

WORK SESSION – July 16, 2013

Mayor D. S. Gysberts called this Work Session and Executive Session of the Mayor and City Council to order at 4:04 p.m., Tuesday, July 16, 2013, 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 and P. M. Nigh; City Administrator Bruce Zimmerman, City Attorney Mark Boyer, and City Clerk D. K. Spickler.

City Ethics Commission – Recommended Revisions to Ethics Code

Rev. Stanley Steele, Chairman of the City Ethics Commission (Commission), and City Attorney Mark Boyer were present to provide recommendations from the Commission for amendments to Chapter 33, Code of Ethics, of the City Code to meet the requirements of the State Ethics Commission. Mr. Boyer indicated revisions were made to Chapter 33 in 2010 for reporting requirements for elected officials. These recommendations will provide similar reporting requirements for non-elected officials. The proposed amendments have been reviewed and approved by the State Ethics Commission.

The following is a summary of the recommended amendments:

1. Section 33-3 – Definition of gift as provided by State Code
2. Section 33-3.1 - Reference to revised definition in 33.3
3. Section 33-4 – Revise to identify the non-elected individuals required to file a financial disclosure form, filing date, information to be disclosed and a modification for volunteer board members. These requirements are less onerous than that for elected officials (which cannot be modified). The interest in real property to be disclosed is only that which is located in Washington County, Maryland. Interest in corporations and partnerships to be disclosed are for those in Maryland, doing business in Washington County, Maryland. The value of gifts to be disclosed will be individual gifts of \$ 20.00 or more and a series of gifts totaling \$ 100 or more. Board members will be required to respond to sections if there is a conflict of interest. This language matches the State language. MML and MaCO lobbied for this language to reduce the concern that board members would not volunteer if they were required to file a full disclosure form.
4. Section 33-5 – Clarification of lobbying restrictions, revised with new gift value requirements
5. Section 33-7 – Expand disciplinary action possible

Amendments to the City Ethics Ordinance should be introduced on July 23, 2013 and adopted on August 27, 2013 in order to become effective by the State's certifying deadline of October 1, 2013.

Councilmember Munson asked why the value of a reportable gift is set at \$ 20.00. Mr. Boyer indicated that is the amount established by the State Ethics Commission.

Councilmember Metzner stated it is important to note a gift is reportable if it is from someone who does business with the City.

Mayor Gysberts stated all municipalities are going through this process. Some have found it difficult to find volunteers to serve on the boards who are willing to complete the reporting form.

Councilmember Metzner made a request for an opinion in reference to the former Mayor and his employment with the Hagerstown Suns. He wondered what the rights and authority of the former Mayor are in dealing with the City. He understands there is ambiguity in the Code. He is making the request as a Councilmember, at the request of the former Mayor.

Mr. Boyer indicated the Commission has the ability to review the Code and issue an advisory opinion.

Rev. Steele indicated most Boards and Commission members have returned their annual reports.

Councilmember Metzner asked if campaign contributions would be considered gifts. Mr. Boyer thinks the reporting requirements as a candidate for office and as a Councilmember are covered.

Councilmember Munson asked if there are restrictions on gifts from other governments. Mr. Boyer will look into this question.

It was the general consensus to move forward with the amendments to Chapter 33 of the City Code.

Use of City Parking Lot for Distribution of Free Meals

Eric Deike, Director of Public Works, was present to discuss the use of City parking lots for distribution of free meals. Carl Booker, Soul Food Ministries, was present also.

Staff has received requests from several organizations to use the Market House Parking Lot located at the corner of Jonathan Street and Church Street. This parking lot serves the Market House, the Fire Department Administration, Post Office employees and the general public. These groups wish to distribute free food (packaged and home prepared) to those in need.

At least one of these organizations is not a non-profit or affiliated with any particular church. Rather, they are a group of individuals from a variety of churches receiving support from those churches.

There are currently three different entities making this request. Each would hold their own event to distribute food. The proposed times would include every Monday,

Wednesday and Friday of the week (weather permitting) starting around 4:00 to 4:30 p.m. At least once per year, there would be a larger scale event to include music, games and food that would be held on a Saturday.

For City events, there are a number of issues to consider when being held in a City parking lot. Typically, the first issue is how much or how little of City assistance is being requested. This can include the posting of parking spaces, security, electricity, cleanup, tables, chairs and tents to name a few. None of the three organizations are requesting any City assistance for the weekly events.

The next major item required by the City is insurance. This covers the organization overseeing the event and protects the City from potential financial harm. The City requires proof of insurance listing the City of Hagerstown as an additional insured. The requirements of coverage would be \$ 1,000,000 product liability and \$ 1,000,000 personal injury coverage.

Finally, the City has to determine if there are any other City events that may conflict with these events.

It does not appear that any of these organizations are requesting any specific support from the City of Hagerstown for the weekly events. The annual Saturday event would require some electrical use. They simply wish to utilize the Market House Parking Lot at Jonathan and Church Streets as a location to distribute food to those in need.

Insurance is an absolute requirement. Without it, staff feels the City would be left open for liability issues. Staff also feels the organization must post the lot for No Parking per the City Code (24 hours in advance). This helps to ensure privately owned vehicles are parked away from the event and are not subject to damage during the events.

There are no conflicts with other events on this lot. The lot is not utilized for events other than the market on Saturday and parking through the work week.

Councilmember Metzner asked how much insurance coverage would cost the group. He supports the continuance of the program. The organizers receive a large amount of donations. He doesn't want to end the service simply because of the cost of insurance. But, insurance is required.

Councilmember Brubaker stated insurance, posting the lot in advance and prompt clean up are critical for the operation. He stated there should be a way to continue the program without jeopardizing citizens.

Mr. Deike stated the program receives substantial support from the community and the number of people served has increased. This is a unique program.

Councilmember Nigh pointed out there are several food programs in Hagerstown. She wondered if this program could be set up in an area where there are more vacant lots.

She is concerned other groups will request permission to use other City parking lots. She doesn't think the Market Lot is the right location for this program.

Justin Repp, Pastor at Lifehouse Church West, Hagerstown, Maryland, stated the mission of Soul Food ministries is to keep people from being homeless and hungry. Soul Food Ministries is covered under the church's insurance. Several years ago, they handed out sandwiches at the library. The previous administration asked them to go somewhere else and suggested they use the Market House lot. A publication titled Rails and Trails (a newsletter for homeless people traveling along the railroads) tells them where they can get hot meals. Soul Food Ministries has a goal to help solve the homeless issue. They provide opportunities to the homeless for free.

Councilmember Nigh stated other groups are providing food but they are not located in a parking lot.

Pastor Repp indicated his church would be willing to house this activity, but it is blocks away from this location.

Councilmember Nigh stated she is concerned that other groups are considering providing the same service to those in need. There are many services duplicated in Hagerstown.

Mayor Gysberts stated he believes Councilmember Nigh is also concerned about the highly visible image it creates about Hagerstown and about the dignity of the people who are being served.

Pastor Repp stated this program runs year round. Some of the recipients are not those that would go to the REACH shelter. Some don't like to be indoors. This is why Soul Food Ministries exist. They are not trying to create another shelter. They share the love of God with the people, but they don't have to listen to a sermon before they eat. It was not their intention to have other churches participate, but 16 churches have joined them.

Mayor Gysberts suggested one of the 16 participating churches could host the program. Pastor Repp thinks the program would change if it was moved.

Councilmember Brubaker stated there are currently three groups requesting the use of the parking lot. He wondered how the City would choose which group receives permission to use the parking lot. The Mayor and Council are trying to turn the downtown around and may need the space at the parking lot as part of this process.

Councilmember Aleshire stated there is more than one entity that has a contract with the City for parking spaces in the Market Lot. He compiled a list of 26 entities that have buildings where this activity could occur. He has an email from the homeless coalition identifying 15 assistance groups that could provide space for this activity. There are at least 2 other areas he feels are more suited to this activity. He does not think it is logical that the City would say the best place for this activity is a City parking lot.

Councilmember Metzner pointed out this issue is being discussed as somewhat of an emergency situation. He agrees with Councilmember Aleshire and Councilmember Brubaker.

Councilmember Metzner suggested allowing the activity at this location while staff assists them in finding a new location. He would like to see the City support the group by helping find an appropriate location.

It was the general consensus of the Mayor and City Council to allow Soul Food Ministries to use the Market House parking lot until the end of September, 2013. Staff will assist Soul Food Ministries with finding a new location for this activity.

Mayor Gysberts stated it is a challenge to improve the City. He struggles with the fact that there are many people who will always be homeless. He believes not serving people in a parking lot would preserve their dignity.

Mr. Deike clarified Soul Food Ministries will be serving food only on Wednesdays, at about 4:30 p.m. Staff will assist the group in finding another location by the end of September and secure the insurance information and requirements.

Preliminary Agenda Review

Consent Agenda

A. Department of Utilities: Electric Division: Emergency Purchase – Transformer – ABB, Inc. (South Boston, VA) \$ 40,000.00

B. Department of Community and Economic Development:

1. Application Permit and Open Container Exemption for Augustoberfest – August 24 and 25, 2013
2. Application Permit and Open Container Exemption for Maryland International Film Festival – August 2, 2013
3. Application Permit and Open Container Exemption for Doleman Black Heritage Museum Jazz Night – August 15, 2013 and September 14, 2013

C. Department of Parks and Engineering: Mills Park – Phase II Trail – Multiple Vendors \$ 37,500.00

D. Police Department:

1. Software Maintenance for Police Records Management System – Keystone Public Safety, Inc. (Hanover, MD) \$ 31,060.00
2. Software Maintenance for Mobile Data Terminal Software – Keystone Public Safety, Inc. (Hanover, MD) \$ 29,298.00
3. Motorola Portable Radios – Washington County Government (Hagerstown, MD) \$ 23,340.38

Approval of After School Program – Parkside Community Center and Approval of After School Program for BTJ Dance Group

Chief Holtzman stated the Hagerstown Housing Authority has provided afterschool programs in several locations for many years. These programs were originally funded under the C-Safe grant, but in recent years, have been funded through the City's general fund. The Parkside Community Center program runs for the 2013-2014 school year at a cost of \$ 18,881.00. The BTJ Dance Group program runs for the 2013-2014 school year at a cost of \$ 3,500.00.

Both these programs are included in the 2013-2014 budget. It was the general consensus of the Mayor and City Council to include approval of both program on the agenda for July 23, 2013.

Approval of Market House Roof Replacement

Eric Deike, Director of Public Works, reported the existing roof at the Market House has been in place more than 20 years. Bids were received to replace the roof. The lowest bid was submitted by B & R Roofing (Fawn Grove, PA), in the amount of \$ 123,760. The roof project also has contingency items that may cause the total amount to exceed the bid price of \$ 123,760. Staff is requesting authorization from the Mayor and Council to spend up to \$ 130,000 should the contingency items exceed the expected work load.

Councilmember Brubaker wondered if the contingency was high enough. Mr. Deike anticipates it will be adequate.

This completed the preliminary agenda review.

Review of Community Legacy Application

Kathleen Maher, Planning Director, Alex Rohrbaugh, Planner, and Jonathan Kerns, Community Development Manager, were present to discuss a Community Legacy grant application.

Mr. Rohrbaugh stated staff needs Mayor and City Council authorization to begin the process to submit an FY 2014 application to the State's Community Legacy Program, as well as adoption of a resolution in support of the City's application. The deadline for submittal of grant applications is August 15, 2013.

The Maryland Department of Housing and Community Development has \$ 6 million in Community Legacy funding for grant and loan awards around the State in FY 2014. Community Legacy funds may be used only for capital projects – bricks and mortar projects or loan/grant programs for bricks and mortar projects. The City's Community Legacy representative at the State has indicated that projects must be ready to go and be completed within two years. While there is no matching requirement, the application needs to show that the project will leverage other funds. The average award amount is

The City of Hagerstown has been fortunate to receive a number of Community Legacy award sin the past for various City or City-supported downtown revitalization and housing improvement projects. The City also received companion awards totaling \$ 324,262 from other State programs as a part of the Community Legacy requests in FY 2002 and 2003; \$ 40,000 from Neighborhood Business Works for a Façade Restoration Grant Program (used by The Gourmet Goat), \$ 261,762 from Community Parks and Playgrounds for University Plaza, and \$ 22,500 from Appalachian Regional Commission for University Plaza.

Staff have reviewed the strategies in the Sustainable Community Plan and have developed the following project list that meets the current priorities and is consistent with the expectations of the Maryland Department of Housing and Community Development for Community Legacy projects:

1. Renovation Project for 43-53 West Washington Street – Request \$ 52,900 in Community Legacy funds to match \$ 52,900 in City funds. The renovation plan includes front façade works and commercial improvements on 43 W. Washington, roof work, firewall separation, demolition of the rear wing on 53 W. Washington, and rear façade work. This year’s request will supplement funds to cover the \$ 435,000 renovation project.
2. Renovation Project for 170 West Washington Street – Request \$ 50,000 to match \$ 50,000 in City funds to use towards renovation of the former Mid-Town Motel building. The post-demolition renovation plan includes roof work, new windows, exterior painting, and minor interior work.

Councilmember Aleshire asked how much is being spent to renovate the façade at 43 W. Washington Street. He thinks it would be wiser to remove the façade and open the space to the rear access. He believes something permanent can be done with the Massey Building on Baltimore Street. He would rather demolish that building.

Councilmember Brubaker would not be in favor of demolishing the front of 43 W. Washington Street. There are a number of vacant lots in that area now.

Mayor Gysberts stated State money cannot be used to demolish a building that was funded with Historical Trust money. The building is owned by Washington County and the Commissioners could provide the funding to demolish the building.

Councilmember Munson asked why additional funding couldn’t be used to renovate the Massey Building. There is serious interest in this property.

It was noted the County Commissioners have not submitted an application for the Community Legacy funding.

Councilmember Brubaker stated the City does not own the building.

It was the general consensus to include approval of the application on the July 23, 2013 Mayor and Council agenda.

Hager's Crossing PUD Amendment (West City Elementary School), ZM-2013-01

Kathleen Maher, Planning Director, and Alex Rohrbaugh, Planner, were present to discuss the Hager's Crossing PUD Amendment. A Public Hearing is scheduled for July 23, 2013.

The parcel is 16.52 acres in size and is part of the Hager's Crossing Planned Unit Development (PUD) which was zoned as such in 2002. Hager' Crossing was designed to contain a total of 381 single-family dwellings, 261 townhouses, 264 multi-family dwellings, community center, and various open space amenities. This parcel was planned to contain the apartment units, none of which were constructed – this was likely a result of the housing downtown of the late 2000s.

In 2010, a committee of City, County, and Board of Education Staff began exploring potential sites for a new "West City" elementary school to replace Conococheague and Winter Street schools. Site selection criteria included size of tract, proximity to infrastructure, compatibility with adjacent land uses, and a central location that minimizes student travel distance. Twenty-two sites were ultimately considered, and it was determined that the parcel in question would be the most optimal site for the school. The County purchased the multi-family section of Hager's Crossing in 2012 with the intent of building the West City Elementary School there. Since the Hager's Crossing PUD overlay did not originally include a school, an amendment to this PUD overlay to allow for a school at the property is required. An amendment to a PUD overlay is given the same process as an overlay rezoning. Staff anticipates that a site plan will be submitted towards the end of the rezoning process.

On April 24, 2013, Staff from City Planning, Washington County, and Board of Education held a meeting at the Hager's Crossing Community Center to give residents a chance to learn about the proposed school and an opportunity to ask questions or express comments/concerns. Approximately 60 residents attended the meeting, and the proposal for a school (which will replace the original plan for 264 multi-family dwelling units) was received generally favorably. Staff has kept the meeting attendees and the Hager's Crossing HOA advised of upcoming meetings during the amendment process.

The Planning Commission held its Public Review Meeting on May 29, 2013. At the meeting, the Commission heard presentations from Staff and the Applicants on the rezoning proposal. Testimony was also received from two residents and staff received a letter from one resident in the Hager's Crossing development and three were in favor of the PUD amendment to allow the school. The applicant also entered into the record an e-mail from Mr. Rachuba, the original developer of Hager's Crossing, stating that he was in favor of the amendment. During the 10 day post-hearing period, Staff also received e-mails from 7 more residents in Hager's Crossing, each stating that he/she was in favor of

At their June 12, 2013 meeting, the Planning Commission recommended approval of the PUD amendment with the condition that the school shall be oriented towards Hager's Crossing Drive and should be close enough to the street to provide for a more traditional neighborhood design. Staff feels that the "Concept Alternative" drawing provided in your packet generally satisfies that requirement. The "Concept Alternative" is not a site plan, which means there is room for change between the concept and what will actually be built. Staff believes that the recommended site plan condition still gives the applicant flexibility in site design so as not to be locked in with one particular concept.

Councilmember Brubaker serves as an ex-officio member of the Planning Commission. During the past few months, there have been undercurrents that someone at the City is lengthening the process for this school and is an obstacle to the process. The process for considering this PUD is the same as it has been for many years. The Planning Commission is following the required process. He noted the property was purchased more than a year ago. The application for a PUD from the County was submitted in April, 2013. The Planning Commission met in May to review the request. There were no delays in the meeting dates.

Councilmember Brubaker indicated the Planning Commission considered the impact of a school on the neighboring residences and the increased traffic associated with the school. The Planning Commission members take the legal process serious. Staff has proposed a way to fast track this project, which is to review the site plan simultaneously through the hearing process. He hopes the City and Planning Commission will continue to work cooperatively with the Board of Education members and staff to complete this project in a reasonable and prompt manner. He supports accepting the Planning Commission's recommendation.

Councilmember Munson asked if the multi-family housing would be eligible for Section 8 assistance. If this is a possibility, he would recommend requiring the owners to participate in the Crime Free Multi-Housing Program. Mr. Rohrbaugh indicated the planned multi-family housing at Hager's Crossing is being replaced by the proposed school.

Councilmember Aleshire asked why a traffic study would be required for a school since the traffic would be less than what it would have been for the originally proposed multi-family housing. Mr. Rohrbaugh indicated the traffic pattern would be different than for housing.

Councilmember Aleshire clarified that the two year requirement for construction does not apply to this project. Ms. Maher indicated that is correct.

Councilmember Aleshire asked if portable classrooms would be considered accessory structures. Mr. Rohrbaugh indicated they would be. It was pointed out that no portable classrooms are being proposed at this time.

Councilmember Aleshire asked if there would be any additional forest conservation requirements since this is a different use from the original plan. Ms. Maher indicated it is the same tract of land and the requirements are not based on the intended use. Councilmember Aleshire asked if this has been reviewed by the State of Maryland.

Councilmember Aleshire inquired about the stormwater management plan. Mr. Rohrbaugh indicated the project will utilize the existing basin. The County will have to comply with the new stormwater regulations.

Councilmember Aleshire asked if the stormwater management plan is still “grandfathered” even though the use has changed. Rodney Tissue, City Engineer, indicated the plan is not “grandfathered”. Boyd Michael, Washington County Public Schools Deputy Superintendent, indicated the project will utilize the existing pond for stormwater management because the size is adequate.

Councilmember Aleshire stated he feels there are too many cul-de-sacs. He suggested requiring a rear entrance through areas that will eventually be developed.

Councilmember Munson asked if the Board of Education will be charging for the use of the amenities (open space) when the school is not in use. Mr. Rohrbaugh stated he understands the school will be open to community activities. Mr. Michael indicated the Board of Education does not typically charge for the use of open space by individuals.

Councilmember Munson asked if a condition could be added to the PUD that the Board of Education would not charge for the use of the amenities. Councilmember Brubaker indicated it would not be appropriate to include this condition in the land use requirements.

Councilmember Brubaker commended staff for working proactively with the Board of Education and the Hager’s Crossing neighborhood.

Crime Free Multi-Housing Program

Chief Mark Holtzman and Officer Gerard Kendle were present to discuss the Crime Free Multi-Housing Program.

The Crime Free Multi-Housing Program is a state-of-the-art crime prevention program designed to reduce crime, drugs, and gangs on apartment properties. This program was successfully developed at the Mesa Arizona Police Department in 1992. The International Crime Free Multi-Housing Program has spread to nearly 2,000 cities in 44 U. S. States, 5 Canadian Provinces, Mexico, England, Finland, Japan, Russia, Malaysia, Nigeria, Afghanistan, and Puerto Rico. Australia has expressed interest adopting the program.

The program consists of three phases that must be completed under the supervision of the local police department. Property managers can become individually certified after completing training in each phase and the property becomes certified upon successful completion of all three phases.

The anticipated benefits are reduced police calls for service, a more stable resident base, and reduced exposure to civil liability. Participants also have use of Crime-Free Logo for advertising and a listing on the City of Hagerstown's website.

Overall goals of the program are to have fewer police calls to an apartment complex, reduce tenant turnover and to have tenants stay longer. These are measurable outcomes of the initiative.

Officer Kendle stated four apartment complexes, The Bradford, Bethel Gardens, Pangborn Heights, and 32-34 Church Street, are designated as Crime-Free, with a total number of units at 578. He has been working with Cortland Apartments, North Spring Apartments and Edgewood Hills Apartments and anticipates all three will join the program. The total number of additional units for these complexes is 644.

Councilmember Nigh asked if a request to be included has to be from the property owners. She is concerned that absentee owners would not make a request, even if the tenants wanted to be included.

Councilmember Aleshire asked what kind of program the Hagerstown Housing Authority (HHA) has. Officer Kendle stated the HHA has a security division. There are Federal and State regulations the HHA has to follow.

Officer Kendle stated the management of The Bradford is a shining example of what improvements this partnership can make. They have removed all Section 8 housing and the attitude of the neighbors has improved.

Chief Holtzman stated the main components of the program are attending a seminar, on-site inspections by Officer Kendle, background checks and a lease addendum indicating one strike and the tenant is out. He appreciates the work Officer Kendle has been doing with this program.

Councilmember Aleshire wondered if there is the ability to identify the people that move from place to place. Chief Holtzman is not aware of a list. Officers use the Excessive Calls ordinance and other State ordinances to identify challenges at apartments.

Officer Kendle stated education is provided to the landlords. The Landlord Association members are strong supporters of the initiative.

The apartment complexes are monitored periodically throughout the year.

Councilmember Munson stated this is a good program and he thanked Officer Kendle for his work with the program.

Officer Kendle would like to have Washington Gardens participate in the program. Mayor and Council members agreed.

Code Update – Clarifying name/duties of the Hagerstown Redevelopment Authority

John Lestitian, Director of Community and Economic Development, and Stacey Pierre-Louis, Business/Community Development Finance Specialist, were present to discuss the Hagerstown Redevelopment Authority (HRA). Randy Catlett, Chair of the HRA, was also present.

In 1985, the Mayor and City Council combined the Neighborhood Redevelopment Authority and the Revolving Loan Authority to create the Hagerstown Redevelopment Authority (HRA). Staff met with the current members to discuss the history of the HRA and its purpose. The HRA reviews, approves or denies loans and carries out related functions.

The HRA reviews loan applications for various City loan programs. The City currently offers business revolving loans, Community Development Block Grant Loans (residential, commercial, and public facility) and Women and Minority Owned Business Loans. The administration of the loan programs is carried out by the City through the Department of Community and Economic Development.

The title of Hagerstown Redevelopment Authority gives the impression that the HRA is involved in more than the review, approval or denial and related matters concerning loan programs. Staff recommend that the name of the HRA be changed to reflect the historic purpose. Staff recommend that the replacement authority be named the Hagerstown Loan Review Authority (HLRA).

The duties outlined in the current code are also confusing. While the current code calls for the HRA to establish redevelopment loan programs, this function has historically been carried out by staff with the HRA serving their review and approval functions. Staff and the current members of the HRA concur that the established process works. The proposed code revisions clarify the duties.

The City Attorney has drafted for consideration a new Article XIII, Hagerstown Loan Review Authority, for the Mayor and Council's review.

It was the general consensus of the Mayor and City Council to include the introduction of an ordinance to repeal existing Article XIII and replace it with a new Article XIII.

CITY ADMINISTRATOR'S COMMENTS

Bruce Zimmerman, City Administrator, had no additional comments.

MAYOR AND COUNCIL COMMENTS

Councilmember L. C. Metzner had no additional comments.

Councilmember P. M. Nigh had no additional comments.

Councilmember D. F. Munson had no additional comments.

Councilmember K. B. Aleshire has attended several meetings that contained discussions about a stadium. The Washington County Lobbying Coalition wants to lobby on behalf of the City for a new stadium. The Legislative Session is almost here and he thinks a public discussion of the stadium should be held soon.

Councilmember M. E. Brubaker attended the annual MML Convention, along with Mayor Gysberts and Councilmember Aleshire. One of the most beneficial things at the convention is the contacts made with other municipal officials. A State cabinet round table was held. Work session topics included double taxation, downtown businesses and the economic outlook for Maryland.

Mayor D. S. Gysberts stated there will be no Work Session held on August 6, 2013. National Night Out will be held at Fairgrounds Park at 6:00 p.m. on August 6, 2013.

EXECUTIVE SESSION – July 16, 2013

Councilmember M. E. Brubaker made a motion to meet in closed session to conduct collective bargaining negotiations or consider matters that relate to the negotiations, #9 (Section 10-508(a)), 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, (Section 10-508(a)), 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)), and to consider the acquisition of real property for a public purpose and matters directly related thereto, #31 (Section 10-508(a)), at 6:32 p.m. in the Council Chamber, 2nd Floor, City Hall, Hagerstown, Maryland. Councilmember D. F. Munson seconded the motion.

Councilmember Aleshire stated he thinks the first and last item should be discussed in open session.

Motion carried with Councilmember K. B. Aleshire voting No.

The following people were in attendance: Mayor D. S. Gysberts, Councilmember K. B. Aleshire, Councilmember M. E. Brubaker, Councilmember L. C. Metzner, Councilmember D. F. Munson, Councilmember P. M. Nigh, City Administrator Bruce Zimmerman, Karen Paulson, Director of Human Resources, Scott Nicewarner, Director

WORK SESSION AND EXECUTIVE SESSION
2013

JULY 16,

MAYOR AND CITY COUNCIL

HAGERSTOWN, MARYLAND

of Technology and Support Services, Michelle Hepburn, Acting Finance Director, John Lestitian, Director of Community and Economic Development, Jill Estavillo, Economic Development Manager, Jonathan Kerns, Community Development Manager and Donna K. Spickler, City Clerk. The meeting was held to discuss union negotiations, appointments to the City Ethics Commission, Hagerstown Housing Authority, Hagerstown Redevelopment Authority, Historic District Commission and the Economic Development Commission, a business proposal, and acquisition of downtown property. 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: August 27, 2013