

WORK SESSION AND EXECUTIVE SESSION – DECEMBER 11, 2012

Members of the Mayor and City Council toured the construction site at the new Washington County Free Library, South Potomac Street, Hagerstown, Maryland, beginning at 3:00 p.m.

Joint Meeting with Washington County Delegation

The Mayor and City Council met with the Washington County Delegation on Tuesday, December 11, 2012 at the University System of Maryland – Hagerstown at 4:40 p.m. The following members were present: Mayor David Gysberts, Councilmembers Kristin Aleshire, Martin Brubaker, Lewis Metzner, Donald Munson and Penny Nigh. Delegation members present were: Delegate Andrew Serafini, Delegate John Donoghue, Delegate Neil Perrot, Senator Christopher Shank, Senator George Edwards and Senator Ronald Young.

Stormwater & Chesapeake Bay Water Quality:

The City and Washington County have developed a State-mandated Watershed Implementation Plan to restore the water quality in the Chesapeake Bay by 2025. Using estimating tools provided by the Maryland Department of the Environment, the total cost for Washington County to comply with the pollutant reduction goals by 2025 is \$1.1 billion; the City's share of this overall cost is \$210 million, or approximately \$16 million/year for thirteen years. In comparison, the City's total FY12 Budget for General Fund/Capital Improvement Program expenditures was approximately \$12 million, and did not include any significant stormwater projects. MDE has suggested that one way that municipalities can attempt to raise the necessary funds is to impose a Stormwater Utility Fee; however, this fee may further stifle growth, and will make the City a less desirable location for both residents and businesses than neighboring municipalities in Pennsylvania and West Virginia. What assistance/relief can the Delegation provide to the City?

Senator Young indicated this program is costly. He has asked the State agencies to look for other, less expensive and innovative ways, to protect the Chesapeake Bay.

Councilmember Aleshire stated there is interest in litigation due to the lack of ownership by the State of Maryland on this issue. It is very difficult to take steps ahead for the rural counties.

Senator Young indicated the Environmental Protection Agency has mandated that all states implement stormwater management regulations.

Delegate Serafini stated the regulations cannot be allowed to bankrupt municipalities.

Stadium Funding and Support

Delegate Serafini indicated he and Delegate Myers spoke to the Governor's office about funding for the MUSEC project. The State has said because of the change in the Mayor and City Council, they are thinking the project is off the schedule for now. Delegate Serafini urged the Mayor and City Council to make a request to the State as soon as possible if they want to pursue the project. The request needs to be made soon to have an opportunity for it to be discussed in the next session. They recommended sending letters to the Governor and visiting Annapolis. Delegate Serafini stated the delegation members support the City but the Mayor and City Council need to move quickly to request funding through the State. Delegate Donoghue is a huge supporter of Hagerstown.

Mayor Gysberts indicated the Mayor and City Council appreciate the urgency of this matter. He stated the Mayor and Council need time to develop a plan. He wants to keep baseball in Hagerstown.

Delegate Donoghue asked the City to contact him and he can speak to the Governor.

Councilmember Aleshire stated his priorities include demolition of MELP and the redevelopment of Hagerstown's core.

Councilmember Brubaker stated he appreciates the support of the delegation.

Senator Young is willing to share his experience as Mayor of Frederick in the redevelopment of the downtown core.

Mayor Gysberts expressed his concern for the Highway User Revenue status. Delegate Serafini stated there are no plans to restore the funding in this year's budget.

The following items were presented as information, with no further discussion:

One Maryland Broadband Network

The State of Maryland has been awarded a Federal ARRA Broadband stimulus grant to fund the One Maryland Broadband Network (OMBN) project and as a result, Washington County will have an 18.5 mile fiber optic infrastructure deployed by September 2013. The opportunity may lay in the ability to utilize this fiber infrastructure as an economic development incentive in the City Center area, as the path of the fiber build-out will pass from the West End of Hagerstown to the Professional Arts Building then follow North Potomac Street to the Department of Social Services. The latest development in this project is that a "Broadband Impact Study" has been awarded by the County to Design Nine of Blacksburg, Va. This study is intended to assist Washington County on how best to maximize the new OMBN fiber infrastructure and optionally leverage the WCPN (Washington County, City of Hagerstown, WCBOE, and Washington County Free Library) fiber assets and the MBC fiber assets and middle-mile services in order to increase broadband availability in the underserved (defined as service no less than 4 Mbps download and 1 Mbps upload), and un-served areas of the county and to increase broadband adoption by the greatest number of County businesses and

citizens. This study will establish the best technical, cost effective design, along with an operations and maintenance approach to reach the maximum number of businesses and residents. This study will research and develop financing and sustainable business plan model alternatives that encourage entrepreneurship and identify possible public/private partners to complete the design/construction. The study is expected to be completed in early Spring 2013.

Biosolids Application Regulations

The Maryland Department of Agriculture (MDA) issued November 15, 2012 guidelines for farmers and wastewater treatment operations outlining immediate actions necessary to comply with Maryland's newly revised nutrient management regulations which took effect October 15, 2012. The revised regulations redefine how a farm nutrient management plan is developed and implemented while changing the way organic nutrient sources and other materials are managed. For the City of Hagerstown and future operations of the wastewater treatment plant these new regulations will require us to develop and fund long term capital improvement projects in order to remain in compliance. The new policy restricts biosolids application to narrow windows of time and will force the storage of biosolids, causing extraneous expense and possible odor issues at treatment facilities.

WORK SESSION – December 11, 2012

Mayor D. S. Gysberts called this Work Session and Executive Session of the Mayor and City Council to order at 5:30 p.m., Tuesday, December 11, 2012, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, M. E. Brubaker, L. C. Metzner, D. F. Munson, P. M. Nigh; City Administrator Bruce Zimmerman, City Attorney John Urner and City Clerk D. K. Spickler. Delegate John Donoghue was also in attendance.

Hagerstown Suns

Bruce Quinn and Bill Farley, Hagerstown Suns, were present to discuss Municipal Stadium and a new stadium. Mr. Quinn distributed data for the Mayor and City Council's review. He thanked the Mayor and Council for the opportunity to speak in an open meeting. The Suns management appreciates the efforts by staff and elected officials during the project review for a multi-use stadium.

Mr. Quinn asked the Mayor and Council to tackle the facility problem at Municipal Stadium. Municipal Stadium has been condemned by professional baseball auditors, laughed at by other cities and states and dismissed as a serious venue by all in the baseball business. The Suns relationship with the Washington Nationals is in jeopardy, as they have expressed their reservations about municipal stadium in regards to the safety and playability of the ballpark. This includes the lack of appropriate development and support infrastructure to safely and adequately develop their future stars and MLB rehabs. This was evident from letters and most recently the delaying of the Player Development Contract signing. Current cited issues include:

1. Playing surface on a rock bed, preventing an even playing surface

2. Right field drainage system
3. Dugouts back up with water
4. Club house has drainage and plumbing issues
5. Press box and surrounding roof is non—OSHA compliant
6. Municipal Stadium has failed both MLB and MiLB compliance audits the past five years
7. Loss of revenue from fallen light pole last season

The Nationals have made it clear they will look for alternatives after the 2014 season if a suitable and safe facility is not built.

Mr. Quinn noted the following:

1. The Suns were not involved in, or offer any opinion in regards to, the site selection
2. The Suns were not involved in the donor negotiations
3. The Suns were not involved in the first rendering and position of the stadium in the proposed location. However, the re-positioning for noise abatement was their idea
4. The City and the Suns have signed a letter of intent, detailing the business terms of the current project. They have spent over \$ 200,000 and have fulfilled their commitment to the letter. They feel the City has not fulfilled its obligations, including applying for State Stadium Authority money.

Mr. Quinn stated the Suns are a large economic driver within the City and County. They cater to the public with quality family entertainment. More than 120,000 baseball fans attended games in 2011. They spent over \$ 1 million directly with local businesses. The combined payroll was more than \$ 1.1 million. They rented over 1,500 hotel rooms. Combined restaurant expenditures topped \$ 192,000. The Suns spent over \$ 100,000 with local advertisers. The Greater Hagerstown Tourism bureau credits the Suns with bringing an additional \$ 5 million of revenue every season to the City. Their goal is to continue to provide a low cost, high quality family entertainment venue for Hagerstown; however Municipal Stadium is not capable of offering these amenities. Their business declines due to a declining stadium.

The Suns want to stay in Hagerstown and are willing to work with the City to review a lower costs and less confrontational site alternative to the downtown location. Mr. Quinn stated they are willing to share a detailed financial model of a plan, using a conservative estimate of \$ 25 million to build the entire project including the park and parking. Their plan includes the Suns supplying \$ 3 million in upfront funding and \$ 100,000 per year in rent for thirty years. Also included is the Suns continuing to pay the estimated \$ 120,000 of Admission Tax to the City per year. The power plant financial model asks the City of Hagerstown to pay no more than it is currently spending yearly at Municipal Stadium and does not include any donor money. Ticket prices would remain affordable and they could offer home and garden shows, car shows, concerts, soccer, lacrosse, MMA and boxing events.

Mr. Quinn stated they have hired an attorney, Brian Quinn, who is familiar with the State process for stadium funding.

Councilmember Metzner thanked the Suns for attending this meeting. The Mayor and Council have heard from both the Washington County Delegation and the Hagerstown Suns that they can't wait until April or May to make a decision on the stadium. He requested that a public discussion be scheduled for a work session as soon as possible. The Mayor and Council have to decide whether to pursue a new stadium or tell the Suns to look for another location. This needs to be done for the citizens, the Suns and the City government.

Councilmember Brubaker asked where the estimates for the proposal were from. Mr. Quinn stated they used information from the last four South Atlantic League projects. In the downtown site, having it close to exiting residents in confrontational. In the area around Municipal Stadium, there are three eyesores that would be removed – MELP, the fiber plant and the recycling plant.

Mr. Quinn stated the amenities can be revised in their plan, which would affect the overall costs. He suggested that HKS could make diagrams with better details. He stated it is not fair to the Suns to keep them in limbo

Councilmember Metzner indicated the government can't stay in limbo either. There has been overall support of wanting to keep the Suns. A lot of the opposition has been about the site location. He would like the public to come together and let the Mayor and City Council know if they want to keep baseball in Hagerstown.

Councilmember Munson stated he looks forward to working with Mr. Quinn. During the campaign, most voters said they wanted to keep the Suns but did not support the proposed site.

Councilmember Aleshire stated he believes in the viability of a redevelopment project more than keeping the Suns. He believes education is a better component for the viability of the downtown. He expressed concern that the numbers for the project keep changing. He thinks private contributions are missing from Mr. Quinn's proposal.

Mr. Quinn stated there has to be a tie between the east end of Hagerstown and the stadium. Events should be marketed better, through programmable signs.

Mayor Gysberts thanked Mr. Quinn for attending this meeting. He stated he thinks the election results were not about the stadium but about the process. He proposed making the January 8, 2013 work session a discussion of the stadium. There is no cohesive, shared vision for where the Mayor and Council want to move the whole city. He thinks a One Hagerstown Campaign would be successful.

Preliminary Agenda Review

Consent Agenda

- A. Department of Parks and Engineering: Acceptance of Community Greening
\$ 30,000.00 Grant

B. Department of Utilities:

1. Water Division: Generator Pump for Water Pump Stations – Washington Air Compressor Rentals (Rockville, MD) \$ 93,728.00

C. Information Technology and Support Services: ESRI GIS Enterprise License Agreement Renewal – ESRI (Redlands, CA) \$ 35,000.00

Approval of a Resolution: Accept Offer of Dedication of Omega Drive, Cameo Drive, a portion of Imperial Drive, Hoosier Court and Wolfpack Way

Rodney Tissue, City Engineer, stated the City has always contemplated accepting these streets upon their completion. The streets were designed and constructed per the Public Ways Construction Standards. Staff recommends the City accept these streets, conditioned upon receiving a one-year maintenance surety per the Subdivision Ordinance. City staff will then begin maintenance of the streets.

Approval of a Resolution: Approval of a Memorandum of Understanding (MOU) with Maryland State Police Regarding Information for Vehicles and License Plates

Acting Chief Mark Holtzman stated the Hagerstown Police Department utilizes license plate readers (LPR) as an enforcement and investigative tool. Because they access information through the National Crime Information Center (NCIC), the City is required to execute a Memorandum of Understanding (MOU) with the City and State Police regarding the use of information obtained by using LPRs.

The LPR is a tool with a variety of uses, including the detection of:

1. Stolen vehicles
2. Vehicles with revoked or suspended registrations
3. Uninsured vehicles
4. Vehicles operated by drivers with suspended or revoked licenses
5. Other vehicle-related crimes
6. Finding wanted and missing persons

Approval of Demolition of Structure at 28 West Church Street

Michael Spiker, Director of Utilities, stated the Hagerstown Light Department (HLD) owns a two story structure at 28 West Church Street, which was formerly used as office space on the first floor and has been vacant for approximately one year. Staff received pricing for materials required to rehabilitate the structure in the amount of \$ 21,310.52 with construction labor charges of approximately \$ 15,000.00, for a total in excess of \$ 36,000.00. Excluded are the total costs of upgrading the electric, plumbing and handicap accessibility to code. After further review, structural damage has been revealed on the second floor in addition to a low existing ceiling height. Correction of this would require removal and reconstruction of the second story, construction of a new roof, and

other associated upgrades, bringing the total construction costs well in excess of \$ 40,000.00.

Staff considered the following factors in reaching the decision to demolish the structure:

1. The financial condition of the HLD (Loss of revenue of two top customers)
2. The overall condition of the structure.
3. The available office space in the City Center.
4. The cost benefit of attempting to recoup the renovation expenditure through rent payments.
5. The adaptive reuse of the entire four contiguous properties after demolition.

In order to secure the most cost effective bid in preparation of the Request for Proposal, staff removed all three utilities and the asbestos has been abated from the structure. TKO Construction submitted the lowest bid of \$ 14,499.00 and staff is requesting approval to move forward.

If this lot is utilized for parking, 35 spaces would be permitted by the City's Zoning Ordinance.

This completed the preliminary agenda review.

MELP Property Discussion

Michael Spiker, Director of Utilities, and John Urner, City Attorney, were present to discuss the Municipal Electric Light Plant (MELP). Nathan Fridinger, Electric Supervisor, and Bill Fockler, Utility Facility Manager, were also present. Mr. Harshman and Ron Bowers were present as representatives of the owners of MELP. The demolition of MELP was a priority of the previous Mayor and Council and has been identified as such for the current Mayor and Council. For more than 12 months the City has been diligently working with the current ownership and their attorney in an attempt to support the owner's demolition and cleanup of the property. The ownership has held discussions with a number of potential contractors who would assist them with the project. This list would include Sabre Construction, Lycoming Construction, Conservit, and Hub Scrap among others. The ownership is being assisted locally by Frederick Seibert & Associates and Triad Engineering in the engineering/permitting aspects of the project.

The owner's proposal to the City has included a request for City funding participation which will allow for a return of the property to City ownership once it has been appropriately cleared and restored to meet environmental regulation standards. The City has previously offered \$750,000 as a contribution toward the demolition and cleanup of the property to be paid upon the completion of the project. The funding source is designated as \$500,000 from the unappropriated CIP Fund Balance and \$250,000 from the upcoming bond issue. To date the Harshman group has not been able to finalize a project to the point of bringing a proposed Settlement Agreement (Agreement of Sale) to the City for Mayor and Council consideration.

The following bulleted items present descriptions of the affected area and a short history of the MELP to date.

- MELP property Map 0311 Parcel 0973-2 Lot 2 containing 2.966 acres was owned by the City of Hagerstown from 1917 through May 4, 1994 at which time it was transferred to the Hagerstown Fiber and Light LLP (HFL) for the sum of \$1.00.
- MELP was last operated in the early 1970's as a generation plant for the HLD.
- HFL sold MELP to Partners Marketing LLP, the current owners, on June 20, 1996 for the sum of \$250,000.
- The City of Hagerstown owns the adjacent Lot 1 south of the MELP containing 9.4752 acres. In December 2006, Lot 1 Transferred to the City of Hagerstown and a Substation Lease Agreement between Newstech LLP, Cascades, and the City granted a 99 year lease for the Cascades Substation at a yearly rate equal to the assessed real estate tax (\$3,800).
- Additionally, the HLD owns .5841 acres on the southeast corner of Eastern Boulevard and Mount Aetna Road which contains the HLD Plant Substation and a First Energy Substation.
- HFL/Robert Catzen owns Lot 3 containing .6865 acres on the northeast corner of Eastern Boulevard and Mount Aetna Road. This property houses the water pump house for HFL and formerly for MELP.
- On June 16, 2011 City Staff met with Dave Harshman, a group of contractors and others regarding his renewed interest in the MELP removal.
- On September 1, 2011 an offer was received from Partners Marketing LLP requesting \$750,000 from the City to assist with the demolition of MELP.
- Staff commenced working through the processes required for the demolition of the former MELP as requested by the Mayor and Council during the Executive Session of November 8, 2011.
- On May 21, 2012, Harshman's attorney submitted a draft Agreement of Sale for review by City Staff and Legal Counsel. Mr. Urner and Mr. Spiker met and reviewed the agreement point by point and identified issues requiring attention.
- On June 21, 2012, the City was notified of issues with the General Contractor for the Harshman group and there would be changes within the draft Agreement of Sale.
- On August 20, 2012, the City was notified the original General Contractor was no longer the number one choice and other options were being explored.
- Staff has continued to meet with the Harshman group regarding all aspects of demolition, protective services, agreement issues, etc. The City requested a revised Agreement of Sale in October 2012. Per the most recent discussion with the Harshman group on November 28, 2012, they continue to work through the contractual issues and are not yet prepared to forward the final Agreement of Sale for review.

Vast amounts of time and effort have been expended by both sides over the past thirteen months. Staff requests a continuation of the existing process whereas the Harshman group will be granted thirty days (January 10, 2013) for submission of an Agreement of Sale to the City of Hagerstown. If the submission does not occur, staff and legal counsel will prepare a definitive list of options for consideration and discussion by the Mayor and Council. These options will include but are not limited to the outright

purchase of the property, condemnation of the property, the process of eminent domain, etc. Further discussions regarding the adaptive re-use of the property as an Antietam Creek access point, a section of a future linear park, a pervious parking area, etc. will be points for consideration.

Councilmember Aleshire asked if there would be a cost benefit to combine two substations and share ownership with Potomac Edison. Mr. Spiker indicated combining the stations would be extremely costly.

Councilmember Munson asked if there is a way to remove the PCBs from the property. Mr. Spiker stated the City is willing to assist the owners with removing the PCBs. City Code language prohibits any dumping into the wastewater system.

Councilmember Munson stated he understands the City's liability for the PCBs will never expire. He wondered how the land could have been sold. Mr. Spiker stated he and Mr. Urner have developed an assignment agreement which recognizes the City's liability as well as the current owner's responsibility. There is also a sewer line under the property.

The owner of the property indicated he is working to secure hazmat approval for removal of the environmental issues at the site, which is taking significant time.

Councilmember Metzner thinks it will ultimately be the City's responsibility to take down the building and clean up the site.

Councilmember Metzner stated he believes the current owner will turn the property over to the City. There is an agreement stating the City will not take ownership until the site is clear. He believes the value of the salvageable metal inside the building is significant.

Councilmember Brubaker thinks it might be worth pursuing State aid for removal of the building.

Councilmember Metzner stated the building needs to be removed. It is more than eyesore, it is a safety hazard. Other Councilmembers agreed.

Councilmember Aleshire left the meeting at this time.

Negotiations with the owner will continue and this item will be discussed again at a January, 2013 work session.

Land Management Code Text Amendment and Adequate Public Facilities Ordinance (APFO) Text Amendment

Alex Rohrbaugh, Planner, stated a public hearing has been scheduled for January 22, 2012 to consider revising the Land Management Code's definition of a minor subdivision from 5 lots or fewer to 7 lots or fewer and the Adequate Public Facilities Ordinance (APFO) definition of a minor subdivision from 5 or fewer units to 7 or fewer units.

Kathleen Maher, Planning Director, was also in attendance.

The revision to the minor subdivision definition is being proposed because of the following: 1) Consistency with the State, which recognizes minor subdivisions as the creation of a maximum of 7 lots, and 2) consistency with the County, which is revising its definition of a minor subdivision to a maximum of 7 lots per implications concerning residential subdivisions from the Statewide 2012 Sustainable Growth & Agricultural Preservation Act (a.k.a. "Septic Bill"). In addition Staff believes that allowing up to 7 lots in a minor subdivision will not adversely affect the City's Sewer Capacity Allocation Program (SCAP) and will provide greater flexibility for downtown and adaptive re-use projects with the APFO.

The Planning Commission held a Public Review Meeting on the proposed amendments on October 31, 2012 and subsequently recommended approval of the amendments on November 14, 2012.

Strategic Demolition and Smart Growth Impact Fund (SGIF) Grant Application

John Lestitian, Director of the Department of Community and Economic Development, stated staff is seeking direction in reference to the SGIF Grant Application. The prior administration authorized staff to pursue this funding opportunity. The application was made to fund a portion of property acquisitions for the MUSEC Project. The requested grant amount is \$ 1,618,200. Kathleen Maher, Planning Director, and Alex Rohrbaugh, Planner, were also in attendance.

Staff met with State officials on November 28, 2012 and toured the site. In order to complete the grant application and receive consideration for funding, a resolution would have to be approved by the Mayor and Council at the December 18, 2012 Regular Session.

Mr. Rohrbaugh indicated the SGIF Grant is intended to be used to acquire property or rehabilitate larger properties by municipalities and organizations.

Councilmember Metzner stated there needs to be a project for the funds and there is not enough time to develop an alternative project by the application deadline.

Mayor Gysberts wondered if the funding could be applied for the demolition of the MELP. Mr. Rohrbaugh indicated the funding has to be used in a designated sustainable area and he believes the MELP site is within that area. Mr. Rohrbaugh stated an application for acquisition of properties associated with the MUSEC site was submitted by the deadline. This action (resolution of support) was part of the requirements for that application. If the program is continued, the City could apply next year for the MELP site.

Mayor Gysberts appreciates the staff time involved with the MUSEC project. He stated there does not seem to be three strong votes from the Council to continue the project in the downtown.

Councilmember Munson suggested another project for downtown. Councilmember Metzner stated the Board of Education relocating downtown may involve the same properties as those included in the application for the SGIF funding. He hopes MELP is demolished before the next application deadline.

Councilmember Nigh inquired if the grant includes renovation of buildings. Ms. Maher stated funding is for acquisition or demolition. Councilmember Nigh does not want buildings demolished if they don't have to be.

It was the general consensus to not pursue the grant funding for the project.

Acquisition/Rehab Project for 43-53 W. Washington Street

Kathleen Maher, Planning Director, and John Lestitian, Director of the Department of Community and Economic Development, stated staff needs indication from the Mayor and City Council whether they want to proceed with the project to acquire and rehabilitate 43-53 W. Washington Street, as proposed in the FY 2013 Community Legacy application. In November, notification was received that the City has been awarded a \$ 100,000 grant from the State's Community Legacy Program for the project.

Last summer, staff reviewed the goals and strategies outlined in Hagerstown's Sustainable Community Plan to guide the decision in applying for urban revitalization funds from Maryland's Community Legacy Program this year. A key goal in that plan is to "intercede with blighted properties to facilitate re-use" by new businesses and/or residents who support the goals for the City Center.

Staff determined that the property containing the two buildings at 43-53 W. Washington Street was key to the future success of a block whose vitality is struggling. While this block contains the University System of Maryland at Hagerstown (USMH) and some government facilities, there are only a handful of storefront enterprises remaining to attract pedestrian activity and commerce. These two buildings sit at the center of the block across the street from USMH and University Plaza. The only tenant in either building is the Potomac Bead Company, an excellent downtown retail enterprise. Both buildings have deteriorated in condition and are contributing to negative perceptions of the downtown. The center of 43-47 W. Washington Street was demolished recently and its deteriorated conditions are visible through the left storefront. The rear of both buildings show signs of past remodeling projects that halted in mid-stream. The upper floors of both buildings have been vacant for decades. Despite these issues, the front facades of both buildings contain strong architectural character and the proposed intervention will allow them to positively contribute to the image of this block.

In a July executive session, staff proposed an acquisition/rehabilitation project for this property as a potential Community Legacy grant project and received Mayor and City Council authorization to proceed with application for the grant funding. Staff believe this would be an important project for the downtown and could serve as a catalyst for additional positive actions to revitalize this block of the downtown.

Mr. Lestitian indicated negotiations for a final purchase price are continuing. Staff would like to discuss funding options with the Mayor and City Council in January, 2013.

Councilmember Munson supports this project.

Mr. Lestitian stated staff has discussed ways of moving properties back to the private sector. This building has good potential for renovation.

Mayor Gysberts pointed out that 140 S. Potomac Street is now back on the tax rolls. Mr. Lestitian stated the building (which was in poor condition) was purchased by the City and then stabilized. Staff realizes more has to be done than just stabilizing the building for potential owners to be interested. There are ways to broaden the funding, through grants and Community Development programs.

It was the general consensus to move forward with this project. Ms. Maher indicated the Mayor and City Council will have to formally accept the Community Legacy Grant at a future date.

CITY ADMINISTRATOR'S COMMENTS

Bruce Zimmerman, City Administrator, had no additional comments.

MAYOR AND COUNCIL COMMENTS

Councilmember P. M. Nigh has been contacted by citizens with questions about handicap parking permits. State regulations for handicap parking at meters allow a motorist with a handicap placard or license plate to park for twice the limit of the meter.

Councilmember Metzner stated the Board of Traffic and Parking discussed and reviewed the regulations. Motorists were given warnings before tickets were written.

Mayor Gysberts indicated the Public Works Director will do a public campaign which will include information what amenities are provided for handicapped motorists.

Councilmember L. C. Metzner enjoyed the tour of the new library. He stated the view of condemned buildings with boarded windows from the library is unacceptable. These buildings need to be taken care of.

Councilmember M. E. Brubaker stated the Mayor and Council have discussed investing in the East end and downtown Hagerstown. Mr. Quinn's proposal for an East end stadium is about the same amount as the projected amounts for a downtown stadium. The Mayor and Council have to keep focused on downtown. A stadium in the east end will not save money.

Councilmember D. F. Munson agrees the buildings to the back of the library need to be taken care of.

Mayor D. S. Gysberts thanked the Chamber of Commerce for the reception last week.

He attended the dedication of the Funkhouser Foundation House. He thanked the library staff for providing a tour earlier today. He also thanked the Washington County Delegation for meeting with the Mayor and City Council today.

EXECUTIVE SESSION – December 11, 2012

Councilmember D. F. Munson made a motion to meet in closed session to consider at 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) at 7:10 p.m. in the Council Chamber, 2nd Floor, City Hall, Hagerstown, Maryland. Councilmember M. E. Brubaker seconded the motion.

Discussion: Councilmember Metzner asked why this item would be discussed in executive session. The issue is whether or not the City wants to sell property it owns or not. If a specific price with a specific person is discussed, it would appropriate to hold an executive session. The first question to be answered is if the City wishes to sell property.

Mr. Urner stated the proposal does include specific names and costs

Councilmember Metzner asked if the City decides to sell property, should it be publicly listed or do they wait until someone approaches staff.

Councilmember Brubaker is in favor of a future public discussion of how the Mayor and Council wish to sell City owned property. He suggested holding an executive session today to discuss the proposal being made.

Motion carried, 3-1, with Councilmember P. M. Nigh voting No.

The following people were in attendance: Mayor D. S. Gysberts, Councilmember M. E. Brubaker, Councilmember L. C. Metzner, Councilmember D. F. Munson, Councilmember P. M. Nigh, City Administrator Bruce Zimmerman, City Attorney John Urner, Michelle Burker, Director of Finance, John Lestitian, Director of the Department of Community and Economic Development, and Donna K. Spickler, City Clerk. The meeting was held to discuss a business proposal in the downtown and potential sale of City owned property. No formal action was taken at the meeting. On a motion duly made, seconded and passed, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Donna K. Spickler
City Clerk

Approved: January 22, 2013

