

Joint Meeting with Washington County Delegation
Mayor & City Council
Hagerstown, Maryland

December 2, 2005

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The Annual Joint Meeting of the Mayor and City Council and the Washington County Delegation was held on Friday, December 2, 2005 at 10:30 p.m. in the Council Chambers at the City Hall. Present was Mayor R. F. Trump, City Council Members K. B. Aleshire, K. S. Cromer, L. C. Metzner, P. M. Nigh and A. Parson-McBean, City Administrator Bruce Zimmerman, and City Clerk D. K. Spickler. The following members of the Delegation were present: Senator Donald F. Munson, Delegate John Donoghue, Delegate Christopher Shank and Delegate Robert McKee.

Delegate Donoghue welcomed all those in attendance. This meeting is being held to discuss items that are important to the City of Hagerstown. Delegate Shank stated Delegate Weldon sends his regrets that he could not attend this meeting.

Senator Munson stated he is looking forward to a productive meeting and a productive Legislative Session.

In preparation for this meeting, the City has prepared a list of priorities for the 2006 Session of the General Assembly. The items and discussion are listed below.

Central Booking

City, County, and State officials have held discussions over the need for a central booking operation, and the schedule for State and local funding of such a facility. It is the City's understanding that design money for the facility will be included in the State's July 1, 2006 Budget, with construction funding to be budgeted in the subsequent year.

Councilmember Nigh stated Central Booking needs to be completed. She suggested that the City, County and Delegation meet to discuss this. Delegate Shank has asked Delegate Leroy Myers to spearhead this project on behalf of the Delegation. Delegate Myers has met with the State Department of Public Safety, the Washington County Sheriff's Department and City staff to discuss this. This project is one of many competing for funding through the Department of Public Safety. The submission process has been completed this year for the capital expense. The State will not provide funding for operating expenses. The delegation will continue to support Central Booking. The County has indicated Central Booking is listed in their Capital Improvements Budget. Delegate Shank stated he thinks other municipalities are also interested in Central Booking. Councilmember Nigh stated the groups have not met and they need to get together to discuss it. Delegate Donoghue stated Frederick has Central Booking and it could be looked at as a model for Washington County.

Acting Police Chief Charles Summers stated he believes Central Booking is progressing on schedule. The County has some working numbers in their proposal for funding that will go before the State Delegation. He encouraged an accelerated implementation.

Mayor Trump asked if there is an estimated starting date for construction. Delegate Shank indicated it is in contention to be submitted for the Governor's Capital Budget. If it is to be submitted, it will be part of the local jail projects in the January submission. It would be one of many projects at the local level, funded at a 50/50 ratio. The State is looking for projects that have local support. The Delegation realizes this project has strong local support. Senator Munson stated the entire Delegation believes this is an idea whose time has come for funding.

USMH Operating Funds

The continuation of State funding for the operation of the USMH Center remains a top priority for our community in the next General Assembly.

Senator Munson stated there will be a surplus this year and operating funds will not be an issue for the USMH Center this year. Councilmember Aleshire stated the school has been open for two years and there are now seven campuses using the center. He stated this is very positive.

School for the Arts

The Delegation has previously obtained \$400,000 in bond bill funding for the future creation of the Board of Education's School for the Arts on South Potomac Street. The Board is conducting a feasibility study on the proposed site in the former Henry's Theater Building. The City requests continued support of this project.

Senator Munson stated he knows the Delegation got the money for the School for the Arts but he doesn't know where it stands at this point. He has heard no results for the engineering study. Kathleen Maher, Planning Director, indicated the feasibility study is the first step and that is under way. A meeting is being held with a contractor next week. It was hoped the study could be completed by the end of December, but it may be a few months beyond that time. Senator Munson stated he believes this school is critical to the revitalization of downtown Hagerstown. He would like to see the study be completed as quickly as possible in order for the school to open and start drawing new people downtown. He stated it is not fair for the students in this community who want to go to a school for the arts to have to travel to Baltimore.

Councilmember Metzner agreed with Senator Munson. This has the potential of being another jewel for downtown Hagerstown. Councilmember Metzner indicated he would be happy to work with Dr. Morgan, School Superintendent, on this project. Delegate McKee indicated the

School for the Arts was listed on the Board of Education's project list. Councilmember Nigh stated she would like to work on this also. Her son would have benefited from a local School for the Arts.

Edgewood Drive/Dual Highway Intersection Improvements

Initial design work has been completed for improving this intersection. The plan for constructing the improvements needs to be finalized along with the funding to complete the work. The City has agreed to provide one third of the fund for the design work only. Delegate Shank indicated the State, the County and the City are going to have to continue working together in order to move forward with this project. The preliminary design was accomplished by all three governments working together. A meeting will be scheduled so the technical issues can be discussed. One of the challenges will be obtaining the necessary right-of-way agreements. The State is ready to take the next step and continue the past arrangement of the cost being divided three ways. There are no cost estimates available at this time. He stated the State does not expect the City to indicate at this time if they would be willing to provide funding for 1/3 of the construction costs.

Councilmember Parson-McBean arrived.

Rodney Tissue, City Engineer, indicated there is a meeting scheduled for next week to define the scope of the projects. Better cost estimates can be completed after that meeting. Mayor Trump indicated he met with Greg Snook, County Commissioners President, and Mr. Snook stated he had discussed a different funding division for the project. The division would be 40% provided by the State, 40% provided by the County and 20% provided by the City. Delegate Shank indicated the State would like to continue the 1/3 split for the engineering of the project. This would ensure that the State, the County and the City continue working in partnership on the project. It is anticipated the construction costs will be high.

Councilmember Metzner stated he understands the plans included three lanes each way on the Dual Highway. He is concerned that there will be a push to get the Edgewood Project completed, at the expense of the third lane on the Dual Highway. He stated whatever formula is used to split the cost should include a lower amount for the city taxpayers, since they are also County and State taxpayers. He stated the city taxpayers should not pay more than their fair share.

Delegate Shank stated when the study was completed, Edgewood was being considered as part of the entire project. The State Highway Administration would like to continue this project as they have with other jurisdictions, with discussions between all parties. He stated the final point is to please make sure the City understands that if not for Governor Ehrlich's leadership and votes of seven of the eight members of this delegation in support of this project, it would not

be happening. Delegate Donoghue stated he voted the way he did not because he doesn't support the project but because of the way the funding will be provided from the State. The funding will be from vehicle registration fees or the gas tax.

Councilmember Aleshire stated he agrees with Delegate Donoghue. The funding should come from the Department of Transportation, because those that use transportation should bear the greater burden for repairs. Many of the continuing development projects are not within the corporate boundaries of Hagerstown. He asked the Delegation to keep this in mind when they consider the funding sources. Senator Munson stated this project is always listed as a top priority. Route 40 is the main entrance to the City of Hagerstown and it will be detrimental to the City if the entranceway is not reasonably attractive. He thanked Mr. Tissue for his help with the signal light on Leitersburg Pike.

Mayor Trump indicated to the Delegation that the City has a talented, dedicated Staff. He thanked Staff for their efforts.

Bond Projects

The Delegation has successfully obtained State of Maryland bond funding for numerous community based projects over the years. The City remains very interested in the allocation of bond funding for the community. Mayor Trump thanked the Delegation for the great job they did last year.

Washington County Free Library

The Mayor and Council have been advised of the Library's need to expand and upgrade their central facility in downtown. The Washington County Free Library is a critical component of our downtown revitalization efforts and we would ask for the Delegation's support of this valued institution.

Councilmember Aleshire stated part of the excise tax is earmarked for libraries. He stated they realize it will take extra property to allow for the expansion of the library downtown. He knows there are ways to obtain the property, such as eminent domain. He also knows there is legislation that would change the regulations for eminent domain. Delegate Shank stated the library is a public use and would not be affected by the proposed changes. Councilmember Metzner stated this is reassuring. He was fearful eminent domain would be limited in such a manner that it would affect projects like this. He wants everyone to know that the Council would not support a change in the eminent domain laws. Delegate Shank stated the debate over eminent domain has been when it is used for economic development.

Ms. Maher presented a report of Hagerstown's growth. Between 1950 and 2000, the City

grew by 1%, while the surrounding area grew by 22%. The City is still not keeping up with the suburban growth. Even with a 2.3% increase in population between 2000-2004, the city's percentage of the overall County population continued to decline due to the more powerful growth experienced outside the City in the surrounding suburban area. This is creating growth disparity. By the year 2000, the City had three times the poverty rate of the surrounding suburbs. The impact of growth disparity on the City of Hagerstown has been:

1. 67% of County residents below the poverty level resided in the City
2. Median family income in the City was 29% lower than in the surrounding suburbs
3. Percentage of owner-occupied housing units in the City was 50% lower than in the surrounding suburbs
4. Median value of owner-occupied housing units in the City was 30% lower than in the surrounding suburbs
5. 66% of the multi-family housing units in the Hagerstown metro area were located in the City
6. 87% of the permits for new housing units in Washington County between 1990 and 1999 were issued outside the City of Hagerstown

This growth pattern and disparity between the City of Hagerstown and the surrounding suburbs raises the following public policy issues for the community:

1. As our community continues to expand beyond the City of Hagerstown, what is the cost to the County for public infrastructure such as roads, sheriff, volunteer fire and rescue, parks and recreation, sewer, and schools in a suburbanizing County?
2. If the City is not allowed to grow and prosper, what is the cost to the community to serve declining urban infrastructure and worsening social challenges within the City?
3. If the City does not capture new growth and thus improve our demographic profile (e.g. income levels, property values, educational attainment, etc.) how will we achieve our goal of attracting high tech, high wage jobs to our community?
4. If the City is allowed to deteriorate, what are the demands and costs to the Board of Education to serve a City population with more challenging social issues?

Mayor Trump stated he agrees with what City Administrator Bruce Zimmerman says that a healthy community should represent 60% of the community population. Right now, the City is at 40%.

Local Growth and Development Legislation

Consistent with the position of the Maryland Municipal League, the City of Hagerstown strongly opposes any State legislation that would negatively impact municipal government's home rule authority related to annexation, land use, and development.

Councilmember Aleshire used Cortland Manor as an example of how new annexation laws would affect the City. The property was zoned for development by the County. Development would have occurred whether the property was annexed or not. The City would have provided utility service to the site. The City was able to negotiate provisions for the urban services that are required through the annexation process. This addresses how the development fits into the neighborhood. It also provides a phasing schedule that works similar to an APFO. When property is annexed, it is the City's responsibility provide public works services, lower water/sewer rates, fire protection, police protection and other services for being within the municipality. In exchange for those services, the owners pay city taxes. This allows more money for the County, since they do not have to provide services to the property. He suggested channeling that money toward school improvement.

Mayor Trump stated the Mayor and Council want to make sure the Delegation understands the City's position on this issue.

Delegate Shank stated this makes sense and he agrees. He pointed out that some of the issues that have been noted are not problems in Western Maryland. Councilmember Aleshire stated the disconnect he sees is with a policy in which growth occurs in a manner that is beneficial. Delegate Shank stated he understands the City's position on annexation.

Delegate Shank indicated he also understands the City's position on eminent domain. He stated the law needs to be clarified so that people's homes are not taken for economic development.

Restoration of State Program Funding Levels

Hagerstown supports the Municipal League's position that traditional State Programs such as Community Legacy, Program Open Space, and Highway User Revenues should be protected

from further funding cuts and that resources which were cut should be fully restored.

Senator Munson stated there will be surplus this year and it would be good for the Governor to look at restoring some of the funding from previous years

Senator Munson stated if the School Board could have seen the report presented here they may have been able to make some changes. There is another trend that has to be faced. This is the social problems that are descending on the municipalities. People are moving out of municipalities to escape those problems. Unfortunately, Hagerstown is not immune to these problems. At some point there is going to have to be recognition of the things that are happening to us. We are going to have to figure out how to deal with these things.

Mayor Trump stated Councilmember Parson-McBean has been a champion for many of these concerns.

Senator Munson stated there are problems here. For example, where sex offenders live in the community needs to be addressed. There is going to be considerable legislation in this session in this regard. Councilmember Parson-McBean stated we have to remember that social ills are a result of the things that we are trying to do and wanting to do. The issues need to be brought to everyone's attention. She stated she is a champion for dealing with social ills and responsible growth. She stated gentrification is ugly and we need to find a way in Hagerstown so that it doesn't strangle us like it has other cities. Councilmember Nigh stated she appreciated Senator Munson for discussing this subject. Something has to be done to protect Hagerstown. Senator Munson stated he hopes Central Booking will be a step in the right direction.

Telecommunications

The City's Finance Department has learned of the potential of legislation being introduced during the 2006 General Assembly that would limit or stop local government involvement in providing internet or other telecommunications services to support the needs of citizens and businesses within their communities. Such legislation will be of concern to the City of Hagerstown.

Scott Nicewarner, Information Technology Manager, stated this legislation would limit the ability of local governments to be involved in broadband opportunities for their citizens. He asked the Delegation to consider how such legislation would affect residents in the more rural areas of the State. He asked them to allow municipalities to participate in technology advancements and not be limited. Delegate Donoghue stated he and Senator Munson serve on a Broadband Task Force. He assured the City that municipalities will not be shut out.

Delegate McKee asked where the Council is in terms of the East End Development project

and the possibility of a new stadium. Councilmember Aleshire stated the Council is not fully aware of the baseball organization's plans. He stated he thinks the City is fully invested in the development plan becoming reality. He stated anything that gets rid of the MELP plant during his lifetime is a good project. He thinks the East End Development Plan is a good plan regardless of whether or not baseball is a part of that. He thinks the baseball organization is going to make private decisions on their own. He stated the City can only go so far unless they are made aware of what their objectives are. He stated a baseball plan has been presented to a few council members but not to the whole group. The City is the only governmental entity that has maintained that stadium and funded it every year for many years. The City is also the only entity that has put together the meetings to move the East End Development plan forward. He stated the City can't guess what the private organization's goals are. He stated the City doesn't even know if they are considering themselves as part of the plan. No plan has been presented to the new administration. Councilmember Metzner stated it appears the Mayor and Council are "out of the loop" with this plan. He stated the next issue will be if the stadium move is rededicated by the hospital move. He feels sure the hospital move will be tied up in the court system for quite some time. Delegate McKee asked if the Council would be receptive to the Delegation saying to the Greater Hagerstown Committee that the City needs to be included in the process. Councilmember Aleshire stated this would be good. He noted that he recognizes with or without a stadium the East End Redevelopment is important and it involves more than a stadium and a hospital. Councilmember Cromer stated she attended a meeting with representatives of the Hagerstown Suns and she agrees the East End Development project is a good concept. However, there were many unanswered questions. She would like more information. She is concerned that the City would be giving everything and getting very little in return and taking most of the risk. She stated the Council has to look at the fact that the City is the only entity that funds the stadium and \$ 90,000.00 worth of improvements are being completed. She stated she doesn't think there has to be a new stadium as part of the East End Development, unless a different program is presented. Delegate McKee stated, as a Delegation, they will make sure everyone knows that the City needs to be kept in the discussions.

Councilmember Aleshire stated he thinks the Water/Sewer Task Force will show that sewer needs to be considered and how it affects growth and the county as a whole. He stated sewer is the most constraining factor. Senator Munson stated the health of this community depends on how this issue is addressed.

Senator Munson asked what the plans are for Jonathan Street. Mr. Tissue stated construction designs are being completed for a complete rebuild of Jonathan Street to the split at Pennsylvania Avenue. The first community meeting will be held after the first of the year to keep the community informed. The reason for the rebuild is that the street and utilities are in need of replacement. Actual construction will be in 2007. Councilmember Parson-McBean asked if something could be done to smooth the road surface until then.

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Senator Munson asked that the Mayor and Council stay in touch with the Delegation. They need the assistance of outside voices. Delegate McKee asked that the Mayor and Council keep in touch with the Delegation as individual members, not just to the Chairperson. Senator Munson stated they all serve on different committees relating to different issues and if they don't receive information in a timely manner, it isn't helpful.

Mayor Trump stated he will be spending a lot of time in Annapolis. Councilmember Metzner thanked the Delegation and he stated they will keep them informed.

There being no further business to come before the group, on a motion duly made, seconded and passed, the meeting was adjourned at 11:58 a.m.

Respectfully submitted,

Donna K. Spickler, City Clerk

Approved: _____