

WORK SESSION AND EXECUTIVE SESSION – SEPTEMBER 4, 2012

WORK SESSION – September 4, 2012

Mayor R. E. Bruchey, II called this Work Session and Executive Session of the Mayor and City Council to order at 4:07 p.m., Tuesday, September 4, 2012, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers W. M. Breichner, M. E. Brubaker, F. W. Easton, A. C. Haywood, L. C. Metzner; City Administrator Bruce Zimmerman, and City Clerk D. K. Spickler.

Forget Me Not Proclamation

Mayor Bruchey presented a “Forget Me Not” Proclamation honoring the community’s disabled veterans to Douglas Flannigan, Senior Vice Commander of Disabled American Veterans Organization Chapter 14. The group accepts donations for Forget-Me-Nots. The donations help serve veterans who bear the scars of war.

Trick or Treat Date

It was the general consensus to hold the City’s Trick or Treat Night on Wednesday, October 31, 2012, from 6:00 p.m. to 8:00 p.m.

Revised Investment Policy

Michelle Burkner, Director of Finance, was present to discuss revisions to the Investment Policy that were made following the Mayor and City Council meeting in August, 2012. She stated revisions were made to clarify language regarding the Director of Finance’s responsibilities. Additionally, staff added an additional Investment Committee member and have defined that person as a “City Department Head from a department other than Finance”.

Councilmember Breichner does not think the added Investment Committee member should be another staff member. It should be someone in the community, not a City employee. He wondered why the additional member is necessary.

Councilmember Brubaker stated there should be someone on the committee that is not in the Finance Department. This would provide a different perspective on the issues.

Councilmember Haywood would support a member who is concerned about how tax dollars are invested.

Councilmember Brubaker would not have an objection to this, but it has been difficult to find qualified members.

Mr. Zimmerman stated the goal of the proposed revisions to the Investment Policy is to update a 16 year old policy. The investments are managed per the policy established by the Mayor and City Council.

Councilmember Brubaker views the biggest change as being the addition of an Investment Officer to do the day to day work. The Finance Officer would oversee that person's work.

Ms. Burkner indicated the proposed revisions match current practice.

Councilmember Metzner stated the points made are valid. He suggested seeking a qualified member who is not a City employee. If no one meets the qualifications, keep the committee as it is now.

Councilmember Easton does not feel there is a need for the change in committee membership.

Councilmember Brubaker stated a revised policy is needed. He is willing to pass the policy, without including his suggestion for another member who is a department head.

Approval of the revised Investment Policy, with the changes discussed, will be scheduled for September 25, 2012.

#### Bond Issue

The Mayor and City Council removed this item from the agenda. It was stated there is no reason to talk about a bond issue until the Mayor and City Council has the numbers they need regarding the MUSEC before approving the ordinance.

#### Discussion of Public Information Process for the MUSEC

Bruce Zimmerman, City Administrator, stated time is provided for the Mayor and City Council to discuss the process for a public information meeting for the MUSEC. There are two goals for the meeting – to provide accurate information and to provide an opportunity for people to ask questions, based on accurate information.

State agencies use a process that may be useful for this meeting. An informational presentation could provide the opening for the meeting. Information to be included is: background, project details, current estimated costs, reasons why the downtown site is being used, why the project is important to the City and the impact on the City. Each member of the Mayor and City Council could participate in the meeting and share why they think the project is important and how it fits in their goals. The second portion of the meeting could use a different format with stations being set up focusing on each aspect of the project. Attendees could discuss specific areas of the project. There could be areas for citizens to discuss the project with individual Mayor and City Council members. The elected officials would have the opportunity to discuss the project with individuals, rather than a large group. There could be forms for people to complete – either supporting or opposing the project. This would become part of the public record. Sign in sheets for speakers could be used (similar to those for public hearings).

Councilmember Haywood suggested using Municipal Stadium as the venue. People could see why the existing stadium is not feasible.

Councilmember Breichner suggested that a tour of Municipal Stadium would be more appropriate with a public forum at another location. He believes people need to see the current conditions of the stadium.

Councilmember Haywood stated citizens are concerned the current stadium will be torn down. That possibility has not been discussed by the Mayor and City Council. She recommended establishing a citizens group as soon as things are settled with the MUSEC to discuss the historical nature of the stadium and ideas for reuse. She agrees it should be saved.

Mayor Bruchey stated the ideas for the public information meeting provide the ability to make a presentation and provide citizens with facts. Providing the opportunity for citizens to discuss the project in a roundtable setting is good. Providing the facts (not rhetoric or scare tactics) to the public will help people see the benefits of this multi-use facility.

Councilmember Easton stated the facts should be provided prior to the meeting.

Councilmember Metzner agreed. The meeting should be held prior to signing a lease with the Hagerstown Suns or doing other things. The bond issue was delayed until the numbers for the MUSEC are firm. Two major investments - \$ 10 million from the Maryland Stadium Authority and \$ 15 million from a private donor have not been made at this point in time. He understands the \$ 15 million donation is the largest ever made to minor league baseball in Maryland. These are facts the public needs to know. More than \$ 25 million for this project is not City of Hagerstown taxpayer money. This information has not been disseminated because the City has not been permitted to provide it.

Councilmember Breichner indicated a critical factor is a lease with the Hagerstown Suns. All parties have been working on the lease but it has not been completed.

Councilmember Metzner stated the Suns asked the City last year to not do anything. They later found out those involved with the Suns were not discussing things with each other. The Mayor and City Council did what had been asked of them – to do nothing.

Councilmember Brubaker stated the meeting needs to be a public hearing so people know their views were heard by all Mayor and City Councilmembers. This is a major public project and people should be given a chance to be heard. Lease negotiations are continuing. The Mayor and City Council have been sworn to not disclose some of the information. Councilmember Metzner has been permitted to release some information about the private donation. He believes the Maryland Stadium Authority will respect the need to move quickly if the deadline is to be met. A bond will have to be issued for other City projects. A multi-event facility will bring people downtown. He stated it would be difficult to maintain the existing stadium and he would not want events there to compete with events at the multi-use facility. He could see a business park on the existing stadium site. He can't pledge to keep municipal stadium unless reuse becomes a main focus.

Councilmember Breichner stated they have not had a discussion about what will be

done with Municipal Stadium; however, they won't allow it to compete against the MUSEC. He stated it is premature to start talking about reuse of the site since no discussions have been held.

Mayor Bruchey stated he would not want the stadium used for events that could be held at the MUSEC. The focus is to bring people downtown.

Councilmember Haywood stated it is unlikely there would be more than a few events held at Municipal Stadium each year. Maintenance costs of \$ 225,000 would not be feasible. She stated the City heard from the Washington Nationals that it is not possible to maintain the Suns team in the existing facility. People need to understand there are two options – build a new stadium and keep the Suns or don't build a stadium and lose the Suns.

Councilmember Metzner stated the league has made it clear that rehabilitation of Municipal Stadium is not an option. They made it clear, from their perspective, they will not play at Municipal Stadium. They will play in either a new stadium or in another city. Non-affiliated teams could play in Hagerstown, but it is everyone's preference to have an affiliated team.

Councilmember Breichner pointed out un-affiliated teams do well in other communities.

Councilmember Metzner stated the public discussion needs to include what the first option is (retaining the Hagerstown Suns) and why that is the best option. The MUSEC project is not intended to be just a stadium. It is being considered as a project to help downtown. The offer of the \$ 15 million investment is something the City could not turn down.

Mr. Zimmerman pointed out the funding from the Washington County Commissioners is intended to be used for the MUSEC being located downtown.

Councilmember Breichner stated indications show it will help revitalize downtown. Mr. Zimmerman stated York and Harrisburg have seen success with their stadiums in downtown.

Councilmember Easton why this is being discussed extensively since this information was provided during executive sessions.

Councilmember Haywood stated one thing not discussed in any meeting was the demolition of Municipal Stadium. This seemed to be the biggest concern from citizens who spoke during Citizen Comments at the August 28, 2012 Mayor and Council meeting.

Councilmember Brubaker stated the lease terms have not been discussed publicly, nor should they be. They have been following the legitimate process. A Plan B has not been discussed in any detail.

Mr. Zimmerman asked if the Mayor and City Council wanted to schedule a tour of Municipal Stadium and follow the suggested format for the public information meeting.

Councilmember Metzner suggested holding the public information meeting at the Academy Theater. Councilmember Breichner wondered if that venue is large enough.

Mr. Zimmerman stated if the information meeting format is acceptable, they could discuss details during next week's Work Session.

Councilmember Haywood stated she would appreciate time to discuss the project with citizens individually.

Mayor Bruchey stated it has to be known what the financial commitment will be from the Suns so that accurate information can be provided.

Councilmember Metzner stated, as a City Council, they are going to make a stand in saying "this much money is needed or the project won't work". A number of proposals are being worked through. Funding from several sources will be needed to make the project feasible.

Councilmember Brubaker stated the financial projections could be provided, without having a signed lease.

Councilmember Haywood stated both parties should have agreed to the lease before it is public.

Councilmember Metzner stated the public information meeting must be held before the lease is signed. If the lease is signed before the meeting, the public will not have an opportunity for input.

Councilmember Easton asked that accurate information be provided and posted on the City's website. Councilmember Metzner indicated he only recently had been given permission to reveal the \$ 15 million donation.

Mr. Zimmerman will schedule the stadium tours.

Mayor Bruchey stated as much information as possible (that is not part of the lease terms) will be released. Tours will start after the playoffs. Times for the public information meeting will be discussed next week.

#### **CITY ADMINISTRATOR'S COMMENTS**

*Bruce Zimmerman, City Administrator*, stated refuse collection is delayed one day due to the Labor Day holiday this week.

#### **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. W. Easton* had no additional comments.

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

EXECUTIVE SESSION – September 4, 2012

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 closed session to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, #4 (Section 10-508(a) 4) and to consult with counsel to obtain legal advice, #7 (Section 10-508(a) 7) at 5:18 p.m. in the Council Chambers, 2<sup>nd</sup> 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. W. Easton, Councilmember A. C. Haywood, Councilmember L. C. Metzner, City Administrator Bruce Zimmerman, Rodney Tissue, City Engineer, John Lestitian, Director of Department of Community and Economic Development, Jill Estavillo, Economic Development Manager, Michelle Burkner, Director of Finance, and Donna K. Spickler, City Clerk. The meeting was held to discuss a lease with the Hagerstown Suns. No formal action was taken at the meeting. On a motion duly made, seconded and passed, the meeting was adjourned at 6:41 p.m.

Respectfully submitted,

Donna K. Spickler, City Clerk

Approved:     October 23, 2012