

88th SPECIAL SESSION, WORK SESSION AND EXECUTIVE SESSION – May 10, 2005

88th Special Session – May 10, 2005

Mayor William M. Breichner called this Work Session and 88th Special Session of the Mayor and City Council to order at 3:37 p.m., Tuesday, May 10, 2005 in the Council Chambers at the City Hall. Present was Mayor Breichner; City Council Members K. B. Aleshire, N. L. Hendershot, L. C. Metzner, C. N. Moller, and P. M. Nigh, City Administrator Bruce Zimmerman, and City Clerk D. K. Spickler.

Introduction of an Ordinance – Approval of 2005/2006 Tax Rate Beginning July 1, 2005

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember K. B. Aleshire, the Mayor and City Council unanimously agreed by voice vote to introduce an ordinance to consider establishing the tax rates for the levy year July 1, 2005 through June 30, 2006 on the basis of \$0.798 per \$ 100 of the assessed value of all real property and \$ 1.995 per \$ 100 of the assessed value of all business personal property within the City of Hagerstown.

Discussion: Councilmember Aleshire stated this is only an introduction of an ordinance and does not establish the tax rate yet. Modifications may be made to the ordinance prior to approval.

Introduction of an Ordinance – Approval of Budget FY 2005-2006

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember P. M. Nigh, the Mayor and Council unanimously agreed by voice vote to introduce an ordinance to adopt the budget for fiscal year July 1, 2005 through June 30, 2006 in the total amount of \$ 107,719,068.

Discussion: Councilmember Aleshire stated this motion is only the introduction of an ordinance and does not approve the budget at this time.

Ordinance: Revising Refuse Service Fee for the Collection and Disposal of Household Refuse

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to introduce an ordinance to increase the Refuse Service Fee for the collection and disposal of household refuse by the City of Hagerstown, from \$ 25.00 to \$ 27.00 per quarter per residential dwelling unit for all bills rendered after July 1, 2005 to cover the increased costs from the County for landfill tipping

fees.

Discussion: Councilmember Aleshire asked if an increase in the tipping fees paid at the landfill is anticipated. Rodney Tissue, City Engineer, stated that is correct. Councilmember Aleshire suggested the municipalities meet as a group with the County Commissioners to discuss the increasing fees. Mr. Tissue stated he is exploring the possibility of reducing the waste stream and therefore, reducing the amount of waste that is taken to the landfill.

Councilmember Nigh asked when the last increase was for refuse collection. Alfred Martin, Finance Director, indicated it was earlier in the year and the increase was more than was anticipated.

Approval of a Resolution: City of Hagerstown Water Quality Bonds, Series 2005

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember N. L. Hendershot, the Mayor and City Council unanimously agreed by voice vote to approve a resolution authorizing the City of Hagerstown to issue and sell, upon its full faith and credit, a general obligation bond to the Maryland Water Quality Administration in an aggregate principal amount of \$ 7,100,000. Proceeds from the sale of the bond will be used for the public purpose of enhancing and improving the City's waste water treatment plant as more fully described in the attached resolution. Staff is hereby directed to take all necessary actions to proceed with the sale of the bond as directed by this resolution.

Discussion: Mr. Martin stated the total interest costs are less than 1%, with a fixed rate for 20 years. This bond will help finance the sewer system improvements that have begun.

Work Session – May 10, 2005

Preliminary Agenda

Boiler and Machinery Insurance

Caroline Twigg, Purchasing Clerk, stated on March 22, 2005, the Mayor and Council authorized a three (3) year extension of the current contract with Local Government Insurance Trust for the Liability and Property Coverages with yearly review and approval by the Mayor and Council. They also authorized a three (3) year extension of the current contract with Wright Gardner Insurance for the Boiler and Machinery Coverage with yearly review and approval by Mayor and Council.

The premium for the Boiler and Machinery Insurance from Wright Gardner Insurance will be \$ 18,554.25.

It was the general consensus of the Mayor and City Council to approve extending the contract with Wright Gardner Insurance.

Liability (Auto, General, Law Enforcement, Public Officials) and Property Insurance

Local Government Insurance Trust (LGIT) will provide the liability and property insurance, with a premium price of \$ 261,544.00.

It was the general consensus of the Mayor and City Council to approve extending the contract with LGIT.

Parking Control Equipment for the A & E Parking Deck

Rodney Tissue, City Engineer, stated the bids for the equipment will be opened on May 11, 2005. This is a budgeted item and further information will be presented to the Mayor and City Council after the bids are reviewed.

Closed Circuit Television (CCTV) for the A & E Parking Deck

The bids for CCTV will be opened on May 11, 2005 and further information will be provided to the Mayor and City Council.

Improvements to East Wilson Boulevard and Kuhn Avenue

Mr. Tissue stated staff is in the process of re-evaluating the project and scaling-back the scope of work to stay within budget. Staff is currently negotiating with Fayetteville Contracts and anticipate that the project can be worked out that accomplishes the goals.

This project completes the construction of Wilson Boulevard to allow two (2) thru-lane lanes in each direction and parking in the residential areas. In addition, the project addresses Kuhn Avenue south of Wilson Boulevard, a street in very poor condition, and numerous complaints have been received. Upon completion of this work, the overlay contract would place new surface on both streets. There are two areas where residents do not have off-street parking. The median could be narrowed in order to allow these people to have on-street parking capabilities.

It was the general consensus of the Mayor and City Council to continue negotiating with the contractor to complete the project.

Street Sweeper

Eric Deike, Public Works Manager, stated the 2005/06 Public Works budget includes funds to replace the 1993 Sunvac Street Sweeper. Staff has been researching specifications, options, makes and models of sweepers so specifications could be written for the replacement equipment.

Staff has identified the regenerative air model as the next sweeper of choice for the City. An option staff feels is important is a collection hopper that will dump into a dump truck or dumpster. Many sweepers unload from the rear of the hopper where the debris is dumped onto the ground. The debris then has to be loaded onto a truck with a loader or backhoe. This means handling the material twice.

Staff has identified only one manufacturer, Schwarze Industries, which manufactures a regenerative air street sweeper with a high side dump hopper that unloads into dump trucks or dumpsters. Staff is requesting that the Mayor and Council allow Public Works to bypass the bidding process and purchase a regenerative air, street sweeper from Schwarze Industries. This is due to the proprietary product produced by this organization that will meet the current and future needs of the City of Hagerstown.

It was the general consensus of the Mayor and City Council to allow the bid process to be bypassed.

Consultant Design for West End Tanks Project

Christopher Bordlemay, Water and Sewer Department Assistant Manager, stated Hazen & Sawyer will provide engineering design and construction management services for the West End Tanks Project, Phase I, for \$ 330,597.00.

The tank is to be a 6 to 7 million gallon concrete tank. Mayor Breichner questioned the feasibility of a concrete tank. He stated this might not be the best alternative for this job. He stated the engineering firm, not staff, should recommend which kind of tank to use. Mr. Bordlemay stated they could explore alternatives, but he feels confident that concrete is the best alternative.

After considerable discussion, Bruce Zimmerman, City Administrator, suggested including a comparison of a steel tank and a concrete tank in the contract. The Mayor and City Council agreed to add the comparison to the contract with Hazen and Sawyer.

GPS Unit

Caron East, Inc. submitted a bid in the amount of \$ 13,905.00 for a Thales GPS RK System.

This unit is compatible with Engineering GPS and will be used as a base unit to collect points to determine location of water meters, valves, fire hydrants, sewer manholes, and clean outs at centimeter level. It was the general consensus of the Mayor and City Council to award the bid to Caron East, Inc.

Roof Replacement at Pump Station #3

Master Roofers, Inc. submitted a bid in the amount of \$ 10,785.00 to replace the roof and gutters at Pump Station #3. It was the general consensus of the Mayor and City Council to award the bid to Master Roofers, Inc.

New Holland Tractor

Antietam Tractor and Equipment, Inc. submitted a low bid of \$ 16,984.00 for a New Holland Tractor with a front loader. It was the general consensus of the Mayor and City Council to award the bid to Antietam Tractor and Equipment, Inc.

35,000 GVW Diesel Dump Style Truck

Freightliner & Sterling submitted a bid for a 35,000 GVW dump truck in the amount of \$ 68,025.00. This dump truck was rebid through the Washington County Purchasing Department. Only one bid was received, but the price is lower than the previous bid. The dump truck is still \$ 14,000.00 over budget. Mr. Bordlemay stated funds are available in other funds to cover the additional cost. Mr. Martin indicated this would be feasible.

Health Insurance and Dental Insurance

Donna Messina, Director of Human Resources, stated insurance companies are not willing to quote prices this early in the premium year. They wait to use all the information possible before issuing quotes.

Ms. Messina stated the Healthcare Committee meets on a regular basis to review the plans utilized by the City. All employee groups are now participating in the Level Plan or paying the difference in premium for the preferred plan. The committee recommends maintaining the current healthcare plans, with no plan design recommendation. Blue Cross Blue Shield will no longer offer the two dental plans in the traditional style. The committee recognized that employees want to continue the plans currently available and the same dental network. Therefore, they negotiated with BCBS to allow the City to continue to offer the plans through a self funded approach, with BCBS simply providing the administrative function of claims processing.

The Healthcare Committee has recommended offering a third plan for employees to consider.

This would be a basic plan, with an 80/20% costs coverage. The Committee is recommending offering this plan strictly as an option.

It will be necessary to increase premiums by 15% for 2005/2006 based on the plan utilization. The premiums for the two Blue Cross Blue Shield Dental Plans will increase by 10%. This increase is based on projections from BCBS to continue the current plans.

It was the general consensus of the Mayor and Council to move forward with open enrollment to include the proposed premium changes.

Approval of 2005-2009 Consolidated Plan and the Annual Action Plan for 2005-2006

Lauren Bayer, Manager of Community Development, presented a resolution approving the CDBG 2005-2009 Consolidated Plan and the Annual Action Plan for 2005-2006. He informed the Mayor and City Council that two small modifications were made to the proposed budget. It was the general consensus of the Mayor and City Council to add the resolution to the agenda for May 24, 2005.

Approval of Annual Utility Fee License

Mr. Martin stated the Annual Utility Fee License is handled through the Clerk's Office. The fees have been incrementally increased from \$ 500.00 to \$ 4,000.00 over the last few years. It was the general consensus of the Mayor and City Council to add the resolution to the agenda for May 24, 2005.

Approval of Parking System Rates and Fees

Mr. Martin stated that incremental annual changes have been made in the monthly parking rates to help the parking system be solvent. The monthly parking rates will increase to \$ 50.00 in the parking deck and \$ 43.00 in the Central Parking Lot. No changes are proposed for the metered parking rates. He indicated if the hospital moves from its current location, the parking rates will have to be reviewed and rates may need to be adjusted for metered parking.

Councilmember Metzner stated that Sgt. Kevin Simmers has suggested creating a new category of rates for University Students. He encourages the new administration to address this issue. Mayor Breichner stated Sgt. Simmers had suggested using the top lot in the parking deck for this special rate.

Councilmember Nigh and Councilmember Metzner asked if a change machine could be installed near the parking lot at the District Court Building on W. Antietam Street. This will be reviewed.

Land and Easement Acquisition at A & E Parking Deck

Mr. Tissue stated staff is negotiating the acquisition of property from “28 South Potomac Street LLC (Mike Demming), the owners of the former “Schindel Rohrer” property. The acquisition includes the following:

1. Acquisition in fee simple of the “Parcel D” for the widening of the alley
2. Easement on the 5 foot wide strip of “private alley” adjacent to their building for the construction and operation of the parking deck.

Mr. Tissue stated this is the last piece of the puzzle for the parking deck. It was the general consensus of the Mayor and City Council to add this item to the agenda.

Approval of Reprogramming of Community Development Block Grant Funds for Barrier Free Picnic Tables

Mr. Bayer stated the FY 04-05 CDBG budget allocated \$ 11,250 to the Parks and Recreation Department to be used to purchase accessible picnic tables. To date they have spent \$ 7,657 to purchase 12 tables and wish to order an additional 12 tables for the new pavilion at Fairgrounds Park at the same price. In order to do so, they are in need of an additional \$ 4,064 in funding.

Staff recommends that this request be granted and that the funds be reprogrammed from Single Family Rehabilitation leaving \$ 97,757 in this activity. It was the general consensus of the Mayor and City Council to approve the reprogramming of these funds.

Revised Investment Policy – Police and Fire Retirement Program

Ms. Messina stated the Investment Policy for the Police and Fire Retirement Program has not been updated since the inception of the program in 1998. Investment returns to date have not met the target goal of 8% per year. In fact, the average return since the effective date of the plan has been 2.19%. Since that time, the County’s policy has been updated and they have changed investment managers. We once again have chosen to partner with them and are using Mercantile Safe Deposit and Trust.

The Police and Fire Retirement Committee met on several occasions to review the policy and discussed revisions with Howard Schwartz, the Investment Manager from Mercantile Bank and Mary Claire Chesshire, the attorney of record who assisted the City of Hagerstown in developing the program as well as writing the first investment policy.

The policy for this plan requires only slight revisions to allow for a little more diversity within

the established parameters of the policy. It was the general consensus of the Mayor and City Council to add approval of the plan revisions to the agenda for May 24, 2005.

Ms. Messina thanked Councilmember Nigh, who has been an active participant of the committee.

Budget Work Session

Councilmember Metzner stated he has received requests to provide some type of assistance to senior citizens who are on living on fixed incomes. He suggested the next administration make it a goal to develop a practical way to provide this assistance.

Councilmember Hendershot agreed and hopes the new administration follows through.

Alfred Martin, Finance Director, distributed copies of a list of changes that were discussed at the meeting held on May 6, 2005. These include changes to funding for Community Rescue Service (CRS) and the Discovery Station. He stated the Juvenile Diversion Program Police Grant has been eliminated. If the Mayor and City Council wish to continue the program, funding would have to be provided by the City. The cost to fund the program would be \$ 40,000. He stated that because Police Chief Arthur Smith is on a leave of absence, the funding is available in the amount allocated for wages.

Councilmember Metzner asked if the City funds the program would the officer assigned to the program currently still be a juvenile diversion person. Acting Chief Charles Summers stated the officer would go back into the detective rotation.

It was the general consensus to fund the Juvenile Diversion Program and to accept the modifications presented from an earlier discussion.

Councilmember Nigh stated something has to be done to ensure the future funding for emergency services. The funding for CRS will help, but it is not a long term solution.

Councilmember Aleshire stated the Mayor and City Council should ask for accountability from CRS if they are going to continue to provide funding each year. Organizations should have to submit budgets to the Mayor and City Council.

Councilmember Metzner stated some members of this body thought this would be temporary funding. He stated the \$ 100,000 agreed to by the group is not going to solve the problem. It is obvious that subsidizing CRS is not the answer. He agreed with Councilmember Hendershot that the biggest issue in the next four years is going to be fire and rescue services. He suggested this may be the most appropriate time to discuss implementing a fire tax.

Mayor Breichner indicated one problem is that “less fortunate” people cannot afford to pay the bill for service provided by CRS. Councilmember Nigh wondered if those “less fortunate” people are long time residents or people who have relocated to Hagerstown.

Councilmember Metzner stated people have to stop using emergency services as taxi services. Mayor Breichner stated if the hospital relocates, this problem will increase.

Councilmember Metzner stated CRS has had an abundance of problems and things are getting better, but, improvements are still needed.

Councilmember Aleshire asked what the Council wished to do with the new line item Community Based Initiatives. That fund is now down to \$ 110,000. Councilmember Nigh stated she understood some of this could be used for an enhanced extra trash pick up program. Councilmember Metzner stated this amount would be equivalent to reducing the tax rate by about half a cent.

Councilmember Aleshire asked about the increases in the public functions budget. Councilmember Hendershot stated a new event was added entitled “Starfire”. This is an event that uses displays of fire and would be held at the City Park Lake. The event was planned for this year, but was not held because there was work being done on the lake walls. Karen Giffin, Public Information Manager, stated that most of the increases are due to increased labor costs.

Mr. Martin mentioned that one of the more significant items is the funding for University System of Maryland events.

It was pointed out that the money included in the budget for the Eastern Boulevard improvements is not necessarily what will be approved. The only commitment made by the City is for a portion of the design work. Councilmember Metzner stated he doesn’t think the amount in the out years should be included at all. He noted when the County contributes, the city tax payers will have paid their share for the third time. Rodney Tissue, City Engineer, stated only one third of the funding has been shown in the budget. Councilmember Metzner stated he thinks the whole third should be taken out altogether. He stated it is unconscionable to think taxpayers should be asked to pay for two-thirds of the project. Mayor Breichner stated there is a section of that road that is a city highway. Ownership and maintenance responsibilities are mixed in the Eastern Boulevard, Edgewood Drive and Dual Highway areas. Councilmember Metzner stated the intersection at Eastern Boulevard and Edgewood Drive has failed due to improvements outside the city. He stated if the hospital is out there and it is going to be in the county, the City should not repair the streets. He stated the Council is now hearing about increased costs of \$ 3,000,000 for the improvements. He doesn’t think the amount should be included in the budget because the County will assume it is approved. He suggested including it under Developer Contributions.

Councilmember Aleshire stated as funding is included for alley reconstruction that the work is completed in connection to the street overlay program. He stated it seems like there is a large amount of parking lot paving for parks before the uses are increased. For example, increased parking at the ice rink. He stated the uses need to be increased at the facility before parking is added.

Councilmember Aleshire asked what the \$ 70,000 is intended for in the CDBG Community Opportunity Fund. Lauren Bayer, Community Development Department Manager, stated this money was included as a contingency fund for projects that may come up during the fiscal year that are eligible for funding. Mr. Zimmerman stated for the first time in 8 years there was not a large deficit and there is now the opportunity to funnel money back into the community. He asked if there has been a philosophical disconnect. Councilmember Metzner stated there has been no disconnect, they were just asking what the projects were.

Councilmember Aleshire stated it appears that all the money being paid for reforestation is being put into a reforestation fund rather than into tree planting. Kathleen Maher, Planning Director, stated these numbers are just predictions for revenue. No plans have been submitted.

Councilmember Metzner stated one development on Pangborn Boulevard was made to look like part of the park with lots of green space and another development looks like it has been shoe-horned in. He stated these developments are good examples of reforestation versus non-reforestation. Ms. Maher indicated there are different requirements for property that had forest and property that didn't.

Councilmember Aleshire stated there is a projected increase of 265 new sewer customers. He asked why the number was estimated at 265 if there were 205 new customers last year. Mr. Martin indicated the estimate may be low.

Councilmember Aleshire discussed a standard fee for resubmission of plans and for rezoning requests. He suggested implementing a fee of \$ 50.00 for requesting a review by the Board of Technical Appeals, since there are many more requests. The fee for the service should cover the cost of providing the service.

Mr. Martin stated Councilmember Aleshire has submitted a list of questions about specific line items in the budget. The list has been distributed to the appropriate departments. The responses will be compiled and given to Councilmember Aleshire.

Mr. Zimmerman stated the Mayor and City Council needs to discuss Girls, Inc. and the sidewalk on Baltimore Street. They have said they would not waive the permit fee but would provide funding in the amount of the permit fee. This would be a donation or a grant. During the rehab work at Girls, Inc., fees of \$ 6,300.00 were charged. They have requested that the fees be waived. Mr. Bayer stated there is a way to give a donation in the amount of \$ 6,300 next year

but he needs to know where to take it from.

After considerable discussion, it was the general consensus of the Mayor and City Council to use \$ 6,300 of the Community Opportunity Fund as a donation to Girls, Inc.

Baltimore Street, from Prospect Street to Virginia Avenue, was then discussed. The Mayor and City Council considered whether or not to improve this section of the road. Councilmember Metzner stated he does not think this should be paved because of how steep the hill is. He stated if the road is closed, except for access to parking lots, people will have to turn up the hill to get back to the street. This will not be possible with snow and ice on the road. Mr. Tissue stated the street needs to either be closed, with access to the parking lot, or upgraded. The street is in poor condition.

Steps could be added rather than sidewalks. Most of the cost of \$ 60,000 for the upgrade is for the steps. The maintenance of the steps (for snow and ice removal) would be up to the property owners. The Mayor and City Council discussed whether or not the road could be made less steep. This is not a feasible option. Mr. Zimmerman suggested meeting with the Neighborhoods First group in that area to try to redesign project. Councilmember Metzner stated he would be interested in hearing from the property owners.

Funding for REACH was then discussed. It was the general consensus to leave the funding amount at what they requested for the night operation. Councilmember Nigh stated she hopes the next administration will look at the problems with homeless in this community.

Councilmember Metzner stated there is \$ 110,000 still left in the Community Based Initiatives Fund. He has said he would like to do something for senior citizens. He is in favor of providing some tax relief. He stated when services are cut to reduce costs, residents call and they want to know how senior citizens are being helped by the City. No one has called to tell him this proposed budget is outrageous. Based on the public input he is receiving, he is happy with the budget.

Councilmember Nigh stated there were three people who wanted to speak about the budget. Two were at the public hearing. Neal O'Connell was not able to attend the budget hearing but he has talked to the County and the State about the increase in taxes.

Ray Foltz, Assistant Finance Director, asked if the Mayor and City Council were asking for a City tax credit to be added to the State tax credit. Councilmember Metzner stated they want to do something and this would be a good solution. Councilmember Aleshire stated he would like to be able to cut a penny and a half from the tax rate. This has always been one of his goals. Councilmember Metzner stated if this can be done without decreasing services, he supports it 100%.

Councilmember Aleshire stated MSN Money has listed Hagerstown as one of the 55 top housing boom towns in the nation that have experience a 30% increase in housing costs. He asked what can be done to decrease the effect of increasing fees for homeowners. His suggestion is to reduce the tax rate by a penny and a half.

Mr. Martin indicated that the project on Eastern Boulevard will have to be short term financed in house since funding from developers has not been paid at this point in time. There are other projects that will require the same financing.

Mr. Zimmerman stated a point of concern is the post-retirement benefits. Tax revenues are going to be needed to fund this.

Councilmember Nigh asked how much it costs for the amenities for new developments. She asked Staff to review and let her know. Mr. Martin stated residential development does not cost as much as retail/commercial. An analysis will be completed. Councilmember Nigh asked specifically if the tax revenue equals the cost.

Councilmember Hendershot stated he would like to see the tax reduced by one penny, but this may not be possible. He stated it depends on whether or not you are optimistic or pessimistic about the future of the City.

Mr. Martin stated the Charter requires a balanced budget. Staff has developed what they feel is a realistic budget. He stated the City needs to be conservative with the optimism because they don't want to have to dip into the reserves.

Mr. Foltz stated there are two unions going to negotiation and there is the added threat of the new accounting for retirement fees.

Councilmember Aleshire would like to reduce the tax rate by a penny and a half. Councilmember Hendershot would like to reduce the tax rate by a penny. Councilmember Metzner stated he was going to trust staff. If his fellow Councilmembers can find the money to reduce the rate, good for them. He reminded everyone there is a new administration coming in that will have to work within these guidelines.

Mr. Zimmerman pointed out that the last time the tax rate was reduced, the largest increase in the tax rate in the history of Hagerstown was implemented the very next year. He stated there is a lot of uncertainty in the coming years. Nothing has been included in the proposed budget for the Excise Tax revenue because of the uncertainty. Mayor Breichner indicated Governor Erhlich has not signed the Excise Tax bill yet. He stated he understands there is an effort to have the Governor veto the bill.

Mr. Martin stated Staff has tried to be as realistic as possible with this proposed budget. They

want to have a balanced plan that is achievable.

Councilmember Metzner stated it would not be fair for a new administration to have a budget to deal with that is not viable.

Mr. Zimmerman indicated the modifications made to the proposed budget are in the amount of \$ 109,450. If the \$ 110,000 from the Community Based Initiatives fund is used, it will be a balanced budget.

City Administrator's Comments

Bruce Zimmerman, City Administrator, had no additional comments.

Mayor and Council Comments

Councilmember C. N. Moller stated the next Thursday Night Out will be held on May 12, 2005. There will be blues bands on various corners. She encouraged everyone to visit the Discovery Station. The library has opened a new teen center.

Councilmember K. B. Aleshire asked if the request for the use of Fairgrounds Park from the cheerleaders would be included on a future agenda. Mr. Zimmerman stated additional information is needed on the group and the people who are in the group. This item is not ready to be added to an agenda at this time.

Councilmember Aleshire responded to Mr. Trump's comments in Friday's newspaper in which he said the people need elected officials who listen to all citizens. Councilmember Aleshire has responded to thousands of e-mails, Councilmember Metzner has met with people face to face, Councilmember Nigh is on the telephone 20 hours out of the 24 hour day, Councilmember Moller attends more functions than anyone and Councilmember Hendershot advocates all causes. He doesn't know who that statement may have been directed toward, since this group spends a great deal of time responding to citizens. He took offense at the remark. There are candidates running who haven't taken a dime from developers. He sent a letter to the Chamber of Commerce about their comments. The letter outlined his thoughts and what he saw as a collective effort. No one responded. Councilmember Aleshire stated only nine people have attended the budget hearing over the past four years. Less than 15% of the registered voters exercised their right to vote in the last election. He stated democracy is truly a mirror of the people it represents. He stated a recent article in the newspaper stated editorial information would only be printed after it is found to be accurate. Councilmember Aleshire stated information included in Tom Immer's editorial was inaccurate.

Councilmember N. L. Hendershot stated the Alms house was the original site of the Western Maryland Center. He stated people are concerned about the process the City uses when bidding

on property. He stated he wasn't aware the building was on the historic register when the Mayor and City Council were discussing with Mr. Bayer the value of the property. He hopes that before anything happens with that property, there would be further discussion with the Mayor and City Council. He stated the man who wanted to buy the property was going to restore it. Councilmember Hendershot stated the last three weeks have been spent putting out fires with the Willie Mays issue. The City has received an unfair rap of being unfair, racist, and a bigoted City. He stated this has received national attention because of a column in the newspaper where anyone can call in and say whatever they want, not leave a name and have it printed in the paper. He feels the paper has been reduced to garbage. He stated he is sorry the local newspaper has been reduced to this. This is being very unfair to the City. He urged everyone to get out and vote on May 17, 2005. He hopes they ask the right questions and try to be smart about their vote.

Councilmember P. M. Nigh stated every citizen needs to vote in this election. She met with the Joint Veterans Council and was told they do support the idea of a monument on Memorial Boulevard. Approval of the monument will be included on the agenda for May 24, 2005.

Councilmember L. C. Metzner stated he has received his fair share of criticism from the newspaper. He has made an attempt to not criticize the newspaper. He was advised "you don't want to take them on." A letter in Sunday's paper indicated there has not been leadership during this administration and Hagerstown is being labeled as racist. He thinks he did provide leadership, along with five other people. There was another story about the Willie Mays issue. He stated the writer agreed with the callers of Mail Call and that nothing should be renamed. He pointed out renaming Municipal Stadium was not mentioned. He has stated to the national media that the only renaming issue is with the newspaper. He stated those that write this stuff should be willing to talk to the national media.

Councilmember Metzner stated tonight is this administration's last work session and they've had four busy years together. He hopes the ice skating people and everyone else understands citizen comments that tell us how bad it is will not be appropriate for the meeting on May 24, 2005.

He stated he has worked with three administrations. It has been a pleasure. He stated it will be difficult to replace Councilmember Hendershot and Councilmember Moller. He stated it is hard to compare the first administration with any others since he was invited into the group and not elected. He stated this body has worked together better than any group. He stated they have done a good job and he thinks they have worked well together. There have been changes in staff. He stated no matter what the future brings, people need to get out and vote. There are many issues in the community. It would be nice for the people who sit on the elected body to say they have a mandate and really have one because of the number of voters who turn out.

Mayor W. M. Breichner stated City governments who are not doing anything will not make mistakes. Those that are moving forward and building the community will make mistakes.

Moving forward and making mistakes is nothing to be ashamed of.

Mayor Breichner stated there are many retired fire volunteers who have asked for one of the Gamewell boxes. He suggested compiling a list of the people interested and making sure they get one.

Mayor Breichner presented graduation certificates to the Neighborhood College participants. Those receiving certificates were: Deolris Bitner, Ruth Anne Callaham, Sally Colby, Steve Colby, Christine Elllis, Amy Groesbeck, Todd Groesbeck, Emilia Henson, Dan Kennedy, Michael Lewis, Emily McFarland, Judith McLean, Mary S. Mallery, Darlene Strite, Tory VanReenen, Gordon Bartels, Janet Bartels, Brenda Clinton, Christopher Dao, Dorothy Griffith and Kim Winters.

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember K. B. Aleshire, the Mayor and City Council unanimously agreed by voice vote to meet in closed session at 6:32 p.m. in accordance with the provisions of the annotated Code of Maryland, State Government Article, Section 10-508(a) #1 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. No formal action was taken at the executive session. The meeting was held in the Mayor's Office, 2nd floor at the City Hall. The meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Donna K. Spickler, City Clerk

Approved: May 24, 2005