

Mayor & City Council
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WORK SESSION – November 8, 2005

Mayor Richard F. Trump called this Work Session of the Mayor and City Council to order at 4:00 p.m., Tuesday, November 8, 2005 in the Council Chambers at the City Hall. Present was Mayor Trump, City Council Members K. B. Aleshire, K. S. Cromer, L. C. Metzner, P. M. Nigh and A. Parson-McBean, City Administrator Bruce Zimmerman, City Attorney John Uner, City Attorney Bill Nairn and City Clerk D. K. Spickler.

Mayor's Report

Mayor Trump stated the Planning Commission will be reviewing concept plans for two key development projects in the City tomorrow: The CDC's project on E. Baltimore Street for a new townhouse development in the downtown and the proposed new shopping center on the land recently annexed into the City on Potomac Avenue/Leitersburg Pike. The Ground Breaking for the North High Stadium (Mike Callas Stadium) will be held at 3:00 p.m. on Thursday, November 10, 2005. He thanked everyone who supported the Hagerstown Helps Event, which raised approximately \$ 5,000 for the victims of Hurricane Katrina. A Veterans Day Ceremony and Monument Dedication will be held on Friday, November 11, 2005 at 1:30 p.m. The Hagerstown Gridiron Champion Classic football game will be held on Friday, November 11, 2005. Special events are continuing at the City Farmers Market. The Boards and Commissions luncheon will be held on Friday, November 18, 2005 at Noon. The tree lighting in the square and Hollyfest will be held on Monday, November 21, 2005. The new parking deck is being constructed. He stated everyone should be proud that another great parking structure is being built in Hagerstown.

Proclamation: Homeless Awareness Week

Mayor Trump read a proclamation recognizing November 13-19, 2005 as Homeless Awareness Week. The proclamation was presented to Dave Jordan, Executive Director of Community Action Council.

Flow Transfer Agreement for Washington County Hospital Sewer Allocation

The Washington County Commissioners have submitted a letter to the Mayor and City Council requesting the Council's approval to allow the City and County staffs to develop a separate flow transfer agreement that would grant the Health System 150,000 gallons per day (GPD) allocation to be charged against the County's available allocation at the Conococheague Wastewater Treatment Plant. This approach results in no net increase or impact on the City's plant and has no effect on City ratepayers. The existing hospital has an allocation from the City of 240,000 GPD. Once the new hospital is built, the City would have 240,000 GPD for use at

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the old hospital site or to reallocate for other City priorities. Because the allocation for the 240,000 GPD is already paid for, it could be used to redevelop the existing hospital site (at no cost to the developer) within the City's Sewer Capacity Allocation Plan. Mayor Trump stated this was discussed at the 2+2 Committee Meetings and a discussion before the Council was postponed from last week's meeting.

Councilmember Aleshire stated several concepts were discussed at the 2+2 Committee meetings. He stated the letters from Chris Bordlemay, Acting Water and Sewer Department Manager, and from John Urner, City Attorney, sum up the issues very well.

Mr. Bordlemay's letter stated the City and County signed a Flow Transfer Agreement (FTA) on August 5, 2003, which defined the physical interconnection, the amount of flow to be transferred, the County's responsibilities, the City's responsibilities, the financial arrangements, and the term of the agreement. The physical connection begins at the City's Pump Station 13 and ends at the County's Wastewater Treatment Plant in Williamsport. Mr. Bordlemay summarized the 2+2 Committee's idea to transfer the proposed hospital's equivalent flow through the Newgate Interceptor currently under construction. On average, 300,000 GPD flow into City Pump Station 13. Approximately 150,000 GPD will ultimately be transferred through the Newgate Interceptor, according to the existing FTA. Therefore, with 150,000 GPD available to transfer from Pump Station 13, the amount indicated in the proposed Hospital FTA of 150,000 GPD could physically be transferred contingent upon the new Hospital making the necessary water and sewer infrastructure improvements to a.) not adversely affect existing water customer service and fire flow, and b.) responsibly and effectively incorporate the proposed Hospital wastewater flow into the City's collection system in a manner that does not adversely affect the existing system.

Mr. Urner's letter addressed the question, "May the City of Hagerstown by Agreement with Washington County grant Washington County Hospital at its proposed Robinwood site a 150,000 GPD allocation of sewer treatment capacity at the City treatment plant?" Mr. Urner stated it is his legal opinion that the City is prohibited by the terms of the Order of the Circuit Court for Washington County dated January 12, 2005 from granting such an allocation. For new development the Order provides that the City has authority to grant allocations for new connections to the City system up to an annual limitation of 120,000 GPD. No other allocations are authorized. The Consent Judgment is clear that a 150,000 GPD connection may only be made after approval from MDE. An approval by MDE is not compelled by the Order, even if the stand "that the proposed connections will not adversely affect the operation of the sewer system or the plant or increase the frequency or severity of overflows, bypasses or effluent violations..." MDE's action clearly signaled that it believed the City could not within the terms of the Consent Judgment employ a "no net gain in flow" concept to grant connections beyond the annual 120,000 GPD threshold. In summary, the City is not authorized to enter such an agreement with the County. However, if the Hospital submits a site plan requesting a 150,000

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GPD allocation, it is arguable that MDE could give consideration to a flow transfer agreement such as the County proposes during its consideration of the Hospital request. On the other hand, nothing compels MDE to give consideration to the produced agreement and nothing compels MDE to approve the allocation request. Any assessment of whether participating in a Flow Transfer Agreement for the benefit of the Hospital will have adverse legal implications for the City is very difficult and speculative.

Mayor Trump stated the objective is deciding whether or not the City will authorize the City and Council staffs to develop a transfer agreement. Mayor Trump asked if there were any questions about the ability of the City to develop an agreement and the physical capabilities.

Councilmember Aleshire asked if the City has the physical ability to transfer the flow without negatively impacting the system, who bears the burden of the cost of the infrastructure needed to do so. He asked if this is something the City would eventually have to do. If it is, would this essentially move the time frame up. Mr. Bordlemay stated it would be the developer's responsibility to provide the upgrades. Councilmember Aleshire asked if the request was for another development, would the responsibilities be the same. Mr. Bordlemay stated the development that impacts the system would have to prevent any adverse impact to the system.

Councilmember Nigh asked where the City would stand for future development if this amount is allocated. She stated it is not known what the peak would be for the hospital. She asked if future development would be limited. Mr. Bordlemay stated there is a sewer capacity allocation plan that limits the amount of growth in any given year and all future development would have to fall under that time table.

Councilmember Nigh stated the Council's stand was that the hospital was not to talk with staff about the flow transfer. Discussions were to be between elected officials. She stated she doesn't understand what the 2+2 Committee has discussed.

Councilmember Metzner stated the 2+2 Committee discussed the problem. He stated the group agreed that there was one thing that was necessary for the City to participate. That is that the City could not be negatively impacted. This was the only method that the Committee felt would not detrimentally affect the City. The County is saying they will give up 150,000 GPD and run it through their system. The City would be getting 150,000 GPD that it wouldn't normally have. He stated, as far as he knows, the discussions have been between elected officials and not between staff members. He stated the issue now is whether to approve this method. He stated he thinks he is hearing from Staff that there isn't a negative impact on the City's system.

Councilmember Nigh stated she doesn't think the Council can tell at this point. She has many concerns about doing this. She is not convinced there will not be a negative impact. She

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is concerned that citizens will be the ones to suffer.

Mayor Trump asked if the Council members understand the transfer will not negatively impact the City's system.

Councilmember Metzner stated he has heard from Staff that the numbers indicate there would not be a negative impact. He also agrees with Councilmember Nigh that we don't know for sure what the impact will be.

Councilmember Aleshire stated there are several items that should be included in a proposal that would state there would not be a negative impact. There is an existing impact from the facility to the City's plant that will not occur if the flow transfer is completed. He stated the City would be losing two impacts and gaining one to the system.

Mayor Trump asked if the Council was in favor of allowing the City and County Staff members to work through the transfer allocation.

Councilmember Aleshire stated he accepts Staff's analysis of the impact.

Councilmember Cromer stated the Council needs to have the "whole picture" to consider before making a decision. She stated she is not convinced there would not be a negative impact.

John Urner, City Attorney, stated he provided a written opinion last week. The question is "May the City enter into an agreement with Washington County to grant the hospital 150,000 GPD of allocation of the City's sewer treatment capacity?" He stated the answer is, No, the City may not do this. The consent order prohibits it. There is an approved plan on file with the Maryland Department of the Environment (MDE). The consent order states if someone is seeking allocation over and above 120,000, it is reported by the City to MDE and MDE assesses the request. MDE may grant the request, or they may not. He stated the City's track record with MDE is important to consider. He stated the City is at some risk for complaints from others who see this as improper special treatment. It is sheer speculation to attempt to make an analysis of the likelihood that this will occur. To lessen this risk, it is important that the City limit its role in the process of reporting to MDE any site plan it receives and in assessing the operational effect on the system and treatment plant that would occur with a flow transfer agreement.

He suggested that the Hospital submit the new site plan to MDE asking for 150,000 GPD allocation. If the Mayor and City Council wish to approve the working relationship, the City can report all other information connected with this to MDE. MDE can consider the request and they may or may not grant approval for such allocation. If MDE would grant permission an agreement would have to be developed.

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Mayor Trump summarized the discussion. He stated the Council is discussing whether to allow Staff to work with each other to develop a flow transfer agreement. Mr. Urner has said the City does not have the right to do an agreement. MDE has the capability to approve an agreement.

Mr. Urner stated the City can supply MDE with information.

Mayor Trump asked Greg Murray, Department of Water Quality, if he has had discussions with the 2+2 Committee or MDE. Mr. Murray stated he has not had formal discussions with the 2+2 Committee but he has answered questions from individuals. He stated concerns have arisen with MDE about flow transfer agreements. He stated the existing flow at the current site is 150,000 GPD and the expected amount for the new site is 130,000 GPD. Transferring the allocation would not create an increase at the head plant. Mr. Murray has talked with MDE on a preliminary basis. MDE has indicated the transfer agreement would, most likely, be looked at favorably. Mr. Bordlemay stated, based on the numbers, he agrees that there would not be a negative impact on the system.

Mr. Zimmerman stated, looking strictly at the amount of flow and the infrastructure, it appears the flow requirements would be similar. There is a limited amount of concrete information. To consider future needs would be rather speculative.

Mr. Urner stated his opinion is based on the information in the consent order and not on what people have said. MDE has said the City probably shouldn't be adding any capacity to this plant due to the overflows. However, MDE has indicated that statement would be too harsh and they have indicated they will work with the City to add capacity to this plant. For new developments, MDE has said the City cannot do what is being contemplated. MDE felt methods to reduce capacity should be completed. It is acceptable for MDE to make exceptions and review site plans that are submitted to them. MDE has said it is not acceptable for the City to make exceptions. However, if the Hospital submits a site plan requesting a 150,000 GPD allocation, it is arguable that MDE could give consideration to a flow transfer agreement such as the County proposes. On the other hand, nothing compels MDE to give consideration to the proposed agreement and nothing compels MDE to approve the allocation request. Finally, any assessment of whether participating in a Flow Transfer Agreement for the benefit of the Hospital will have adverse legal implications for the City is very difficult and speculative.

Mayor Trump stated he understands that the City is a pass through step for submittal of site plans to MDE.

Councilmember Metzner stated it seems as if the Mayor and Council are being asked to do something the City is not authorized to do. If a site plan is submitted, there is no question of whether or not we send it to MDE. There is no choice. MDE makes a decision. He stated the

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question then becomes “Does the Mayor and Council authorize staff to talk about an agreement before the MDE reviews a site plan for the new hospital.”

Mr. Urner stated it would be helpful for the Mayor and Council to determine what they want to do.

Councilmember Metzner suggested that Mr. Urner contact the hospital suggesting they submit a letter to MDE immediately. Mr. Urner stated he would find it difficult to say what the hospital should do.

Councilmember Cromer asked if the 150,000 GPD is for the Hospital or for the surrounding area. Mr. Bordlemay stated the amount is for the hospital only. He stated the development would fall under the Sewer Capacity Allocation Program.

Councilmember Parson-McBean stated she is in favor of letting MDE review the site plan.

Councilmember Nigh asked what would happen if someone makes a request for 150,000 GPD. Reviews would be completed in the order they were received.

Mayor Trump stated the community needs good, quality healthcare.

Councilmember Aleshire stated he has been working on this proposal for the past several months. He stated he feels that some people don't trust what the 2+2 Committee is doing. He stated he is not going to allow a coalition or others to state what the City does. He stated it has been indicated that the last big issue is the sewer allocation. Staff is saying, in their professional opinion, this is how it will affect our system. If they returned asking for additional allocation, they would have to apply just like any other developer. The City is NOT the agency that approves this request. Any approval will be provided by MDE.

Councilmember Cromer, Councilmember Metzner and Councilmember Parson-McBean are in agreement.

Councilmember Nigh stated the 2+2 Committee was established to discuss the Urban Growth Area and they have moved beyond the original intent. She is concerned because the rest of the Council and the Commissioners don't know what is going on. She agrees with Mr. Urner.

Mayor Trump summarized the discussion. The Mayor and Council are directing staff to not continue in discussions. He thanked Councilmember Aleshire for developing an agreement for review.

County Adequate Public Facilities Ordinance

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Kathleen Maher, Planning Director, reported the Washington County Commissioners adopted, by a vote of 5-0, amendments to the County Adequate Public Facilities Ordinance (APFO). The final adopted version was to be available by this meeting, but the final amendments were not approved by the Commissioners at their meeting on November 8, 2005.

Mayor Trump stated since the amendments were not approved, there is not an urgency for the Mayor and City Council to discuss the amendments.

Councilmember Aleshire stated he submitted his comments on the amendments to Commissioner Nipps and Commission Kercheval. He would like to hear a report from the County and from City staff because the amendments will impact the City.

Mayor Trump stated Councilmember Aleshire's comments are valid and he expects there will be lengthy discussions after the County adopts the amendments. This will be discussed at a later date.

Hagerstown Police Department Staffing, Allocation and Distribution

Acting Chief Charles Summers provided information regarding past and present allocation and distribution of sworn personnel. He also recommended adding 4 sworn positions to the police department. He stated the number of officers has been increased since 1995 and some positions have been changed. The number of calls for service increased by 11%, after giving up 4 positions. He is looking to bring the sworn staffing level to 105 people.

The staffing changes are reflective of the Police Department's evolving strategies to respond to crime and disorder, and to contribute the City of Hagerstown's overall vision, initiatives, and goals. A significant part of this has been decreasing the number of personnel in non-operational assignments by eliminating some functions and reassigning others to operational components. Some of the redeployment strategies have included the establishment of the Street Crimes Unit and the Downtown Squad, the use of grant funding to add sworn positions and convert others to civilian positions, and the use of sector management.

By mid January 2006, there would be a total of 15 officers on each of the three patrol platoons. Additionally, the downtown squad will have 3 officers, and 4 others assigned to specific patrol assignments (school resource officers, CSAFE, and Gateway Crossing). Filling of the 5 current vacancies will bring the total patrol number to 57. Even considering the Street Crimes Unit (which typically is not utilized to respond to calls for service), the total is only 62.

Acting Chief Summers believes authorizing the hiring of 4 additional sworn personnel would be appropriate so that patrol staffing may be increased. This is the same number of sworn positions lost due to the January 2004 agreement with AFSCME 3373.

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Councilmember Nigh stated she thought the department needed more than four additional officers. Councilmember Cromer stated she thought the same. Councilmember Nigh stated when the Baltimore Street project is completed, the number of calls will increase. She stated she thought this was a modest request.

Acting Chief Summers stated the HPD uses the patrol staffing formula developed by the International Association of Chiefs of Police to calculate the minimum staffing requirement for the patrol function. He stated Staff believes this is a justified increase. He stated Staff is also recommending filling five vacancies.

Councilmember Nigh stated she is concerned that the request is not high enough.

Councilmember Cromer asked if all the new annexations and developments have been considered in determining the number of officers that will be needed. Acting Chief Summers stated some of the residential developments will not increase the number of calls as much as large shopping centers would.

Councilmember Parson-McBean suggested including security requirements in development agreements. Acting Chief Summers stated any help would be appreciated.

Mayor Trump asked Acting Chief Summers to address the concerns expressed by John Lestitian at a recent meeting. Acting Chief Summers stated there is a balancing point for how much service to provide to the community. The HPD uses a formula for a high level of service and he thinks this has served the community very well.

Councilmember Cromer stated when people call the Department they want to talk to an officer. She stated officers need to get out of the building.

Mr. Zimmerman stated the cost of 4 officers is \$ 200,000 on an annualized basis. He stated Alfred Martin, Finance Director, would like more time to analyze the cost of the positions. Staff is attempting to get a sense from the Mayor and Council that the number of officers is acceptable.

Councilmember Metzner stated it sounds as if the budget process should be started six months earlier than normal. The police force needs four more officers and the fire department needs twenty more firefighters.

Mr. Zimmerman stated other departments need additional personnel also.

Councilmember Metzner asked Staff to let the Mayor and Council know which departments need personnel. He stated, without question, the City could be facing the largest tax increase in

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history to fund just the fire department's needs. He stated he is willing to increase taxes and he appreciates public safety.

Councilmember Cromer stated the police positions could be filled without a tax increase. It could be done through attrition.

Councilmember Metzner stated the four positions are going to be funded by tax money. There will be competition with the needs of public safety and implementing the largest tax increase in the City's history. He stated the Council will have to decide what level of service is needed.

Mayor Trump agrees that as revenue increases, due to annexations, services can be increased.

Mr. Zimmerman stated there is no longer a cadet program at the police department, but there is the Western Maryland Police Academy. There are five vacancies and the goal is to have candidates in the next Academy. The City actually over hires for the academy because they know between the start of the academy and when the candidates are out on the streets, there will be someone in the department who leaves or retires. The goal is to have seven candidates in the Academy. This is part of the HPD's strategy in dealing with the expected vacancies.

Councilmember Nigh pointed out there could be as many as 15 people retire. This will have a huge impact on the department.

Councilmember Parson-McBean asked if all 15 people were patrol officers. Acting Chief Summers stated there are six people who have 30+ years with the department. There are 15 or 16 people in the 25+ group. All but four of these people are "on the street."

Councilmember Parson-McBean asked why the Department doesn't have federal funding. Mr. Zimmerman stated there has been a program in place that is federally funded. Councilmember Parson-McBean asked if the Department has looked for other funding. Acting Chief Summers stated funding streams have been depleted. Mr. Martin stated there is still a large amount of money being received for some of the programs.

Councilmember Aleshire stated Attachment A has a different amount for the cost of service than what the budget does. Mr. Zimmerman stated this will be reviewed.

Councilmember Aleshire pointed out the calls received in 1999 and 2000 showed a small increase and the staffing levels were similar. He asked if the positions being discussed will be filled in the new budget or now. Acting Chief Summers stated the Department hoped to fill the five vacancies now.

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Councilmember Aleshire stated if the positions are filled now, the Council is making a commitment to budget money for the additional officers. He stated the Council has to make difficult budget decisions. He asked if it would be more beneficial to commit the money to police officers or to Central Booking. A report should be presented to the taxpayers showing a plan to be the most efficient way to proceed.

Councilmember Nigh stated a developer has received \$ 5 million from the City. She is concerned that, when it comes to safety, the Council is arguing about the cost.

Councilmember Aleshire stated these are questions that will have to be addressed during the budget process. Attachment C shows the typical three hiring scenarios: entry level, comparative compliance, and lateral entry. The best case scenario is lateral entry. These are applicants who have already been certified as, or have completed entry level training, to be police officers in Maryland.

The next best scenario is comparative compliance. These are applicants who have already been certified as, or have completed entry level training to be police officers in other states.

The most common, and most time consuming, hiring scenario is entry level. These applicants have none of the required training or certification, and therefore attend the police academy for six months.

Councilmember Cromer stated what is happening now is not acceptable. There is a constant turnover of young police officers. Many are leaving after four to five years. This creates a situation of having young, inexperienced police officers.

Hagerstown Police Department Cadet Program

Acting Chief Summers stated HPD would like to reinstate the cadet program. Staff has worked with members of AFSCME Locals 3373 and 1540 in developing the outline. In the near future, HPD will be coordinating with the Finance Department to ensure funding is secured before the program is implemented. Revenue from parking enforcement activity and a reduction in mandatory overtime in the Communications Division is expected to contribute significantly. This would create a stream of applicants for police officers. Cadets can pursue a college education and they can be mentored in order to become police officers. This will allow the Department to attract and keep local people in the Department.

Councilmember Aleshire asked where the largest number of crimes are reported in the City. He asked if there is specific contract language that applies to cadets in the union contract.

Mr. Zimmerman stated more work is necessary to implement the cadet program. This

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discussion is an attempt to get feedback from the Council on the program.

Councilmember Metzner asked why the program ended. Mr. Zimmerman stated it was a financial decision and the number of dispatchers needed to be increased.

Donna Messina, Human Resources Director, pointed out that Chief Arthur Smith is an avid supporter of reinstating the program. This is a good way to recruit local people.

Councilmember Parson-McBean does not approve of reinstating the Cadet Program.

Residential Refuse Service

Rodney Tissue, City Engineer, was present to discuss the trash collection program. At the October 18, 2005 Mayor and Council meeting, the current contract with Allied Waste Services was discussed. The Council's direction to staff at that meeting was to meet with Allied in an attempt to lower the cost to the City.

Alfred Martin, Finance Director, and Mr. Tissue met with Allied and are pleased to report that after significant discussion on the items, Allied is willing to lower their bid. Based on the negotiations with Allied, they have managed to lower the cost to the consumer as follows:

1. Collection of household refuse, mixed paper recycling and yard waste – 22% increase to residents, \$ 33.00 per quarter
2. Alternate 1 – Co-mingled aluminum, glass and plastic recycling – additional \$2.75 per quarter
3. Alternate 2 – Totes in Downtown Pilot area – additional \$1.25 per quarter if spread over entire City, \$17.50 per quarter charged only to downtown property owners

Staff feels that after competitively bidding the contract and negotiating with the low bidder, the best possible price has been obtained for trash collection in the City of Hagerstown. Staff made the following recommendations to the Council:

1. Continue the existing services to the community by providing twice a week trash collection, once a week mixed paper collection and seasonal once a week yard waste collection. This quarterly cost to the consumer would be \$ 33.00 per quarter, a 22% increase from the current rates.
2. That the City expand the recycling program to include Alternate 1, co-mingled plastic, glass and aluminum recycling. Staff anticipates purchasing about 3,000 recycling bins that would be distributed to citizens desiring to expand

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recycling in their homes. These bins would be a different color from the green (mixed paper) recycling bins. If the City moves ahead with this option, it is not cost effective to do this collection city-wide in one night. Therefore, the recycling program, including mixed paper, would have to be broken into five zones and done over five nights. The cost to the customers would be an additional \$2.75 per quarter. This would be maintained as long as Allied can pick up the recyclables in one night with one truck and crew. If the program becomes very successful, that cost could go as high as \$4.00 per quarter to cover the cost of adding a second truck and crew.

3. Proceed with the downtown pilot area to distribute totes to downtown customers. Staff feels it is important to get the trash bags off the street and to use totes. The cost to the customer would be an additional \$1.25 per quarter if charged to all customers or \$17.50 per quarter if charged only to the downtown residential customers. If Council wishes to move forward with this, the steps would be as follows:

- A. Update the City Code to allow a requirement for downtown customers to use totes.
- B. Develop an education plan and contact the approximately 900 downtown properties.
- C. Purchase the totes.
- D. Implement the plan around April 1, 2006.

Approximately 10% to 20% participate in the current recycling program. Councilmember Nigh stated she is concerned about low participation.

The Council asked how much money could be saved by changing the program to a once per week pick up. This is a question to negotiate with Allied Waste.

Councilmember Metzner asked how much this may save in tipping fees at the landfill.

Mayor Trump asked if an educational program has been used. Mr. Tissue stated the schools are the place to promote the program.

Councilmember Nigh asked if the City had collected trash by city employees previously. Mr. Martin stated that was done prior to 1990. Councilmember Nigh stated someone called her and suggested that the recently annexed areas be used for a pilot program.

Councilmember Aleshire stated he is in favor of accepting the contract, without including the totes. Councilmember Cromer agreed with Councilmember Aleshire. Councilmember Nigh stated she would support a standard collection contract.

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Councilmember Parson-McBean stated she would have to ask the citizens what they wanted before she would make a recommendation.

Councilmember Aleshire left the meeting.

Washington County Work Force Housing Task Force Report

Larry Bayer, Community Development Manager, Richard Willson, Washington County Housing, Dave Jordan, Community Action Council, Angie Helfrick, Martin Brubaker and Cindy Disque were present to provide a report from the Work Force Housing Task Force.

The report contains ten recommendations for ways to provide additional work force housing units. Of particular interest is one which calls for the County to provide \$ 1,000,000 per year for five years, which would be used to expand both the Single Family Homeownership Program and a similar program administered by the Washington County Community Action Council.

Because the average home-buyer that works in Washington County can no longer afford the median-priced home, the Taskforce has made the following recommendations:

1. Down Payment Assistance. The State of Maryland has down payment assistance loan programs which employers and local governments can match, so Washington County should set an example for local employers by setting aside funds to match employer contributions.
2. Consultant Services. Jurisdictions across the country are dealing with growth pressures like ours. The most efficient way to make progress on evaluation options and implementing changes is to hire someone that has done it before. With the rate of increase in housing prices, time is very precious and this is the best use of our time and money.
3. Acquisition with Rehab. Older homes on the market that do not meet FHA lending standards could be an immediate source of Workforce Housing if local government were poised to buy them, fix them up and then resell them to eligible families. The City of Hagerstown has successfully used Community Development Block Grant funds in this way for several years to boost the City's homeownership rate – why not do the same for Workforce Housing?
4. Amend the Excise Tax Ordinance. The Excise Tax should be based on square footage so that more modest homes pay less than McMansions. Even then a sliding scale should be used. A flat fee of \$ 13,500 is contrary to the policy goal of helping those who work in Washington County to be able to afford to live here. One fee structure for single family and multifamily constructions should be used, do not double

- Excise fees on workforce Housing units as the present Ordinance requires and do collect an Excise fee on additions over 1,000 square feet.
5. Pursue Regulatory Relief. With the help of County staff working with the development community, provisions in our current codes and ordinances that increase the cost of housing without adding value should be located and with the approval of the adopting body, changed. County government also needs to look seriously at the impact on the cost of housing of future changes to codes and ordinances. To this end, adoption of a Workforce Housing Impact Statement requirement is proposed.
 6. Manufactured Housing. Because standards in the Manufactured Housing industry have changed over the years, it should now be allowed in any residential zone. Today's factory built housing is less costly per square foot than stick-built, and examples we have seen are visually indistinguishable from stick-built homes.
 7. Graduated Tax Credit. Allowing the full real estate tax burden on a new home to be phased in over a five-year period would permit additional Workforce Housing buyers of for-sale housing to qualify for mortgage financing. Loans are underwritten assuming increases in wages, and a reduced tax expense will equal increased purchasing power for Workforce Housing families.
 8. Exclusionary Zoning. A flexible but fair Inclusionary Zoning program with mandatory on-site production goals for WFH units in exchange for a density bonus should become the standard for most future residential development in Washington County.
 9. Land Trust. Ground rents gave the City of Baltimore one of the highest homeownership rates in the country. A public Land Trust would provide a way for Workforce Housing families to finance property without having to pay for the land. To the degree that the escalation in land costs is driving up the cost of housing, a Land Trust would introduce a permanent measure of affordability.
 10. Trust Fund. Washington County needs a pool of flexible dollars to invest in housing affordability programs. A Trust Fund would be a logical recipient of employer or developer contributions, and under most inclusionary zoning programs, the Trust Fund receives fees from those that opt out of program requirements.
 11. Use of Income Limits. While moderate income families (those earning between 50% and 120% of median income) were the focus of these recommendations, programs created to address the needs of Workforce Housing families would only set an upper income limit for eligibility, and would for example, include mortgage-qualified families at 35% or 40% of median income.

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Councilmember Aleshire had read the report and submitted comments and remarks to the task force. Mr. Willson stated he responded to these comments and remarks.

Mr. Willson stated it would be good for all communities to embrace inclusionary zoning. This may provide a powerful way to provide affordable housing. Some of these recommendations would be eligible for implementation in 2006.

Presentation of Neighborhood College Certificates

The Fall 2005 Class of the Neighborhood College were presented with graduation certificates. The following people completed the class: David Gysberts, Greg Hannigan, Katie Lesznar, Carolyn Martin, Michael Pellegrino, Florence Riedesel, Ladetra Robinson, Randolph Samu, Lynda Sheppard, Harry Talbert, Christina Trenton, Belinda Whittington, Anne Yambor and Chris Yambor.

City Administrator's Comments

Bruce Zimmerman, City Administrator, stated a number of issues discussed at this meeting revolved around budgetary issues. Staff will be making a presentation of the budget process and policies during January, 2006. He stated there are other departments that would like to submit requests for personnel increases. A number of issues will be discussed, including retirement and the compensation study.

Mayor and Council Comments

Councilmember A. Parson-McBean thanked everyone who attended the Hagerstown Helps event on Saturday. She thanked Priscilla (who provided 35 pumpkins at the last minute) and Matt and Mary Harsh. She also thanked Deborah Everhart, Economic Development Director, Karen Giffin, Public Information Manager, Danielle Frye, Mayor's Office, and all Staff who helped with the event. She thanked Delegate Benson, Cathy Parson and Councilmember Metzner for supporting her in this effort. She stated this proves that the City is no longer going to be divided by the color of a person's skin.

Councilmember L. C. Metzner stated Saturday's event was very nice and was a positive event for the community. He stated since the beginning of this administration, Staff has had a lot of struggle. He stated all Staff members have done a superb job over the last six months. He stated Staff may think the Council is critical of them when Councilmembers ask questions. He doesn't think this is the case. He stated it should be acknowledged that all employees are proud to be a part of this city and it shows in their work.

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Councilmember K. S. Cromer had no additional comments.

Councilmember P. M. Nigh stated she shows her appreciation to all employees during the reception held during Government Works Week. She stated the spouse of a retired employee called her because she has to pay half the health insurance. She is concerned there are five spouses of deceased retired employees who are struggling because of the cost of health insurance. She stated a promise was made to these retirees and their spouses by the City to take care of them.

She thanked everyone for their expressions of sympathy following the death of her mother.

Mayor R. F. Trump stated the rules of procedure state that citizen's remarks will not include slanderous remarks. He asked the Council to set an example and not use people's names. He asked the Council to not be slanderous. He stated difficult issues will be discussed.

He stated the NAACP will be holding their annual banquet on Saturday, November 19, 2005. They have asked the City to place an ad in the souvenir booklet. The ad will cost \$ 50.00. He is sure the City can find \$ 50.00 for the ad.

There being no further business to come before the Mayor and City Council, on a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember K. S. Cromer, the meeting was adjourned at 6:43 p.m.

Respectfully submitted,

Donna K. Spickler, City Clerk

Approved: _____