

WORK SESSION – June 2, 2009

Mayor R. E. Bruchey, II called this Work Session of the Mayor and City Council to order at 4:03 p.m., Tuesday, June 2, 2009, in the Council Chamber, 2<sup>nd</sup> Floor, at City Hall. Present with the Mayor were Councilmembers W. M Breichner, M. E. Brubaker, F. Easton, A. C. Haywood and L. C. Metzner; City Administrator Bruce Zimmerman, City Attorney John Urner, City Attorney William Nairn, City Attorney Mark Boyer, and D. K. Spickler, City Clerk.

Establish Meeting Schedule

The Mayor and Council established their meeting schedule to be Work Sessions on the first, second and third Tuesdays at 4:00 p.m. and the Regular Session on the fourth Tuesday at 7:00 p.m.

Discussion with John Urner, City Attorney

City Attorneys John Urner, William Nairn and Mark Boyer were present to discuss various aspects of municipal government.

Mr. Urner stated the City of Hagerstown is a Council/Administrator form of government. The Charter establishes the form of government and how the City operates. The Mayor and City Council determine policy and pass legislation to implement the policy and laws. The City Administrator is responsible for carrying out the day to day operation of the government. The Mayor and Council do not direct employees as individuals, but as a body. The Mayor and Council would make a directive and it would be the City Administrator's responsibility to implement the directive.

Mr. Boyer discussed the types of meetings held by the Mayor and Council. Work Sessions are typically less formal discussion sessions. A formal, legislative session is held at least once per month. Executive Sessions (also known as closed sessions) are permitted to discuss certain sensitive information. No formal action may be taken at an Executive Session. Records from Executive Sessions are sealed, unless the body agrees to open it. No discussion that takes place during an executive session should leave the meeting. Legislation is passed by ordinance (as outlined in the City Charter). Resolutions provide administration of an established policy. For example, a new lease would be approved by ordinance and renewed by resolution. All documents are public records and anyone can request copies of the records per the Public Information Act.

Mr. Nairn discussed the Ethics Code. The Code applies to members of the Mayor and Council, board members and employees. A financial disclosure statement must be filed annually by Mayor and Council members and other staff members. The County's Ethics Commission hears complaints about violations. If they find that a violation occurred, a penalty is imposed by the Mayor and City Council.

It was the general consensus of the Mayor and City Council to review and update (if necessary) the City's Ethics Code. This will be a work session item in August.

City Administrator's Comments

*Bruce Zimmerman, City Administrator*, congratulated the Mayor and Council at the start of their new term. He and the City's staff are looking forward to working with them.

Mayor and Council Comments

*Councilmember M. E. Brubaker* reported the Planning Commission has begun reviewing Phase 2 of the Comprehensive Rezoning. He stated an editorial in the Herald Mail today touched on a number of aspects that should be reviewed but the City has to be cautious with finances. He thanked everyone for another successful BluesFest. He is looking forward to working with this administration.

*Councilmember W. M. Breichner* stated he appreciated the information provided during this meeting. He suggested a work session discussion with information about the FY 2009/2010 budget.

*Councilmember L. C. Metzner* thanked staff for planning the Oath of Office ceremony and reception. The BluesFest has become a reunion gathering for many people and this year's event was no exception. The Board of Traffic and Parking discussed how to make the City be more bike friendly. He is also looking forward to the next four years.

*Councilmember A. C. Haywood* wants to help make Hagerstown a greener city. Some of the items discussed so far would fit into a strategic plan for the city.

*Councilmember F. Easton* stated he did not realize how much effort is put into making the BluesFest event a success until this year. He thanked everyone involved in the planning and execution. He thanked staff for their help in the transition between the two administrations.

*Mayor R. E. Bruchey, II* thanked the entire BluesFest committee who worked for 10 months to make this year's event very successful. He is looking forward to working with this Council.

There being no further business to come before the Mayor and City Council, on a motion duly made, seconded and passed, the meeting was adjourned at 5:05 p.m. The Mayor and Council then toured the Utility Operation facilities.

Respectfully submitted,

Donna K. Spickler, City Clerk

Approved: June 23, 2009