

2nd SPECIAL SESSION – July 12, 2005

Mayor Richard F. Trump called this 2nd Special Session and Work Session of the Mayor and City Council to order at 4:00 p.m., Tuesday, July 12, 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 Urner and City Clerk D. K. Spickler.

Approval of an Ordinance: Water and Sewer Benefit Charges

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember K. S. Cromer, the Mayor and City Council unanimously agreed by voice vote to approve an ordinance to increase water and sewer benefit charges, sewer grinder pump charges, water fire line charges, industrial surcharges, and decrease water debt service charges as detailed in the ordinance and attached fee and user charge modification charts. The increased rates shall be effective for benefit charges paid and all bills rendered on or after August 11, 2005.

WORK SESSION – July 12, 2005

Mayor's Report

Mayor Trump stated there is a busy agenda for this evening and for the summer. He stated, per Council's direction, he is working on the water and sewer issues with the hospital to move the project forward. Several Councilmembers questioned this being the Council's direction. Mayor Trump stated he understood the Council had said to work on the water/sewer issues so the hospital could move forward. He asked David Shindle, Water and Sewer Department Manager, to submit a letter to the Maryland Department of the Environment (MDE) asking for an exemption from the allocation restriction. He stated would like to include a discussion of the hospital on the next agenda.

Councilmember Metzner stated the letter does not authorize any type of allocation for the hospital. He stated the Mayor and City Council need the answer from MDE before any decisions can be made.

Mayor Trump stated he is working on other things. He is here full time and there isn't time to run everything through the Council. He stated they need to trust each other. He understands that all issues to be voted on must come before the Council. He thanked the Council for the respect they show to citizens and staff who come before the Council.

Adequate Public Facilities Ordinance (APFO) Discussion

An Adequate Public Facilities Ordinance (APFO) was introduced by the Mayor and City Council on June 21, 2005. The APFO was prepared for Mayor and City Council consideration as a means of making the City eligible to retain 28% of the County excise tax, as enabled by House Bill 1272. The Washington County Commissioners are scheduled to vote on amendments to their APFO on July 12, 2005. The proposed City APFO models the County school APFO with a number of modifications to reflect City goals and development review practices. The first modification is to the definitions section, 2-6 are to the exemptions section, and the last modification is to the school test section of the APFO:

1. define minor subdivision as 25 or fewer lots (rather than 5 or fewer lots).
2. exempt minor subdivisions as defined above
3. exempt redevelopment of non-residential properties in the Revitalization Area and rehabilitation of non-residential and mixed-use buildings in the Revitalization Area.
4. exempt rehabilitation and redevelopment of pre-1930 industrial buildings and complexes in the City of Hagerstown.
5. exempt residential site plans or plats with 26 or more housing units which develop at a pace of no more than 25 units per year.
6. exempt subdivision plats or site plans which were submitted prior to June 1, 2005 and which have preliminary plat approval for the property to be subdivided prior to the effective date of this ordinance.
7. conduct the determination of school adequacy exercise at the time of preliminary plat (rather than at preliminary plat *and* at final plat)

The Washington County Board of Education is opposed to the City's modifications because they feel the additional exemptions will result in an ineffective school testing process. The Board of Education would also like the County and municipal APFOs to apply the school test at preliminary plat, final plat, and building permit stages of development, since no reservations have been made for approved outstanding subdivisions.

On July 7, 2005, staff held a meeting with local developers to gain their feedback on the proposed APFO. Representatives were present from one engineering firm, six developers, the Washington County School System, as well as one permit coordinator and one attorney for a number of development projects. A preference was stated for applying a new City impact fee on development as an alternative to implementing a City APFO to retain 28% of the County excise tax. If an APFO is to be adopted, a preference was stated for the testing to occur at preliminary plat (with a reservation for the project) rather than at final plat for the following reasons:

1. The development project would be under construction or partially built by the stage of initial and subsequent final plat approvals, thus halting the project at the

final plat stage would create financial devastation for the developer as well as for the homeowners already invested in the project and could result in half-built subdivisions in the City; and

2. Coordination of the plan approval, school testing, and sewer allocation at the preliminary plat stage would provide more certainty in the process for developers of and investors (homeowners) in residential development projects.

Kathleen Maher, Planning Director, stated the Washington County Commissioners approved the Excise Tax at their meeting today. The tax becomes effective at midnight, tonight. Ms. Maher stated the following exemptions from the excise tax were made:

1. Building permits submitted in acceptable form, prior to the effective date of the Excise Tax Ordinance
2. Farm construction (non-residential)
3. Government construction (includes Board of Education and Hagerstown Community College)
4. Residential accessory structures (not habitable)
5. Additions to residential projects which do not create new units
6. Schools
7. Development projects in the C3 zoning district and the Conversion District overlay zones.
8. Elderly Housing (per Federal regs for elderly persons or restricted by covenant to 55 or over)
9. Non-residential development projects in the Enterprise Zones
10. Small non-residential, non-retail development projects of 5,000 sq. ft. or less.
11. Structures owned by tax-qualified religious corporations and used for religious, educational, or community purposes.

Workforce housing was addressed in the Excise Tax ordinance. For all housing units (except apartments) which are 1,500 square feet or less in floor area, the tax is \$ 1.00 per square foot. Anyone wishing to appeal the workforce credit goes through the County Planning Director.

Campground cabins are treated the same as hotels in the ordinance.

Bruce Zimmerman, City Administrator, stated the Engineering Department is prepared to start collecting the excise tax money tomorrow. The money collected will be submitted to the County at the end of each month.

Ms. Maher stated the Washington County Commissioners also discussed the APFO. Some changes were discussed and it was tabled for at least two weeks. Commissioner James Kercheval recommended a three tiered test for school capacity. If schools are inadequate but not failed, they could negotiate a phasing schedule to allow projects to move forward. If schools are failed, the project cannot be approved. Another recommendation was a development agreement for projects which cannot proceed due to failed schools to allow a queuing system for projects waiting for school capacity.

For administrative costs, the City may retain 2% of the tax which will be remitted to the County. If the City does not adopt an APFO with a school test, the City must remit 100% of the tax to the County. If the City adopts an APFO with a school test, the City may retain 28% of the tax per residential unit or per non-residential development project. Ms. Maher stated the administrative fee would be applied to either 100% of the tax (if the City does not adopt an APFO) or to 72% of the tax (if the City adopts an APFO).

Councilmember Metzner stated he thinks everyone is agreeable to adopting an APFO. He wondered how well a City APFO would fit in with the County's legislation.

Councilmember Aleshire pointed out a letter was received from the Board of Education outlining why they oppose the proposed exemptions. The exemptions are specifically for minor subdivisions, residential site plans or subdivisions with 26 or more housing units, which develop at a pace of no more than 25 units per year, and developments for which subdivision plats or site plans were submitted prior to June 1, 2005 and which have preliminary plat approval for the property to be subdivided prior to the effective date of this ordinance.

Councilmember Metzner expressed his concern that the City needs to be able to allow residential development and revitalization projects in the downtown. He believes the Washington County Commissioners agrees this should be allowed.

Mayor Trump stated he has asked Greg Snook, County Commissioner President, Bruce Zimmerman, Rod Shoop, County Administrator, and planners to meet to provide leadership in this discussion. He would then have Commissioner Kercheval and Councilmember Aleshire join the group. Summaries of the meetings would be brought to the Council for further discussion. He stated anyone who wanted to get involved would be welcome.

Councilmember Metzner he is agreeable to this if Councilmember Aleshire is a part of the

group. Councilmember Aleshire stated it would be better to go into those meetings knowing what this body feels about those four items. He stated it must be recognized that development occurs differently in the City.

Councilmember Aleshire suggested using a percentage to define residential subdivisions. He stated the June 1, 2005 date should not be changed. This is a signed contract with the property owner and they will, at that point, have some type of funding in place to start the project. Waiting to perform the school test at the building permit stage is not feasible. A significant amount of money will have already been expended. He suggested making the preliminary plan good for three years, like Frederick does.

Ms. Maher pointed out that the boundaries for the revitalization area is significantly larger than the downtown area. Councilmember Metzner stated there are areas that need to be exempted from an APFO. He also suggested the area may have to be refined.

Mr. Zimmerman summarized the discussion as follows: the Mayor and Council want to keep the language in reference to redevelopment of non-residential properties in the revitalization area, further discussion is needed for the definition of minor residential subdivisions, and keep the school test application at the time of preliminary plat approval.

It was pointed out that the Sewer Capacity Allocation plan is going to limit development, with or without an APFO test.

The City's public hearing for the APFO will be delayed until the County finalizes their ordinance. Councilmember Aleshire asked if there is a September 1 deadline in order for the excise deadline to be retroactive. Ms. Maher stated the deadline may be able to be revised.

It was the general consensus of the Mayor and City Council to move forward with the discussions.

Light Annexation Discussion

The Light Annexation (A-05-02) was first discussed at the Mayor and Council's Work Session on Tuesday, December 14, 2004. This item was formally introduced on March 29, 2005. The property is located east of Eastern Boulevard behind the Food Lion Grocery store and south of Jefferson Boulevard, containing 29.374 acres of land.

The property is proposed to be developed with professional offices or businesses similar to those existing along eastern Boulevard and Professional Court. A zoning of C2 (Commercial General) is requested. A Public Hearing was held on June 21, 2005.

Mr. Bass informed the Mayor and City Council that a meeting was held with the adjacent

property owners on July 7, 2005. Those in attendance expressed their preference for a 50' buffer area, but they would agree to 35'. Adjacent property owners will be notified of upcoming meetings for development. The developer is agreeable to establishing a 40' buffer. This language could be incorporated into the annexation petition.

Councilmember Metzner asked the residents to submit something in writing to him that voices their opposition and their thoughts about the buffer. He stated these folks don't seem to have much of a voice about the annexation. He would not vote in favor of approving the annexation without assurances from those folks that they are agreeable to the buffer of 35'.

Councilmember Aleshire questioned the height allowances in the zoning district. The allowance is 50', with an additional 40' through a special exception. Councilmember Aleshire suggested considering a height regulation in the petition. He also stressed the need to have the access points written into the agreement. Mr. Bass indicated it won't be known if Jefferson Boulevard can be used until a traffic study is complete.

Mayor Trump complimented those that spoke at the regular session about this issue. He complimented the Council members for their consideration of the points.

Councilmember Metzner and Councilmember Aleshire will wait for a correspondence from the residents before adding the conditions discussed to the petition. They want to hear from them what they would find acceptable. Councilmember Metzner suggested limiting the height to 50'.

Mayor Trump reminded the Council that if the property is not annexed, it could still be developed, but under County regulations.

There was a 10 minute break at this time.

Councilmember Metzner indicated that the residents and developer would benefit from another meeting with staff. This item will be placed on the agenda for approval on July 26, 2005.

Crumrine Annexation Discussion

The Crumrine Annexation (A-05-03) is a result of a pre-annexation agreement as a condition for receiving water service, which stated that the property would annex when it becomes contiguous to the corporate boundary. It is immediately adjacent to the Light property. The area proposed for annexation is 18.465 acres. This item was formally introduced on March 29, 2005.

A single family detached dwelling was recently constructed. There is no further development being proposed at this time. The owner has requested that the property be given a zoning designation of AT (Agricultural Transition), reflecting the rural nature of the tract and the fact that there are no plans for any development to occur.

The Planning Commission did not concur, feeling that the AT District is for existing agricultural operations, is a temporary place holding designation, is not consistent with the Comprehensive Plan, and is a zoning category substantially different from that of the current County category (RU Residential Urban). Therefore, the Planning Commission recommended a zoning classification of R1 (Residential). The Annexation Resolution presented at the Public Hearing held on June 21, 2005 included this recommendation.

Councilmember Aleshire asked how the taxes would be affected if the Council followed the Planning Commission's recommendation. It was stated there would be no affect.

Councilmember Metzner stated he is not in favor of telling a property owner that wants to keep open space for his benefit and his neighbors' benefit that he can't obtain that zoning classification. He would support the annexation if the owner's request was approved.

Councilmember Aleshire suggested making it a condition of the Light annexation that a road connection would be made with the Crumrine property. He would support the annexation if the zoning classification is what the owner requested.

It was the general consensus of the Mayor and City Council to support the requested zoning of AT for the Crumrine property and move forward with the annexation, dependent upon the Light annexation.

Jonathan Street Streetscape Project

Jonathan Street, from Church Street to Pennsylvania Avenue, has been plagued with water main breaks over the past several years. In 2003, there were two major water main breaks in the area that resulted in the need to replace sections of the waterline and patch the 100 year-old plus storm drain. Upon review of the systems in the field, it is obvious that the water line and the brick arch storm drain should be replaced. The sanitary sewer and the gas main are also deteriorated to a point where replacement is warranted.

Based on this information, in December 2003, it was recommended to Council to consider a Streetscape Project for this section of Jonathan Street. Included in this project would be all utility replacements, replacement of the sidewalks and planting of trees. Staff would anticipate that this project would take place in the summer of 2006 or 2007 and would be a comprehensive enhancement of the Jonathan Street corridor.

With Council's concurrence, in January of 2005, "Statements of Qualifications" were solicited from engineering firms. In February, price and technical proposals were requested from the short-listed firms. A Staff committee ranked the firms as follows (in order of preference):

- A. Rummel, Klepper & Kahl (RK & K) Baltimore, MD
- B. Johnson, Mirmiran & Thompson (JMT), Sparks, MD
- C. KCI Technologies, Hunt Valley, MD

The design efforts were broken into three phases (base plan compilation, preliminary design, and final design). An “add alternate” work item was included to design the conduit system to bury underground all overhead wires (electric, phone, TV, fiber optics, HPD cameras, etc.). The price proposals for the design were as follows:

Firm	Design Fee (all 3 phases)	Add Alternate
RK & K	\$ 347,404	\$ 98,323
JMT	\$ 294,073	\$ 37,399
KCI	\$ 252,256	\$ 38,306

Capital Improvement projects No. 638 and No. 617 (City Light) are established to fund the project. In the current year, \$ 300,000 in Bond funds (General Fund), \$ 375,000 in Water and Sewer funds, and \$ 50,000 in Light funds are earmarked for design and to begin construction.

If the Mayor and City Council wish to proceed, the design would be split between the water/sewer and general funds and the “alternate” would be split between the Light Fund and the general fund. The Light Department has indicated that they will complete some of the duct bank design in-house, which will lower the alternate fee slightly.

If a design contract is authorized by City Council in July, the design will likely be completed by April, 2006. Construction could commence in the fall of 2006 or Spring of 2007. Construction will likely take eight (8) to twelve (12) months. Portions of Jonathan Street would be closed to complete the work, most likely in a block-by-block approach.

Total project costs could be around \$ 3,000,000 plus an additional \$ 1,000,000 if the wires are placed underground. Staff would develop better estimates of the cost as the design progresses, and update Council of any changes.

Staff recommends proceeding with the design of this project, including the alternate design for burying the overhead wires. At this time, the following recommendations are being made:

1. Recommend the alternate design to bury the overhead wires. Review of the attached photographs indicates that the overhead wires are a dominant feature on current Jonathan Street streetscape, and improvements to the streetscape without burying the wires would have little impact.
2. Staff is concerned about the lowest cost firm’s (KCI Technologies) technical

approach to the project. KCI proposed the following three items in their approach that staff disagrees with:

- A. They propose using a “cast-in-place” storm drain replacement without further consideration of cheaper “precast” system. The cast in place system will also lengthen the project time and neighborhood disruption.
- B. They propose an extensive soil boring plan (valued at \$ 19,000) that requires 20 soil borings over the length of the project. We feel this has limited value for this project where we are replacing utilities, not excavating virgin ground.
- C. They propose the use of architects to assist them. We question the value these professionals will add to what is basically a road and utility replacement project.

If these concerns can be resolved in the next week, staff will probably recommend the low proposal. If not, staff is prepared to recommend the second low proposal, JMT.

Councilmember Parson-McBean asked if any of the firms contacted are minority firms. Mr. Tissue stated he believed there are some firms.

Councilmember Aleshire agrees that additional architects are not needed for the design work. Councilmember Metzner stated he agrees with staff’s recommendation to bury the wires.

Community meetings will be held to discuss the schedule and the details of the work. The meetings will begin during the design phase of the project. The concerns expressed by the residents could be part of the specifications for the actual work.

Total Compensation Study

At a Work Session on April 5, 2005, the Mayor and Council directed staff to move forward with plans to conduct an external study of the entire compensation package for the City’s five (5) employee groups. The Mayor and Council also directed staff to return to the Mayor and Council following the election, with a report on the project. Based on that direction, funds are included in the Human Resources FY 05/06 budget for the compensation study.

A very comprehensive Request for Proposal (RFP) has been completed for vendors to bid on the project. Staff included a Scope of Required Services that requires vendors to:

- 1. Supply a job analysis questionnaire for every employee to complete. This analysis, along with other information, will be used to develop the final recommendations.
- 2. Survey the market for prevailing wage rates and benefits levels from other private

- and public employers
- 3. Review the classification of city positions for internal and external equity
- 4. Make recommendations for changes and include alternative phase in recommendations for upgrades
- 5. Include a classification system to be used to evaluate compensation adequacy in future job evaluation reviews
- 6. prepare and present a final report to the Mayor and Council

A City Coordinating Committee, comprised of the City's Human Resources Director and Assistant Finance Director, and a representative from each of the five (5) employee groups, will review all responses to the RFP. Staff is seeking approval from the Mayor and Council to advertise to conduct an external total compensation study for all employee groups of the City of Hagerstown. They are also seeking approval to include a representative from each of the five (5) employee groups to serve on the Coordinating Committee, along with the Director of Human Resources and the Assistant Finance Director.

The following is a proposed timeline for the study:

July 12, 2005	Mayor and Council approve issuance of the RFP
July 13, 2005	RFP issued
August 3, 2005	Deadline for vendors to reply to RFP
August 4-12, 2005	Coordinating Committee reviews bids and prepares to make recommendation to Mayor and Council
August 16, 2005	Coordinating Committee makes a recommendation for vendor to the Mayor and Council in the Regular Session
August 23, 2005	Bid Award approved in the Regular Session
August 24, 2005	Notify successful vendor in writing
December 6, 2005	Final Report given to the Mayor by the Vendor

Mayor Trump stated he had recommended that a complete re-evaluation of personnel be completed and he has asked Councilmember Cromer to lead that committee. He asked if Council would be agreeable to doing this evaluation. Councilmember Aleshire asked if there would be people on the committee outside of City employment.

Donna Messina, Human Resources Director, stated she thinks the study and the re-evaluation could be completed at the same time and could parallel each other. She noted that all union presidents received a copy of the memo for this meeting. They all are agreeable to completing the study.

Mayor Trump indicated his intent with the task force (to complete a re-evaluation) is so the Mayor and City Council can feel comfortable that the concerns of the employees are being addressed. He would like to report at the next work session that this is moving forward.

Councilmember Parson-McBean asked what the scope of the evaluation would be. Mayor Trump stated the outcome could be greater efficiency, costs savings and a better understanding of the whole process.

The members of the task force have not been chosen at this point. Mayor Trump stated the membership would be approved by the Council.

It was the general consensus of the Mayor and City Council to move forward with the RFP process for the compensation study.

City Administrator's Comments

Bruce Zimmerman, City Administrator, stated the Haven Road Petition Annexation will be on the agenda for the Council's consideration.

Mayor and Council Comments

Councilmember K. B. Aleshire asked for an update of the complaint from Hyde Park Apartments. Mr. Zimmerman stated further information will be provided. He stated the residents had contacted him concerning the possible increase of dangerous materials being transported by trains. He stated the Council received a letter from the Junior Football League stating the representative at a previous council meeting had been verbally assaulted. He apologized but doesn't feel the person was verbally assaulted. He stated he would like to discuss the sale of the Delta building (owned by Richard McCleary) to Mo Azzati. He stated the Council had previously said the building could not be sold because of the obligations to the City. In reference to the trash to the Lowe's building, a fence will not solve the problem. The owner should have to clean up the property. He suggested considering the idea from Norrine Dagliano for a waiting area for bus patrons.

Councilmember Aleshire then discussed the letter from the Board of Education. He asked what development in the city has caused the increase in population (to 120% capacity) at Bester Elementary and Fountaindale Elementary. The development has occurred outside the city limits. The only difference now is that the City's annexation agreement has created the requirement that development has to proceed in a certain manner. He stated the implication that overcrowding in schools has been caused by city development is not accurate.

Councilmember L. C. Metzner commended everyone who helped with the Fireworks at Fairgrounds Park. He stated this is one of the biggest successes for the City. He thanked Ted and Vicky Bodnar for their ideas and input. Even though they have moved from Hagerstown, they were still involved. He stated the bluegrass concerts at City Park are very good.

Councilmember K. S. Cromer attended the Maryland Municipal League convention recently. She stated it was a beneficial convention. She would like the City to be more involved in the MML. She noticed that County Commissioners and Delegation Members from other locations attended the convention, but not from Washington County. She stated she and Councilmember Parson-McBean are recommending that the City join the National League of Cities.

She stated she has received calls in reference to the air conditioning unit at Girls, Inc. Councilmember Nigh stated the unit is supposed to be moved near the end of July. Rodney Tissue, City Engineer, stated the adjacent resident has agreed to the new location.

Councilmember Cromer stated Ms. Dagliano's suggestion was to place benches for people waiting for the bus at the entrance of Hager's Row. She would be agreeable to this if there was some sign that indicated why people were there. She does not want anything to deter from the downtown landscape. Mr. Zimmerman stated Staff has been talking with the County about the bus stop. There has been some discussion about trying to locate the bus stop away from the square because of the amount of traffic. There is no solution yet.

She also would like to discuss the sale of the Delta Building by Mr. McCleary. She stated she understood both parties knew the building was not allowed to be sold. She understands Mr. Urner cannot comment because of a conflict of interest, but she asked that the attorney that handled this in the past be present to discuss it at a work session. She stated she received an email concerning a house at the corner of Reynolds Avenue and Summit Avenue that has been sold. The house has been a single family home and now may be converted into a multi-family home. She asked if there was anything the City could do to prevent this. Mr. Zimmerman stated staff will check the zoning in that location and information will be provided to the Mayor and City Council.

Councilmember Cromer stated a letter was sent from David Shindle, Water and Sewer Department Manager, to the Maryland Department of the Environment (MDE). She asked why the Mayor, Bruce Zimmerman, James Hamill and Christopher Shank were carbon copied on the letter, but the Council was not. Mr. Zimmerman indicated it was an oversight that was realized and copies were made for all Councilmembers. She asked if the hospital had received the zoning classification to locate on Robinwood Drive, since a letter was sent to MDE. She asked the Mayor when the permission to seek sewer allocation was given from the Council. She stated trust is earned and when Mayor Trump says this council gave him permission, when they didn't, it makes it difficult to trust him, when things are being done behind your back. Mayor Trump stated he is sorry Councilmember Cromer feels this way and things are not being done behind anyone's back. Mayor Trump stated in a conversation with Councilmember Metzner he understood that he didn't want the hospital to say anymore that the city was holding them up. He worked toward that goal and he will continue to work this way. He stated he would lobby members when details are worked out. Councilmember Cromer stated the opinions of all the elected officials have the same importance.

Councilmember P. M. Nigh stated the fireworks were wonderful and she hopes this remains a free event. She thanked Karen Giffin, Public Information Manager, and Junior Mason, and their staff members for their hard work. She stated it appears the slide is bringing more people to the pool. Attendance is increasing.

She stated she agrees with Councilmember Cromer, in that it appears there are a lot of things being done behind Councilmember's backs. She stated some things that have occurred have left a bad taste in her mouth. She stated she was upset that the gentleman who spoke at the last meeting about the hospital was not allowed to finish his statement. She stated his statement will be read at the next meeting. She stated it appears the mayor has been very supportive of the hospital right from the beginning. She stated he also has to hear what is good for the city, not just what is good for the hospital. She doesn't like to hear the mayor referred to as teacher and the councilmembers as students. She stated they are not children and she doesn't appreciate being treated as such. She stated the Council needs to know what the Mayor is doing.

Councilmember A. Parson-McBean stated she echoes what has been said here today. She commended the City for the fireworks show. She also attended the MML convention and found it to be a great experience. She thanked Councilmember Cromer and City Clerk Donna K. Spickler for their support at the convention. She met people who are willing to lend their knowledge of growth to Hagerstown. She would like to talk with these people to see how they were successful in managing growth and to learn from their mistakes.

She stated the Mayor and City Council members have to be cognizant of each other and be aware of each other's feelings. She stated they each were elected and one is not higher than another. Calling people down in this forum is not appropriate and is not appreciated.

She stated the personnel study should include a review of the minority base of employment. Out of more than 400 employees, only 19 are people of color. She stated they, as a body, need to remedy this.

She stated she believes that as we get to a point where we understand each other and what we are sacrificing to be here, we will be able to work together better. She is looking forward to that time.

She thanked the Hagerstown Police Department for watching the stop sign on Summans Avenue.

Mayor R. F. Trump stated it has not been his intent to call anyone down or belittle anyone. He is not doing anything behind anyone's back. He will provide a report of meetings so all Councilmembers will know what is occurring.

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember A. Parson-McBean, the Mayor and City Council unanimously agreed by voice vote to meet in closed session at 6:20 p.m. in accordance with the provisions of the annotated Code of Maryland, State Government Article, Section 10-508(a) #9 to conduct collective bargaining negotiations or consider matters that relate to the negotiations, #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, #7 to consult with counsel to obtain legal advice and #8 to consult with staff, consultants, or other individuals about pending or potential litigation. No formal action was taken at the session. The meeting was held in the Council Chamber, 2nd floor at the City Hall. The meeting was adjourned at 8:33 p.m.

Respectfully submitted,

Donna K. Spickler, City Clerk

Approved: