

EXECUTIVE SESSION – July 18, 2017

Councilmember L. C. Metzner 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 conduct collective bargaining negotiations or consider matters that relate to the negotiations; #9, (Section 3-305(b)), on Tuesday, July 18, 2017 at 3:04 p.m. in the Council Chamber, 2<sup>nd</sup> floor, City Hall, Hagerstown, Maryland. Councilmember D. F. Munson seconded the motion.

Motion carried 3-1 with Councilmember P. D. Corderman voting No.

Councilmember Aleshire was not present at the meeting.

The following people were in attendance: Mayor R. E. Bruchey, II, Councilmember P. D. Corderman, Councilmember E. Keller, Councilmember L. C. Metzner, Councilmember D. F. Munson, City Administrator Valerie Means, Wendy Nussbaum, Director of Human Resources, Michelle Hepburn, Director of Finance, Scott Nicewarner, Director of Technology and Support Services, Fire Chief Steven Lohr, Battalion Chief Adam Hopkins, and D. K. Spickler, City Clerk.

The meeting was held to discuss membership of the Hagerstown Housing Authority and the City Ethics Commission, and union negotiations. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the Executive Session was adjourned at 3:54 p.m.

WORK SESSION – July 18, 2017

Mayor R. E. Bruchey, II called this Work Session and Executive Session of the Mayor and City Council to order at 4:06 p.m., Tuesday, July 18, 2017 in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, P. D. Corderman, E. Keller, L. C. Metzner, and D. F. Munson, City Administrator Valerie Means, and City Clerk D. K. Spickler.

Preliminary Agenda Review

A Goal Setting Retreat is scheduled for July 25, 2017, beginning at 10:00 a.m.

**Consent Agenda**

- A. Information Technology and Support Services:
  - 1. Annual Intellitime Software Maintenance Agreement – Intellitime Systems Corporation (Santa Ana, CA) \$ 53,692.98

2. Annual MUNIS Software Maintenance Agreement – Tyler Technologies, Inc. (Dallas, TX) \$ 199,680.34

B. Parks and Engineering:

1. Purchase of Mower for Golf Course – Finch Services, Inc. (Westminster, MD) \$ 29,995.00
2. Design of Reconstruction of Pangborn Park Lake – Frederick Seibert & Associates, Inc. (Hagerstown, MD) \$ 36,800.00

C. Police Department:

1. Annual Software Maintenance Agreement for HPD Police Mobile and RMS – Keystone Public Safety, Inc. (Maple Shade, NJ) \$ 83,940.00

D. Utilities:

1. Light: Purchase of 2017 Ford Explorer – Keystone Ford (Chambersburg, PA) \$ 27,801.00

There were no questions about items on the consent agenda.

**Approval of a Resolution: Addendum to Settlement Agreement for 43-53 W. Washington Street**

Jonathan Kerns, Community Development Manager, stated Hager 5, LLC submitted their final development plan prior to the April 30, 2017 deadline. This development plan was approved by the Mayor and City Council on June 20, 2017.

Although settlement was scheduled to occur on or before July 31, 2017, City staff and representatives of Hager 5, LLC have mutually agreed an extension is needed. The buyer is continuing to work through various processes related to property appraisals and property insurance. City staff are also in the process of finalizing Maryland Historic Trust considerations for the property's redevelopment. For these reasons, staff recommend approval of the settlement deadline extension to October 31, 2017.

**Approval of Memorandum of Understanding – Safe Routes to School – Haven Road Sidewalks**

Rodney Tissue, City Engineer, reported the City has been awarded a grant of \$ 440,000 for the installation of sidewalks along Haven Road and modifications to the nearby traffic signal at Pennsylvania Avenue and Fairchild Avenue. The City's match is \$ 108,900 and State Aid funds are scheduled to be used for the match. Approval of a Memorandum of Understanding for the Haven Road and Pennsylvania Avenue Safe Routes to School Infrastructure Project will be required.

Staff will design almost all the work but use the open-ended Traffic Engineering Services contract to complete the signal design, which is estimated to cost \$ 10,000 and will be funded as part of the grant.

Councilmember Munson mentioned citizens have contacted him with suggestions about how the project should be designed. Mr. Tissue stated a public meeting will be held in that community before the project is started.

#### Upgrades to Equipment at Parking Decks

Eric Deike, Director of Public Works, and Jason Rodgers, Parking System Supervisor, were present to discuss upgrades to the parking system, which includes replacement of gates, pay stations, and software.

The current PARCS equipment, Federal APD, is obsolete. The entire system must be replaced including gates, pay stations, and software. Six vendors submitted bids for the project. Staff interviewed HUB, Precision, and Whitaker and checked their references. HUB is a factory direct company manufacturing and servicing only HUB equipment and software. They had the most complete bid package and their presentation was completely geared towards Hagerstown focusing on service after installation. References were also excellent. Bids also required extended costs for maintenance in years 3 through 6. HUB's maintenance and repair bid was \$ 51,685, Precision bid \$ 49,568 and Whitaker bid \$ 99,846 for the 4 year period of extended maintenance and repair (first 2 years of maintenance and repair are included in the base bid). Precision had the better bid numbers overall, but they were not first in references nor were they in service work. HUB provided the most complete package of costs, service and logistics for this project. The majority of this project was to be future Bond Financed. However, the issuance of the next bond is unknown at this time. Funding will come from the Parking Fund. Staff is requesting authorization from the Mayor and City Council to spend up to \$ 294,780 for any additional work that may be required. This equates to an additional 5% of the bid value.

The upgrades will include elimination of paying at the exist gates at the parking decks. Both decks will have a walk-up pay station for customers. Before implementing the new system an informational and public relations campaign will be developed.

Mayor Bruchey asked if a cashier will be on site at the decks. Cashiers will be at the decks during the day and evenings, but will not be available 24/7. The pay stations will accept both credit cards and currency. A credit card can be used at the gate; however, customers will be encouraged to use the walk-up stations.

Councilmember Keller asked if these changes will accommodate motorcycles. Mr. Rodgers indicated they will not. Motorcycles don't have enough metal in them to trigger the gate loop. No company produces equipment that accommodates motorcycles. The City of Hagerstown is complying with State law regarding this.

During large events downtown, a cashier will be at the gate collecting \$ 2 for each vehicle.

Councilmember Corderman mentioned citizens have contacted elected officials about other parking lots in Hagerstown. This new equipment is strictly for the City owned parking decks.

Councilmember Metzner suggested considering an ordinance to implement regulations for private parking lots that are gated. Staff will research how other jurisdictions address private lots.

It was the general consensus to include approval of the contract on the July 25, 2017 regular Session agenda.

#### Proposal for “Thomas Kennedy Park” on Portion of Massey Property

Rodney Tissue, City Engineer, Rabbi Ari Plost, and Monda Sagalkin, President, Congregation of B’nai Abraham, were present to discuss a public park to honor and recognize Thomas Kennedy. Toby Mendez, Sculptor, and Tom Riford were also present.

For about six years, the City has discussed a possible park on a portion of the City-owned “Massey” property on East Baltimore Street. In 2015, the Mayor and City Council approved the demolition of the two blighted buildings and only the former showroom building remains. The remaining unimproved land was targeted for 1) parking for a renovated re-use of the showroom building, 2) relocation of the access into the library parking lot, and 3) a possible small park.

Regarding the development of the park, staff has met with representatives from the synagogue, who are proposing a park that honors Thomas Kennedy.

Rabbi Plost stated Congregation B’nai-Abraham has been in existence for more than 120 years. The congregation has a legacy of devotion throughout the community. He is proud to be a part of the City of Hagerstown and this remarkable community.

Representatives from the synagogue envision an historic statue of Thomas Kennedy to be erected at the park. Such a statue and park will serve as a dedication to the greatest single accomplishment to ever benefit Jewish Americans in Maryland. The symbol of Thomas Kennedy will also represent a magnificent dedication to the courageous pursuit of liberty, similarly reflected in the Thomas Kennedy Award, the highest distinction of service awarded to a member of the House of Delegates in the General Assembly.

They believe the establishment of a park, with a statue of Mr. Kennedy, will be a springboard to active and ongoing teaching of the legacy of Thomas Kennedy to the pride and benefit of Hagerstown. Mr. Kennedy was a heroic figure who led the dramatic struggle from 1818-1826 for full religious liberty of Jewish Marylanders. He eventually succeeded in his valiant efforts with the passage of the “Jew Bill,” first introduced as an act to extend to Jews the same rights and privileges enjoyed by all Christians. A devout Christian, poet and editor of the Hagerstown Mail, he believed in the removal of a religious prejudice as both an embodiment of his Christian character and his patriotism as an American.

Thomas Kennedy Park could be a cultural attraction for visitors from throughout Maryland and beyond. It could also be a focal point for students.

Toward their goal, they have engaged the support of a local and celebrated sculptor, Toby Mendez. Among many other national memorials, his work includes the six Hall of Fame Baltimore Orioles at Camden Yards and the Thurgood Marshall Memorial located in front of the State House in Annapolis. An enthusiastic supporter of the vision of the Thomas Kennedy Park, Mr. Mendez has graciously offered, as a gesture of his commitment, an in-kind donation to lower the overall cost of the intended statue.

Still, significant funds must now be raised for the statue. Fundraising is anticipated to include private donors, institutional sources, and State funds. They have had a positive and productive conversation with Senator Andrew Serafini regarding the park.

Next steps include:

1. A City resolution to establish a public park, called the Thomas Kennedy Park located on East Baltimore Street across from the synagogue. This resolution is needed to help Senator Serafini with his efforts on the congregation's behalf.
2. An initial commitment of ½ of the cost for the development of a Marquette, costing \$ 10,000. A private donor has already committed \$ 5,000.
3. An understanding to work collaboratively with the congregation to develop an overall plan for the design and construction of the entire park.

Mr. Riford stated several years ago he was visiting the Miller House and a group was looking for information about Thomas Kennedy. He stated it is time a memorial is made to recognize Mr. Kennedy's significant contributions. The pillars of the Character Counts! life exemplifies Mr. Kennedy.

Councilmember Metzner has talked with people visiting Mr. Kennedy's gravesite. This project will continue the theme of inclusion and diversity in the community.

Councilmember Keller thinks this project is important and it reaches the history that should be celebrated.

Councilmember Munson stated Mr. Kennedy was a hero in the annals of man. During his time as a Delegate and a Senator, he heard about Thomas Kennedy at least once per week.

Mr. Mendez stated an estimated cost can be provided after the design is determined.

Councilmember Aleshire is in favor of the project but is concerned about parking requirements for a future use for the remaining building and the angled entrance to the library.

Rabbi Plost stated Congregation B'nai Abraham wants to be supportive of downtown development and this project fits with the theme of the Cultural Trail.

The Mayor and City Council agreed to support the project to the extent requested.

**CITY ADMINISTRATOR'S COMMENTS**

*Valerie Means, City Administrator*, had no additional comments.

**MAYOR AND COUNCIL COMMENTS**

*Councilmember D. F. Munson* had no additional comments.

*Councilmember L. C. Metzner* noted work has stopped on the Hamilton Hotel. Mayor Bruchey stated the owners are waiting for approval from the Maryland Historical Trust for the replacement windows. He attended the 2017 MML Convention recently. He found it to be informative and worthwhile. He expressed his sympathy to the family of Rick Good who passed away last week.

*Councilmember P. D. Corderman* talked with someone who was walking on the Cultural Trail with her dog and was disappointed when she couldn't take her dog into City Park. He wondered if a leash law could be implemented so that dogs would be welcome in City Park.

*Councilmember K. B. Aleshire* noted the residents of Cedar Lawn are having another meeting to discuss the proposed Hagerstown Housing Authority housing project on July 27, 2017. He will try to attend. He still has not received a copy of the Emergency Services Advisory Council report, even though he is on the committee.

*Councilmember E. Keller* had no additional comments.

*Mayor R. E. Bruchey, II* stated a goal setting retreat will be held on Tuesday, July 25, 2017 from 10:00 a.m. to 2:30 p.m. He encouraged Councilmembers to be ready to discuss their ideas, concerns and solutions at the meeting. He attended the ribbon cutting for Christopher's, at 2014 E. Franklin Street. There have been multiple break-ins at the Hagerstown Suns Stadium. Management is discussing solutions with the Hagerstown Police Department. The Washington County Ag Expo is being held this week.

There being no further business to come before the Mayor and City Council, on a motion duly made, seconded, and passed, the meeting was adjourned at 5:16 p.m.

Respectfully submitted,

*Original signed by D. K. Spickler*

Donna K. Spickler  
City Clerk

WORK SESSION AND EXECUTIVE SESSION  
2017  
MAYOR AND CITY COUNCIL  
Approved: August 29, 2017

JULY 18,  
HAGERSTOWN, MARYLAND