

SPECIAL SESSION (84TH VOTING SESSION), EXECUTIVE SESSION AND WORK SESSION
JANUARY 9, 2024
MAYOR AND CITY COUNCIL HAGERSTOWN, MARYLAND
JOINT MEETING WITH BOARD OF COUNTY COMMISSIONERS – January 9, 2024

A joint meeting was held with the Board of County Commissioners on Tuesday, January 9, 2024 at the County Commissioners Meeting Room, 100 W. Washington Street, Hagerstown, Maryland.

The following people were in attendance:

Mayor Tekesha Martinez, Councilmember Kristin B. Aleshire, Councilmember Tiara Burnett, Councilmember Shelley McIntire, Councilmember Peter E. Perini, Sr., Councilmember Matthew J. Schindler, Scott Nicewarner, City Administrator, Commissioner John Barr, President, Commissioner Jeff Cline, Commissioner Wayne Keefer, Commissioner Derek Harvey, Commissioner Randy Wagner, Michelle Gordon, County Administrator, Kirk Downey, City Attorney, Dawn Marcus, County Clerk, and Donna K. Spickler, City Clerk.

Commissioner Barr called this joint meeting to order at 9:30 a.m.

Mayor Martinez thanked the Commissioners for agreeing to meet jointly. Highlights of 2023 include the following:

1. Hagerstown Fieldhouse - due to open in the fourth quarter of 2024
2. Third parking deck
3. Hagerstown Police Department drone program – an innovative, groundbreaking program
4. Wheaton Park Improvements – a concert was held there over the summer in partnership with Hagerstown Goodwill
5. Increase in downtown events and participation of community – including presentation of a key to the City to L. A. Knight, WWE
6. Partnership with Hagerstown Housing Authority as one of 14 FY23 Choice Neighborhoods Planning Grant recipients in the nation.
7. Partnership with Washington County Economic Development in the completion of and in-progress projects enhancing the jobs and footprint of commercial activity in the City and County
8. Increase in residential construction for both single-family and multi-family housing units through 2023

Commissioner Cline stated the Donut Drop on New Year's Eve is a nice tradition. Mayor Martinez agreed and believes the sense of people feeling safe downtown is improving.

Commissioner Barr stated the focus on the Cultural Trail is bringing areas of Hagerstown together. This project has been a great effort from staff.

Nancy Hausrath, Director of Utilities highlighted the following utility projects:

1. Phase 1 of Water Transmission Main replacement - \$ 40 million
2. Mack Water Tank – improvements for fire protection and system pressure – serving only County customers - \$ 4 million

3. Zone 5 Service Study - \$ 1 million for the study and \$ 20 million for improvements
4. Antietam Creek as additional raw water source – working with MDE and DNR – \$ 40 million for water improvements and \$ 10 million for wastewater improvements
5. Edgemont Reservoir project on hold - not abandoned
6. R. C. Willson Plant upgrades to produce 20 mgd
7. PFOS (forever chemicals) - \$ 60 million
8. Upgrade to Wastewater Treatment Plant
9. Pump Station 33 construction - \$ 5 million and Pump Station 13 construction – \$ 3.5 million
10. Aggressive Capital Improvement Project program

Commissioner Wagner asked what the current capacity of the water plant is and what the demand is. Ms. Hausrath stated the Willson plant is rated at 15 mgd and the demand on an average day is 10.5 – 11 mgd. Barriers to increasing capacity is condition of the transmission mains and system pressure issues.

Commissioner Wagner asked what the future demand is anticipated to be 3 years from now. Ms. Hausrath stated with new residential and commercial development demand is estimated to increase by ½ mgd per year.

Mr. Nicewarner stated a video will be debuted next week about the Hagerstown water and wastewater systems that will help consumers better understand the process of treating and distributing water to their homes and businesses.

Commissioner Wagner asked if it is fair to say that with no changes in the system, it will be at capacity. Ms. Hausrath indicated that is correct. Planned improvements and a second water source would boost the capacity to 25 mgd.

Commissioner Wagner asked what projects have the highest priority and what gap there is in funding. Ms. Hausrath stated the transmission main and plant upgrades go together and will cost \$ 100 million. Bond funding of \$ 5 million to \$ 10 million has been identified.

Councilmember Aleshire stated it is important to understand the plant runs 24/7 and some days demand is at 13 mgd. Everything that is produced at the water plant is distributed the same day, there is no storage of water. If the plant is shut down, there would be about 12 hours to make the repairs and get the plant back online before areas experience lower pressure. There is no process where water is stored from the production process.

Commissioner Harvey asked what the total cost is for the list of projects mentioned. Ms. Hausrath estimated the total to be \$ 150 million.

Councilmember Aleshire noted that most large utility systems depend on the State for low interest/no interest funding. The MDE is the regulatory agency and is also the bank.

The situation at the Edgemont Reservoir has led the City to look at an alternate water source.

Mayor Martinez stated one of the goals of this discussion is to establish a working group of City/County staff to identify the pressing concerns of the water system for all customers and provide a document on priority joint funding needs.

Ms. Gordon stated the debt service on payments for bond financing of \$ 5 to \$ 10 million per year need to be considered. It should also be noted that rate equalization would apply to customers, of which a majority are non-City customers. She asked if the group needs to consider a regional water authority.

Councilmember Aleshire stated the Mayor and City Council are not at this meeting to ask for \$ 200 million. The City, as other water suppliers do, will review rates and continue to fund the projects.

Commissioner Wagner stated water service is the elephant in the room. It will take a lot of money to fix the system and the Commissioners want to help with this. The City can't be King of the Hill forever. He doesn't think Hagerstown has the capability to fund the needed upgrades.

Mayor Martinez stated that is why collaboration on water issues is needed.

Commissioner Harvey stated when people are impacted by the need for water and can't get it, they are hamstrung. He is advocating for the County to have a seat at the table and a voice that is heard regarding the water service. They currently have no authority on water service. No one can act as a dictator and force pre-annexation agreements. This is a serious issue.

Councilmember Aleshire pointed out there are 157 municipalities in the State of Maryland that provide services to their residents and Hagerstown is no different.

Commissioner Harvey asked what the City's opposition is to allow a collaborative group to discuss water issues.

Mayor Martinez stated the group should be City and County staff, not politicians. Commissioner Harvey suggested staff meet and develop options to discuss for an organizational authority.

Councilmember Perini asked what Commissioner Harvey feels the City's motivation would be. Commissioner Harvey stated the failure to make decisions about where water/wastewater is extended is a problem. The majority of the City's customers are County customers who don't have any input.

Commissioner Aleshire stated those customers are outside customers because of the City's extension of service without annexing the properties.

Commissioner Harvey stated if the goal is to provide water and wastewater service what is the problem with working together to provide the best service for all citizens.

Commissioner Cline stated the sooner the group gets together the better. He is willing to be part of the group.

Councilmember Aleshire served on the Water and Sewer Infrastructure Commission that was established in 2004. That Commission turned out to be an attempt of businesses in the County to take ownership of the water service. That was not the intent of the Commission when it was created.

Ms. Hausrath stated there is a grant funding cap of \$ 1.5 million. With the large cost of projects, that is not enough. It would be helpful if the 2 elected bodies would come together and work with the State to increase the cap. It is more cost effective for everyone if more grant funding is available.

Commissioner Cline stated they will get staff together.

Mayor Martinez stated the Council understands the County has disbanded the Emergency Services Advisory Council (ESAC). The Hagerstown Fire Department has shown the Commissioners in the past their thoughts on a commission that would help provide direction to the elected bodies of the City and County related to emergency services management.

Fire Chief John DiBacco stated a goal to address this issue is to develop a working group of City/County staff to further discuss and refine this commission structure. This will improve the effectiveness of EMS and Fire service and maximize all available services.

Ms. Gordon stated the model presented to the commissioners was turned down by the volunteer group.

Commissioner Wagner stated he was on the ESAC, and it ended because people didn't show up for meetings and lost interest.

Deputy Fire Chief Adam Hopkins stated a reason ESAC was disbanded was because people got upset and vowed no one would tell them how to spend their funding.

Commissioner Wagner stated he is not being disrespectful, but he is the one who will receive the phone calls when constituents are dissatisfied, and he will make his own decisions.

Deputy Chief Hopkins noted the Hagerstown Fire Department is trying to find a way for the City and County to collaborate and make decisions.

Commissioner Wagner is happy with the County's operations and didn't understand the need for ESAC.

Commissioner Harvey has observed emergency services for a year. There are authoritative responsibilities. It is incumbent on the fire department and Dave Hays to work through the issues and then bring them to the Commissioners for direction and decisions on addressing what's not working. He asked if there are things outside the fire department's authority taking resources away from services.

Councilmember Aleshire stated there is interest in continuing to work together but independently. All taxpayers on the County pay about \$ 150 toward fire services. He, as a County taxpayer should receive the same \$ 150 in services no matter who responds since he is a City resident as well. A municipality is not required to provide fire service. City taxpayers receive no consideration in a differential for the \$ 400 they pay toward fire service. If the Hagerstown Fire Department is an independent operation of City services, should they leave the City limits?

Commissioner Wagner asked if Councilmember Aleshire is saying the City service will not cross the City limit line. He asked what body is causing friction.

Ms. Gordon wanted to provide some statistics. Mayor Martinez stated statistics aren't needed for this discussion. Ms. Gordon stated the County funds Community Rescue Service and 67.8 % of their calls are in the City limits. The County does provide services to City residents, and they do work together.

Mayor Martinez stated services are not a competition. This meeting was to be for talking about allowing staff to work together.

Commissioner Harvey stated staff have jobs and they are doing their jobs. He has not heard of any issues. They cross boundaries for mutual needs. He wondered if a model for providing services is really needed. He asked if this had been discussed with Mr. Hays.

Chief DiBacco stated this model is different than what was presented before. He is asking for consistency of assistance between the Department of Emergency Services, the Volunteer Association and the City fire department. There are 3 different lines of authority. He is asking for asking for the opportunity to take another look at this issue and review it with the personnel who are running calls.

Commissioner Wagner stated then the next step is to meet with Chief Hayes, and it seems the Chief DiBacco and Deputy Chief Hopkins would have already done this.

Commissioner Harvey stated he has not heard from Chief Hays there are problems.

Councilmember Schindler stated it appears the Chief is asking for permission to meet together to discuss these important issues.

Chief Hays stated DES did not produce the documents presented that includes CAC, etc. He thinks more strategic planning rather than governance is needed. The volunteers

own the stations and equipment that the County doesn't. The City service is provided mostly by career people. He stated a working group is needed, not a governance model.

Mayor Martinez hopes a work group for fire services will be created. She then addressed a concern made by the County regarding the perception of the City no longer participating in the Narcotics Task Force (NTF).

Police Chief Paul "Joey" Kifer stated the City is not pulling out of the NTF. He did express his concerns with Sheriff Albert in December about the model that was developed in the 1980's. Things have changed in law enforcement since then and that model does not work for anyone. He has reassigned one of the special detail groups to the NTF. Last year, NTF covered 49 cases. The City's Crime Suppression team made 216 arrests in one month. His opinion is that NTF should not be sitting in a building casing drug deals. They should be out on the street. The use of wires is a thing of the past. Drug dealers now use social media as their communication. The Hagerstown Police Department's commitment to the work of the NTF remains in place.

Ms. Gordon stated 214 acres have been annexed into the City since 1994. During that time, the City reduced the number of funded police officer positions.

Chief Kifer stated everyone is aware of recruitment and retention issues faced by police departments across the country. Everyone is competing for the same small group of people who are called to be officers. HPD is currently funded at 91 sworn positions. The Mayor and City Council has agreed they would reauthorize more positions if people were available. They have civilianized as much coverage as possible to help free up officers for other areas. They supplement law enforcement with drones and other measures to keep the level of service to citizens at what they are accustomed to and deserve. The lower numbers are not due to a lack of funding but rather the lack of people who want to be police officers.

Commissioner Harvey realizes policing is much harder now. He thanked all law enforcement officers. He asked what the salary difference is between the Sheriff's Department and the Hagerstown Police Department. Chief Kifer stated the starting salary is close but there is a significant difference at the top levels at the Sheriff's Department. Commissioner Harvey stated it appears funding could be an issue. Chief Kifer stated people stay where they like it. The call volume is much higher for HPD.

Councilmember Aleshire stated municipalities are not required to provide public safety services. The City does provide these services and the cost is \$ 25 million annually. If the City disbands the police and fire service, the County would be required to provide the full service to City residents.

Mayor Martinez thanked the Commissioners and staff for their time today.

Commissioner Keefer clarified that 2 work groups will be created to discuss water service and emergency services. He asked if the group would agree to meet again in 3 months to discuss progress.

SPECIAL SESSION (84TH VOTING SESSION), EXECUTIVE SESSION AND WORK SESSION
JANUARY 9, 2024
MAYOR AND CITY COUNCIL HAGERSTOWN, MARYLAND
Councilmember Perini would like to have quarterly meetings with the Commissioners.

The joint meeting was adjourned at 10:45 a.m.

Members of the Mayor and City Council attended the ribbon cutting ceremony of Professional Court at 3:00 p.m. on Tuesday, January 9, 2024.

SPECIAL SESSION (84TH VOTING SESSION), EXECUTIVE SESSION AND WORK SESSION – JANUARY 9, 2024

EXECUTIVE SESSION – January 9, 2024

Mayor Martinez called the Executive Session to order at 4:15 p.m.

On a motion duly made by Councilmember T. Burnett and seconded by Councilmember S. McIntire, the Mayor and City Council unanimously agreed by voice vote to meet in closed session to consider the acquisition of real property for a public purpose and matters directly related thereto; (#3) (Section 3-305(b)), and 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, January 9, 2024 at 4:15 p.m. in the Council Chamber, 2nd floor, City Hall, Hagerstown, Maryland.

Participating with Mayor Martinez were Councilmembers K. B. Aleshire, T. Burnett, S. McIntire, P. E. Perini, Sr., and M. J. Schindler, City Administrator Scott Nicewarner, City Attorney Ann Rotz, Michelle Hepburn, Chief Financial Officer, Jill Thompson, Director of Community and Economic Development, Fire Chief John DiBacco, Adam Hopkins, Deputy Fire Chief, Daniel Myers, Captain, Doug Reaser, Economic Development Manager, Amanda Gregg, Finance Specialist, and City Clerk Donna K. Spickler.

Councilmember Perini announced he is recusing himself from the property discussion due to a potential conflict of interest. He then left the meeting.

The meeting was held to discuss acquisition of property for the administrative operations of the Hagerstown Fire Department and membership of the Hagerstown Loan Review Authority. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the meeting was adjourned at 3:58 p.m.

SPECIAL SESSION (84TH VOTING SESSION) AND WORK SESSION – January 9, 2024

Mayor T. Martinez called this Special Session (84th voting session) and Work Session of the Mayor and City Council to order at 5:03 p.m., Tuesday, January 9, 2024, in the Council Chamber at City Hall. Participating with the Mayor were Councilmembers K. B. Aleshire, T. Burnett, S. McIntire, P. E. Perini, Sr., and M. J. Schindler, City Administrator Scott A. Nicewarner, and City Clerk D. K. Spickler.

Approval of an Ordinance: Amending the City Code, Chapters 33, Code of Ethics, and Chapter 35, Ethics Commission

Action: On a motion duly made by Councilmember P. E. Perini, Sr., and seconded by Councilmember M. J. Schindler, the Mayor and City Council unanimously agreed by voice vote to approve an ordinance to amend the City Code by deleting and repealing Chapter 33, Code of Ethics, and Chapter 35, Ethics Commission, in their entirety and replacing the sections repealed with a revised and updated Section 33, Code of Ethics. The revised and updated section is at least equivalent to the State of Maryland’s required provisions per COMAR 19.A.04, and also includes mandatory revisions passed by the General Assembly in 2021.

Discussion: Councilmember Aleshire asked that the Mayor and City Council review the requirement of a minimum number of nominees for vacancies. The current language requires the number of nominees to be a minimum of twice the number of currently vacant positions.

Ms. Spickler noted she would add this to the Ethics Commission’s next agenda for their review as well.

The Special Session was closed at 5:06 p.m.

Work Session – January 9, 2024

Hagerstown Area Religious Council (HARC) Programs Update

Kathy Powderly, Executive Director, and Kelly Conrad, Secretary, PR & Marketing, Hagerstown Area Religious Council (HARC), were present to provide an update of HARC’s activities. Several members of HARC were also in attendance.

The Washington County Council of Churches (now known as HARC) has been active since 1946. There are more than 35 member houses of worship plus 4 faith-based affiliates. In addition to the member houses, there are many other connected houses of worship.

The name was changed to HARC in 2006 to reflect the diversity of the group. They respect each other and focus on working together for the good of the community.

Four main belief statements bind the group together and they are:

1. We believe in the power of faith communities working together.
2. We believe in nurturing the unlimited potential of every child.
3. We believe all people have equal value and are loved by God.
4. We believe in equipping one another to create stronger houses of worship.

Micah's Backpack is a partnership between Washington County Public Schools, HARC, MD Food Bank, and more than 50 sponsoring churches and community organizations providing bags of food to feed hungry students over the weekend. The program now serves more than 1,200 students in 37 schools. Nearly half of those students reside within the City of Hagerstown.

The 10th Annual Community Book Drive (August 1 – September 14, 2023) collected more than 13,000 books. Most of the books are distributed to vulnerable children to help with literacy and school readiness. The City of Hagerstown has participated in the annual book drive.

Learning Parties are interactive, hands-on, parent/child “parties” that promote young children's development of school readiness skills. Based on the belief that parents are their child's first teacher, Learning Parties teach parents how to make everyday moments learning moments through playing, singing, talking, reading, and engaging in fun activities.

In April, 2023, Mayor Martinez and HARC started monthly meetings with the Mayor as part of an After School Program. Mayor Martinez had shared her concern about children and their needs to have safe places to meet and play. To address this concern, the group is now in the planning stages for an effective after school program that can be done collaboratively downtown. The ultimate goal is to offer programs 5 days per week in 2 or 3 different locations for after school programs. They applied for ARPA funding for the program but were not awarded any funds. They are working with the Washington County Public School System to provide some locations.

HARC formed a Racial Justice Team in May 2021 to seek equity, opportunities, and to uplift the myriad of gifts of Black brothers and sisters in Washington County. This very active team developed goals and has been working toward them with great energy and enthusiasm.

HARC offers an Equity in Education Scholarship for racially minoritized Washington County residents who are seeking a degree in education or a related field. Last year's scholarships are serving four women pursuing degrees in education.

HARC has partnered with houses of worship and other community organizations to form the Refugee Welcome Network (RWN). The RWN exists to support refugees new to the U.S. and Washington County who are unstable and seeking self-sufficiency and friendship. The RWN seeks to connect individuals and families to community resources, including housing, household goods, English lessons, jobs, food and clothing, and more.

HARC believes in equipping one another to create stronger houses of worship. Monthly meetings include programs and special speakers, and anyone is welcome to attend. They also publish a monthly newsletter. Giving members tools, information, and resources makes everyone stronger.

Councilmember Burnett thanked HARC for this update. It is good information to have.

Mayor Martinez appreciates this group of people who meet monthly and thanked them for their commitment. She appreciates that she was able to share a concern with members of HARC about downtown and they are now working to address that concern. People here are actively working to develop programs to help children. Faith is very important. A lot of times, people don't have faith in government. The Houses of Faith are meeting together and in partnership and collaboration is working.

City Park Concession Stand Lease Forgiveness

Eric Deike, Director of Public Works, was present to discuss the City Park Concession Stand. Staff is recommending the Mayor and Council forgive the remaining lease payments for the City Park Concession Stand for calendar year 2023. It is also recommended that the lease payment for calendar year 2024 be reduced to zero dollars.

The operation of the concession stand at City park was formally bid in 2022. Unfortunately, only 1 bid was received so the concession stand operations were bid again. Two bids were received with the successful bid going to Nena's Curbside Care ("Nena's"). Nena's was to pay the City \$ 5,000 per season to operate the concession stand.

In calendar year 2022, Nena's paid the full contract amount but struggled to make a profit. Calendar year 2023 was even more of strain given the increases in product due to inflation and to the rising minimum wage rate. Maryland's current minimum wage is \$ 15.00 per hour (effective 1/1/2024) rising from \$ 13.25 per hour in 2023.

Park attendance on the weekends can be high when the weather is great. Spring and early summer have the most impact in terms of park use. Special events can also boost attendance and sales at the concession stand. Attendance drops dramatically through the work week, even on beautiful sunny days. Any overcast or rainy days and the park experiences low to no attendance. Other causes of low attendance can be the current trend of youth to spend more time indoors online on their computers, phones, or other electronic devices.

The margins in food sales are very slim. The increasing labor costs only exasperate the problem.

The City has struggled to maintain a vendor at the concession stand. Nena's has been on site for multiple years and continues to do what she can to keep this a viable business. The contract has been modified to close the stand by the end of September in lieu of October due to the decrease in park attendance. City staff continues to make improvements to the concession stand at the request of Nena's including electrical upgrades, paint, and lighting.

The concession stand operations at Potterfield Pool are even worse. The vendor hired in 2022 quit after 1 season. A pool season is only 3 +/- months and is very dependent on weather. Nena's was asked to step in for the 2023 season to operate the pool concession. They completed the season but at a loss, and therefore, will not be returning for 2024. It was decided by staff not to operate the pool concession stand for the 2024 pool season.

City staff discussed the City Park concession stand operations with the owner of Nena's, Nena Allevato. As a group, the discussion was focused on how to boost visitors to the concession stand. It is a nice amenity to City Park, but it is becoming less of a profitable business.

Multiple other parks do have concession stands such as Hager Park, Hellene Park, and Fairgrounds Parks. These stands are for the use of the little leagues and softball leagues and only operate during events and with mostly volunteers. In other words, expenses are controlled by volunteer labor only operating when a customer base is on-hand.

The City Park concession stand is to operate every day from April 1 through September 30, rain or shine, whether anyone is in the park or not.

Keeping the City Park concession stand operating is becoming increasingly difficult. Funding vendors willing to put in the time and effort for so little reward has been a challenge. At some point, Mr. Deike believes a decision will need to be made to keep the stand open or not. The structure was built in the 1930s, has no restroom facility for staff, and is in desperate need of remodeling of the interior. Parks staff does a good job of keeping it in good repair, but that is a far cry from what the facility really requires.

For now, Mr. Deike is recommending that Nena's remaining lease amount be forgiven for calendar year 2023. He also recommends the lease amount for calendar year 2024 be forgiven in full.

Nena's has paid \$ 1,667 of the \$ 5,000 owed to the City for 2023. The lease amount for calendar year 2024 is \$ 5,000. The concession stands lease accounts for about 6% of the total Parks revenue that includes property rentals, cell tower rentals, pavilion rentals, special events, and miscellaneous revenues.

Councilmember Aleshire likes the fact that Mr. Deike referred to the concession stand at the park as an amenity. It is something of a nostalgic nature to have there. There is no effective way to put in vending machines at City Park. Vending machines could be securely installed at the pool.

Mr. Deike indicated staff talked about different options for concessions at the pool, including food trucks on the weekends. The pool is an amenity that operates at a loss.

Councilmember Perini suggested reviewing the contract to amend it to cover the times of the week that are most profitable. He knows there are small concessionaries and/or restaurateurs that are selling food and promoting their products all the time. This might be a good opportunity to put the contract back out for bids. There may be someone who

is willing to sell food and get creative with their offerings, which may draw more people to the park.

Councilmember McIntire stated the problem with that is it costs money and time to market and promote a produce. She supports staff's recommendation to forgive the fees. She suggested looking at having high school students volunteer at the concession stand to earn SSL hours.

Mr. Deike stated Nena may need insurance for that, but he will suggest it to her. She does hire high school students over the summer.

Councilmember McIntire asked if the hours could be reduced. Mr. Deike stated the hours have been reduced and the season has been shortened.

Councilmember Aleshire stated the concession stand is an amenity at City Park. The alternative is to close it and then the building would sit unused. He does not want to see that happen. He would support paying someone to run the concession stand.

Councilmember Perini noted Nena's isn't asking the City to pay them.

Councilmember Schindler doesn't want to lose this amenity. He supports forgiving the contract amounts.

Councilmember Perini asked why the Council is against seeing if someone else is interested.

Councilmember Schindler suggested adding signs letting people know the concession stand is there. He still supports forgiving the contract amount to keep the concession stand operating in 2024.

Councilmember Perini doesn't understand why the group is talking about giving away something that people might be interested in running. He realizes \$ 5,000 is not a large amount of money but it could be put towards a restroom or renovations.

Mr. Deike stated staff has added signage to bring people to the concession stand.

Councilmember Burnett supports forgiving the contract amounts. She pointed out Nena's also gives back to the community with donations.

Councilmember McIntire asked if Mr. Deike knows what Nena's costs are. Mr. Deike stated he does not.

Mayor Martinez suggested having the young workers go through the park selling concession items.

Councilmember Aleshire suggested reminding people renting pavilions there is a concession stand in the park. Mr. Deike stated the City purchased lawn signs and they have been placed throughout the park.

Councilmember Aleshire asked if there are regulations about other vendors in the parks, for example hot dog carts. Ms. Spickler indicated peddler regulations prohibit locations within the City parks.

Councilmember Aleshire stated he would support trying vending machines at the pool. The products offered should be simple and reasonably priced. He asked if machines would be handled by a third-party contractor or City staff. Mr. Deike stated he would prefer using a third-party because of limited staff. This can probably be done with some modifications to the fencing.

Councilmember McIntire stated Nena depends on the guests at City Park. To ask a business owner to also pay to operate the concession stand while they depend on the City's marketing and upkeep of the park makes the business model different.

Councilmember Perini suggested an alternative to putting it out for bid is for staff to reach out to vendors to see if they are interested. Councilmember McIntire stated members of the elected body could reach out if they wished to, but staff has other responsibilities.

It was the general consensus to forgive the payments for the lease at the City Park concession stand for the remaining amount for 2023 and all of 2024 and to explore placing vending machines at the pool through a third-party vendor.

Public Art Proposal: Remainder of City-owned Land Near Park Circle

Brittany Arizmendi, Community Engagement Officer, was present to discuss a public art proposal for the remainder of the City-owned land near Park Circle.

In February, 2022, when the City Council approved the agreement for the construction of the Clara Barton Memorial, the motion specifically directed staff to develop a concept plan for the rest of the City-owned triangular-shaped lands for the possible inclusion of interactive art related to the innovation/history of the City. Based on public input, the plan was finalized and endorsed by the Council in June of 2022. Staff have since prepared the construction drawings to improve the triangle as well as selected Mary Ann Mears as the artist for the project. The City applied for but was denied the Public Art Across Maryland (PAAM) grant in 2002.

Staff is requesting that the Mayor and City Council authorize staff to reapply for PAAM grant funding for the selected art concept. Ms. Arizmendi stated staff received feedback from the denied application and will take that into consideration if permitted to reapply.

If the City Council endorses the selected design, staff will apply for a Maryland State Arts Council PAAM Implementation Grant to create and install the art. If the grant is obtained, an agreement with the artist will be developed and the installation would be in the spring of 2025.

Councilmember Aleshire asked how the intended piece represents the innovation and the history of the City. Ms. Arizmendi stated the piece, titled a Storied Playscape, is abstract and the artist plans to incorporate the bookmobile and train into the art. It has a roller coaster appearance that signifies the train track. On the individual pods or leaf designs, there will be favorite book quotes, representing the bookmobile. Kids will be able to climb on this and play on it. The artist has done similar installations and has assured staff it is safe for kids.

Councilmember Perini asked if the grant award is contingent on this piece of art. Ms. Arizmendi stated the grant is being submitted specifically for this piece of art.

Councilmember Aleshire agrees the piece is abstract, but he doesn't think it represents the historical or innovative highlights for Hagerstown. This location is just around the corner from where the first chemical set was made that quickly sold out. The Trolley Station is right next to the site. He is not opposed to the piece but thinks it is much more abstract than the physical representations of the actual landmarks that exist in that block.

Councilmember Schindler stated the Council doesn't have to stop with this piece, other pieces can be added later.

Ms. Arizmendi stated that is the goal for the whole Cultural Trail – to have diversity on what is offered, realizing not everyone will like the same thing.

It was the general consensus to have staff apply for the PAAM grant by the stated deadline of January 26, 2024.

2024 City of Hagerstown Sponsorship Packet

Brittany Arizmendi, Community Engagement Officer, and Amy Riley, Recreation Promotion and Services Coordinator, were present to review the 2024 City of Hagerstown Sponsorship Packet.

The Office of Community Engagement and Hagerstown Parks and Recreation have joined together to create a comprehensive and all-inclusive City of Hagerstown sponsorship package. Having all sponsorship opportunities listed in one place will allow corporate sponsors to browse the packet and select which events they would like to sponsor. The following programs have sponsorships listed in the packet:

1. Downtown Hagerstown Main Street
2. Hagerstown Arts and Entertainment District
3. Historic City Farmers Market
4. Parks and Recreation (activities and seasonal guide)
5. Potterfield Pool

6. The Greens at Hamilton Run

The events and activities where the City is asking for sponsorships are listed chronologically. A number of different financial levels are available for companies to be part of an event.

Councilmember McIntire stated this packet is great.

Mr. Nicewarner stated the packet is exceptional and it is great to see many new events. The addition of innovative events is a testament to the success of Ms. Arizmendi and Ms. Riley working together.

Ms. Arizmendi noted the packet can also be used to show people there are lots of things to do in Hagerstown.

Councilmember Burnett asked if the packet will be included with the monthly newsletter Downtown Hagerstown sends out. Ms. Arizmendi stated it will be. The packet will also be available digitally, with hard copies available upon request.

Ms. Riley reminded everyone the Hub City 100 Miler starts on Friday, January 12, 2024.

CITY ADMINISTRATOR'S COMMENTS

Scott Nicewarner, City Administrator, thanked Councilmember Schindler, Wes Decker, Communications Manager, and Mayor Martinez for their efforts to present a City Key to World Wrestling E (WWE) star L. A. Knight (Sean Ricker) last month. L. A. Knight is from Hagerstown. An event was planned in University Plaza on December 23, 2023. The public was courteous and thrilled he was here. Sean was humble and engaged with the fans. If you weren't a fan of his before, you couldn't walk away from the event without being a fan. He is looking forward to recognizing other Hagerstown stars.

He thanked Public Works staff and all who worked during the snowstorm on Saturday, January 6, 2024. Erik Kline, Assistant Director of Public Works, and Angela Zeger, Parking System Supervisor, were interviewed on Fox News.

City offices will be closed on Monday, January 15, 2024 in observance of Martin Luther King, Jr. day. There will be no change in trash collection.

It is great to finally have Professional Court open. The opening session of the 2024 Legislative Session is tomorrow, January 10, 2024. Mr. Nicewarner will be attending the opening session. The Maryland Municipal League (MML) Legislative Committee is holding its first meeting tomorrow as well.

MAYOR AND COUNCIL COMMENTS

Councilmember P. E. Perini, Sr. thanked his fellow Councilmembers, the Mayor, and City staff for caring about City residents and keeping a level head during the joint City and County meeting earlier today. There is a lot of work to do in that relationship. He hopes the two groups can build on the successes of working together, for example the completion of Professional Boulevard. The City is not an island, and the County is not a donut and there ultimately has to be some level of cooperation for the success of the community. He attended the ribbon cutting of the opening of Professional Court. This is a significant asset for citizens.

Councilmember T. Burnett is excited that the 100 Miler is back. The kickoff will be at Fairgrounds Park on Friday, January 12, 2024 at 5:00 p.m.

Councilmember K. B. Aleshire apologized for not being able to attend the last meeting of the year. The meeting held earlier today was not a joint meeting among the elected bodies. He agrees with Councilmember Perini in thanking everyone for remaining professional and diplomatic during the discussion. The statistical commentary regarding the decrease in number of officers in the Hagerstown Police Department and an increase in crime was not necessary. The Mayor and City Council are aware of the issues faced with hiring and retaining police officers. He was confused by the initial conversation on the water and sewer systems, yet the Commissioners seem amenable to taking ownership of the system the City has operated for 100 years and charging the same rates for everyone. Then, in the next topic, fire service, the Commissioners seem ok with City residents paying significantly more for fire service than other County residents. He also thought the dialogue would have been between elected officials.

Councilmember M. J. Schindler thanked everyone involved in the presentation of the City key to L. A. Knight on the Saturday before Christmas. Community Engagement, Police, Communications, and Public Works staff all worked together to make this a successful event.

He applauded City staff for their professionalism during the joint meeting earlier today. Frankly, the taxpayers of the City deserve better representation from their elected officials. He is hopeful the elected bodies can work together.

Councilmember S. McIntire was impressed with the turnout and the event with L. A. Knight. Sean was so gracious, and people were excited to see him. It was a great idea to present a key to the City to him.

She also has concerns about the way the joint meeting was today. She has been asked repeatedly during Leadership Washington County why the City and County can't get along. She thought they did get along. Why wouldn't everyone want what is best for all citizens? Anyone watching the meeting today would say, no, you don't get along. She applauded staff for their demeanor and professionalism. It was disheartening to be part of that meeting. The Commissioners don't seem like they want to cooperate or collaborate on anything with the City. She hopes the City can reach out to citizens and

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let them know the County is a difficult group to deal with. There are serious issues to work together on including water, wastewater, and fire service. It is not simple. She hopes future meetings will be better.

Mayor T. A. Martinez stated it is amazing in what City staff pulled together in just 4 days to honor L. A. Knight. People were excited to be there. The way Ryan Smetzer and One Room Media captured the event is inspiring. Sean said over and over success takes commitment and hard work. Hagerstown has always been home to him, no matter how successful he is. She is protective of the big picture of Hagerstown. There are so many positive things happening. There were so many people at the Donut Drop it felt like being in the big city. Everyone was enjoying the event. She thinks the Maryland Theatre and all the businesses who worked together made it a great success.

The Mayor and City Council and City staff work hard to show the community that collaboration and cooperation are important. She may be rough and abrupt, but it is difficult for her to uphold the entire City and County and have other officials be so disrespectful. She loves Hagerstown and Washington County. The joint meeting was disheartening. As a mediator she sits between parties who are disagreeing. The City and County should have the same interest in mind and work together to do what is best for the community. She believes the Commissioners heard what was being said – that the City wants to work collaboratively with them.

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 6:31 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: February 27, 2024