

WORK SESSION – December 13, 2005

Mayor Richard F. Trump called this Work Session and Executive Session of the Mayor and City Council to order at 4:00 p.m., Tuesday, December 13, 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, City Attorney Mark Boyer and City Clerk D. K. Spickler.

Mayor's Report

Mayor Trump encouraged everyone to enjoy the Christmas decorations. He stated Karen Giffin, Public Information Manager, put together another great lighting program at City Park. He reported there is a spirit of community and involvement. He appreciates the efforts of the Public Works Department and city employees during the recent snow storms. There are many activities taking place at the City Market through Christmas.

"HIP" Employee Award Program

Donna Messina, Director of Human Resources, announced the recipients of the "HIP" Employee Award for the month of November.

The winners are:

1. Darren Dattilio from the Billing and Customer Services Division of the Finance Department. Mr. Dattilio suggested a plan for better serving the customer by providing service in a more effective manner.
2. Vicki Hastings, Jonathan Kerns, Suzanne Kyler and Paul Fulk from the Code Compliance Division of the Engineering Department. These employees were nominated for the award in recognition of their efforts to assist a family following a house fire. They were able to locate all the occupants of the building before the fire department arrived. They also assisted with information that led to the determination of the cause of the fire.

Preliminary Agenda Review

Mr. Zimmerman reviewed the preliminary agenda. The Mayor and Council agreed to change the meeting schedule for January, 2006 as follows:

1. Tuesday, January 10, 2006 Work Session at 4:00 p.m.
2. Tuesday, January 17, 2006 Work Session at 4:00 p.m.
3. Tuesday, January 24, 2006 Work Session at 4:00 p.m.
4. Tuesday, January 31, 2006 Regular Session at 7:00 p.m.

## **Consent Agenda**

The Consent Agenda is as follows:

- A. Engineering: 2006/2007 Overlay Projects
- B. Water and Sewer Department: Emergency Power Transfer Switch - AR&E  
(Hagerstown, Maryland) \$ 25,070.00
- C. Fire Department: Scott Air Packs - MES-Allsafe Fire Equipment (Williamsport,  
Maryland) \$ 188,316.75
- D. Community Development: Rehabilitation of House at 441-443 North Jonathan Street  
- Milton Stamper Builders (Hagerstown, Maryland) \$ 128,150.00
- E. Police Department:
  - 1. Replacement Computers - Dell OptiPlex Systems \$ 20,135.14
  - 2. Surplus Computers

Mr. Zimmerman informed the Mayor and Council that the Maryland Department of the Environment (MDE) had reviewed Hagerstown's revised Sewer Capacity Allocation Program (SCAP). MDE approves the revised SCAP, with the understanding that the review is based on the requirements of the Consent Decree and does not represent a position regarding the connection of any specific properties identified in the document to the Hagerstown sewer system.

Approval of the revised SCAP will be included on the agenda for December 20, 2005.

It was noted the expenditure for the Scott Air Packs will be funded through a FEMA grant. The City will be required to provide a 10% match for the grant.

## **Resolution: Acceptance of Dedication Offer: Trafalgar Drive and Monroe Avenue**

Staff recommends the acceptance of Trafalgar Drive in the Greenwich Park development, and Monroe Avenue in the Kensington Villa development. The roads were designed and constructed to applicable City Standards. The Engineering Department's inspection staff monitored the construction.

The Mayor and Council agreed to accept the dedication offer.

## **Approval of User Agreements**

The Mayor and Council agreed to approve resolutions and user agreements for the use of City property with the Hagerstown Area Youth Soccer League (HAYSL), American Little League, and the Washington County Seniors' Softball League, Inc. The Mayor and Council also agreed to extend the lease with Russell Harshman for the Fairgrounds Park property that is adjacent to his North Cleveland Avenue Property.

**Approval of License Agreement: 920 Corbett Street**

The Mayor and Council agreed to approve a license agreement with Raymond Campbell, 920 Corbett Street, granting permission to construct a masonry retaining wall along the front of the subject property.

**Approval of a Grant Agreement for Barbara Ingram School for the Arts with the State of Maryland**

The City of Hagerstown and the Washington County Board of Education have been working on a project to establish a charter school in the Downtown A&E District to function as a performing and visual arts high school for the region. The 2004 session of the General Assembly enacted Chapter 432, known as the MCCBL-LCI Loan of 2004 – Barbara Ingram School for the Arts. The purpose of the bill was to authorize the creation of a State debt in the amount of \$ 400,000.00 to be used as a grant for planning, design, renovation, reconstruction, and capital equipment.

The process is complicated and more involved than a typical grant. Last month, the Mayor and Council adopted a resolution accepting the funds. The City must now enter into a grant agreement with the State of Maryland, acting through the Board of Public Works. This agreement and additional required material will then be sent to the Department of General Services, which will coordinate the review.

The Mayor and Council agreed to enter into the grant agreement.

This completed the preliminary agenda review.

**Snook Annexation**

Stuart Bass, Comprehensive Planner, stated the Washington County Commissioners discussed the Snook annexation. State law requires the County to provide an opinion of the annexation when the proposed zoning differs from the existing zoning.

The County did not grant express approval for the area south of MD 144. This means that the property can be annexed, but the zoning could not be changed for five years.

Councilmember Metzner asked if the development would occur even if the property is not annexed. Mayor Trump asked if the Council would allow the applicant's representative to come forward. Councilmember Aleshire stated he did not think the applicant could provide further information. He stated the County did not grant express approval, but County staff indicated the plan is compatible with the Comprehensive Plan, if the restrictions are maintained. The applicant can return to the County at any time during the five years and ask that the remaining time for the inconsistency be waived. He stated this property is near existing residential and commercial development. He doesn't understand why residential development in this small parcel is not agreeable to the County.

Councilmember Metzner asked if there was a reason that the City should not proceed with the annexation. Councilmember Aleshire stated he assumes the restrictions imposed by the applicant would decrease the number of residential units. He asked if the petition for annexation included a statement for what direction the homes would be facing. Mr. Bass indicated it is included.

The Mayor and Council agreed to proceed with the annexation.

#### Western Maryland Bluesfest 2006

Carl Disque, Executive Chair of the Festival, and Karen Giffin, Public Information Manager, were present to discuss the Western Maryland Blues Fest 2006. As per the special events policy approved March 27, 2001 and revised January 8, 2002, the Western Maryland Blues Fest is submitting a tentative budget of revenue and expenses for the event so that the Mayor and City Council can approve the 2006 event by formal action and authorize any financial support or in-kind services to be supplied by the City. The \$ 45,000 for the City Services is included in the current fiscal year's Public Functions Account. Ms. Giffin stated City Services for the event include costs for public works assistance and payment for sani-pots.

Mr. Disque stated the event will be held on June 2, June 3 and June 4, 2006. This is the 11<sup>th</sup> year for the event. Mr. Disque stated this budget is slightly lower than last year's. Last year's budget included additional funding for the 10<sup>th</sup> anniversary celebration. The total budget is \$ 186,000.00.

The Mayor and Council agreed to approve the 2006 event and authorize financial support or in-kind services to be supplied by the City.

#### Possible Upgrades for City Farmer's Market House

Eric Deike, Manager, Public Works, Karen Giffin, Public Information Manager and Susie Salvagni, Events Coordinator, were present to discuss possible upgrades to the City Farmers

Market House.

The Market House has been located at its current location since 1928. During the past 70 years there have been a number of changes and upgrades. One upgrade that has not been made is the installation of air conditioning. Also, the heating system is at least 25-30 years old. City staff would like to discuss the possibility of having air conditioning and an upgraded heating system at the Market House.

The City Farmers Market is open one day per week, on Saturdays from 5:00 a.m. to noon. The Market House has approximately 50 vendors. There are two main reasons for air conditioning and the upgrade of the heating system. First, comfort for the vendors and for the customers especially in very high temperatures. The time a customer spends in the Market House decreases in the days of intense heat. The second reason is that the cooling systems for food products do not work as well in the intense heat.

In the winter, there have been a number of times that the heating system needed repairs and the timer system is very antiquated. A portion of the Fire Department is also heated and cooled by the Market House system.

The City Farmers Market is heavily used on Saturdays and is a great service to the citizens. In order for the City Farmers Market operation to grow in numbers of vendors, days of operation and hours, this upgrade would be of great assistance.

The City Staff would recommend the upgrade of air conditioning and a new heating system. The Public Works Department has estimated the cost to be \$ 150,000. City Staff is seeking authorization from the Mayor and City Council to bid this project and return to the Mayor and Council. According to Alfred Martin, City Finance Director, if the project can be completed prior to June 30, 2006, it could be placed in the 2005/2006 Bond Issue.

Councilmember Nigh, stated as a patron of the market, she thinks this is long overdue and greatly needed. It was the general consensus of the Mayor and Council to bid this project.

Parkway Neurosciences Sewer Facilities

Edward Norman, Water and Sewer Department Engineer, stated the department is anticipating granting approval of the site plan and building permit for the Parkway Neurosciences Sewer Facilities medical building which is proposed to connect to the City's sewer facilities near Western Maryland Parkway. This developing parcel affords the department the opportunity to achieve the continual goal of eliminating pump stations as circumstances permit.

In this case, the sewer facilities proposed for Parkway Neuroscience, if modified from the original design, can facilitate the abandonment of existing Pump Station #12. The department is collaborating with the owner to construct facilities which will provide sewer service to the building and provide a portion of the infrastructure necessary to ultimately replace the Pump Station with a gravity interceptor. The construction of the portion of this interceptor will result in increased cost over the developers original cost to provide for service only to the proposed building. Staff proposes to enter into an agreement with the owner to participate in the cost of the modified facilities to the extent that this Department would cover the additional cost attributed to the required design. The funds are available in the Collections System budget, a large portion coming from a CIP line reserved for an extensive upgrade of this station which would be abandoned. The total City Water and Sewer Department cost would be \$ 174,274.00.

Councilmember Aleshire asked what amount would be saved. The savings would be approximately \$ 73,000.00. Councilmember Metzner asked what the cost would be for the pumping station. The cost would be \$ 200,000.00. Councilmember Aleshire stated he would like to see a diagram of the area. He also asked for further details before scheduling a vote approving the agreement. This information will be provided.

#### County Commuter Bus Stop Relocation

Rodney Tissue, City Engineer, Kathleen Maher, Director of Planning and Kevin Cerrone, Director of the County Commuter office, were present to discuss the County Commuter Bus Stop Relocation. Mr. Tissue stated they are providing information to the Mayor and Council with this presentation, and no decision is being requested. He stated the Council's input is encouraged.

The County Commuter operates with a transfer station located on West Washington Street near the Hagerstown Police Department and one designated bus stop located just west of Public Square. As buses travel through the downtown area, patrons can also flag or hail a bus at almost any street corner to be able to board.

Over the years, there have been complaints about the bus stop west of the Public Square that include:

1. Congestion caused by the numerous buses
2. The number of people waiting for the buses
3. The number of potential parking spaces lost to the bus stop
4. The lack of shelter for the bus patrons

Over the past several months Mr. Tissue, Ms. Maher, Mr. Cerrone and Brian Flook from the Chamber of Commerce Downtown Task Force, have met to develop a plan to address this situation. They have searched for the "perfect" location to relocate the bus stop. A perfect

location does not exist. Staff began to think more in terms of what they have seen in other communities where there are multiple bus stops in the central Business District. To be able to determine where these bus stops should be located, staff worked with the County Commuter to determine the routes within the downtown area, as it is important to understand where the buses go when they leave the transfer station and how they return to the transfer station.

The group has concluded the inbound and outbound routes would be best served by seven locations for bus stops that would be designated to have shelters for the bus patrons. The seven locations are:

1. West Washington Street at Summit Avenue (at Discovery Station)
2. East Washington Street at the Central Parking Lot
3. East Antietam Street east of the Library (near their driveway)
4. South Potomac Street at Baltimore Street
5. Jonathan Street at Church Street in the City Parking Lot
6. West Antietam Street at the City Parking Lot
7. West Franklin Street at North Prospect Street

In addition, numerous “bus stop” signs are proposed throughout the downtown along the routes. These are minor stops and shelters would not be provided. Passengers would have to know which bus to use. The plan would minimize congestion in any one place and spread the stops throughout the downtown. There are no businesses that are immediately impacted by the plan.

The County Commuter has requested a Maryland Transportation Administration Grant that would fund the placement of shelters in the downtown area. The shelters would be maintained in conjunction with the City and the County. The County Commuter would provide the weekly cleaning of the shelters and the City’s downtown rangers would remove trash on a regular basis. The City Public Works staff may need to assist in the site preparation for each shelter.

Mr. Cerrone stated the process to convert from one stop to numerous stops takes time to develop. He anticipated it would be eight to twelve months before anything can be started. The cost for a shelter with a pitched roof is about \$ 8,000.00. A smaller, less pleasing shelter would be \$ 3,000.00. Mr. Cerrone stated the funding would come from grants and the County Commissioners’ budget.

Councilmember Cromer stated she doesn’t think the stop scheduled at the Discovery Station will fit in well with the area. There are numerous complaints about the number of people that “hang out” on the courthouse property now. Ms. Maher stated they are trying to find areas that don’t take away from the commercial area and areas that would fit the shelters. Mr. Tissue stated the Staff of the Discovery Station had indicated they were agreeable to that location. Councilmember Parson-McBean stated she is concerned about the location at the Discovery

Station because of the traffic problems that exist there now. After hearing more information, that location is acceptable to her.

Councilmember Aleshire thinks there is too much traffic at the Sheetz location. He asked if parking spaces would be lost with the location in the Central Parking Lot. Mr. Tissue stated there would probably be one space lost. Mr. Tissue stated there is space available in the parking lot for the Jonathan at Church Street location.

Councilmember Nigh stated there is a problem in Hagerstown with the homeless using bus stop shelters. Councilmember Aleshire asked why there isn't a terminal for people to go to. Mr. Cerrone indicated the transfer point operates the same way as a terminal. Councilmember Parson-McBean suggested building a shelter and a clean building, but it doesn't necessarily have to be on a downtown street. Councilmember Metzner suggested the solution is to discuss the proposal further.

#### City Hall Improvements: Renovations to the Third Floor

Rodney Tissue, City Engineer, was present to discuss the design for the renovations to the third floor.

In February 2005, the City Council authorized the design of the renovations to the third floor of City Hall. Over the past eight months, staff has completed the design in conjunction with Harne Bowen Architects. Input was received from staff. The goals of this project are as follows:

1. The primary goal of this project is to improve the working conditions for the staff and to improve the physical appearance the office makes when the public visits the office, especially in the Permits section. Renovations will be consistent with the work done in the first floor lobby in 2000. The Engineering office has not been renovated since the building was constructed 60 years ago.
2. To consolidate all of the Engineering staff at one end of the floor and the permit staff at the other.
3. To improve customer service especially in the Permits area where they wish to have a better reception area and an intake station that allows customers to be able to sit down to have their permit applications filed and to provide a place for handicapped accessibility. The majority of the work is to relocate the Permits staff, the remainder is to relocate the Design (drafting) staff. Many of the Engineering offices will not be improved.
4. Consolidate the filing and record keeping in one area instead of three.



The 05/6 fiscal year budget includes Capital Improvement Project #636 for this project, with a dollar amount of \$ 160,000.00. Approximately half of these funds will be used for contracts, although the final amount is not yet determined. Staff is planning the completion of this project as a joint effort between the Department of Public Works staff and specialized trade contracts. Public Works staff would complete the demolition, framing, drywall, painting, door installation, cabinet installation, electrical wiring, communication wiring, installation of ceiling tile and all wood trim work. It is anticipated that the following work would be contracted out: ceiling tile, cabinet mill work, asbestos removal, flooring replacement, plumbing, HVAC/Mechanical, fire protection and purchase of doors and electrical fixtures.

Mr. Zimmerman stated this is a substantial project and a significant change. It was the general consensus of the Mayor and Council to grant permission to solicit bids for the work.

#### Street Resurfacing Program 2006 and 2007 Street Overlay

Rodney Tissue, City Engineer, stated the 2006 list was reviewed by Council in November 2004. Oak Hill Avenue was postponed in 2005 due to main replacement by Columbia Gas, and it is now added to the 2006 list.

To establish the 2007 list, a Pavement Management Database (a software package obtained from the University of Maryland's Technical Center) was used. Priorities for street rehabilitations were determined based on data obtained with actual field surveys.

The City must finalize the list of streets to be resurfaced in 2006 and establish a list of streets to be resurfaced in 2007. This will allow utilities to budget for and install main replacements as necessary. In addition, property owners who receive "curb and sidewalk notices" will have roughly 12 months to complete their required work, prior to the 2007 overlay. Curb and sidewalk notices have already been sent to the property owners adjacent to the 2006 streets. If the lists are approved, the City is committing a Capital Improvement Program of \$ 425,000 in FY 06/07 and \$ 275,000 in FY 07/08. Mr. Zimmerman indicated this is strictly overlay and not reconstruction. Residents are given ample notice for upgrades or for curb/sidewalk repair and/or installation.

Councilmember Nigh asked why some streets have a drainage problem after the overlay is complete. Mr. Tissue stated previously, streets were not milled. Now, they are doing a better job of milling. Mr. Zimmerman stated the City is also going to address the growth of weeds at the drains and on the sidewalks.

The Mayor and City Council agreed to approve the overlay list for 2006 and for 2007. Streets included on the list for 2006 are Frederick Street, North Prospect Street, Virginia Avenue, W. Wilson Boulevard and Oak Hill Avenue. The streets included on the 2007 list are Northern

Avenue, Westside Avenue, N. Locust Street, E. Antietam Street and Mitchell Avenue.

Presentation of City's Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2005

The Comprehensive Annual Financial Report for the fiscal year ended June 30, 2005 was presented to the Mayor and Council by Smith Elliott Kearns and Company, CPA's. Alfred Martin, Director of Finance, thanked Ray Foltz, Brian Baker, Michelle Higman and Karen Giffin for their efforts. The Report is submitted to the State of Maryland each year.

Mike Manspeaker, Terri Andress and William Souders were present from Smith Elliott Kearns and Company.

This report consists of management's representations concerning the finances of the City of Hagerstown. Consequently, management assumes full responsibility for the completeness and reliability of all the information presented in this report. To provide a reasonable basis for making these representations, management of the City of Hagerstown has established a comprehensive internal control framework that is designed both to protect the government's assets from loss, theft, or misuse and to compile sufficient reliable information for the preparation of the City of Hagerstown's finance statements in conformity with GAAP. The independent audit involved examining, on a test basis, evidence supporting the amounts and disclosures in the basic financial statements; assessing the accounting principles used and significant estimates made by management; and evaluating the overall financial statement presentation. The independent auditor concluded, based upon the audit, that there was a reasonable basis for rendering an unqualified opinion that the City of Hagerstown financial statements for the fiscal year ended June 30, 2005, are fairly presented in conformity with GAAP.

The City has strived to maintain the best elements of its small city character while energetically pursuing a downtown and neighborhood revitalization program and a discriminating commercial and industrial growth policy. The Hagerstown area has a strong and varied economy. Citizens continue to enjoy a diversified employer base that includes companies from the manufacturing, transportation, service, retail, and finance industries as well as local and state government. Job creating continues to increase.

The city and surrounding metropolitan area is experiencing a strong level of growth and construction activity. With the adoption of a new City Annexation Policy in May 2002, which tied extension of water and sewer service to annexation into the City, the City is benefiting from the development occurring in the urban growth area encompassing the City. Hagerstown continues to experience substantial amounts of residential construction that will benefit the City well into the future. Of the projects which are under construction, 1,201 units are either built or have building permits issued. It is anticipated that these 14 subdivisions will be built out within

5-7 years. There is the potential for another 2,990 residential units to enter the City's pipeline with three concept plan reviews underway, five potential annexations and a rezoning request under review. Hagerstown is experiencing the most residential development activity that has occurred in over 50 years.

The financial highlights discussed in the audit are as follows:

1. The City's assets exceeded its liabilities at the end of the most recent fiscal year by \$ 181.9 million. Approximately 68.4% of this amount is attributable to the City's three utilities (Light, Water and Sewer). Of the total net assets, \$ 15.0 million may be used to meet ongoing obligations to citizens and creditors, \$ 5.8 million is restricted for specific purposes, and \$ 160.8 million is invested in capital assets, net of related debt.
2. As of the close of the current fiscal year, the City's governmental funds reported combined ending fund balances of \$ 16.4 million. Of this total amount \$ 9.6 million is unreserved and represents working capital available to support governmental operating needs and future years' expenditures.
3. The City's total bonded debt increased by \$ 2,582,662 (9.1%) during the current fiscal year from \$ 28.4 million to \$ 31.0 million. In fiscal year 2004/2005, the City issued \$ 4.0 million in public facility bonds and \$ 7.1 million in Maryland Water Quality Revolving Loan Fund Debt of which \$0.9 million has been drawn. The City's adherence to its amortization schedules for other debt further reduced its debt by \$ 2.3 million.
4. The General Fund on a current financial resource basis, reported revenues in excess of expenditures and other financial sources and uses by \$ 431,947 after making a \$ 1,061,767 transfer to the Capital Projects Fund and an operating transfers of \$ 339,963 to the Golf Course Fund and \$ 203,477 to the Ice Rink Fund.
5. At the end of the current fiscal year, unreserved fund balance for the General Fund was \$ 5,133,362 or 19.2% of total General Fund expenditures (excluding the operating transfer to the Golf Course and Ice Rink funds and a capital transfer to the Capital Improvement Projects Fund). This represents over two months of General Fund expenditures and complies with the City financial policy requiring a minimum undesignated fund balance of 10% of the General Fund operating expenditures.

Mr. Manspeaker stated the government wide statements are a review of all activity and are summarized. The financial results were very positive. He stated they are 98% of the way

through the entire audit package and there are absolutely no concerns. The audit was completed smoothly and the reports were filed with the State when they needed to be. He stated Staff should be commended for their efforts. He indicated the debt level the City carries is not excessive and is reasonable for the size of the budget.

Reaffirming City Guarantee of Washington County Sports Foundation Loan with Hagerstown Trust

Alfred Martin, Director of Finance, stated as discussed recently when the Washington County Sports Foundation made its annual report to the Mayor and Council on the ice rink and its operations, they were planning to come back to the Mayor and Council with a proposal to restructure their current bank loans with Hagerstown Trust Company and several other local banks.

The City as the owner of the buildings and grounds for the ice rink, agreed in June 1998 to assist the Foundation in securing a \$ 250,000, 15 year term loan and a \$ 100,000 line of credit to finance their cost of equipping the facility and working capital needs. The City agreed to provide its guaranty backed by its full faith and credit of up to \$ 250,000 for both loans for a period of fifteen years until June 30, 2013. That guaranty was approved by the Mayor and Council on June 23, 1998 and is still in effect.

The Foundation is interested and the bank has agreed to restructure their two loans into one loan to be amortized and paid off within the original term of the 15 year term loan or June 30, 2013. The interest rate on the line of credit is not tax exempt like the term loan and the rate is significantly higher. The loan restructuring will allow the Foundation to finance some additional working capital needs at the ice rink, reduce the interest rate on the line of credit to one half what they are paying now and will allow all the debt principal on the new restructured loan to be paid off in the remaining 7.5 years of the original 15 year term loan.

Councilmember Aleshire asked how this would affect the City's debt payment for each year. Mr. Martin indicated this guaranty is in addition to the debt financing. Councilmember Aleshire pointed out that the audit states the net effect of closing the ice rink fund is to increase bonded debt. He asked if the effect would be to increase debt. Mr. Martin stated this is separate from what the users are expected to pay for.

In order to do the loan restructuring for the Foundation, the bank would require the City to supply a letter to them reaffirming the City's full guaranty of the restructured financing. The Mayor and Council agreed to add the approval of the guarantee to the agenda for December 20, 2005.

City Administrator's Comments

*Bruce Zimmerman, City Administrator*, thanked all the staff that supervises snow removal operations and the crews who operate the trucks. The snow storm that occurred on Friday, December 9, 2005 was fairly significant and everyone did a good job. The Water and Sewer Department employees repaired a break at the edge of the Antietam Creek. It was difficult to make repairs in that location. He praised the Water Distribution personnel and supervisors for handling the repair and minimizing disruption to the customers. He stated it is the Christmas and holiday season and city employees have a good history of helping others. Employees have pitched in to support their fellow employees and others in the community. He is very appreciative of what they do and he acknowledged the charity and kindness of the City's employees.

Mayor and Council Comments

*Councilmember A. Parson-McBean* thanked everyone for their cards and well wishes following her recent injury to her hand. She stated she attended the National League of Cities Congress of Cities in Charlotte, North Carolina along with Councilmember Cromer and Councilmember Nigh. They had the opportunity to not only get to know each other better, but to learn best practices from other cities. They learned many good things from other cities. She spoke to other City Administrators and she has even more respect for Mr. Zimmerman and what he does for the City. She is looking forward to attending the conference held by the National League of Cities in March, 2006. She won free registration for the conference. She had the opportunity to have questions answered while at the conference.

*Councilmember K. B. Aleshire* stated there were almost 300 people at the Tree Lighting at City Park, which was not reported in the Herald Mail newspaper. He stated he voted against extending lines to the Martins Crossroads area because he doesn't believe this was what was intended by the extension policy. He stated he thinks the Snook Annexation points out how far apart the City and the County are when it comes to growth in the County. He questioned where the City's policy decisions are when it comes to growth.

*Councilmember K. S. Cromer* stated she thought the meeting with the Washington County Delegation went well. She stated, in her opinion, the Herald Mail did not focus on the positive part of the tree lighting at City Park. They could have focused more on the fact there almost 300 people attended the event and that Councilmember Nigh provided eight gallons of hot chocolate to those that attended. She thanked Frank Nuice for his ideas for decorating the park. She addressed comments made by Tim Rowland (Herald Mail reporter) in reference to the Hagerstown Suns firework discussion. She stated it was never her intention, or her colleagues, to give Kurt Landes a hard time. It was not their intention to do away with fireworks. They were trying to develop a compromise and make everyone happy. The discussion was in no way against baseball. Her family is very active in baseball and they are big baseball fans.

Councilmember Cromer stated the National League of Cities conference was very informative and well worth the money. A number of other city leaders were very impressed that Hagerstown's Council was made up by a majority of women. This doesn't happen too often across the United States. Four of the five Hagerstown Council members agreed to allow them to attend the conference. Now, it appears, the Herald Mail is making their attendance a negative thing. This is the 82<sup>nd</sup> Annual Conference and this was the first time the City of Hagerstown was represented. She ordered all the conferences on CD ROM, on her own credit card, so that other Councilmembers and staff could benefit from the conference. She pointed out it was a very big deal for Councilmember Nigh to leave her family and town for a week. Councilmember Cromer had to close her law practice for a week. This shows how important the conference was. She stated, in an effort to save the City money, they all did not each have their own hotel room. The expense account allotted for Council members is not only for travel. She stated Councilmember Metzner had stated previously his expense account could be used for the conference costs. She stated it was priceless to spend the week with her colleagues and attending the conference was invaluable.

She reminded everyone that the Hagerstown Police Department is collecting toys for the Toys for Tots drive.

*Councilmember L. C. Metzner* stated he has not attended the Maryland Municipal League (MML) Convention or the National League of Cities conference because he could not afford to close his law practice. When citizens provide money to send elected officials to conferences, those officials realize it is not a vacation - it is work. He stated he had encouraged Councilmember Cromer and Councilmember Parson-McBean to attend the MML convention this year. He stated he thought it would be good for them to attend. He stated he also encouraged Councilmember Nigh and Councilmember Aleshire to attend the convention when they were first elected. He stated if there was any mistake, it was not discussing the NLC conference at length prior to Councilmember Cromer, Councilmember Nigh and Councilmember Parson-McBean attending. He did offer the use of his expense account, which he has not taken used. He suggested expanding the Christmas decorations to include the Dual Highway and other major highway arteries.

John Urner, City Attorney, arrived at the meeting.

Councilmember Metzner stated the discussion about whether to call events holiday events or Christmas events is not coming from the liberals. It is from people who are trying to be nice and who are trying to be inclusive. He suggested calling things what they are – Christmas trees.

Councilmember Cromer asked if it would be possible to send out a press release prior to attending a conference. She stated people attend conferences all the time. Councilmember Metzner stated, as an elected official, everyone has to understand they are subject to scrutiny.

Councilmember Cromer stated she thinks the questions about their attendance was slightly gender biased.

*Councilmember P. M. Nigh* suggested that the newspaper make another public information request to look at her Council account for the last four years. This would give them the opportunity to know that, instead of trying to take from the City, she tries to give back to her city and the employees. She stated she has certainly received a lot of publicity. From the beginning of her term, she has been criticized. She tries to help the citizens. She rarely talks to the newspaper reporters. She received a telephone call every morning while she was attending the NLC conference telling her what was in the newspaper. She stated the networking at the conference was wonderful. She had an opportunity to learn from many people. She stated no questions are asked when people attend the MML convention. She stated they were singled out because they are women and people have a problem with gender. She stated it seems as if people are afraid that the three women will change the way this government thinks. A gentlemen from Oklahoma told them they are a minority, but they stand out as a majority. She will do what she has to do for the citizens of Hagerstown.

*Mayor R. F. Trump* informed the Council that the Greater Hagerstown Committee is hosting the Maryland Superintendent of Schools on December 20, 2005. The Council is invited to attend. He stated anytime council people have the opportunity to be educated and go to a seminar is an asset to the city. He stated they should be more aggressive in the budget with funding for attendance. He stated he supports their attendance at the NLC conference.

#### EXECUTIVE SESSION – December 13, 2005

Councilmember L. C. Metzner made a motion to meet in closed session at 6:34 p.m. to consult with counsel to obtain legal advice, #7; to consider the acquisition of real property for a public purpose and matters directly related thereto, #3 and to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, #3. Councilmember K. S. Cromer seconded the motion.

Discussion: Councilmember Aleshire stated the discussions concerning revitalization projects and annexation should not be held in executive session. Councilmember L. C. Metzner and Councilmember K. S. Cromer revised the motion as follows:

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 meet in closed session at 6:34 p.m. to consult with counsel to obtain legal advice, #7. The other items will be discussed in public session, prior to the executive session.

#### WORK SESSION continuation – December 13, 2005

132 and 134 Clarkson Avenue

Staff obtained an abatement order issued by the District Court to demolish the structure at 134 Clarkson Avenue in January, 2005. Staff has competitively bid the demolition and the lower of two bids is \$ 21,200.00 from Allegheny Wrecking of Hagerstown. This bid includes the demolition of 134 and the construction of a new exterior wall on the west side of 132 that will be exposed when 134 is removed. Staff will file a tax lien on the lot upon demolition. However, this amount, in addition to over \$ 3,500.00 in prior abatement liens and fines will likely not be recovered at tax sale for the lot at 134. The City would likely be the only bidder. Taxes have not been paid since December of 2003.

132 Clarkson is also vacant and in poor condition. The interior of 132 can be viewed through what was the party wall from 134 Clarkson. Staff recommends pursuing the demolition of this unit as well. The estimated additional cost is \$ 8,200.00 and the acquisition cost is estimated to be between \$7,000.00 and \$9,000.00. Sufficient CDBG funds are available.

Mr. Zimmerman asked if the Mayor and Council understood the cost of the demolition may exceed the acquisition price. The Mayor and Council do understand. It was the general consensus to accept the bid for demolition from Allegheny Wrecking.

Dual Highway Annexation – Hamilton

A proposal for annexation of three parcels located adjacent to Hamilton Nissan known as 1921-1923-1927 Dual Highway has been received. Mr. Hamilton is requesting abatement of the city real estate taxes until the property is developed or sold. As part of the request, no city services will be requested until such time as the property is developed. It is also the desire of the owner to initiate development of the property within one year. Deborah Everhart, Economic Development Director, stated Staff supports this request.

Councilmember Aleshire stated the abatement should be for a maximum of five years. He stated that access to this property will be an issue.

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

EXECUTIVE SESSION – December 13, 2005

The Mayor and Council then met in executive session, as stated in the prior motion. The executive session started at 6:41 p.m. No formal action was taken at the session. The meeting was held in the Council Chamber, 2<sup>nd</sup> floor at the City Hall. The meeting was adjourned at 7:58 p.m.

Respectfully submitted,



Work Session and Executive Session  
Mayor & City Council  
Hagerstown, Maryland

December 13, 2005

Donna K. Spickler, City Clerk

Approved: \_\_\_\_\_