

SPECIAL SESSION (81ST VOTING SESSION) AND WORK SESSION – December 5, 2023

Mayor T. Martinez called this Special Session (81st voting session) and Work Session of the Mayor and City Council to order at 4:00 p.m., Tuesday, December 5, 2023, in the Council Chamber at City Hall. Participating with the Mayor were Councilmembers K. B. Aleshire, S. McIntire, and M. J. Schindler, and City Administrator Scott A. Nicewarner. Councilmember T. Burnett and City Clerk D. K. Spickler were not present.

SPECIAL SESSION (81ST VOTING SESSION) – December 5, 2023

Approval of a Resolution: Capital Grant Agreement for Field House

Action: On a motion duly made by Councilmember P. E. Perini, Sr. and seconded by Councilmember S. McIntire, the Mayor and City Council unanimously agreed by voice vote to approve a resolution to approve a Capital Projects Grant Agreement with the State of Maryland Board of Public Works for up to \$ 3,000,000 in grant funds for the Hagerstown Field House.

WORK SESSION – December 5, 2023

Maryland Theatre Krumpe’s Donut Drop Sponsorship

Jessica Green, Executive Director of the Maryland Theatre, and Melissa Fountain, Events Manager, were present to request additional funding to support the annual Krumpe’s Donut Drop. This is the 11th year for this event.

Ms. Green noted in the past, the City has provided \$ 10,000 in sponsorship support for the event. The Board was very surprised this year when the sponsorship was dropped to \$ 3,000.00. The event costs approximately \$ 45,000 to host. Losing the \$ 7,000 has a big impact on the event.

Ms. Fountain stated attendance at this free, family-friendly event averages from 3,000 to 5,500 guests, depending on the weather. Hot chocolate, coffee, and donuts are given away during the event. Restaurant owners see an increase in visitors either before or after the event. People from all over the world have attended the event. Travel magazines have reported on this event. The event is a way to gain recognition for Hagerstown by dropping a unique item, a Krumpe’s donut, to ring in the new year.

Ms. Green stated this is likely one of the largest outdoor festivals that takes place in downtown.

Councilmember McIntire stated the Council made a decision at the beginning of this budget year to cap all event sponsorship requests at \$ 3,000.00. She pointed out that no request has been funded above that level. She appreciates the event, but the body made a commitment to provide no more than \$ 3,000.00 for individual events.

Councilmember Schindler noted that other organizations requested higher funding and those were also capped at \$ 3,000.00.

Ms. Fountain stated when the event started it was more of a partnership between the City of Hagerstown and the Maryland Theatre. The Donut Drop has always felt like more of a partnership rather than a general sponsorship.

Councilmember Perini asked if a count is taken during the event. Ms. Fountain stated last year was a rainy day and she estimated attendance at 3,000 people. They do give away 5,000 donuts. Councilmember Perini asked for a copy of the budget for the event. A copy of last year's budget is included with the sponsorship information provided by Brittany Arizmendi, Community Engagement Officer, to all Mayor and City Council members.

Ms. Green stated the Donut Drop requires 9 months of planning. The Maryland Theatre hosts mini events promoting the Donut drop in the three months leading up to the event. Last year, the Theatre planned 311 events and the profit shown in last year's budget does not include staff time for the event. She anticipated an event that is showing success, longevity and high attendance would earn more support from the City than a new event. She stated new events are important too.

Mayor Martinez stated the Council made the decision to limit the maximum support for events to \$ 3,000.00 in an effort to be fair and provide an opportunity for sponsorship of more events.

Councilmember Aleshire doesn't think this event fits within the parameters of the other typical, third-party events. This is the downtown New Year's Eve event. If the City does not fund it to the degree necessary to have the City's downtown New Year's Eve Event, then it will go away. If the group is ok with sticking to a static number for all third-party events, then they need to realize the New Year's Event could go away.

Councilmember McIntire stated no one wants the event to go away. However, if the Donut Drop is categorized separately, what other events will want the same consideration.

Ms. Green noted the event began as a partnership. Ms. Fountain stated it was a partnership with less funding, but all City services were provided. Eventually, they were asked to submit a funding request through the sponsorship program.

Ms. Fountain stated it is nice to work with the City on this event and she wants attendees to be glad they came to this event over another one that day. Even though it is promoted as a Maryland Theatre event, most people consider it a Krumpe's Donut or a City of Hagerstown event.

Councilmember Perini clarified that the sponsorship request is being handled by the City as another grant or program that is held in the City. There is a new policy, however, this event could be considered as more of a partnership. The previous year's budget that

was provided indicates donuts are not being given away as Krumpe's Donuts is paying for the 5,000 donuts. There has to be a way to account for every penny taken in and spent, whether it is City dollars or not. He does not see any revenue for naming rights for the event. He asked what Krumpe's Donut's contribution to the event since it is named the Krumpe's Donut Drop. Ms. Green stated A. C. & T. Co, Inc. is a cash and in-kind sponsor. They provide hot chocolate and coffee for the event.

Councilmember Perini asked if there are exceptions to the sponsorship policy. Mr. Nicewarner stated no exceptions have been made since it was implemented. Groups can ask the Mayor and City Council for consideration, which is why this request is being heard by the Mayor and City Council.

Councilmember Perini suggested requests for more than \$ 3,000 for events that identify with the City be addressed differently. Mr. Nicewarner stated there has to be parameters in place so staff are not in a situation for subjective decisions. Post-COVID, there has been an exponential increase in requests for funding. This is not like Blues Fest or Imagine Hagerstown, both of which were or are City run events. This is more like Augustoberfest, where the City provides in-kind services. The in-kind costs for labor alone was far exceeding the in-kind costs for Augustoberfest. Staff understands the Donut Drop brings a lot of people downtown. If the program becomes subjective, he suggests not providing funding for any event.

Councilmember Aleshire stated this is not like a sponsorship for something like the National Pike Festival, which clearly is not a City event. The question is whether or not there will be a New Year's Eve event for the City of Hagerstown. It is easy to say let someone else do all the work.

Mr. Nicewarner does not disagree but if this is the case, it has to be treated differently. Councilmember McIntire stated if the decision is this is the New Year's Event it has to be the only event treated differently. Mr. Nicewarner asked if that would be possible.

Councilmember Aleshire stated sooner or later, the City will have to answer the question of whether or not there will be a City of Hagerstown New Year's Eve event. This is no different than for the 4th of July or the Christmas tree lighting.

Councilmember Perini asked if Councilmember Aleshire is saying the additional funding will determine if the event continues. Councilmember Aleshire confirmed that is correct.

Mayor Martinez asked if there are sponsors for the tree lighting event. Ms. Arizmendi stated there is a sponsor, but it is a City run event.

Councilmember McIntire supports providing the requested additional funding for the Donut Drop, for a total of \$ 10,000. She would agree to funding this outside of the event sponsorship grant program.

Councilmember Aleshire recalled the Maryland Theatre hosted the Wind Down events and they were great events and drew large crowds. Eventually, Maryland Theatre representatives came to the Mayor and City Council and said the events were bigger than they could handle, and these were really City events. Shortly after that, Wind Down changed and was scaled down. He sees the Donut Drop going the same way. He clarified Ms. Green and Ms. Fountain are stating if the event continues, it will have to happen differently.

Mayor Martinez pointed out Councilmember McIntire and Councilmember Aleshire support providing the requested additional \$ 7,000.

Councilmember Schindler believes this request was made because funding is through the program that is available for event sponsorships. He asked if there is a different way to provide the same level of funding as in the past. If funding comes from the sponsorship program, other organizations who were not fully funded may request additional funding and there are no remaining funds available. He wondered if the event was a partnership. He suggested providing assistance in other ways such as City services. Ms. Green pointed out the City does not provide City services. The Maryland Theatre pays for services.

Michelle Hepburn, Chief Financial Officer, noted the events would not fall under Agency Contributions. With the downtown tree lighting, the City places, decorates, and removes the Christmas tree.

Mayor Martinez asked if funding is available in the Main Street budget. Ms. Arizmendi stated funding the request would require a budget adjustment and decrease in funding for other line items.

Ms. Hepburn stated funding would have to come from Community Engagement's budget. If the Maryland Theatre event is singled out, it has to be expressly written in the policy that the New Years Eve Donut Drop is outside the sponsorship program.

Ms. Green asked what other organizations pay for City police services, etc. Mr. Nicewarner stated they all do. Ms. Green asked if any of them recognize the City as a sponsor. Mr. Nicewarner stated they do.

Councilmember McIntire stated Ms. Hepburn mentioned the Alsatia Mummer's parade, who were also provided a maximum sponsorship of \$ 3,000.00. This is also a long-time event that bring thousands of people to Hagerstown. Many people think it is also a City event.

Councilmember Aleshire pointed out the Alsatia Club has a larger client base to draw operational revenue from.

Councilmember McIntire wants to make sure the Council is being fair and equitable to the organizations and the citizens.

Councilmember Aleshire stated one option is to agree to keep the funding at \$ 3,000.00. The likely scenario for next year is the Maryland Theatre approaches the City to increase the partnership for the event or the City takes the event next year.

Councilmember McIntire noted it would become an event similar to the Imagine Hagerstown events.

Mr. Nicewarner stated it would be difficult for the City to run the Donut Drop because there is only one staff person who manages the downtown events. There are other events on the list that the City may be asked to take over.

Councilmember Aleshire clarified he is saying either the City makes a decision to have a New Year's Eve event or not. If the Maryland Theatre representatives tell the Mayor and City Council and they have a certain amount of funding and the event will be smaller, the City has a decision to make as to whether or not there is a New Year's Eve event.

Mr. Nicewarner stated this is a much bigger discussion than just the Maryland Theatre event. There will be a number of organizations that will ask the same thing.

Councilmember Aleshire doesn't see it that way. The City has a Halloween event which is not the Mummer's Parade. The City also has a tree lighting event.

Councilmember McIntire asked about funding for the Juneteenth event.

Councilmember Perini doesn't think black and white thinking is the way to look at this request. The Maryland Theatre representatives have said the Donut Drop realizes a profit of \$ 20,000.00. They reported that some of the profit goes toward staff's work for the event and events leading up to it. The point is whether or not the City's decision not to fund the full request will end the event. He can't justify that would be true.

Councilmember Aleshire stated the Council could leave the amount at \$ 3,000.00 and take the gamble that the event will continue.

Councilmember McIntire pointed out if \$ 7,000.00 is removed from the event sponsorship budget other events will suffer and may change due to lower funding.

Councilmember Schindler asked when recipients were notified of the funding. Ms. Green stated it was early in September.

Councilmember Perini noted the total of all requests was \$ 143,000.00 and the budget is \$ 41,850.00. Taking \$ 7,000.00 from the budget will make matters worse everywhere.

Councilmember Schindler recommends keeping the amount for the Donut Drop at \$ 3,000.00.

Councilmember McIntire stated she doesn't know where the additional funding would come from without eliminating support for other events. It is imperative to discuss 2024 events sooner rather than later.

Councilmember Perini stated the policy doesn't mention allowing exceptions. Mr. Nicewarner stated anyone can ask the elected body for an exception.

Councilmember Perini suggested finding a compromise by increasing the City's support to \$ 5,000.00. He asked if the Washington County Commissioners had contributed any funding to the event.

Mayor Martinez summarized that three Councilmembers support staying within the policy guidelines and one Councilmember supports increasing support to \$ 5,000.00. The Council also stated they should start talking about this event soon. She thinks this is a fair decision given the event is less than a month away and making any changes would disrupt the established budget.

Water and Sewer Infrastructure Follow-Up

Nancy Hausrath, Director of Utilities, and Tyler Puffenberger, Deputy Director of Water and Wastewater Operations, were present to provide a summary of Water and Wastewater projects. This is a follow-up to the recent Greater Hagerstown Committee meeting. During budget planning, 5 years of Capital Improvement Projects are reviewed. The rate model is based on a 20-year projection. Staff consistently seeks funding from various agencies for these projects. This list is not all inclusive but instead an overview of larger projects. Projects are as follows:

Water:

1. Edgemont Reservoir – design is currently at 30-35%. Project is on-hold pending the Antietam Creek Study. Estimated Cost \$ 30,000,000 (includes Breichner Plant Upgrades)
2. R. C. Willson Transmission Main Upgrade – RFP will be issued within the next 12 months to complete the study to determine the new pipe alignment, design considerations, easements, permitting, engineering estimate, etc. Estimated Cost \$ 40,000,000 RFP within next 12 months
3. R. C. Willson Treatment Plant Upgrades – Staff will submit a funding application to MDE to address current treatment capacity associated regulations promulgated since 1970. Upgrades will also address residual dewatering and disposal. Estimated Cost \$ 60,000,000
4. Zone 5 Study – work will be completed on the study within the next 12 months. The study will evaluate pressure and volume deficiencies in Zone 5 as well as the Base Zone adjacent to Zone 5. Study Cost \$ 1,000,000
5. Antietam Creek Source Water Study – Staff has requested proposals from Hazen and Sawyer and Black and Veatch to work with MDE Clean Water and Safe Water Act Programs to evaluate the feasibility of using the Antietam Creek as a raw water supply for potable water. Once this work is complete, engineering estimates will be developed to determine the cost of the new plant

and associated water distribution upgrades as well as upgrades that may be needed at the Wastewater Treatment Plant to address climate resiliency and treatment of processed wastewater from the water plant. Staff anticipates this work cost a minimum of \$ 30,000,000

6. Mack Tank – an RFP to complete a study, design, and bid ready documents will be competed within the next 12 months. Estimated Cost for Study and New Tank is \$ 3,000,000

Wastewater:

1. Wastewater Treatment Plant Upgrade Phase 1: Study and Design will begin in early 2024 to complete mechanical, electrical, and nutrient removal improvements to address aging equipment and treatability of wastewater. Estimated cost of this phase is \$ 20,000,000
2. Wastewater Treatment Plant Upgrade Phase 2: Staff is preparing a funding application for Phase II improvements to address solids treatment, climate resiliency, structural improvements to continue to address aging infrastructure and reliability. Estimated cost for this phase is \$ 20,000,000
3. Pump Station 33: bids were received on December 1, 2023. Construction will begin in early 2024. Estimated Cost is \$ 4,500,000
4. Pump Station 13: Design will begin in early 2024. Buchart Horn will complete the study and design. Work will also include pipelining work on gravity and force mains in the Pump Station 13 sewer district. I & I work will be primarily funded using ARPA funds. Pump Station work will use ARC, ARPA, and Wastewater Fund Cash. Estimated cost \$ 4,000,000.
5. Phase 1B I&I Pipe Lining: Work is underway, and it is anticipated this work will be completed in FY24. Estimated cost is \$ 2,000,000.
6. Environmental Laboratory: Planning is currently underway to upgrade the City's Certified Laboratory. The previous laboratory upgrade was in 1980. Work will upgrade the laboratory to current laboratory and safety standards. Estimated Cost \$ 2,000,000

Ms. Hausrath stated utilities field crews maintain meters, hydrants, water and sewer main replacements, and many upgrades to pump stations. The collections group performs the CCTV and flushing work. The City of Hagerstown invests in employees, and they are all either certified or have certifications pending to operate both water and wastewater facilities.

Mayor Martinez appreciates hearing Hagerstown invests in the employees. She asked if employees are required to be certified. Ms. Hausrath stated superintendents and 24/7 employees are certified because the work has to be under the supervision of a certified employee.

Councilmember Perini stated water and wastewater is a high interest of his. He asked about the time frame for the Antietam Creek water source study. Ms. Hausrath indicated potentially within 12-18 months. The MDE has given the City permission to use the Edgemont Reservoir funding for that study.

Councilmember Perini would like to learn more about the Antietam Creek water source proposal. The City has a large responsibility as well as authority because it owns and operates the facilities that serve a large portion of customers in Washington County. Ms. Hausrath stated Smithsburg, Funkstown, and Williamsport have their own distribution systems. These municipalities are wholesale customers of Hagerstown. Washington County has some smaller systems. There are approximately 90,000 City of Hagerstown water customers, with half being outside the City limits.

Councilmember Perini clarified that Hagerstown has a large responsibility in serving water and sewer specifically around the City limits area. A presentation was made to the Washington County Delegation about the need for a water needs survey. He believes the City should be very aggressive in growing the water system. Others in the community may have a different viewpoint. Since the Hagerstown system has been in existence for more than 100 years, it does not make sense to him to start from scratch and build other water systems when the foundation is already in place. The projects mentioned during this presentation total more than \$ 155 million. The City should be working very hard to be proactive and review the service area and be prepared for where it will grow. It is important that the City, County, and communities work together to ensure all citizens have clean drinking water. He asked how long a reserve of water would last if there were a catastrophic event and the plant was shut down. Ms. Hausrath stated there would be about 12 hours of water available, depending on where a customer is on the system. Councilmember Perini stated his point is it would be a major problem for everyone if the plant is shut down. The City needs to be more progressive in looking at what is needed, how it is provided, and how it is funded. This needs to be treated as a holistic project.

Ms. Hausrath pointed out looking at the Antietam Creek as a second water source is part of ensuring water is available during a plant shut down. This water source would be a plant that can produce 5 mgd per day. Part of the review is to make sure it is a long-term reliable benefit to the City.

Councilmember Perini understands the water and wastewater operations are Enterprise Funds. He would like to look at how water and wastewater rate models are designed and determine what the rates should be. A rate study should determine where the users are, pre-annexation agreements or not; and if they are an economic benefit to the community as a whole.

Ms. Hausrath stated another research project is the feasibility of using quarry lakes as water sources. More information will be provided after roundtable discussions in January.

Mr. Nicewarner appreciated the Greater Hagerstown Committee asking City staff to provide presentations on how the water system operates. There is misunderstanding in the business community on how water works. Staff is putting together a water operations video to help citizens understand the water system.

Mayor Martinez suggested providing an illustration of the system similar to what the State of Maryland did to show the difference between a weather watch and a warning.

Proposed Amendment to Water and Wastewater Policy

Kathleen Maher, Director of Planning and Code Administration, and Nancy Hausrath, Director of Utilities, were present to discuss a proposal to amend the City's Water and Wastewater Policy to include language regarding expiration of Mayor and Council approvals of exceptions and the process for consideration of changes to approved exceptions.

In 2004, the City adopted a Water and Wastewater Policy that reinforced the 2002 Annexation Policy's provisions that City water service outside the boundaries would be contingent upon annexation or a pre-annexation agreement, plus that there would be no service outside the Urban Growth Area (UGA), unless one of several exceptions were approved. Those early exceptions were health issues, system improvements, existing lots of record prior to creation of the policy, and pre-existing agreements.

After the 2008 Comprehensive Plan was adopted, the Water and Wastewater Policy was amended to change the limits of service to Hagerstown's Medium Range Growth Area (MRGA).

Over the years, other exceptions have been added as issues have arisen. Several of the exceptions can be approved administratively by the Utilities Director and some must be approved by the Mayor and Council. The one exception that most often goes to the Mayor and Council for review and approval is the economic development exception.

In recent years, the Mayor and Council approval of exceptions has included a time limit for certain actions to occur or their approval expires: 1. Site plan approval by Washington County; 2. Building permit filed with Washington County; and 3. All City water and wastewater fees paid.

Two issues can arise with the expiration of deadlines and modifications of speculative development plans, which can create policy administration challenges:

1. If the applicant has already provided a pre-annexation agreement, which is on record, and now the approval of water and/or wastewater service has expired
2. If after approval of a speculative development proposal, something has changed about what the Mayor and Council approved in regard to:
 - a. Ownership
 - b. The size of the project
 - c. The proposed investment or jobs created
 - d. The proposed allocation
 - e. The type of development

Currently, there is a situation where an approved economic development exception case now has a different owner from what was proposed in the review of their water and wastewater request and the development plan has changed from what was approved.

Staff presented an amendment to the Water & Wastewater Policy to outline the process if ownership changes or there is a substantial change to what was proposed during the

Mayor and Council's review of the water request, and also to indicate that, if approval expires without re-approval or the approval becomes void due to substantial changes, then any pre-annexation agreement for the property shall be null and void and notice recorded in the Land Records of Washington County.

Councilmember Aleshire clarified the proposed amendment allows City staff to approve the exception if the owner changes to an approved exception as long as all other aspects of the project remain the same. If a new owner wants to do something different from the previously approved exception, approval by the Mayor and City Council is required.

Ms. Maher indicated that is correct, with the addition that exceptions for projects that are not started within a specified amount of time becomes null and void and will be recorded that way.

Councilmember Aleshire stated it needs to be clear that exceptions will be null and void if the project isn't started within a specified timeframe. He asked why Exception #10, Essential Public Service, is included in the proposed amendments. Ms. Hausrath stated this exception was put in place for water service approvals outside of the MRGA.

Councilmember McIntire supports moving forward with the proposed amendments.

Councilmember Perini has strong objections to the proposed amendments. He understands that pre-annexation agreements and approvals of exceptions are contractual agreements between the City and the property owner. He believes that any modifications to those contracts, which were approved by the Mayor and City Council, should be brought before the Mayor and City Council for approval. He doesn't know if one owner selling to another makes a substantive change. He would argue that the decision should go back to the body that approved the original exception. That body answers to the citizens and provides transparency to the citizens. He appreciates the input from the City staff, who have a collective 45 years of experience. At the end of the day, staff members are not answerable to the people of Hagerstown. He is concerned the proposed amendment will basically take the approval process away from the Council and gives it a Department Director. In looking through the existing policy, he notices that time after time it has been set up this way. He's not sure he agrees with that. He also has an objection from a timing perspective. He understands staff is trying to deal with a particular issue with economic development and developers. He doesn't think this is the best time, given there have been discussions about spending \$ 1 million on a study for a second water source. This is a situation where everyone needs to take a holistic view of all water and wastewater services. The pre-annexation policy is good in order for the City to move forward developing and enhancing the systems. He understands staff is dealing with a specific issue right now, but he doesn't think the Council is so busy they couldn't schedule a discussion when they need to. There should be a bigger picture discussion, especially regarding the water system.

Mayor Martinez stated she didn't hear anything about taking decisions away from the Council about the Council being too busy to discuss issues.

Ms. Maher stated this is an administrative issue that staff needs to be able to deal with. The proposed amendments explain a way to handle this issue.

Councilmember Aleshire stated it doesn't matter to him if staff wants to bring all changes to the exceptions to the Mayor and City Council. Per the proposed amendments, anything that changes significantly will be presented to the Mayor and City Council anyway.

Ms. Maher stated the proposed amendment also addresses what to do with pre-annexation agreements based on the original plan in the exception.

Councilmember Schindler clarified the amendments would allow staff to approve/extend an exception only in the instance of a change in ownership. Ms. Maher indicated that is correct, but the amendment can be changed so that any differences from the original proposal are brought to the Mayor and City Council.

Councilmember McIntire trusts staff to bring approvals back to this table if something seems questionable.

Ms. Maher stated these exceptions only apply to requests for service outside the MRGA.

Councilmember Schindler asked if there is any recourse if the City is told a project will continue as stated for the exception and that is not the way it proceeds.

Ms. Hausrath indicated there is, in that the Utilities Division has to sign off on site plan. If she has concerns about a project, she contacts both Ms. Maher and Jill Thompson, Director of Community and Economic Development. She stated it is worth mentioning this links to the County's Water and Sewer Plan and its limitations. The City has the right to deny service in the UGA because the County indicated they wanted that area removed.

Councilmember Aleshire stated the summary of the amendments indicates a specific figure for a change in the number of Equivalent Dwelling Units (EDUs) causes the project to be reconsidered by the Mayor and City Council. He asked if there are other metrics that would trigger this.

Ms. Maher stated the most important change, from staff's perspective, is how much of the City's utility will be required. Exceptions to the policy have been granted for potential projects that the County endorses that are outside the MRGA. Approval for water service prior to selling a property makes it more attractive to buyers.

Ms. Hausrath indicated an increase of 5 EDUs would be defined as a change in the project.

Ms. Maher stated projects that change anything but ownership should come back to the Council for them to determine if it is an important economic development project.

Councilmember Aleshire sees this as swinging the pendulum in the other direction. He is curious to see if the County Commissioners will consider this as an onerous swing in terms of County development. He has no issues with the proposed amendments.

It was the general consensus to move forward with implementing the proposed amendments. Approval of the amendments to the Water and Wastewater Policy will be included on the December 19, 2023 Regular Session agenda.

Update of County Hazard Mitigation Plan

Kathleen Maher, Director of Planning and Code Administration, was present to provide an overview of the draft 2023 County Hazard Mitigation Plan, and recommendations specific to Hagerstown. In order to be included in the County Plan and be eligible for FEMA funding, the City needs to approve a resolution this month indicating that the County's 2023 Hazard Mitigation Plan is the City's Hazard Mitigation Plan.

Over the past year or so, the County's consultant and a committee of representatives from the County and various jurisdictions worked on the five-year update to the 2018 County Hazard Mitigation Plan, as required by mitigation planning regulations. Inclusion in the County plan provides eligibility to municipalities for FEMA disaster funds. As in the 2005, 2012, and 2018 plans, the City of Hagerstown is included in the 2023 document along with all the other towns in the County.

Per federal requirements, the County Hazard Mitigation Plan included involvement of local government representatives in the assessment process and additional public involvement which took the form of an on-line survey and a town hall meeting. The meeting was live streamed to the County Facebook page and the video posted to the County YouTube channel. The plan included a risk assessment of various identified hazards, inventory of critical facilities and at-risk areas, a mitigation strategy for high-risk hazards, and a method to maintain and update the plan.

For the most part, the 2023 update of the 108 County Hazard Mitigation Plan continues the major recommendations and analysis of the 2018 plan with some updates for 2023. It gives details on the types of hazards that face this county, assigns risk factors to each one, discusses community capacity to address risks, and identifies some recommended actions to address risks. The 2023 plan updates the statistics and mapping, updates the goals and objectives listed in the 2018 plan, and provides new ranking of hazards and mitigation strategies. City staff also ensured the City's asset list was updated.

Hagerstown's identified top hazard risks and recommended actions are as follows:

1. Top identified hazards are fires (structural/industrial), flooding, opioid epidemic, and extreme temperatures impacts. Recommended actions to address these risk factors include:
 - a. Continuation of Rental Licensing Inspections and Fire Department neighborhood smoke detector program

- b. Require upgrades to fire stopping systems in buildings during renovations
- c. Assist with adding sprinklers to old downtown buildings with incentive programs
- d. Educate property owners and tenants about risks and strategies to reduce risk
- e. Continue to retrofit stream channels and public stormwater management systems as funding allows
- f. Create hydrologic and hydraulic model to identify problem areas and bottlenecks in stormwater management system
- g. Increase Narcan training and work with partners on longer-term solutions to assist people with overcoming addiction and gaining emergency assistance
- h. Identify neighborhoods vulnerable to urban heat island effect and develop strategies to help naturally cool dwellings and communities

Recently, FEMA and MEMA approved the County's draft 2023 Hazard Mitigation Pla. The County Commissioners are scheduled to approve a resolution on the plan on December 5, 2023. The County's draft 2023 Hazard Mitigation Plan is posted on the City's web site at www.hagerstownmd.org/303/special-projets-studies. County staff are now inviting the municipalities in the County to adopt resolutions indicating the County Hazard Mitigation Plan is also their adopted Hazard Mitigation Plan.

The 2023 County Mitigation Plan should provide an enhanced level of planning protection for Hagerstown and the ability to secure FEMA disaster funds, as the assets lists and additional risks and strategies have been added. Staff recommends adoption of the resolution on December 12, 2023 indicating that the 2023 County Hazard Mitigation Plan is the City's plan. If not, the City would need to develop and adopt its own plan in order to be eligible for FEMA funding.

Councilmember McIntire wondered where the opioid epidemic was in the last ranking. Ms. Maher doesn't know but it was not number one. Councilmember McIntire is interested to see how it is addressed now that it is the top hazard. She noted the community was struggling in 2018 as well.

Councilmember Perini asked Ms. Maher if she is confident that the City's needs are well represented in the study. Ms. Maher stated yes, as best as can be.

It was the general consensus to hold a Special Session on December 12, 2023 to approve a resolution to adopt the Washington County Hazard Mitigation Plan.

FY24 Axon Respond Plus

Chief Paul "Joey" Kifer, Sergeant Ed Plummer, and Lt. John Lehman, were present to discuss a proposal for Axon Respond Plus (Live Streaming). The total contract price for a 100-month contract for 87 software licenses is \$ 192,879.20. This is a sole source purchase as it is proprietary software to be utilized with Axon Body 4 cameras.

The group provided a demonstration of the technology associated with this contract.

Sgt. Plummer noted the storage provides for inventory of cameras, weapons, etc. The GPS locations of the body cameras can be tracked and show where the manpower is. It also tracks where the drones are being used. The technology assists with pursuits in being able to pinpoint locations of both officers and the person they are looking for. One supervisor can watch up to 25 cameras at a time. They can also talk to the officers through an app. The system provides tracking options that enhance police response time.

Sgt. Lehman is also the Washington County Tactical Commander. A lot of applications recently incorporated tracking and this has been a valuable tool. Supervisors know where people are and what they are doing. Supervisors can try to stay one step ahead of what the officers need. Officers also know where they are in relation to each other. This is a game changer from a command standpoint. The technology can also be used in closed structures as well as outside.

Chief Kifer stated the City of Annapolis visited the Hagerstown Police Department last week to see this technology. They were very impressed. He is proud HPD was the first department to have this technology in Maryland.

Mayor Martinez appreciated being able to see the command center capabilities during the annual Alsatia Mummer's parade.

Councilmember Perini asked if this can be a recruiting tool. Chief Kifer said it definitely is.

Councilmember Perini asked how this system could overcome the issue of communicating with other agencies in a co-response situation. Sgt. Plummer stated the HPD and Washington County Sheriff's Department have different systems from Axon at this point. He has asked Axon how to merge the two systems together so there can be joint communication.

Chief Kifer noted Axon representatives have been receptive to working on solutions to any gaps the officers have come across.

Councilmember Perini stated to put this in perspective, it costs less to keep officers safe than it does to drop a donut.

CITY ADMINISTRATOR'S COMMENTS

Scott Nicewarner, City Administrator, thanked the Parks Department staff and everyone involved with the City Park Tree Lighting last Friday. There are droves of people visiting the park to view the light show.

He is looking forward to working with the new Fire Chief John DiBacco and soon to be Deputy Fire Chief Adam Hopkins. Both men assume those responsibilities on December 18, 2023.

He offered his family's condolences to the Cline family. The community lost a treasure over the weekend when Bud "Santa" Cline passed away. He and his wife were so important to the community.

The Christkindl Markt will be held on December 8 and 9 at University Plaza. The Feast and Frolic was a great event. Both Dr. Dave Warner and Bob Rankin were honored for their contribution to USMH.

He reported to the Mayor and City Council on a recent meeting with Secretary Wigfield, Department of Transportation, on the upcoming issues DOT will face – from Highway User Revenue to the widening of I-81.

MAYOR AND COUNCIL COMMENTS

Councilmember S. McIntire congratulated ENVY on their first crossroads basketball league, whose first game is tonight. Danielle Staley, Maryland Criminal Intelligence Network Coordinator for Washington County, has done a great job getting this started. ENVY not only addresses violence but provides kids with the knowledge that people want to help. During practice there was a young girl who told a coach they had no food in their house and that the mother would go without food to feed her children. The coach brought that information to Ms. Staley, who reached out to Trinity Lutheran Church. Trinity loaded Ms. Staley's car with food, and she bought groceries as well. She gave everything to the coach (who protected the family's privacy) who then gave everything to the mother. She stated this act may have saved the young girl from selling her body to get money for her family to buy food.

Councilmember Perini attended a number of events in the last two weeks including: Western Enterprise's 100th Anniversary celebration; Maryland Municipal League Washington County Chapter meeting, City Park Tree Lighting, USMH Feast and Frolic Scholarship fundraiser, briefing on Artificial Intelligence from Johns Hopkins University, and the first regular meeting with the City's lobbyist to discuss the upcoming 2024 Maryland Legislative session. He thanked his fellow Councilmembers for the warm welcome. He thanked City staff who have reached out with kind words and congratulations. He thanked City staff who have made his on boarding a smooth process, including Janet Lung, Executive Assistant, and Donna Spickler, City Clerk.

Councilmember K. B. Aleshire had no additional comments.

Councilmember M. J. Schindler stated the City Park Lighting was a fantastic event. He congratulated Chief DeBacco and Deputy Chief Hopkins on their new positions. The Washington County Museum of Fine Arts will be open every Friday evening in December. Special shows include art by Picasso and the books of Dr. Seuss.

Mayor T. A. Martinez reminded everyone to be like the quote on today's agenda – "Be a guiding light, a safe harbor, a beacon of hope, and a solid foundation for those around you." This is a difficult time for some people. It is important for constituents to remember the City's mission statement – that Hagerstown will be a community focused

municipality. It takes everyone working together to make this happen. She has a large social media presence, but she doesn't answer questions there. She encouraged anyone to reach out to her directly. She understands the need to make sure the City is community focused and really appreciates that the City is willing to make the changes. She congratulated Chief Kifer for being recognized for his efforts in building relationships with those re-entering the community. She congratulated Chief DiBacco and Deputy Chief Hopkins. She offered her condolences to the Cline family. Mr. Cline's passing is a huge loss to the community. People have reached out to her encouraging the City to recognize his contribution to the community. She reminded people that multiple things could be true at the same time.

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 6:25 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk (from the video)

Approved: January 30, 2024