

EXECUTIVE SESSION – August 21, 2018

On a motion duly made by Councilmember S. McIntire and seconded by Councilmember A. Heffernan, the Mayor and City Council unanimously agreed by voice vote of all members present to meet in closed session to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; #1, (Section 3-305(b)), and to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, #4, (Section 3-305(b)), on Tuesday, August 21, 2018 at 3:00 p.m. in Room 407, 4<sup>th</sup> floor, City Hall, Hagerstown, Maryland.

The following people were in attendance: Mayor R. E. Bruchey, II, Councilmember A. Heffernan, Councilmember E. Keller, Councilmember L. C. Metzner, Councilmember S. McIntire, City Administrator Valerie Means, Jill Thompson, Director of Community and Economic Development, Danelle Hayer, Business Development Specialist, and City Clerk D. K. Spickler. Councilmember K. B. Aleshire was not present.

The meeting was held to discuss membership of the City Ethics Commission and the Hagerstown Housing Authority, and two separate business proposal. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the meeting was adjourned at 3:23 p.m.

49<sup>TH</sup> SPECIAL SESSION AND WORK SESSION – August 21, 2018

Mayor R. E. Bruchey, II called this 49<sup>th</sup> Special Session, Work Session and Executive Session of the Mayor and City Council to order at 4:00 p.m., Tuesday, August 21, 2018 in the Council Chamber at City Hall. Present with the Mayor were Councilmembers A. Heffernan, E. Keller, S. McIntire, and L. C. Metzner, City Administrator Valerie Means and City Clerk D. K. Spickler. Councilmember K. B. Aleshire was not present.

49<sup>th</sup> Special Session- August 21, 2018

On a motion duly made by Councilmember E. Keller and seconded by Councilmember S. McIntire, the Mayor and City Council unanimously agreed by voice vote to meet in Special Session at 4:01 p.m.

**Approval of a Resolution: Agreement with Christian Benefiel for Public Art**

**Action:** On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember S. McIntire, the Mayor and City Council unanimously agreed by voice vote of all members present to approve a resolution authorizing an agreement for public art between the City of Hagerstown

and Christian Benefiel for a sculpture adjacent the Hagerstown Cultural Trail. Funding for the project is \$ 5,000 from the Maryland State Arts Council Grant (administered by the Washington County Arts Council) and \$ 5,000 from the budget of the City of Hagerstown.

### **Approval of Invest Hagerstown Grant Program**

**Action:** On a motion duly made by Councilmember S. McIntire and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote of all members present to approve the Invest Hagerstown Grant Program. The purpose of this program is to inspire and enable significant redevelopment within the City, reusing and repurposing existing vacant and under-utilized properties. The program includes four components: 1) the City Center Redevelopment Grant Program; 2) the City-Wide Redevelopment Grant Program; 3) the Homeownership grant program; and 4) the Rental Property Rehabilitation Grant Program. Applicants shall be awarded the grants based on eligibility criteria that will determine if an applicant qualifies. Funding of this program will come from the Economic Incentives Invest Hagerstown Grant Programs line item in the Fiscal Year 2019 budget.

### **Approval of an Amendment to Memorandum of Agreement with State Agencies for Maryland Theatre Project**

**Action:** On a motion duly made by Councilmember A. Heffernan and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote of all members present to approve an amendment to the Memorandum of Agreement (MOA) with the Maryland Historical Trust and the Maryland Department of Housing and Community Development for the Maryland Theatre Project. The amendment is required due to historic preservation regulations associated with the State of Maryland grant funding for the project. The draft amendment document was attached and delivery of the final document (with minor adjustments) from the State of Maryland is pending. The Mayor is hereby authorized to execute the final version when received from the State of Maryland.

The Special Session was closed at 4:03 p.m.

Work Session – August 21, 2018

Preliminary Agenda Review

#### **Consent Agenda**

A. Parks and Engineering:

1. Signal Project – Milton Stamper Builders (Hagerstown, MD) \$ 292,146.00
  - a. Reconstruction of Traffic Signal at South Mulberry St. and East Antietam Street
  - b. Installation of Pedestrian Crosswalk Across Salem Ave. at Linganore Ave.

B. Police:

1. Eight 2019 Ford Interceptor SUVs – Keystone Ford (Chambersburg, PA)  
\$ 366,488.30
2. ELSAG License Plate Reader – Leonardo (Greensboro, NC) \$ 33,480.00
3. Radios – Harris Assured Communications (Washington County Government)  
\$ 50,000.00

Mayor Bruchey mentioned the condition of the road on Eastbound Northern Avenue. Rodney Tissue, City Engineer, has contacted the State Highway Administration regarding this deteriorating roadway.

**Introduction of an Ordinance: Ethics Ordinance Amendments**

Ms. Means reminded the group this ordinance amending the City's Ethics Ordinance is only for the State of Maryland mandated amendments.

This completed the review. All items are scheduled for approval during the August 28, 2018 Regular Session, unless otherwise noted.

Synagro Update – Wastewater

Michael Spiker, Director of Utilities, and Joe Moss, Wastewater Operations Manager, were present to provide an update on the services provided by Synagro.

The City and Synagro signed the Third Extension Agreement for Maintenance and Operations Services and Capital Improvements on September 24, 2013, extending Synagro's O&M contract for the Hagerstown sludge dryer facility for an additional 10 years. Going back to the original agreement signed in 1988, Synagro's services include, in addition to operations and maintenance of the dryer facility, management of certain capital improvements to both the dryer and other systems located at the Wastewater Treatment Plant (WWTP). Such improvements are stated within the contract as being at the request of the City and Synagro's compensation for managing such projects is defined as cost plus 15%.

Attached to the Third Extension Agreement was Exhibit A, which listed the components of the dryer system that, at the time, were believed to be in need of replacement. The estimated cost was \$ 1.6 million, which the City added to the budget to allow for other capital improvements. A total of \$ 5.1 million was requested and approved by the City Council for the dryer, the renovation of an unused digester tank into a liquid storage tank, and improvements to the thickening capabilities, the method for

which at the time had not yet been identified. The three project tasks were to be performed under a single Capital Improvements project heading.

Phase 1, Part 1 of the project included the renovation of the existing unused digester tank into an additional liquid sludge storage tank with a new aeration system, controls, and dome cover added. Phase 1 Part 2 would be the thickening improvements, and Phase 2 would be the pelletizing building upgrades.

In order to proceed with the project in a manner in keeping with current regulations and conditions reported by GHD, it was necessary to create a detailed set of drawings and specifications that could be priced through the equipment vendors and through the general construction contractor, Johnston Construction. To that end, GHD submitted a proposal for detailed engineering on December 5, 2016 in the amount of \$ 278,644. On January 12, 2017, GHD was given a notice to proceed to commence detailed engineering for the proposed amount of \$ 278,644.

As related to the detailed engineering work, the City, Synagro, and GHD discussed the new NFPA 654 (Standard for the Prevention of Fire and Dust Explosions from the manufacturing, Processing, or Handling of Combustible Particulate Solids) and how this would potentially impact the project. Synagro retained Llewellyn Technologies to assess the existing facility and provide recommendations for upgrades to comply with the new regulations.

Throughout 2017 and early 2018, GHD began coordination with the original equipment manufacturers for the replacement of exiting major equipment. However, upon initiation of this process it became apparent that in-kind replacement would not be possible for many equipment items. Because all of the equipment items are interrelated, changes in one piece of equipment often requires changes in several other pieces of equipment to accommodate.

Furthermore, as the design progressed, the existing dryer control system suffered a failure which caused loss of operation for the entire system. Synagro and City personnel were able to put in place a temporary system to allow the operation to resume. However, complete replacement of the existing control system was recommended due to the inability to buy replacement components for the easing outdated system.

Additional work was incorporated into the project during the design stage to improve system operation and provide for a 20 year design life, including modification of the building drains, replacement of the sludge pellet storage silo, and replacement of corroded equipment panels.

All of these items required significant engineering effort for planning, design, and coordination in order to meet the City's original critical success factors for the project.

Due to the growing complexity of the project scope and design requirements, GHD submitted a revised Detailed Engineering proposal on December 13, 2017 that reflected

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many of the changes, in particular additional engineering required for the DHA changes. The proposal was presented in two parts: a lump sum of \$ 23,075 for additional design work, and an hourly rate with a not to exceed limit of \$ 30,814.

An additional \$ 5.1 million is anticipated for future work and a portion of this could be bond funding. The five year rate review will be scheduled soon with the Mayor and City Council. Some of the funding for this project will be included in the proposed revised rates.

This discussion is informational in nature. Staff will return to a Work Session for further review of a financial plan.

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

*Valerie Means, City Administrator*, stated Augustoberfest was wonderful, even though it rained.

### **MAYOR AND COUNCIL COMMENTS**

*Councilmember S. McIntire* agreed that Augustoberfest was a success. She especially thanked Eric Deike, Director of Public Works, and Kitty Clark, Events Coordinator, for their efforts. She received feedback saying it was easy for people to work with the City and the committee planning the event.

*Councilmember L. C. Metzner* has received comments about well City staff and citizens are dealing with the construction that is happening with the Urban Improvement Project.

*Councilmember A. Heffernan* had no additional comments.

*Councilmember E. Keller* had no additional comments.

*Mayor R. E. Bruchey, II* attended Augustoberfest, the blessing of the Doleman Black Heritage Museum building, and the Islamic Society of Maryland picnic.

There being no further business to come before the Mayor and City Council, on a motion duly made, seconded and passed, the meeting was adjourned at 4:15 p.m.

Respectfully submitted,

*Original signed by D. K. Spickler*

Donna K. Spickler  
City Clerk

Approved: September 25, 2018