

4TH SPECIAL SESSION, WORK SESSION AND EXECUTIVE SESSION – August 18, 2009

Mayor R. E. Bruchey, II called this 4th Special Session, Work Session and Executive Session of the Mayor and City Council to order at 4:09 p.m., Tuesday, August 18, 2009, in the Council Chamber, 2nd 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, and D. K. Spickler, City Clerk.

4th Special Session – August 18, 2009

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember W. M. Breichner, the Mayor and City Council unanimously agreed by voice vote to meet in Special Session at 4:10 p.m.

Michael Spiker, Director of Utilities, stated staff has been in discussion with the American Red Cross regarding the purchase of .51 acres of property located at 1131 Conrad Court. The City of Hagerstown currently owns a wastewater pump station on this site which contains .14 acres of easement dedicated to the City. The purchase of this property will allow for the construction of a 600,000 gallon per day wastewater pump station as outlined in the Memorandum of Understanding between the City and the Washington County Hospital Association which was approved on October 28, 2008.

Additionally, the City will be acquiring 11,592 square feet of utility easement for the wastewater force main. For construction purchases a revertible construction easement of an additional 22,552 square feet has been granted.

Approval of Expenditure of Funds for Purchase of .51 Acres at 1131 Conrad Court

Action: Councilmember L. C. Metzner made a motion to approve the expenditure of \$ 50,000 (fifty thousand dollars) for the purchase of .51 acres of property located at 1131 Conrad Court, Hagerstown, Maryland, per the easement plat. Wastewater Division CIP 04-811-769 account number 5485001-5881-C0769 currently has \$ 617,888.00 available and will be utilized for the payment distribution. Councilmember M. E. Brubaker seconded the motion.

Motion carried, 4-1 with Councilmember W. M. Breichner voting No.

The Special Session was adjourned at 4:12 p.m.

Work Session – August 18, 2009

Preliminary Agenda Review

Consent Agenda

A. Police Department:

1. Equipment for 2009 Chargers – General Sales Administration (Kenvil, NJ)
\$ 10,042.92
2. Equipment for 2009 Chargers – Pelican Mobile (Hanover, MD)
\$ 25,842.00
(This item was added to the consent agenda at the August 18, 2009 meeting to cover additional purchases for equipment)

B. Water Department:

1. Copper Tubing – HD Supply Waterworks, LTD (Martinsburg, WV)
\$ 36,540.00
2. Miscellaneous Inventory Items for Water Fund – HD Supply Waterworks, LTD (Martinsburg, WV) \$ 61,378.50
3. Sampling Stations and Flushing Devices – HD Supply Waterworks, LTD (Martinsburg, WV) \$ 25,400.00

C. Planning Department: City's Stormwater Portion of County's Water Resources Element Study - \$ 15,000.00

The total contract price for the complete study will depend on the consultant the County Commissioners decide to hire. At this point, the information is still confidential. The total will be more than \$ 100,000.00.

D. Light Department: SCADA System Replacement – Avista Realtime Systems (Columbia, MD) \$ 40,000.00

Approval of Water Service at Hagerstown Regional Airport

The proposed Hangar and Office at the Hagerstown Regional Airport is seeking the #6 – Economic Development Project exception in the City's Water and Wastewater Policy for water and wastewater service outside the City's Medium Range Growth Area.

The Hagerstown Regional Airport is located outside the City's MRGA and is one of the County's targeted economic development areas for industrial and non-retail commercial development. The County Commissioners and the County Economic Development Commission have voted to support this project and the request for service through the City's Water and Wastewater Policy. Deborah Everhart, Economic Development Director, supports the project as well.

The site plan projects usage requirements of 200 GPD, approximately 1 EDU, which is under review by the City of Hagerstown's Utilities Department. Fire flow requirement data is stated at 2,500 gpm with a required test flow of 3750 gpm. Initial City of Hagerstown Utilities Department review determined that the required fire flow can be met. The developer will be responsible for the installation of a 10 inch water line and an 8 inch meter.

Councilmember Metzner is not opposed to approving this request; however, he asked that a discussion be scheduled to review the City's Water and Wastewater Policy. Bruce Zimmerman, City Administrator, indicated staff has submitted a draft policy to the Mayor and City Council for consideration for the airport, Hopewell Valley and Friendship Park. He stated it would be helpful to discuss the policy because staff understands bringing individual projects to the Mayor and City Council may not be the best approach.

Michael Spiker, Director of Utilities, indicated the office is associated with the hangar, not another building.

Partners in Economic Progress (PEP) – Recommended Program

Bruce Zimmerman, City Administrator, presented an updated version of the PEP Program reflecting the Mayor and Council's discussion on July 7 and August 4, 2009, and the meeting with local developers on July 22, 2009. The 1st incentive has been titled as an economic rehabilitation incentive grant which is a more accurate description of this incentive rather than using the phrase tax credit.

The packet material also includes an outline of the marketing program that staff intends to use to promote PEP, following Mayor and Council approval.

Councilmember Haywood asked if any commitments were obtained from property owners to participate in the Program. Mr. Zimmerman indicated the July 22, 2009 was an informational meeting, not a meeting to secure commitments. Kathleen Maher, Planning Director, stated a potential list was developed, which would provide over \$ 100,000.00. Staff would expect these would be future projects.

Councilmember Haywood would like to see more detailed information, not just an outline of the marketing program. Karen Giffin, Director of Public Affairs, indicated a scheduled preview this week may answer Councilmember Haywood's questions.

Councilmember Haywood asked if the marketing program was bid out. Ms. Giffin indicated the funding was approved by the previous administration and it was not bid out. Mayor Bruchey stated he thought local talent should be secured for this marketing program. Councilmember Haywood expressed concern that the internet service provider chosen is one of the most expensive in the area.

Councilmember Haywood and Councilmember Breichner asked for more information for the marketing plan and the funding.

Councilmember Haywood asked to see a more comprehensive list of all buildings that are eligible for the program. She would like to have developers indicate their willingness to commit to the PEP Program. She is concerned the Program won't be utilized.

Councilmember Breichner needs assurance from the property owners and developers that they will utilize this Program. He suggested presenting the program to the Chamber of Commerce. Councilmember Brubaker indicated he had approached the Chamber of Commerce.

Councilmember Brubaker expressed concern that stalling the program too long will cause developers to wait for greater incentives. Councilmember Haywood stated she thinks of the Program as a marketing process geared toward improving the City. She understands that staff feels this is a working document.

Mr. Zimmerman indicated staff is saying these incentives can be provided. This is a program that is ready to be utilized. At the July 22, 2009, the Program was positively received. He believes additional incentives will be requested. Kathleen Maher, Planning Director, has presented the Program at two events in the last two weeks.

Councilmember Metzner stated the marketing plan was an issue discussed by the previous administration and it was discussed at great length. Councilmember Haywood stated she is a business person and she wants the Program to be as complete as possible. She would like to see a more comprehensive building list. She is concerned that owners are not aware there is a building code for older buildings. Councilmember Brubaker pointed out the building code has been in place but developers aren't comfortable using it. Mr. Zimmerman and Ms. Maher stated developers and architects usually choose to use the standard building code.

Councilmember Easton does not see a reason to delay approving the program.

Acceptance of FEMA Grant and Approval of Required Contribution for Home Safety Makeover Program

Chief Gary Hawbaker, Hagerstown Fire Department, announced the Fire Department has been awarded a Fire Prevention and Safety Grant of \$ 76,000.00 from the Federal Emergency Management Agency (FEMA).

Meghan O'Brien, Community Resources Coordinator, and Deanna Pelton, Firefighter, were present to discuss the program the grant will fund. In the fall of 2008, the Fire Department and Lowe's partnered to pilot the Home Safety Makeover Program. The program focuses on three of the main preventable injury risks to older adults: falls, fire and carbon monoxide poisoning. The program was so well received by senior citizens that there were not enough resources to meet all the needs.

With this grant, the Fire Department will strategically identify several hundred Hagerstown homes where older adults reside independently and may lack a personal support system. Team members will provide education on preventable injuries, install extended life smoke/carbon monoxide alarms and, when needed, modify the living environment to help reduce the occurrence of Hagerstown's leading injury risk to seniors – falls.

The Fire Department will identify the customers for this program, provide education and install the smoke/carbon monoxide alarms. CDBG budgeted \$ 30,000.00 to be a partner in the program and will provide the fall protection hardware and contractors to install it.

Acceptance of the grant will be included on the August 25, 2009 agenda.

This completed the preliminary agenda review.

2009 Citizen Recognition Award/Board and Commissions Luncheon

Karen Giffin, Director of Community Affairs, stated the Boards and Commissions Luncheon is held annually to thank those individuals who serve as appointed volunteers on various City committees. This event helps to recognize volunteers as well as build community pride.

It was the general consensus to hold the annual luncheon at the Academy Theatre at 12:00 p.m. on Friday, November 20, 2009.

Doleman Black Heritage Museum

Karen Giffin, Director of Community Affairs, Alesia Parson-McBean, and Charles Doleman were present to discuss the Doleman Black Heritage Museum (DBHM). Ms. Parson-McBean is acting as the event chairman. She is not receiving any compensation in this role. She stated the relationship that was fostered with the DBHM and the City while she was a Councilmember will continue into the future.

The Board of Directors of the DBHM are holding a fundraiser on October 25, 2009 at the University System of Maryland at Hagerstown. The Board of Directors would like the City of Hagerstown to be a partner in this event by underwriting the in-kind City services which would be \$ 200.00. Also, a donation of \$ 1,000.00 is being requested. The request also includes promotion of the event on Channel 6.

The fundraising committee is attempting to raise \$ 25,000.00 in matching funds for a bond bill that was submitted on the State level by Senator Donald Munson. The support garnered for this project from Congressional, State and Local leaders have been unprecedented and the Board is proud that this collection has been deemed worthy by so many.

The DBHM Board would like to use University Plaza on October 25, 2009 and have the rental fee of \$ 10.00 waived. They would also like to have the approval of alcoholic beverages in the University Plaza. If the Mayor and City Council would approve this part of the request, an application/permit would be created for this event. The Board would have to obtain all licenses and provide the appropriate Certificate of Insurance.

Councilmember Haywood asked if the permission for alcoholic beverages can be removed from the request. Ms. Parson-McBean stated a liquor license would not be approved without the application/permit. They do not want to limit the options for people who attend.

Ms. Parson-McBean does not anticipate this being the only funding the group receives. The project is on the City's federal lobbyist list and they are seeking funding from the Governor's office. She stated some of the pieces in the collection are Smithsonian quality. Senator Cardin is seeking other funding. They have two years to match the amount of the bond bill.

Approval of the application permit will be included on the agenda for August 25, 2009.

Utility Relief

Karen Giffin, Director of Community Affairs, Alesia Parson-McBean, Chair of the Event, and Alfred Martin, Finance Director, were present to discuss this year's Utility Relief Benefit concert. Ms. McBean stated she is receiving no compensation for her role in this event.

City staff is seeking approval by the Mayor and City Council for authorization of the 2009 Utility Relief Benefit Concert budget. As per the special events policy approved March 27, 2001, and revised January 8, 2002, the Utility Relief Benefit Concert is submitting a tentative budget of revenue and expenses for the event so that the Mayor and Council can approve the 2009 event by formal action and authorize any financial support or in-kind services to be supplied by the City.

In December of 2007, the inaugural Utility Benefit Concert was held. This event was very successful. The event netted \$ 20,500.00. All of the 2007 proceeds went to help City residents in need that met the program criteria.

In December 2008, the Second Utility Benefit Concert was held. The event was successful again, and it raised \$ 13,314, of which \$ 5,000.00 has been transferred to the Community Action Council for distribution.

The proposed budget for the 2009 event is \$ 22,490.00 in revenue and \$ 9,070.00 in expenses. The proposed income for benefits is \$ 13,420.00. The budget includes sponsorship specifically for an artist of \$ 3,500.00. No contract will be signed until a sponsor is secured.

Ms. Parson-McBean stated the success of this event depends on the City of Hagerstown. She announced this is the last year she will serve as the Chairperson. She suggested that a current councilmember serve as the Chair.

It was the general consensus of the Mayor and Council to approve the proposed budget.

Water and Sewer Rates

Michael Spiker, Director of Utilities, and Alfred Martin, Finance Director, were present to discuss water and wastewater rates. Nancy Hausrath, Water Operations Manager, Donnie Barton, Wastewater Operations Manager, Nelia Tidler, Utilities Finance Manager, David Tyler, Municipal & Financial Services Group, and Melissa Zimmer, Municipal & Financial Services Group, were also present. The proposed FY 09/10 budget included a preliminary projected 12.75% water rate increase and an 11.5% wastewater rate increase. A similar increase is required in FY 10/11 and minimal increases in the out years. In order to soften the impact on customers, a five year rate structure of equal revenue increases is being presented to the Mayor and Council for consideration. As a schedule for implementation, combined City Staff and Municipal Financial Systems Staff presented information to the Mayor and Council. It is expected to revisit the process in a work session on September 1, 2009, hold a public hearing and introduce the ordinance in special session on September 8, 2009, open the discussion for public comment for two weeks, request approval of the ordinance on September 22, 2009, and implement the rates on November 1, 2009. Highlights of the Cost of Service Study are as follows:

1. Institute an approved 5 year rate structure which will eliminate the need for annual approvals
2. Conservation of the City's water resource will occur through an adoption of inclining block rates
3. Increase the fixed charges to capture the true cost of the billing and revenue collection process
4. Adopt a utility rate basis for setting Outside City rates
5. Establish a Repair, Renewal, and Replacement (3R) Reserve Fund for aging infrastructure revenue expenditures
6. Adoption of the 5 year rate structure will diminish the City's dependence of the use of benefit charges to fund outstanding debt and allow the utilities to continue to perform financially independent from the General Fund while maintaining the ability to meet the environmental requirements and regulations mandated by regulatory agencies

The Cost of Service Study, which has been developed over a two year period, will propose some minor changes in the rate structure. Current user rates for water and wastewater do not produce sufficient revenue to cover revenue requirements for FY

09/10 or the subsequent years included in the planning period. The proposed rate increases developed during the 2005 cost of service study have not kept pace with water and wastewater expenses due to significant increases in operating expenses. The most significant of those increases are those associated with energy and chemicals. Additionally, treatment expenses have increased in order to meet new environmental requirements and regulations for both the water and wastewater systems. The present use of benefit charges to fund existing no-growth debt service will allow the City to cover the cost of operating the systems for a short-time but will cause a long-term shortfall in resources available for investment in the water and wastewater systems in the future.

The Water Division has discovered that some of its customers are using water through fire lines for non-fire protection purposes, and have taken steps to discontinue this practice. The current fire line charges are not set at the appropriate level based on the cost of providing this service. The City's Flow Transfer Agreement with Washington County provides a cost saving to the City's wastewater treatment system, although the Wastewater Division should not depend financially on this cost savings at this time. Late fees for tardy payments are not currently collected by the City. In order to collect the necessary revenues on a timely basis, staff would request an implementation of utility bill late fees to encourage timely payment.

The changes in the two rate structures adopted by the City following the 2005 study have been effective in simplifying the rate structure, protecting the small user and encouraging water conservation. The current benefit charges are set at the appropriate level based on the cost of providing water and wastewater capacity to new customers.

The Water Division requests to continue with the current water rate structure using the utility basis approach for Outside City customers with a residual cash basis for inside City customers. In order to assist in conservation efforts, staff proposes a new rate structure for the luxury users who consumer over 18,000 gallons per quarter. In order to meet the financial requirements of the operation, a 5.5% increase in revenue for Inside City rates and a 7% increase in revenue in Outside City rates will be required for each year for the next 5 years.

The Wastewater Division rate structure will be similar to that which is currently in place and will utilize a unit cost flat rate and a fixed charge with a utility basis approach for outside City customers and a residual cash basis for Inside City customers. In order to meet the financial requirements of the operation, a 7% increase in revenue in Inside City rates and a 4% increase in revenue in Outside City rates will be required each year for the next five years.

Even with the proposed increases, the City will still maintain the position of holding the best value in water rates and a competitive position in wastewater rates.

Councilmember Brubaker asked for the number of customers who fall above the 18,000 gallons per quarter. Councilmember Breichner is concerned about the impact of the inclining scale on large families.

The water and wastewater rates will be discussed again at the September 1, 2009 Work Session.

Doub Annexation

Kathleen Maher, Planning Director, and Stuart Bass, Comprehensive Planner, were present to provide a status report on the Doub annexation.

The City has been reviewing the Doub annexation request for just over two years. In June, staff presented the second revised annexation petition to the Mayor and Council. At that time, the City Council expressed a need to consider the implications of this annexation further prior to voting on introduction of the revised resolution and petition and scheduling a public hearing on the revised petition. The following is an attempt to give the Mayor and City Council some things to consider about the implications of this annexation and to respond to questions raised in June.

In the case of the Doub annexation request, there are additional significant considerations to the typical annexation considerations:

1. The Doub farm comprises 112 acres along the I-70 exit ramp into Hagerstown on US 40
2. Any development of this property will function as a gateway to Hagerstown for people arriving from the east. This property will set their initial image of Hagerstown. Whoever has jurisdiction over this property will control the future image of this gateway when the property develops.
3. The Doub farm is currently assessed for an agricultural use. If rezoned for commercial uses as requested by the property owner, the governing jurisdiction will see an attractive increase in property tax revenue from the property.

The request in the Doub annexation for C4 and POM zoning is consistent with the City's 2008 Comprehensive Plan. As the Mayor and Council were on the verge of adopting the 2008 Comprehensive Plan in the spring of 2008, they revised the Future Land Use plan to reflect the requested zoning in the Doub annexation by recommending Commercial General on a majority of the Doub annexation properties and Business Employment on the eastern most portion of the Doub farm.

Because the City does not have any zoning classification that is comparable to the County's HI-1 and HI-2 zoning districts, any zoning request in the Doub annexation would be considered a change and therefore require the "express approval" of the County Commissioners. The County indicated they would not grant express approval in the summer of 2008. The applicants decided to continue with the annexation and wait the required five years to develop the property following annexation, as per State law.

The only change in the second amended annexation petition of March 2009 from what was reviewed in 2008 is the deletion of the offered site development controls. Because it is pure speculation on how the property will develop in five years, it seemed counter productive to set site development controls at this time. However, if the Mayor and Council prefer to set those controls now, the applicants have expressed a willingness to put those earlier offered controls back into the annexation petition.

The City Attorney has advised staff that there are no legal grounds to require a different zoning classification for this annexation than that requested by the owners, since the request matches the City's Comprehensive Plan and the applicants are willing to wait five years to develop following annexation. If the Mayor and City Council determine that the requested zoning is no longer desirable to the City and therefore vote down the annexation, the property owners will have met their obligation under the Annexation Policy and will be free to develop in the future outside of Hagerstown without offering annexation.

At present, the Doub farm is located outside the City and assessed agriculturally at approximately \$ 312 per acre or \$ 35,000. The Tax Assessor's Office has advised staff that if the City annexes the property with the requested commercial zoning, they will increase the assessment on the property to reflect the new zoning. If the Doub farm gained an assessment within the range of comparable vacant properties, the assessment would rise to \$ 2.27 to \$ 8.86 million.

The Doub family would prefer not to pay City property taxes on that new assessment until the property is approved for development, sold, or a pre-determined period of time has passed. In this case, they are requesting 10 years as the end date for tax deferment if the property has not already been approved for development or sold by that time. The owners of the small properties near the Dual Highway are also requesting tax deferment until their properties are sold, receiving any municipal service not currently provided, or a pre-determined period of time has passed. They are also requesting 10 years as the end date for tax deferment if the property has not already been sold or receiving new municipal services by that time.

The requested tax deferrals in the Doub annexation are not that uncommon. An alternative for consideration would be five years. This would match the stay on development which results from the County not agreeing to the change in zoning.

The City has already held two public hearings in reference to the Doub annexation request. All of the comments received related to the development plan and not to the issue of expanding the municipal boundary. Since the applicants have revised their initial annexation petition, the City Attorney has recommended that the City re-introduce the amended annexation petition and hold another public hearing on the amended petition.

City staff feel that it is of great benefit to the City to have control over the future development of this significant gateway property along the border at the I-70/US40 interchange and this only be achieved if the property is annexed. Annexation will also

generate tax revenues for the City which would not otherwise be received from a development of this border property if it occurred outside the City's jurisdiction.

Staff would recommend that the Mayor and City Council resume the process for this annexation and introduce the amended annexation petition on August 25, 2009. The earliest a public hearing could be held is October 27, 2009.

Councilmember Brubaker wants to ensure there is an opportunity to negotiate conditions for the annexation.

Ice Rink Annual Presentation

Lewie Thomas, Recreation Facilities Manager, Jeff Barbour and Paul Sweeney, Youth Hockey League, were present to discuss the Ice Rink.

The Youth Hockey Association took over the day to day operation of the ice rink in 2007. In 2008, the Association was granted a five year operating agreement. The ice rink is now a user group run facility. Through 2008, the level of participation in hockey programs has increased. They are experiencing a shortage of rental skates to meet the need. There is now a positive cash flow.

Bruce Zimmerman, City Administrator, indicated the Youth Hockey Association deserves a lot of credit for making the ice rink successful.

Code Administration Update

John Lestitian, Director of Code Administration, and Gary Lambert, Program Manager, were present to provide a comprehensive overview of the Code Administration Division. The presentation addressed issues related to customer concerns, public safety, neighborhood vitality, progress achieved and challenges which lie ahead in light of the current economic conditions.

Complaints from customers are primarily on individual cases. Some complaints center on whether or not the Code Administration office should exist. Staff works to address concerns over staffing, delivery of service and consistency. As a team, this group has adopted the core values of being fair, reasonable and consistent.

The Code Administration team focuses on preventing crisis and crime and education residents on how to avoid crisis. In order to measure the team's impact, they have to look at things that don't happen, i.e. buildings that don't continue to deteriorate, roofs that don't leak, and eliminating electrical hazards. The only way to protect investment in the community is to maintain a minimum standard.

To address concerns about the tone of the department, language has been revised on forms, listening sessions have been held with customers, employees are more effectively communicating expectations and the team conducts continual reviews and adjustments to

the processes. They are increasing outreach to the community. Instead of code specific timelines, they are implementing condition specific timelines.

Trade permits (plumbing, electrical, mechanical) are now issued the same day. Residential Building Permits which do not require Historic District Commission approval are now issued under the Next Day Permitting Program. Three team members are now trained to conduct plan reviews. Plan revisions of an active job go to the front of the line. Cross training of staff has been completed to provide flexibility for inspections and re-inspections.

The Rental Facility Ordinance inspection schedule is being reviewed. There is a need to shift staff time to properties that need attention, as opposed to those that are being properly maintained. If there are no major code violations, properties will be inspected bi-annually. For vacant commercial properties that are obviously trying to market the property, an amendment is being considered to waive the registration fee. A comprehensive review of code requirements has been initiated. Challenges for property maintenance include declining values, bankruptcy, foreclosures and abandonment.

Code Administration will continue to work on customer concerns and ensure neighborhood vitality and public safety.

Bruce Zimmerman, City Administrator, stated Mr. Lestitian and staff do a good job providing information to residents. They do listen to the public and take suggestions under consideration.

Councilmember Breichner indicated it appears concerns that were raised during the campaign are being addressed.

Proposed amendments will be presented to the Mayor and Council for review after the completion of the comprehensive review.

Ethics Code Review

Copies of ethics codes for several municipalities and for Washington County were presented to the Mayor and City Council, as requested. While the language is similar in the codes because of State of Maryland regulations, there are distinct differences. Several municipalities have revised the general language to be specific to them. Some codes include conflicts of interest sections and municipal ethics commissions.

Councilmember Easton suggested discussing the appointment of an Ethics Code Review Board. Councilmember Haywood agreed this needs to be done.

Citizens interested in serving on a board to review the City's Ethics Code should contact the City Clerk to submit an application. At a later date, the Mayor and Council will review the applicants and appoint a review board.

CITY ADMINISTRATOR'S COMMENTS

Bruce Zimmerman, City Administrator, had no additional comments.

MAYOR AND COUNCIL COMMENTS

Councilmember M. E. Brubaker had no additional comments.

Councilmember W. M. Breichner had no additional comments.

Councilmember L. C. Metzner had no additional comments.

Councilmember A. C. Haywood had no additional comments.

Councilmember F. Easton had no additional comments.

Mayor R. E. Bruchey, II had no additional comments.

EXECUTIVE SESSION – August 18, 2009

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember F. Easton, the Mayor and City Council unanimously agreed by voice vote to meet in closed session 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, #1 at 7:32 p.m. in the Council Chamber, 2nd Floor, City Hall, Hagerstown, Maryland. The following people were in attendance: Mayor R. E. Bruchey, II, Councilmember W. M. Breichner, Councilmember M. E. Brubaker, Councilmember F. Easton, Councilmember A. C. Haywood, Councilmember L. C. Metzner, City Administrator Bruce Zimmerman, and Donna Spickler, City Clerk. The meeting was held to consider the appointment of members to the City's Boards and Commissions. No formal action was taken at the meeting. On a motion duly made, seconded and passed, the meeting was adjourned at 7:58 p.m.

Respectfully submitted,

Donna K. Spickler, City Clerk

Approved: September 22, 2009