closed.

Proclamation: Lissencephaly Awareness

Mayor Martinez read a proclamation naming September 8, 2023 as Lissencephaly Awareness Day in Hagerstown, Maryland. April Crohare accepted the proclamation.

Hagerstown Youth Council Member Limits

Rachel Paul, Planning and Outreach Coordinator, and Margi Joe, Community Development Manager, were present to review a proposed change in the Hagerstown Youth Council (HYC) maximum membership number, and to establish a revolving Partner Group.

The City has received an increased volume of student applications representing growing interest in the program. The current membership maximum is 11. Staff are proposing increasing the maximum to 19. The proposed change would support this growth and allow more students to participate in the program and engage in the community.

On July 27, 2021, the Mayor and city Council added Article XV to Chapter 10 of the City of Hagerstown Code to define the purpose, membership, staff assistance, meetings, and responsibilities of the Hagerstown Youth Council. Membership limits are defined by a 5-member minimum and an 11-member maximum. The Partner Group was last approved by resolution in 2020 and staff seek to incorporate the Partner Group into Article XV.

It was the general consensus of the Mayor and City Council to move forward with the proposed amendments.

Review of Draft County Comprehensive Plan 2040

Kathleen Maher, Director of Planning and Code Administration, was present to go over City staff's comments on the County's draft Comprehensive Plan 2040 and to seek input from the Mayor and City Council. Staff will also review staff's comments with the Planning Commission on September 13, 2023.

The Washington County Planning and Zoning Department and County Planning Commission released their in-house update to the 2002 Comprehensive Plan for public comment in late July. Preparation for the draft plan was a huge project and is the result of several years of hard work by County staff and their Commission. The County has decided to keep the public comment period open into the fall to provide time for input from the public meetings they began holding in mid-August. The public input meeting in Hagerstown will be held on September 25, 2023 at 5:30 p.m. at the central library.

County staff anticipates that the official Planning Commission and County Commissioner public hearing(s) will be held next year. The full plan and information on the plan can be viewed on the County web site.

City Planning staff reviewed the entire plan and forwarded pertinent sections and elements to other City staff for input on areas related to their operations. Staff also forwarded sections on other service providers in Hagerstown to those agencies to ensure they knew they had an opportunity to comment. Comments received from outside agencies were forwarded to the County on August 16, 2023. City staff met with the County Planning Director on August 30, 2023 to review staff's initial review comments and ask questions about data prep and analysis that was unclear.

A draft document with City staff comments on big picture policy/plan issues that affect the City and the Hagerstown growth area, as well as suggestions for edits or corrections to text in the draft was reviewed with the Mayor and City Council. Also included with the meeting material is the Implementation Element of the draft plan and a City-created map showing intended modifications to the County's Urban Growth Area (UGA) around Hagerstown. Copies of the Water Resource Element and Growth Management and Land Use Element were placed in Mayor and Council mailboxes.

#### Overview on Big Picture Items

Utility Capacity and Growth Planning – While the draft plan is recommending a reduction in the area included in the UGA, it will still recommend a growth area that is far larger than the City and the County have the capacity to serve with utilities. Since 2008, the City has indicated that it does not have enough water capacity to serve the full buildout of the Medium Range Growth Area (MRGA) with the current permit of 15 MGD or even with a larger permit from the State of 18 MGD. What has been indicated is staff believe the City can serve the projected amount of growth seen in the MRGA over the life of the 20-year plan. State law requested the City comp plan to limit growth to an area the City projects can be served. To continue to indicate that the UGA is the planned public water service area conflicts with the City's plan. To provide a more realistic picture of the planned public service area and provide clear direction to the Health Department, it would be helpful if the County Comp Plan and the County Water and Sewer Plan did not continue to indicate the Urban Growth Area is the planned service area, but either 1) retracted the UGA to be more in line with the City's MRGA; or 2) identified the areas outside the RGA in the UGA as not planned for City water service.

In order to maximize water and wastewater service capacity for planned growth areas, the City also recommends the following:

1. In order to increase the permit for the City Water Treatment Plant from 15 MGD to 18 MGD, it will be necessary to upgrade the hydraulic capacity of the plant and its transmission lines which carries a hefty price tag. If a greater ability to serve beyond the City's borders and annexable area is described by the County and community in a nearer term timeframe, funding assistance will be necessary to make such upgrades possible.

2. It would be helpful to investigate transferring even more of the JJSSAA on the north side of the UGA over to the County Wastewater Treatment Plant, so the City WWTP can accommodate the growth expected within the City and the east side of the MRGA/UGA.
3. The County will need to investigate alternative public water sources, which is a recommendation of the draft plan, if there is a continued desire for a County growth area which is larger than the City's MRGA.

Land Use Recommendations – The Future land Use map of the draft plan only has one residential category. The text of the draft plan recommends fairly low-density levels for low-density and moderate-density development. Currently, the County's lowest density residential category is identified as suitable for the fringes of the Urban Growth Area, however it is placed on raw land along the City borders. It would be helpful if the Future Land Use Map included different residential land use categories for anticipated different density levels, so the plan will guide the future comprehensive rezoning and municipal growth planning. It would also be helpful if the land use categories placed along the City's borders were more compatible with the City's projected density levels or with the development in place in those areas.

Sidewalks – The draft plan recommends developing a comprehensive and cohesive pedestrian system in the growth areas. The City supports this recommendation and urges that sidewalks be required within the growth areas along public streets. This is a major goal of the City that is at times thwarted by the County when sidewalks are not allowed or not required to be placed in County or State rights-of-way.

Schools – The draft plan takes a system-wide look at school capacity and indicates that all levels are below the State rated capacity. This downplays the fact that there are significant school capacity issues within the growth area. Since the draft plan is projecting demand for a huge increase in residential units in the County, the plan should also be addressing what needs to be done so there is sufficient school capacity to serve that growth. The City is aware that the County would like the City to re-adopt an Adequate Public Facilities Ordinance (APFO) for schools because of the capacity constraints in the growth area. If that is a County goal, the County comp plan should identify the capacity issues as significant problem and make recommendations to address the problem. For municipalities to engage in an APFO for infrastructure beyond the City's control to improve, it requires trust that the infrastructure provider will be working on those improvements so an indefinite moratorium will not be faced by the APFO participants. So long as the County APFO for schools is not linked to the County CIP to create sufficient capacity to serve the capacity constraint issues experienced by growth area schools, the City is not assured that construction will occur that will allow approval of City projects and thus would have no trust in the APFO process. APFOs are intended to be a link between pace of development and pace of construction of capacity to serve growth demands. Without that link, they are only a collect-fees or impose-moratorium tool, which is at odds with the Maryland standard for APFOs that requires "adequate facilities to be reasonably probable of fruition in the foreseeable future."

Ms. Maher also presented a detailed comment document which included the previous big picture comments and updates to the Community Facilities descriptions.

Councilmember Burnett left the meeting.

Councilmember Aleshire stated everything staff said in the memo is completely appropriate and is it appropriate for the City to provide comments on the document that projects the county's growth over time. The water supply is a limited resource. The Plan does not acknowledge that Hagerstown has a paid fire department. The fire system in Washington County would not be able to cover the County fundamentally if the Hagerstown fire department did not exist. It is not the City's population growth that has generated overcrowding at schools. The problem is that funding from growth has not been allocated toward school improvements and construction. He hoped new State mandates would have a positive effect on the need to conserve limited resources but that has not happened. He is glad City staff recognized the effort and hours County staff put into this document.

### **ANTIETAM CREEK ALTERNATE SOURCE WATER SUPPLY**

This item was postponed.

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

*Scott Nicewarner, City Administrator*, reminded everyone the Fall Fest will be held at City Park on September 16, 2023. There will be fireworks over the lake at dusk. The Bester Community of Hope block party is also being held on Saturday.

### **MAYOR AND COUNCIL COMMENTS**

*Councilmember S. McIntire* thanked Mr. Nicewarner and Eric Deike, Director of Public Works, for taking care of an incorrect sign at Wheaton Park.

*Councilmember R. E. Bruchey, II* met with Sheriff Albert, Chief Kifer, Captain Langston, and President Carr to start talking about finding a solution that benefits the community when the revenue from the opioid lawsuits against the big pharmaceutical companies is provided to the communities. A plan is needed to spend the money wisely.

*Councilmember K. B. Aleshire* thanked City and School Board staff for addressing a concern relayed to him about individuals on the field at North Hagerstown High School while the students were there practicing. He realizes there are safety issues with letting just anyone on the fields without accountability. People who want to play on the fields need to go through the proper channels to get permission to use the field. This will ensure safety for everyone using the fields.

*Councilmember M. J. Schindler* congratulated all the community partners involved with the new Clara Barton Memorial. The Washington Goes Purple kick off was a great event.

*Mayor T. Martinez* reminded everyone that words make a difference. She has been culturally misunderstood and she is mindful of people's feelings and values. If the feelings and values as a community are not obvious, kids will go where they get what they need. The Robert W. Johnson Community Center is needed in the community. You can't know what the other side is feeling if you aren't willing to discuss the issues. There is nowhere for kids to go without a community center. In all the conflict, people forget that other people are feeling misunderstood, and it keeps the turmoil going.

This elected body serves all the people. They need to be mindful that what they hear may not be what is actually happening. Some people are calling the group outside the center protestors, but they are feeding children and giving out shoes and clothes.

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 4:49 p.m.

Members of the Mayor and City Council then attended the Remembrance in the Park at City Park at 6:00 p.m.

Respectfully submitted,

*Original signed by D. K. Spickler*

Donna K. Spickler  
City Clerk

Approved: October 24, 2023