

Mayor R. E. Bruchey, II called this 78th Special Session and Work Session of the Mayor and City Council to order at 4:00 p.m., Tuesday, July 16, 2019 in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, A. Heffernan, E. Keller, L. C. Metzner, and S. McIntire, City Administrator Scott A. Nicewarner, Jennifer Keefer, City Attorney, and City Clerk D. K. Spickler.

78th Special Session – July 16, 2019

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 meet in Special Session at 4:00 p.m.

**Approval of a Resolution to Establish Hagerstown Youth Advisory Council
Partner Group**

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 to approve a resolution to establish a Hagerstown Youth Advisory Council partner Group ad-hoc committee. The goal of the Partner Group is to assist with the review of applications and serve as mentors and advisors to the Hagerstown Youth Advisory Council throughout the program year.

**Approval of Police Department Annual payment for Wages to 911 Center –
Washington County Treasurer - \$ 405,630.00**

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember Heffernan, the Mayor and City Council unanimously agreed to remove this item from the table.

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 to reimburse Washington County Government for the Hagerstown portion of communications/dispatch in the amount of \$ 405,630.00. ~~This is the amount agreed upon based on the cost sharing formula.~~ At the time of consolidation, the City agreed to pay the County an annual sum equal to 85% of the salary of the eleven City employees on their last day of City employment.

Discussion: Councilmember Aleshire recalled the consolidation occurred while he was a County Commissioner. The figures used for the payment from the City was to provide a compromise for the employees to be able to maintain certain benefit levels. He thinks most of the individuals are no longer working at the 911 Center. He does not think the intent was to pay

for those individual employees forever. The parameters need to be review and possibly adjusted. Even though others have said this is separate from the discussions about Fire and EMS service, he believes the fairness of both issues needs to be considered.

Councilmember Metzner stated the appropriate solution for this conundrum is to amend the motion to indicate the amount Councilmember Aleshire has stated as the original amount, which would cover a portion of the costs.

Mayor Bruchey noted this payment is for the year ending July 1, 2019 and services have already been rendered.

Councilmember Keller agrees that conversations about future payment for the Consolidated 911 Center and future funding of fire and ems services need to be held. Her intent by removing this item from the Consent Agenda on June 18, 2019 was to start the conversations.

Mayor Bruchey stated he did not think the payments would continue indefinitely, even though the majority of calls to the center are from within the City limits.

Councilmember Metzner asked for unanimous consent to delete the sentence “This is the amount agreed upon based on the cost sharing formula” from the original motion as it implies agreement with the formula.

The motion, as amended, was passed unanimously.

The Special Session was closed at 4:14 p.m.

City Attorney Jennifer Keefer then left the meeting.

Work Session – July 16, 2019

Introduction of Jim Snyder, Information Technology Manager

Scott Nicewarner, City Administrator, introduced Jim Snyder, Information Technology Manager to the group.

Mr. Snyder stated he has been on the job for a week and is looking forward to working with the Mayor and City Council.

Kiwanis Park: Continued Renovations to the Saylor House

Rodney Tissue, City Engineer, former Councilmember Marty Brubaker, and Ann Aldredge, Washington County Historical Trust, were present to discuss continued renovations to the Saylor House at Kiwanis Park.

In May of 2016, the Mayor and Council approved a Memorandum of Understanding (MOU) regarding the Saylor House (stone house) in Kiwanis Park. This MOU was with the Washington County Historical Trust (WCHT) and set forth the terms of the WCHT to renovate and program the structure. In March of 2018, the MOU was amended to provide the WCHT more time to complete their work.

The WCHT has requested additional time and a change of their scope of work as follows:

1. WCHT no longer wishes to permanently occupy the structure but only use it as a “three season classroom”. Once complete, staff anticipates this would result in the City also programing it with nature-related parks and recreation activities.
2. Request to reprogram the \$ 30,000 0in Program Open Space (POS) funds. The original POS grant for Kiwanis Park was \$ 90,000. The City received a total of \$ 63,000 reimbursement from the State to construct the park. Therefore, \$ 27,000 remains on Grant #6275-21-316 (which was re-allocated for accessible path to house and water and sewer service to the house in January 2015) and work must be completed by September 13, 2021. WCHT is requesting the following reprogramming of these POS funds:
 - a) \$ 5,000: handicap accessible asphalt walkway from parking lot to house
 - b) \$ 10,000: provide 200 amp electric service inside the house (utilizing City’s on-call electrician). This does not include actually wiring the house.
 - c) \$ 12,000: Front porch re-construction
 - d) \$ 3,000: City in-kind services for grading, trench repair, etc.

All State agencies, including the Maryland Historical Trust would have to review and approve this proposed use of POS funds.

Mr. Brubaker stated the redesign of the project will be a better working plan. People are being trained in crafts and how to point old stone. This is a useful project for the City of Hagerstown with no local tax dollars involved.

Ms. Aldredge stated they recently held a successful mortar work shop. The gable end of the kitchen will be completely re-mortared by next week. The archeology project is moving along. There is a dedicated group of people who participate in the dig each week. She noted there is significant funding from the Mary K. Bowman Foundation for these projects.

Mr. Brubaker hopes the Antietam Creek will be more accessible and become more popular as the years go by.

Councilmember McIntire appreciates the trades experience the group is providing to tradesmen.

Mr. Tissue thanked Emily Conrad, Parks Assistant, for spearheading the archeology program. An Archeology Camp is being held July 22-26, 2019.

Councilmember Aleshire understands the house across the creek provided some type of ferry service across the Antietam at some point in time.

It was the general consensus of the Mayor and City Council to move forward with amending the MOU as recommended and to use the POS funds as indicated.

Discussion and Follow-Up from Stakeholders Meeting RE: Maryland Stadium Authority Report

Mr. Nicewarner stated the Maryland Stadium Authority (MSA) evaluated three sites recently. The three sites are Baltimore Street/Summit Avenue, Central Parking Lot, and the Market House Lot. The Baltimore Street/Summit Avenue site scored the highest in the evaluation. Since the report was released, there have been many questions, alternatives, and concerns presented and discussed. He suggested reviewing the findings of the study, finding out what Phase 2 would entail, and discussing alternative opportunities. Alternative opportunities have been mentioned and he believes there is an understating that there is an urgency in the community to continue to move forward with a project in conjunction with the Urban Improvement Project (UIP). It is understood that another project is important to move forward as a next step in community development. It is important for staff to get a clear direction from this body for how they wish to move forward.

He understands a Phase 2 study would consist of three components: a preliminary design of a facility on a location chosen by the Council to move forward, site due diligence – including an environmental analysis, traffic study, and development opportunities, and a cost estimate for the proposed facility based on the data.

Mr. Nicewarner noted that Delegate Paul Corderman secured \$ 300,000 in State funds to complete Phase 2. In 2012, both a site analysis and parking study were completed. It would have to be determined if information from these studies could be utilized for the Phase 2 study. It may be decided that additional information would be needed. A consensus on site location is needed before a Phase 2 study could be started. The study would also include acquisition needs for the appropriate land parcels, defining a development strategy, working with agencies for private investment opportunities, and working with other agencies to review the surrounding areas. These are the items staff views as next steps if the Mayor and City Council wishes to keep moving forward with this project.

Councilmember Heffernan would like to discuss the details of a Phase 2 study. He would like a tailored agreement that includes a financing structure, options for a maintenance fund, and amount of much tax revenue that may be needed if a long term tenant leaves. He doesn't want to make a decision that would be a burden for future generations. He wants to know how it would be supported for the next 30 years.

Mayor Bruchey stated these are valid concerns that would be addressed in a Phase 2 study.

Councilmember McIntire asked if the MSA would guarantee that these questions would be addressed in the study.

Mr. Nicewarner agreed that the Mayor and City Council should request a specialized report from the MSA.

Councilmember McIntire asked if an analysis could be completed of the site Councilmember Aleshire has recommended. Mr. Nicewarner indicated it could be and the cost is estimated to be \$ 5,000, which can be covered without reducing components of a Phase 2 study.

Councilmember Metzner stated there are still two questions – whether to proceed to Phase 2 and whether another site is evaluated.

Mayor Bruchey pointed out a Phase 2 would not be started until a site is selected. He would like to see how the site at Antietam Street and Mill Street scores on the matrix.

Councilmember Aleshire has reviewed the reports from Populous/Crossroads. The site selection evaluation was only included on two pages. The information didn't provide what parameters were used for scoring the sites or how the four categories were measured. He expected a detailed explanation of the scoring.

Mr. Nicewarner asked if they would agree that having a methodology of scoring would be helpful for the Mayor and City Council.

Councilmember Aleshire would like more detail of the acquisition costs. Some of the information for the highest scoring site are based on a study from 2012. In the 2012 report, the design of the facility was laid out. He is not sure why the current report has two different layouts. Neither the adopted City Center Plan nor the Goal Setting Session results were included in the study. He does not think this is a publicly supported idea. He does not believe it will survive the next City election. He does not anticipate County financial support for the project. His thoughts about the East Baltimore Street site came from the 2012 study. There would be less property to acquire at that location and there is more land to work with. There is more room surrounding the site for development and redevelopment. There are multiple acres of green space and it is more accessible. The property is already for sale and there would be no impact to the County for relocation of their facilities. The East Baltimore Street site would connect the east end with

downtown. There could be opportunities for Federal funds to meet the MS4 requirements. There would also be the opportunity for consolidation of City services. For him, this site makes the most sense, is the most doable, and is the best compromise.

Mayor Bruchey asked if there is an estimated cost for the East Baltimore Street site. Councilmember Aleshire stated he does not have one. Perhaps part of the Phase 2 funding could be used to evaluate this site.

Councilmember Heffernan would like to know how the MSA sees the use of the site for other activities besides baseball, such as concerts, soccer, and other things. He wondered what location is best to include these activities.

Mayor Bruchey stated he is not trying to sell either site. He does not believe it is the MSA's responsibility to tell the Mayor and City Council what events they can have in a facility. They can help with the design of a facility that meets certain needs. He doesn't think the design of 2012 is what would be designed in 2019. There has been talk about consolidating City services into the First Urban Fiber plan, with a cost of more than \$ 7 million. He doesn't know the cost of parking lots or property acquisition for the Memorial Boulevard site. He suggested having the MSA review the Baltimore Street/Mill Street site and see how it scores. Then the Mayor and City Council could make a decision about whether or not to proceed.

Councilmember McIntire stated everyone agrees that something is needed at that site. While driving to Indiana recently, she and Councilmember Keller toured the Rose Music Center in Huber Heights, Ohio. They both believe a similar center would be successful in Hagerstown.

Huber Heights, OH used this as a catalyst project to encourage foot traffic and growth. Hagerstown and Huber Heights have similar median incomes and population. The City owns and maintains the center and partner with Cincinnati Symphony Orchestra/Music and Event management, Inc. to book talent. There are 9 to 12 major shows per year between April and September, supplemented with many community events including wine festivals, cookouts, smaller acts, etc. A boutique music center will have direct and indirect economic impact and can be a catalyst project in the core/surrounding area. The Rose Music Center created 12 permanent and 200 seasonal jobs with an 80% employee retention rate. The music industry is focusing on and developing venues with less than 5,000 seats. There is buy-in from the Maryland Theatre and meets the need from local schools for additional practice space.

Councilmember Keller stated they know something is needed to spur interest in Hagerstown. They discussed this idea with the City Administrator in Huber Heights and are more convinced this could be done in Hagerstown.

Councilmember McIntire encouraged people to imagine what could happen if an event center of this nature would be located at the first site selected for a stadium. When you go to a baseball stadium, you plan to eat there. With a music/event center, you decide

where you want to eat prior to the event. Downtown businesses could thrive on the increased foot traffic.

The cost to construct the Rose Music Center was \$ 19 million and includes a large parking lot. It has been more successful than anticipated.

Mayor Bruchey pointed out 9-12 events could be held in a downtown, multi-use center even with 70 baseball games. Councilmember Keller stated a boutique music center is a covered, outdoor facility. She doesn't think use of a baseball field (which is not covered) would be compatible.

Councilmember Keller and Councilmember McIntire provided the funding information to Michelle Hepburn, Director of Finance. Councilmember McIntire stated the more they talked about the possibility of this type of facility in Hagerstown, the more it made sense. A smaller footprint would be required than for a baseball stadium.

Mayor Bruchey asked if Huber Heights owned the land. Councilmember Keller indicated the cost of land acquisition is included in the overall cost. She stated this fits with the vision for Hagerstown discussed at the Goal Setting Session in September, 2018.

Councilmember Aleshire stated locating a music event center at the Baltimore Street location would not impact his recommended location for a sports facility.

Councilmember McIntire asked people to imagine what could happen in Hagerstown if a music center and a sports facility could be completed. This is another idea to bring to the table.

Councilmember Keller noted that a feasibility study would have to be discussed.

Councilmember Heffernan would like to see a performing art center combined with baseball.

Councilmember Keller stated a management company may be required to book big name acts. Councilmember McIntire stated the management company in Ohio is willing to talk to Jessica Green, Executive Director, at the Maryland Theatre, about their experience with booking. Ms. Green already books talent for the Theatre. The schools could use the facility as well.

Councilmember Metzner stated these are all great ideas but there is not excess funding within the City's budget. A stadium has been discussed as a partnership project. The music center idea is a City project. He is supportive of projects that don't involve City funding. He believes this will all be decided with the election in 2020.

Mayor Bruchey stated commitments should be in place by the election.

Councilmember Metzner stated a referendum question on the ballot in 2020 would not be simple. He wondered what the question would be. If voters are asked if they want a stadium that they will pay for the answer would probably be no. If they are asked if they want a stadium that is paid for, the answer would probably be yes. He suggested informing Delegate Corderman to proceed with providing for a Phase 2 study. Today's meeting shouldn't be about whether to build a music center, a stadium, or a site. The question should be whether or not to move forward with a Phase 2 study.

Councilmember Aleshire stated he is fine with asking the State to proceed with a Phase 2 study for the Baltimore Street/Mill Street site. That site matches the criteria that has been established.

Mayor Bruchey stated he thinks a decision should be made about having staff and others (Scott Nicewarner, Rodney Tissue, and Dan Spedden) to outline the parameters of the MOU for review. A site has to be selected before the Phase 2 study can be completed.

Councilmember Metzner would like to see results of scoring for the Baltimore/Mill Street site before deciding on a site. He wants to find out if financial support would be available on an alternate site. The City is the minor financial contributor in this project. The people involved with presenting this project have decided the Summit Avenue site is the best one.

Councilmember Aleshire does not view the City as the minor financial contributor. There won't be another entity that will carry the bond financing.

Councilmember Metzner stated he has heard many times that the funding scenario is 1/3 State, 1/3 Local, and 1/3 private. He does not anticipate that the City would pay as much as the County. After all, City taxpayers are County taxpayers. It is probably anticipated that the City will secure the bond funding. He finds this discussion easy, because people aren't asking for money. Just like in 2012, he doesn't think the project will move forward.

Councilmember Keller wonders what is different about this time and why a stadium discussion is occurring again. She asked what the Mayor and City Council's vision is.

Councilmember Heffernan stated he thinks they all agree that something is missing. Another catalyst project is needed for downtown.

Councilmember Metzner stated the City will not be able to fund any of these projects on its own. One thing that is different from 2012 is that people are approaching the City and saying they want to do a stadium. Buy-in is needed from other people with other ideas.

Councilmember Aleshire stated at least some form of the music event center is in one of the plans. It's in the Cultural Trail Plan.

Councilmember Metzner stated he would tell the people who think this can work to go ahead and try to do it. The City would not be committing any funding by saying this. If an MOU for the Phase 2 study includes any funding from the City, he would vote no. But if the Mayor and City Council group decides not to spend the State's money for the study because it is taxpayer's money he would support that as well.

Councilmember Aleshire stated the media would not report it that way. It would be reported the City votes no to move forward with stadium. If the body would vote to move forward with the State funded study, it would be reported as the City votes to move forward with the stadium. If he would be falsely accused of not supporting moving forward with the stadium, he would want the study to be on a site that he believes is publicly supported.

Councilmember Heffernan stated he doesn't care if he gets blamed or not. He wants to see something create a development spark for foot traffic downtown. If someone else is paying for it, this is the ideal way to go.

Councilmember Keller stated the County Commissioners have said openly they don't want to be involved in the discussion. Councilmember Metzner would like to hear from the County Commissioners directly.

Councilmember Heffernan doesn't know why the County wouldn't support a project, especially since it would increase tax revenue.

Councilmember Metzner pointed out the last time a stadium was discussed, it was supported by State, County, and City government but the private component was not in place. He views the City as a partner in this and not the leading entity.

Councilmember McIntire wondered how a decision can be made with all the studies and concepts that have been presented.

Mayor Bruchey asked Mr. Nicewarner for his opinion.

Mr. Nicewarner stated the final decision is to be made by the elected body. For an additional cost, the MSA will review the East End site if they are asked to. He believes reviewing the alternate site makes sense. Although the MSA study does not indicate how the scoring is determined, the availability of Opportunity Zones are part of every conversation. The East End site is not within an Opportunity Zone. There are four or five Zones downtown. A professional soccer league has approached the City about a project and Opportunity Zones were a major consideration.

He stated the soccer group feels Hagerstown is in an ideal geographic location for their league. Having a professional soccer team in Hagerstown could be a big draw for people. The group looks at sites without any investor or owner in mind. They pick the site then someone else finds a team, which has been successful. They insist on a shared

use facility. He is hoping to have more information about professional soccer interest from Loudon County, Virginia soon.

Mr. Nicewarner stated the fan experience would not be as good at a combined baseball/soccer stadium as it would be at a dedicated soccer field. There have been more inquiries to develop a soccer program in this area. The area is ready for something. It is a matter of the Mayor and City Council deciding what they want to do. He suggested completing the same scoring for the East End site. He asked if the City should continue with the revitalization opportunity for downtown or does the City lift up an area that is struggling.

Councilmember Keller asked if the East End site should be evaluated and then make a decision based on the 2012 study. Mayor Bruchey stated that could be done. They could then decide which site to move forward on with the Phase 2 study. He noted much of the information from the 2012 study would be outdated as the area has changed since then.

Councilmember Keller pointed out there are a lot of variables with the Summit Avenue site. There were environmental concerns about the Summit Avenue site in 2012. The Cultural Trail would have to be adjusted and funding may have to be returned to the State.

Mr. Nicewarner noted the funding used for the trail may have to be adjusted if the use changes. Michelle Hepburn, Director of Finance, stated funding is from a tax-exempt bond. If anything happens there that is different from the original bond description, the City's bond counsel would have to review the original bond.

Councilmember McIntire asked if this consideration could be part of the site study. Mr. Nicewarner indicated that should be a requirement.

Mr. Nicewarner stated nothing would be started with Phase 2 until the Mayor and City Council would approve an MOU to move forward.

Mayor Bruchey stated staff should complete the parameters of what would be included in an MOU for Phase 2 and then bring it to the Mayor and City Council for approval.

Councilmember Keller stated she thinks they all agree to complete a site survey for the East End site.

Mr. Nicewarner indicated questions for the MSA include the cost for reviewing the East End site, an explanation of how the scoring works and how much of the 2012 information would be incorporated into the next steps.

Councilmember Heffernan suggested providing Mr. Nicewarner with specific questions they want addressed.

It was the general consensus to have City staff discuss completing a study of the East End site with the MSA. The additional questions noted by Mr. Nicewarner will also be discussed, as well as any further questions from the Mayor and City Council.

Councilmember McIntire wants to make sure the boutique music center idea is not forgotten.

CITY ADMINISTRATOR'S COMMENTS

Scott A. Nicewarner, City Administrator, reminded everyone the City Park Summer Concert series continues on July 20, 2019. He reported meetings will start tomorrow to discuss the City and County Comprehensive Plans with Washington County. He heard a comment that the playing field at the Suns stadium was the best maintained they have seen.

MAYOR AND COUNCIL COMMENTS

Councilmember S. McIntire thanked Mike Keefer for his passion for the Sister City partnership with Hagerstown, Indiana. She thanked him for inviting her and Councilmember Keller to attend Hagerstown, Indiana's festival. A City resident contacted her about drug activity in their neighborhood and he is afraid to spend time outside his house. The City has to figure out how to address these type of issues. The City of Martinsburg has had success with their nuisance property program. The serious issues of absentee landlords have to be discussed. These things have to be addressed if the City of Hagerstown is to succeed.

Councilmember L. C. Metzner had no additional comments.

Councilmember A. Heffernan had no additional comments.

Councilmember E. Keller had no additional comments.

Councilmember K. B. Aleshire had no additional comments.

Mayor R. E. Bruchey, II had no additional comments.

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 5:58 p.m.

Respectfully submitted,

Original signed by D. K. Spickler
Donna K. Spickler
City Clerk

Approved: August 27, 2019