

EXECUTIVE SESSION – February 18, 2020

Councilmember A. Heffernan made a motion to meet in closed session 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)), 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, February 18, 2020 at 3:01 p.m. in Room 407, 4<sup>th</sup> floor, City Hall, Hagerstown, Maryland. Councilmember E. Keller seconded the motion.

Motion carried 3-1 with Councilmember K. B. Aleshire voting no because he is opposed to discussing negotiations in closed session.

The following people were in attendance: Mayor R. E. Bruchey, II, Councilmember K. B. Aleshire, Councilmember A. Heffernan, Councilmember E. Keller, Councilmember L. C. Metzner, City Administrator Scott Nicewarner, Michelle Hepburn, Director of Finance, Eric Deike, Director of Public Works, Don Francis, Director of Human Resources, Police Chief Paul Kifer, Rodney Tissue, City Engineer, Jill Thompson, Director of Community and Economic Development, Doug Reaser, Business Development Specialist, and Donna K. Spickler, City Clerk. Councilmember S. McIntire was not present.

The meeting was held to discuss two business proposals, membership of the Board of Traffic and Parking, and for an update on bargaining unit contract negotiations. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the meeting was adjourned at 4:05 p.m.

WORK SESSION – February 18, 2020

Mayor R. E. Bruchey, II called this Work Session of the Mayor and City Council to order at 4:13 p.m., Tuesday, February 18, 2020 in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, A. Heffernan, E. Keller, and L. C. Metzner, City Administrator Scott A. Nicewarner, City Attorney Jason Morton, and City Clerk D. K. Spickler. Councilmember S. McIntire was not present.

Preliminary Agenda Review

Mayor Bruchey reminded everyone that the State of the City will be held at 7:00 a.m. on Tuesday, March 3, 2020 at the Maryland Theatre.

**Consent Agenda**

A. Fire Department:

1. Thermal Camera Kits – Witmer Public Safety Group (Williamsport, MD)  
\$ 13,195.00

B. Department of Parks and Engineering:

1. Engineering – Demolition of 319 Summit Avenue – Allegany Wrecking and Salvage (Hagerstown, MD) \$ 18,700.00
2. Parks – Purchase of Vehicle to Replace #331 – Criswell Chevrolet, Inc. (Gaithersburg, MD) \$ 32,822.00
3. Parks – Removal of Additional Trees at City Park – All Reliable Services, Inc. (Saint Augustine, FL) \$ 30,000.00

C. Police Department:

1. Tasers and Equipment – Axon (Scottsdale, AZ) \$ 14,612.50

D. Utilities Department:

1. Water – Large Meters, Valves, and Spool Pieces – Core and Main (Martinsburg, WV) \$ 182,973.09
2. Water – Annual Service Contract – Hach Company (Loveland, CO) \$ 12,332.00
3. Wastewater – 2019 Bomag Dual Drum Asphalt Roller – James River Equipment (Stephenson, VA) \$ 17,747.00
4. Wastewater – 2020 Ford F-250 4x4 SD Super Cab (#524) -Keystone Ford (Chambersburg, PA) \$ 40,373.00
5. Wastewater – Retro Fit Grinder Pump Kits – Fluid Solutions, Inc. (Westminster, MD) \$ 24,490.00

This completed the Preliminary Agenda Review. There were no additional questions about any items. All items, unless noted, are scheduled for approval on February 25, 2020.

Northpoint Development: Wesel Boulevard Roadway Improvements

Jill Thompson, Director of Community and Economic Development, Rodney Tissue, City Engineer, Jason Morton, City Engineer, and Brent Miles, Chief Marketing Office and Founding Partner of NorthPoint Development, were present to review agreement documents for NorthPoint's planned Wesel Boulevard project and the funding plan for the required improvements to Wesel Boulevard.

The development includes 2.2 million square feet of new warehouse construction (four buildings) and a \$ 139 million investment with the possibility of 1,500+ jobs. Buildings #1 and #3 are planned to start construction in March 2020, with completion December 2020. Buildings #2 and #4 are planned to start construction in March 2021 with completion in December 2021.

Key steps in the project timeline are:

1. Planning Commission approved Concept Plan in August 2019
2. Planning Commission approved Site Plan of Buildings #1 and #3 at December 11, 2019 meeting
3. Expected settlement on property acquisition – March, 2020

When the City constructed Wesel Boulevard in the late 1980's, the road was constructed with eight-inches of asphalt directly on the clay soil. No stone drainage layer was provided. The pavement was designed for 8,000 vehicles per day and a maximum of 960 trucks per day. The road currently conveys around 13,000 vehicles per day and about 750 trucks daily. In the past few years, several major pavement failures were repaired (deep rutting and base failure) on Wesel Boulevard due to the pavement design and significant truck volumes.

The approved Traffic Impact study for the development projects that at full build out in 2022, the average daily vehicle traffic for Wesel Boulevard would be upwards of 17,000 (more than twice the original pavement design volume) and the number of trucks would be upwards of 1,500 trucks daily (almost 40% more than designed). The NorthPoint development truck traffic will cause widespread pavement failure on Wesel Boulevard. As a condition of approving their site plans, staff recommend approving an agreement to stipulate that they contribute to the reconstruction of Wesel Boulevard.

Staff and the geotechnical consultants are recommending a complete reconstruction of the Wesel Boulevard pavement section from the City line to Burhans Boulevard. This involves removing the existing asphalt, and constructing a new pavement section. The roadway improvements costs are still unknown but for the entire street it could be as much as \$ 6,000,000.

Staff are seeking approval of two agreements at the February 25, 2020 Regular Session:

1. Agreement between the City of Hagerstown and NorthPoint Development for the Reconstruction of Wesel Boulevard
2. Agreement between the City of Hagerstown and the Board of County Commissioners for Reconstruction of Wesel Boulevard

The agreements represent a public-private partnership for funding the roadway infrastructure improvements necessary for this development project to move forward. The agreements confirm funding up to \$ 6,000,000 and define respective roles and contributions from the City, County, and Developer.

Mr. Miles stated NorthPoint Development is based in Kansas City and currently has 75 million square feet of industrial space. They are a large landlord with clients such as Ford Motor Company, Chewy.com, Amazon, and other warehouse companies. They have been developing along the I-81 corridor. He stated this community should be proud of their logistics, the labor is strong, and there is a site that fits well with their business.

A fourth component of this project in particular is the attitude of everyone they've met. Representatives of the City, Washington County, and the State of Maryland have all had a great "can do" attitude. He commended everyone for the leadership here. They could put this \$ 135 million project in many places but they want to put it in the City of Hagerstown and Washington County. The project consists of four buildings. Two of those buildings will be constructed first, creating a good foundation for the remaining part of the project. The complete project will employ 1,500 people. He noted there may be local residents who currently commute out of the area decide to stay here and work locally.

During review of the project, it was discovered that Wesel Boulevard was not constructed to handle the amount of traffic this project will generate. All parties involved are committed to making the needed improvements to the road infrastructure. NorthPoint is providing \$ 1.8 million for the improvements.

Ms. Thompson noted that regardless of the final cost of the road improvements, NorthPoint is committed to providing \$ 1.8 million, which is defined in the first agreement. The second agreement is with the Washington County Commissioners which defines the \$ 4.2 million local share as being 64.3% County and 35.7% City. The flow of funds is also described in the agreement. Both motions for the agreements allow for the City Attorney to make any adjustments necessary to accommodate NorthPoint's schedule.

Mr. Tissue reported that Engineering staff will manage the construction project.

Mr. Miles stated NorthPoint representatives have been very impressed and pleased with the process to get to this point. He thanked Ms. Thompson and Mr. Tissue in particular for their professionalism.

#### Stormwater Program – Implementation Phase

Rodney Tissue, City Engineer, and Jim Bender, Assistant City Engineer, were present to review the draft versions of ordinances for the Stormwater program. Staff is also asking for direction from the Council on transitioning the curb and sidewalk repair program from being the private property owner's responsibility to the City's responsibility. The ordinances would be introduced at the Council's regular session meeting in March.

At the direction of the Council last December, staff has continued to work toward the goal of creating a Stormwater Utility Fund that would become effective later this year. A workgroup of Engineering, Utility Billing, Information Technology, and Finance staff have been working with the consultant (WOOD) to prepare a database of property accounts that will be used to bill the stormwater user fee, and they are developing a public information campaign to educate residents on the program before it becomes effective.

Through previous discussions with the Council, staff has worked to create a Stormwater Utility Enterprise Fund that would operate the stormwater program and collect the stormwater utility fee. An ordinance is requested to enable the City to collect this fee. A draft version of the ordinance was provided for the Council's review. In particular, under the ordinance:

1. This shall be a dedicated enterprise fund whose purpose is to cover all costs required to operate the City's stormwater program, including maintenance of the existing system, street sweeping, and construction of retrofit or new stormwater facilities required to meet the NPDES permit requirement.
2. The rate of the fee will be set by the Council as part of their adoption of the annual City budget. Based upon the current financial model, staff anticipate that the annual fee per billing unit (1,000 square feet of impervious area) will be \$ 32.
3. The City will prepare and approve a credit policy that will allow certain properties to petition for a reduction in their fee based upon criteria established in the policy.
4. The fee will appear as a separate line item charge on the property owner's water and wastewater bill.
5. Property owners will be given an opportunity to contest the calculation of their stormwater fee and have their bill adjusted if it is determined that the fee was incorrectly calculated.

Staff requests direction for the Council on the timing of the initial billing of the stormwater utility fee. The ordinance, as drafted, indicates that this billing will begin with the opening of the new fiscal year (July 1, 2020); water and wastewater bills sent out after this date will include the stormwater utility fee. The majority of water and wastewater bills are sent on a quarterly basis; however, because water meter readings are performed on a rolling basis through a series of zones throughout the City, some property owners will not receive a water and wastewater bill until October, 2020. If the Council has a particular date when they would like the first stormwater utility fees to appear on water and wastewater bills, staff will work to coordinate that date with the utility billing staff. It was the general consensus to start the billing in October, 2020.

Under the current City Code, private property owners are responsible for the maintenance and repair of the curbs and sidewalks along their property's frontage. Based upon recommendations from the Stormwater Advisory Committee, the financial model for the stormwater utility fee was based upon the assumption that the City would take over responsibly for the curbs, and would use a portion of the collected fees to perform maintenance and repair. Under previous discussions with the Council, direction was also given for the City to take over the maintenance and repair of public sidewalks; the costs for this work would be covered by the General Fund, using savings realized by having costs for stormwater program activities covered by the stormwater utility fee. In order to accomplish these changes, Chapter 216 of the City Code (Streets and Sidewalks) will need to be revised to reflect these changes in responsibilities. The City Attorney is working on making the necessary revisions.

In the Spring of 2019, the City sent out approximately 120 Curb and Sidewalk repair notices to property owners on streets that were to be overlaid in 2020. These notices had a completion deadline of June 1, 2020. A handful of these repairs were completed by property owners, but most of the work has not been completed. Staff recommends that the outstanding notices be rescinded, and that the work required by these notices be completed by the City after the Stormwater Utility Fund becomes active. Councilmember Metzner stated he thinks the property owners who completed the repairs should also be reimbursed. Mr. Tissue estimated the cost to the City to make the necessary repairs to sidewalks in conjunction with the overlay program to be \$ 40,000.00.

Councilmember Metzner stated sidewalk repair should be added to the list of advantages of living in the City of Hagerstown. Realtors should be made aware of this added amenity.

In 2019, the City held two public meetings to present the proposed stormwater program and utility fee to property owners and the general public; staff also gave presentations to the Washington County Land Use Council and the Hagerstown Rotary Club, and prepared a video (available on the City's website) describing the stormwater program. However, staff feels that additional efforts should be made to alert the public to the upcoming stormwater fee prior to it becoming effective. Staff plans to prepare an insert for the water and wastewater bill that will provide information on the proposed program, the stormwater fee, and how residents can apply for credits or contest their bill. This insert will go out with the cycle of bills mailed in early April. Staff, along with representatives from WOOD, plan to meet with property owners who are projected to receive the largest stormwater utility bills, and to discuss ways that they can earn credits That would reduce their bill. Staff is also developing a dedicated webpage with information on the stormwater program.

Councilmember Heffernan asked how long it would take for qualifying property owners to see a credit on their bill. Mr. Tissue stated the credit would be applied promptly.

In order to manage the expended stormwater program, the addition of staff (or the hiring of contract consultants) and changes to existing job descriptions will be required. The financial model for the stormwater utility fee included a new position whose role would be to manage the multiple capital improvement projects (e.g. tree planting, construction of retrofit facilities, etc.) required to meet the NPDES permit goals. Staff anticipate that this new full-time employee would be hired in FY21, after the stormwater utility fee begins to generate revenue.

The Construction Inspector I-III position formerly held by Roger Reed is vacant. Staff plan to upgrade this position to a Senior Construction Inspector I-III, with increased responsibilities that are focused on tree planting, inspection of stormwater-related capital improvement projects, and meeting with property owners to discuss disputes over their stormwater utility bills. The other Construction Inspector I-III position currently held by

Austin Allman will remain in place, with some slight modifications to the education and license/certification requirements.

To meet the NPDES permit requirements, the City will need to immediately begin work on capital improvement projects. Staff are identifying potential projects for future consideration; however, there are several projects that will begin within the next two years (and that can occur due to the new funding source). Those projects are:

1. Pangborn Park Lake and Stream Restoration
2. Tree Planting at R. C. Willson Water Treatment Park
3. Stormwater facility at the BMX track at Fairgrounds Park
4. Hamilton Run stream restoration along Northern Avenue
5. Hamilton Run relocation and restoration at the Greens at Hagerstown golf course

It was the general consensus to schedule introduction of the required ordinances for March 24, 2020.

State of Maryland Request for Comment – Low Income Housing Tax Credit Application for Alexander House

Jonathan Kerns, Community Development Manager, reported the City has received notice regarding an application to the State of Maryland seeking Low Income Housing Tax Credits (LIHTC) and other related financing to carry out redevelopment of the existing residential units at the 7 East Washington Street Alexander House property. The City received the notice on February 3, 2020 and the State has requested that any comments be provided by the end of February.

The current entity listed as the owner of record for the 7 East Washington Street property is Alexander House Owner LLC. This entity is a subsidiary of the NHP Foundation.

A brief summary of notable events and property status changes of the Alexander House include the following:

1. Per State records, the building located at 7 East Washington Street was constructed in 1928.
2. The Alexander Hotel opened February 14, 1929 and ultimately closed in 1971 according to a 5/13/18 Herald Mail article.
3. In 1978, the Alexander House opened following renovation to accommodate 95 units set aside for low income, disabled residents, and elderly residents aged 62 and over. According to City records, there was a payment in lieu of taxes agreement (PILOT) that began in 1978 and this PILOT agreement would remain in effect until a change of property ownership occurred.
4. Per State records, Alexander House LLC bought the property for \$ 1.8 million in a non-arms-length transaction from Alexander House Inc. on 12/03/2013.

According to a 9/10/13 Herald Mail article, the buyer was a Memphis-based developer named James Carmichael of the non-profit Housing Preservation Inc., and Affordable Housing Management, Inc.

5. Per State records, the NHP Foundation/Alexander House Owner LLC bought the property for \$ 5.7 million in an at arms-length transaction from Alexander House LLC on 11/30/2015. According to the NHP Foundation web site, the purchase price was financed by Enterprise Community Loan Fund. NHP claims that all current households receive rental subsidies through a project-based Housing Assistance Payment contract with HUD. There are 68 studio units and 27 one bedroom units.
6. The property became fully taxable after the previous PILOT agreement expired due to aforementioned ownership changes and the property remains taxable at this time.
7. In September 2019, the NHP Foundation's Partners in Economic Progress (PEP) application was approved. In November of 2019, an Invest Hagerstown grant of \$ 100,000 was committed to the NHP Foundation's retail renovation project for commercial space rehabilitation at the Alexander House property.
8. According to NHP Foundation staff, the Maryland Department of Housing and Community Development (DHCD) recently awarded the current project \$ 7.2 million in loan funding.
9. This is the NHP Foundation's first attempt at seeking LIHTC funding for the Alexander House property. A previous attempt to seek Maryland State Historic Tax Credits was unsuccessful.

The total hard costs and soft costs for the Alexander House rehabilitation are projected to be over \$ 15 million. The projected renovations of the residential units at the Alexander House will include upgraded, energy efficient HVAC/mechanical equipment, new windows, new kitchens, security upgrades, fire alarm replacement, plumbing upgrades, energy efficient lighting, new finishes, nine existing units to be fully accessible residential units, and abatement of asbestos and lead paint.

If the project is awarded LIHTC funding, the current income restrictions would become slightly more restrictive but per NHP Foundation staff, the tenant profile is expected to remain the same.

Scott Barkan, Vice President, Fred Mitchell, Senior Vice President Asset Management, and Stephen Green, Chief Investment and Operating Officer, NHP Foundation, were also present.

Mr. Green stated most of their work is in restoring older buildings to make a better residential community. They do not property manage any properties. Instead, they hire local property managers.

Mr. Mitchell noted the NHP purchased the Alexander House in 2015 and they plan to recapitalize the property with tax credits. They have dealt with roadblocks since then. The property is a great candidate for renovation. They are trying to recreate the funding

plan and renovations package. The contract for subsidized housing will remain in effect for the next 15 years.

They currently have four projects under consideration for State assistance. The first step in the application process is a notice submitted to local jurisdictions for comment on the projects. Their renovation plan is a significant and substantial project. Residents will be moved out of their apartments for months at a time. All renovation will be completed with the history of the building in mind.

The retail space is not leasable in its current condition. They are planning a \$ 27.3 million renovation to the building.

Councilmember Aleshire pointed out that the local money has been invested to ensure sustainability of the buildings in the community. He is concerned that the City is being asked to support a proposal for renovation of a multi-unit, fully subsidized housing building in the core of downtown. He wondered why the City would consider supporting a project that does not match the goals for community improvement.

Mr. Mitchell noted they are hoping to raise the income level qualifications for residents through the renovation. Ultimately, a better property will attract residents with higher income. Currently, it attracts residents with the lowest income.

Councilmember Aleshire wondered if this is the same plan that was abandoned in 1978. He asked why the letter was dated in December, 2019 but the City didn't receive it until February, 2020. Mr. Nicewarner noted he asked the State this question and did not receive an explanation. However, the City has until the end of February, 2020 to submit their comments.

Councilmember Aleshire asked if the City will lose tax revenue, if the taxes are reclassified and reduced. He asked if the per unit rent will decrease. Mr. Mitchell stated the rent will remain at \$ 850.00 per month.

Councilmember Aleshire stated he understands what the NHP Foundation is trying to do but the City of Hagerstown has the second highest rate of number of rental units receiving some sort of rental assistance. He does not think locking this building into another 40 years of subsidized housing is beneficial.

Mr. Mitchell stated there are a disproportionate amount of rental subsidized properties in Hagerstown. That is unfortunate, but they are trying to renovate the property to make it more beneficial to the City of Hagerstown.

Mr. Nicewarner asked if the owners are looking to create more outdoor space for residents. They are currently using the square for their outdoor space. Mr. Mitchell stated there is no room available on the property, as regulations restrict smoking within a specific distance to other residents. There are many indoor community spaces, but none outside.

Councilmember Aleshire asked who will be managing the property. He wondered if it will be comparable to the Hagerstown Housing Authority (HHA) management. Mr. Mitchell stated he does not think the HHA is the contract administrator. Tenant contracts are not currently completed by the HHA. The NHP Foundation completes a full background check on prospective tenants. If any kind of violent, sexual, or drug offenses are discovered, the tenant is disqualified. They have no tolerance for violence.

Mr. Green noted the federal government used to think a mix of low and high income tenants was good. That is not the current thought. They attempt to create a homogenous balance.

### Loan Portfolio Update

Jonathan Kerns, Community Development Manager, and Ashley Newcomer, Business/Community Development Finance Specialist, were present to provide an update on the City's loan portfolio.

This program includes the following incentives:

1. Business Revolving Loans – 14 loans, with a balance of \$ 1,120,855
2. CDBG Commercial – 1 loan, with a balance of \$ 7,050
3. CDBG Homeownership – 9 loans, balance of \$ 70,325
4. CDBG Single Family – 14 loans, balance of \$ 149,050
5. CDBG Rental Residential – 7 loans, balance of \$ 851,250
6. CDBG Public Facility improvement – 2 loans, balance of \$ 260,446
7. CDBG Deferred – SF/PF – 37 loans, balance of \$ 903,032

The Business Revolving Loan Fund is available to eligible small businesses or developer organized as a proprietorship, partnership, limited liability company or a corporation whose business sales are less than \$ 5,000,000 annually for each of the last two years. Loan funds may be used for activities, including but not limited to: Growth and Expansion, Rehabilitation, Code Compliance, Employee Recruitment and Retention, and Façade Enhancement. The maximum loan amount is \$ 200,000 or 80% of the total project cost, whichever is less (\$ 1,000 minimum). The interest rate will be a fixed-rate established at LIBOR plus 1%, but shall not be less than 3%. Term may not exceed 7 years (5 year term maximum for working capital loans). The amount of available funds to lend, as of January 31, 2020, is \$ 253,380. The program funding sources are the State of Maryland and the City of Hagerstown.

The Rental Residential Rehabilitation Loans CDBG Funded Program provides low interest loans to eligible investment property owners for general rehabilitation to rental units. Eligible rehabilitation work through this program will typically involve major property maintenance needs; repairs which bring the property up to City code standards or resolve health or safety concerns. Typically, at least 51% of the units must be occupied by households who meet CDBG income guidelines. Program availability is

based on the CDBG budget for each fiscal year. It is not always available every fiscal year.

The purpose of the Single Family Rehabilitation Loans CDBG Funded Program is to eliminate health, safety and property maintenance deficiencies and to ensure compliance with applicable codes and standards. Eligible activities include repair or replacement of defective mechanical, electrical, and plumbing systems, repair or replacement of defective building components and surfaces, i.e. foundations, roofs, porches and stairways, floors, ceilings and walls, doors and windows, siding and trim, and lead paint hazard reduction. These are low interest loans provided to low/moderate income homeowners for non-emergency home repairs or rehabilitation. Applicants must meet current CDBG income guidelines.

Four new Business Revolving Loans (totaling \$ 476,400) were recently issued to The Schmankerl Stube, Regenerate Float Center, Junkworks Antiques, and NB3 Packaging Corporation.

One new Rental Residential Rehab Loan of \$ 150,000 for the renovation of 44-54 S. Locust Street was issued.

There are no additional delinquencies. One delinquent account has been paid off in full. There are multiple Single Family Rehab Loan projects either completed or in process.

Councilmember Aleshire pointed out the previous delinquent amount was significantly higher and he thanked staff for their efforts to collect the delinquent amounts. Mr. Kerns noted that loans are not ever forgiven, and staff still works with attorneys to attempt to collect the outstanding amounts.

#### Review of Materials Related to Reproductive Health

During General Citizen Comments on January 28, 2020, one of the speakers provided copies of legislation from two jurisdictions (Roswell, New Mexico, and Waskom, Texas) regarding the unborn.

Councilmember Aleshire stated the group of individuals who have been attending Regular Sessions of the Mayor and City Council has asked the Mayor and City Council to consider two things. The first is determining if the operator of the Hagerstown Reproductive Clinic has a valid license. He believes the medical board would be the organization overseeing this request and this has been passed to that group. The second item is to consider prohibiting abortions in Hagerstown. He noted the City is not capable of superseding federal regulations.

Councilmember Heffernan agreed and also added that the City is pre-empted from regulating this by a higher government authority.

Councilmember Metzner stated he supports a woman's rights but if the Supreme Court deems something illegal then it is illegal. He doesn't support this legislation because he supports a woman's right to choose. He respects the opinions of those who have spoken during citizen comments. This is really about religion. He respects their beliefs and asked for their respect for his religious beliefs.

Councilmember Keller would not support these resolutions. This legislation would remove the woman's right to choose. She noted the facts regarding the majority of deaths from abortions are performed where abortion is illegal.

Councilmember Heffernan represents the people of Hagerstown and not a religious view. He disagrees with both pieces of legislation.

Mayor Bruchey stated he took an oath to uphold State laws. If the State of Maryland allows something and the Federal government does not, he upholds the State law. He also believes in a woman's right to choose, although he does not believe in abortion.

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

*Scott A. Nicewarner, City Administrator*, stated requests have been made for Letters of Support for various initiatives and legislative bills. Draft letters were provided to the Mayor and Councilmembers for review. It was the general consensus to approve the letters of support:

1. Bridge of Life – Application to the Mary K. Bowman Fund
2. House Bill 1275, Correctional Services Inmate Release
3. House Bill 1367 MARC Rail Expansion
4. House Bill 1485 Maryland Medical Assistance Program
5. House Bill 1486 Maryland Medical Assistance for Transportation
6. Grant Request from the Doleman Black Heritage Museum from Preservation Maryland
7. Grant Request from the Doleman Black Heritage Museum from the Maryland Heritage Area Authority

Mr. Nicewarner asked for direction regarding the request from the State of Maryland for comments regarding the Low Income Housing Tax Credit Application for the Alexander House that was discussed earlier in the meeting. Councilmember Keller is concerned the property will continue to deteriorate if the tax credits are not approved.

Mr. Nicewarner commended Rick Conrad and Mark Keller for putting together a tribute to long time band director, Brad Smith. Over 300 South High School alumni gathered last night to pay tribute to Mr. Smith by jointly playing South High's school song and creating a video to send to him. The group was not aware Mr. Smith had passed away earlier in the day.

*Councilmember L. C. Metzner* had no additional comments.

*Councilmember A. Heffernan* had no additional comments.

*Councilmember K. B. Aleshire* pointed out Delegate Neil Parrot made a presentation to the County Commissioners regarding a bill he submitted to limit the needle exchange program. He wondered why Delegate Parrot did not provide the information to the City as well. This program has significant impact on the drug addiction issue. The worst thing politicians can do is not include people in the field for their input on a decision for a bill like this. It does not appear that any consultation occurred with public safety professionals.

Councilmember Aleshire discussed HB 1598 that was presented by Delegate Paul Corderman. This bill references adjusting the hotel/motel tax and he assumes the Mayor and City Council will be asked for support at some point. He noted there must have been a meeting to discuss the bill since a flow chart was created. The bill will have to gain support of the hotel/motel owners/operators because the room rate could increase significantly. He also wonders if the citizens would support \$ 2,000,000 of hotel/motel tax being transferred to a private organization to administer. This entity is not a government entity and answers to no one. Before considering support, he wants to know if the City's current revenue would decrease. He also would want to know what big projects the increase in tax would be funding. The funding model makes it clear under this scenario; the stadium is not a City project. The model indicates a State entity will be used to bond the project, build it, own it and operate it. The City would be the infrastructure partner. He is concerned the amendment was created and meetings were held with private parties and neither the County Commissioners or Mayor and City Council were approached before the bill was presented. If the administering entity is CHIEF, he believes there is a clear connection between the parties and the partners who are moving forward with this proposal.

Mayor Bruchey stated he does not think anyone at the County level should be upset about the bill. Over the past 20 years, they've spent about \$ 20,000,000 from the hotel/motel tax revenue. This bill would provide accountability of the Convention and Visitors Bureau and CHIEF to the County.

Mr. Nicewarner pointed out there is no hearing scheduled for this bill yet since it was submitted later in the session. He could invite Delegate Corderman to a future Work Session to discuss the bill.

*Councilmember E. Keller* discussed the harm reduction bill (as presented by Delegate Parrot). The City was not asked for their input on the bill. She stated several points made by Delegate Parrot are false. There has not been an increase in blood born disease since the Harm Reduction Bill was implemented. People who are engaged in the program are more likely to seek assistance. Almost 50% of users have been referred for

WORK SESSION AND EXECUTIVE SESSION  
2020

FEBRUARY 18,

MAYOR AND CITY COUNCIL

HAGERSTOWN, MARYLAND

treatment. She has asked the Mayor and City Council for a letter of support of the program.

*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 6:25 p.m.

Respectfully submitted,

*Original signed by D. K. Spickler*

Donna K. Spickler  
City Clerk

Approved: April 28, 2020