

Mayor and Council Executive Session and Work Session June 3, 2025 Agenda

"The City of Hagerstown will inspire an inclusive, business-friendly, and sustainable community with clean, safe, and vibrant neighborhoods."

"The City of Hagerstown shall be a community focused municipality"

The agenda and meeting packet is available at www.hagerstownmd.org/government/agenda

"There are no wrong turnings; only paths we had not known we were meant to take" – Guy Gavriel Kay

EXECUTIVE SESSION

- 3:30 PM** 1. **The Mayor and Council will meet in Open Session only for the purpose of voting to close its meeting to discuss matters that the Open Meetings Act permits it to discuss in Executive/Closed Session.**
- 3:30 PM** 2. EXECUTIVE SESSION – Council Chamber, 2nd floor, City Hall

4:30 PM WORK SESSION

- 4:30 PM** 1. HUD Home Program - City of Hagerstown Qualification as a Participating Jurisdiction - *Amanda Gregg, Chief Housing & Community Development Officer and Margi Joe, Community Development Manager*
- 5:00 PM** 2. Revised Ordinance: Prohibited Lodging Out-of-Doors – *Chief Paul 'Joey' Kifer, Lt. Andrew Lewis and Sgt. Edward Plummer*

CITY ADMINISTRATOR'S COMMENTS

MAYOR AND COUNCIL COMMENTS

ADJOURN

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

The Mayor and Council will meet in Open Session only for the purpose of voting to close its meeting to discuss matters that the Open Meetings Act permits it to discuss in Executive/Closed Session.

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

EXECUTIVE SESSION – Council Chamber, 2nd floor, City Hall

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

June_3__2025_Executive_Session.pdf

Description

Executive Session Agenda



**MAYOR AND CITY COUNCIL
EXECUTIVE SESSION
JUNE 3, 2025
AGENDA**

Vision Statement:

The City of Hagerstown will inspire an inclusive, business-friendly, and sustainable community with clean, safe and vibrant neighborhoods.”

Mission Statement:

“We are dedicated to creating a thriving community where diversity is celebrated, economic development flourishes, and the quality of life is enhanced through collaborative and consistent representation.”

The agenda and meeting packet is available at www.hagerstownmd.org/government/agenda

3:30 p.m. EXECUTIVE SESSION

1. To conduct collective bargaining negotiations or consider matters that relate to the negotiations, (#9)

** Negotiations Update*

2. To consider the acquisition of real property for a public purpose and matters directly related thereto; (#3)

** Acquisition of Property*

***AUTHORITY: Annotated Code of Maryland, General Provisions Article: Section 3-305(b)
(Subsection is noted in parentheses)**

CITY OF HAGERSTOWN, MARYLAND

PUBLIC BODY: Mayor & City Council

DATE: June 3, 2025

PLACE: Council Chamber, 2nd floor, City Hall

TIME: 3:30 p.m.

AUTHORITY: **ANNOTATED CODE OF MARYLAND, GENERAL PROVISIONS ARTICLE:** **Section 3-305(b) :**

1. To discuss:
 - ☐ (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
 - ☐ (ii) any other personnel matter that affects one or more specific individuals;
- ☐ 2. To protect the privacy or reputation of individuals with respect to a matter that is not related to public business;
- ☒ 3. To consider the acquisition of real property for a public purpose and matters directly related thereto;
- ☐ 4. To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- ☐ 5. To consider the investment of public funds;
- ☐ 6. To consider the marketing of public securities;
- ☐ 7. To consult with counsel to obtain legal advice;
- ☐ 8. To consult with staff, consultants, or other individuals about pending or potential litigation;
- ☒ 9. To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- ☐ 10. To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:
 - (i) the deployment of fire and police services and staff; and
 - (ii) the development and implementation of emergency plans;
- ☐ 11. To prepare, administer or grade a scholastic, licensing, or qualifying examination;
- ☐ 12. To conduct or discuss an investigative proceeding on actual or possible criminal conduct; or
- ☐ 13. To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; or
- ☐ 14. Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.
- ☐ 15. Administrative Function

EXECUTIVE SESSION AGENDA

*City Hall • Council Chamber • 1 East Franklin Street • Hagerstown, MD 21740
301.739.8577, Ext. 113 • Telephone for the Hearing Impaired 301.797.6617*

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

HUD Home Program - City of Hagerstown Qualification as a Participating Jurisdiction - *Amanda Gregg, Chief Housing & Community Development Officer and Margi Joe, Community Development Manager*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

060325_WS__HOME_Presentation.pdf

Description

HUD Home Program



TO: Scott Nicewarner, City Administrator

FROM: Margi Joe, Community Development Manager
Amanda Gregg, Chief Housing & Community Development Officer

DATE: May 30, 2025

RE: HUD HOME Program – City of Hagerstown Qualification as a Participating Jurisdiction

Staff will attend the June 3, 2025 Work Session to seek direction for the City of Hagerstown to pursue qualification as a Participating Jurisdiction (PJ) for the HUD Home Investment Partnerships (HOME) Program.

Overview

The Home Investment Partnerships (HOME) Program was created by the National Affordable Housing Act of 1990. It provides funding to state and local governments to create affordable housing for lower-income households. Funding may be used for:

- New construction of affordable housing
- Rehabilitation of existing housing
- Homebuyer assistance
- Tenant-based rental assistance (TBRA)
- Site acquisition and improvements

Hagerstown has been identified as potential HOME PJ and must notify HUD in writing within 30 days of our intention to move forward with the qualification process. At the time of initial qualification, jurisdictions receiving greater than \$335,000 but less than \$500,000 are required to make up the difference between the formula allocation and \$500,000.

On May 14, 2025 Hagerstown was advised that a HOME allocation of **\$361,181.17** has been made available. To participate in this program, the City must provide a one-time match of **\$138,818.83** to meet the participation threshold. After this initial match is made and the City qualifies, future participation will require an annual match equal to 25% of the HOME funds allocated in that year.

Staff seeks direction if the City wishes to pursue this funding opportunity. A local funding source for the match of \$138,818.83 to meet the qualification threshold established by HUD is unidentified at this time.

A vote for approval of this measure will be presented at a Special Session on June 10, 2025, The outcome of this vote will then be formally relayed to HUD by the deadline date of June 13, 2025.

Attachments: Draft Motion and Resolution
HUD CPD Allocation Notification Letter

c: Michelle Hepburn, Chief Financial Officer

REQUIRED MOTION

MAYOR AND CITY COUNCIL HAGERSTOWN, MARYLAND

Date: June 10, 2025

TOPIC: **RESOLUTION: Approval for the City of Hagerstown to Become a Participating Jurisdiction (PJ) for the Home Investment Partnerships Program (HOME)**

Charter Amendment	_____
Code Amendment	_____
Ordinance	_____
Resolution	<u> X </u>
Other	_____

MOTION: I hereby move for adoption of a Resolution authorizing the City of Hagerstown to become a Participating Jurisdiction (PJ) for the Home Investment Partnerships Program funded by the U.S. Department of Housing and Urban Development (HUD), authorizing the Mayor to file an application for financial assistance with HUD in the amount of \$361,181.17, and to take such other and further actions as may be required to become a PJ, and further authorizing the Mayor and City Council to allocate \$138,818.83 in the City budget for the required one-time match to meet the participation threshold of \$500,000. The Mayor is further authorized to execute all other documents relating to the City's HOME Program for the Program Year 2025 (City FY2026).

DATE OF INTRODUCTION: 06/10/2025

DATE OF PASSAGE: 06/10/2025

EFFECTIVE DATE: 06/10/2025

**RESOLUTION OF THE CITY COUNCIL
OF THE
CITY OF HAGERSTOWN**

**APPROVAL OF THE INTENT TO BECOME A
PARTICIPATING JURISDICTION (PJ) UNDER THE
HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)
AS ADMINISTERED BY THE U.S. DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT (HUD)**

- WHEREAS,** the HOME Investment Partnerships Program (HOME Program), authorized under Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990, is a federal block grant program administered by the U.S. Department of Housing and Urban Development (HUD) that provides funding to states and local governments to expand the supply of decent, safe, sanitary, and affordable housing for low-income households; and
- WHEREAS,** in order to qualify as a Participating Jurisdiction (PJ), a local government must receive a minimum annual allocation as determined by HUD or must provide additional local funding to meet the required threshold; and
- WHEREAS,** the City of Hagerstown has received an allocation of \$361,181.17 from HUD under the HOME Program for the upcoming fiscal year; and
- WHEREAS,** the minimum threshold for qualification as a PJ for the HOME Program is \$500,000; and
- WHEREAS,** the City must provide the difference of \$138,818.83 in local funding to meet this threshold and qualify as a PJ in order to receive and administer HOME Program funds directly; and
- WHEREAS,** the City of Hagerstown is committed to improving housing conditions for low-income residents and recognizes the importance of leveraging federal and local resources to meet its affordable housing goals.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAGERSTOWN:

- 1. The City of Hagerstown hereby declares its intent to become a Participating Jurisdiction (PJ) under the HOME Investment Partnerships Program, as administered by the U.S. Department of Housing and Urban Development (HUD);**
- 2. The City of Hagerstown commits to providing \$138,818.83 in local funding to meet the required PJ qualification threshold of \$500,000 for participation in the HOME Program;**
- 3. The Mayor and City Administrator, or their designee, are hereby authorized to take any and all actions necessary to submit the required documentation to HUD to establish the City as a PJ, including the execution of any related correspondence, certifications, agreements, or budget allocations; and**
- 4. This Resolution shall take effect immediately upon its passage and approval.**

CITY OF HAGERSTOWN, MARYLAND

_____(SEAL)
William B. McIntire
Mayor

ATTEST:

City Clerk

Approved this _____ Day of June, 2025



OFFICE OF COMMUNITY PLANNING
AND DEVELOPMENT

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

May 14, 2025

The Honorable William McIntire
Mayor of Hagerstown
One East Franklin Street
Second Floor, City Hall
Hagerstown, MD 21740-4859

Dear Mayor McIntire,

Secretary Scott Turner is committed to improving housing opportunities, reducing regulations to lower housing cost, and expanding housing supply for hardworking Americans. The nationwide shortage of rental and owner-occupied properties and the current rate of construction has not kept pace with the demand. This lack of adequate housing supply leads to higher prices for renters and homebuyers alike, forcing some into homelessness and preventing countless Americans from becoming homeowners. Across the country, partnerships between public and private sectors are providing millions of Americans an opportunity to get ahead. HUD is determined to continue its collaboration with you so programs are responsibly utilized and can spark additional leveraging and partnerships to address the nation's housing crisis.

As authorized by the Consolidated Appropriations Act (Public Law 119-4) on March 15, 2025, I am honored and excited to announce that your jurisdiction is receiving the following Fiscal Year 2025 allocations for the identified programs:

Community Development Block Grant (CDBG) - \$791,400.00

HOME Investment Partnerships (HOME) - \$361,181.17

Emergency Solutions Grants (ESG) - \$0.00

Housing Opportunities for Persons W/ HIV/AIDS (HOPWA) - \$0.00

Housing Trust Fund (HTF) - \$0.00

Recovery Housing Program (RHP) - \$0.00

In addition, your jurisdiction's CDBG allocation for this year provides you with \$3,957,000.00 in available Section 108 loan guarantee borrowing authority. Section 108 permits you to borrow up to five times of your current CDBG allocation. This loan allows jurisdictions to maximize access to low-interest capital, and provide long-term financing to invest in Opportunity Zones, or further address gap financing for big projects that you envision for your community.

As you are finalizing your Annual Action Plans or Consolidated Plans that are due for submission to our office by August 16, 2025, please be reminded that it is important to align with executive orders and applicable laws. If you or any member of your staff have questions, please do not hesitate to contact your local HUD Field Office in Baltimore or CPDGDAS@hud.gov.

Thank you for your interest in CPD programs and for ensuring that these dollars are responsibly achieving outcomes as intended by law. When people have a safe and stable place to call home, they can focus on contributing to the economy and be productive members of their respective communities.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Fernandez", with a stylized, flowing script.

Claudette Fernandez
General Deputy Assistant Secretary
for Community Planning and Development

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Revised Ordinance: Prohibited Lodging Out-of-Doors – *Chief Paul ‘Joey’ Kifer, Lt. Andrew Lewis and Sgt. Edward Plummer*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

PL0D_Memo.pdf

Prohibited_Lodging_Out_of_Doors_-_Final_5.30.25.pdf

Description

Memo: Revised Ord - Out of
Doors Lodging

Revised Ordinance: Out of
Doors Lodging



CITY OF HAGERSTOWN
MARYLAND
21740-4696

DEPARTMENT OF POLICE
50 N. Burhans Blvd.

Non-Emergency 301-790-3700
Emergency 301-739-6000
Fax 301-733-5513

HAGERSTOWN POLICE DEPARTMENT

To: Mayor and City Council

From: Hagerstown Police Department

Date: May 30, 2025

Subject: Revised Ordinance Proposal – *Prohibited Lodging Out of Doors*

The Hagerstown Police Department respectfully submits for your consideration the revised ordinance proposal titled *Prohibited Lodging Out of Doors*.

In response to the feedback received during the April 8, 2025, Mayor and City Council meeting, two key revisions have been made to the original draft:

1. **Clarified the Purpose Section** – The ordinance's purpose language has been revised to more accurately reflect the intent of the legislation, emphasizing its role in preserving public safety and ensuring equitable access to public spaces.
2. **Added a Sunset Clause** – The ordinance now includes a provision stating that it will automatically expire six (6) months from the date of enactment unless the Mayor and City Council vote to extend or amend it. This clause ensures periodic review and accountability. It also affirms that any charges issued under the ordinance prior to its expiration will remain valid and subject to prosecution.

Additionally, the enforcement section has been updated to address prior ambiguities and restrict enforcement authority to designated personnel.

These revisions are intended to address community and Council concerns while preserving the ordinance's essential purpose.

We appreciate your continued engagement on this matter and remain available to answer any questions or provide additional information.

Respectfully,
Chief Paul Kifer

Hagerstown Police Department



PROHIBITED LODGING OUT OF DOORS

Revised May 30th, 2025

Ordinance No. [Number]

§ XXX-1. Policy.

WHEREAS, the Mayor and City Council of Hagerstown, Maryland, find that sleeping and/or lodging out of doors in public places poses a risk to public health, safety, and welfare, and that it impedes the appropriate use of public spaces by all residents and visitors; and

WHEREAS, the Mayor and City Council of Hagerstown, Maryland, deem it necessary to enact regulations to address these concerns and promote the orderly and safe use of public spaces.

§ XXX-2. Definitions.

For the purposes of this Ordinance, the following terms shall have the meanings indicated:

(a) "*Lodging out of doors*" means the use of a public place for living accommodation purposes such as sleeping or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), storing personal belongings, making a fire, using a tent, shelter, or other structure for sleeping, or doing any digging or earth breaking, whether temporary or otherwise, for the purpose of sleeping.

(b) "*Public place*" means any outdoor area owned or maintained by the City of Hagerstown, including but not limited to streets, alleys, sidewalks, bridges, parking lots, parking decks, parks, plazas, public buildings, and other public properties.

(c) "*Sleeping*" means the act of being in a state of rest while lying down with the intention of sleeping, which may include the use of bedding, blankets, sleeping bags, or similar materials.

§ XXX-3. Prohibition.

(a) It shall be unlawful for any person to sleep and/or lodge out of doors in any public place within the city limits of Hagerstown, Maryland. This prohibition shall extend to motor vehicles parked on public places.

(b) The prohibition in subsection (a) shall not apply to the following:

1. Individuals participating in events or activities approved or sponsored by the City of Hagerstown that involve temporary overnight stays in public places.

§ XXX-4. Penalties.

(a) Law enforcement officers are authorized to enforce this Ordinance.

(b) Any person found in violation of this Ordinance shall be subject to a fine not exceeding \$500 or imprisonment for a period not exceeding 60 days, or both. Each day any violation of this Ordinance continues shall constitute a separate offense.

(c) In addition to or in lieu of the penalties provided in subsection (b), any person found in

violation of this Ordinance may be directed to vacate the public place and may be offered or directed to available social services or assistance.

§ XXX-5. Severability.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable.

§ XXX-6. Sunset Clause.

This Ordinance shall automatically expire and be of no further force or effect six (6) months after its effective date, unless the Mayor and City Council take formal action to extend or amend its provisions. Notwithstanding its expiration, any citations or charges issued under this Ordinance prior to its expiration shall remain valid, and all such cases shall be prosecuted to their full resolution in accordance with applicable law.