

22ND REGULAR SESSION AND EXECUTIVE SESSION – August 27, 2013

EXECUTIVE SESSION – August 27, 2013

Councilmember D. F. Munson 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 consult with counsel to obtain legal advice, #7 (Section 10-508(a)), and to consider the acquisition of real property for a public purpose and matters directly related thereto, #3 (Section 10-508(a)), at 5:38 p.m. in Room 407, 4th Floor, City Hall, Hagerstown, Maryland. Councilmember M. E. Brubaker seconded the motion.

Councilmember Aleshire stated he thinks both the second and third items should be discussed in open session.

Motion carried, 4-1 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 Attorney John Urner, City Attorney Mark Boyer, City Administrator Bruce Zimmerman, Karen Paulson, Director of Human Resources, Scott Nicewarner, Director of Technology and Support Services, Michelle Hepburn, Acting Finance Director, John Lestitian, Director of Community and Economic Development, Rodney Tissue, City Engineer, and Donna K. Spickler, City Clerk. The meeting was held to discuss union negotiations, the MELP property 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 7:04 p.m.

22ND REGULAR SESSION – August 27, 2013

Mayor D. S. Gysberts called this 22nd Regular Session of the Mayor and City Council to order at 7:15 p.m., Tuesday, August 27, 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, P. M. Nigh; City Administrator Bruce Zimmerman, City Attorney Mark Boyer and D. K. Spickler, City Clerk.

The invocation was offered by Councilmember Martin E. Brubaker. The pledge of allegiance was recited.

ANNOUNCEMENTS

Mayor Gysberts announced the Rules of Procedure for this meeting will be followed as adopted December 18, 2012. It was announced that the use of cell phones and electronic devices during meetings is restricted and that all correspondence for distribution to elected officials should be provided to the City Clerk and should include a copy for the City Clerk for inclusion in the official record.

The next scheduled meetings are: Tuesday, September 3, 2013, Tuesday, September 10, 2013, Tuesday, September 17, 2013, and the Regular Session on Tuesday, September 24, 2013 at 7:00 p.m.

APPOINTMENTS

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember K. B. Aleshire, the Mayor and City Council unanimously agreed by voice vote to make the following appointment:

Historic District Commission:

Leslie Allen, Term to Expire August 27, 2017

GUESTS

Proclamation – Forget-Me-Not Month – Disabled American Veterans Chapter 14

Mayor Gysberts presented a proclamation to Douglas Flanigan, Disabled American Veterans Chapter 14, recognizing September as Forget-Me-Not Month.

Mr. Flanigan stated the Forget-Me-Not program helps raise funds to assist veterans and their families.

Highlight Hagerstown Awards

Mayor Gysberts, Pam Arnold, Beautification Advisory Committee Chairwoman, and Alex Rohrbaugh, Planner, presented Highlight Hagerstown Awards to the following:

Residential:

1. 1400 Potomac Avenue – owner Siegfried Schletterer
2. 32 McKee Avenue – owner Jon and Dot Kalback
3. 547 Church Street – owner Nicole Ribis
4. 30-32 South Mulberry Street – owner CBS Housing, Inc.

Non-residential:

1. Burkett's Deli, 23 North Locust Street

Adopt-A-Planter

1. Frederick, Seibert & Associates, Inc. – 128 S. Potomac Street
2. The Gourmet Goat - 41 North Potomac Street
3. Poole & Kane, P.A. – 29 West Franklin Street

CITIZEN COMMENTS

Karolyn Martin, 218 E. Washington Street, Hagerstown, Maryland, operates Sonshine Child Care Center at 218 E. Washington Street. She has heard the property owner to the rear of her property has requested that the alley be blocked for their use as a docking area. She is concerned that if this occurs, she would not be able to access her parking area from Washington Street.

Mayor Gysberts stated he was not aware of the request and he asked staff to respond to Ms. Martin's concerns.

Sam Tracy, Jefferson Street, Hagerstown, Maryland, stated he is not against the dog park but he wondered who enforces the rules. There are problems in his neighborhood with kids riding bicycles recklessly, sitting in the middle of the street, throwing things at vehicles and making threats. There are as many as 12 kids in this group. It does not appear these kids have adult supervision. He is concerned there will be a confrontation. He asked if cameras could be placed in the neighborhood.

Mayor Gysberts thanked Mr. Tracy for bringing this issue to the Mayor and Council's attention. Unsupervised children are a problem anywhere. If someone sees something occurring, they should contact the police immediately.

Jeff Taulton and Suzanne Smith Taulton, Jefferson Street, Hagerstown, Maryland, have noticed an increase in crime in the City of Hagerstown, especially in the area between Cleveland Avenue and Cannon Avenue. They have had damage done to their home and items stolen from their yard. They have seen a group of kids threaten motorists and residents. The Taultons walk in Fairgrounds Park frequently and are troubled that they can't enjoy a walk without hearing vulgar language. They are concerned for their safety. Mrs. Smith-Taulton suggested more police presence would help the situation.

Nancy Allen, 924 Oak Hill Avenue, Hagerstown, Maryland, commended the Mayor and Council for recognizing veteran efforts in Washington County. She applauded the beautification project recognition. She agrees there is an increase in crime in Hagerstown. More police presence is needed. She has felt insecure walking in Fairgrounds Park recently. If Hagerstown is promoted as a wonderful place to live and raise families, ways to make lives better needs to be determined. She was approached by a City official two years ago to look at the possibility of a sports complex on a site behind the Hagerstown Water Department. She attended meetings and volunteered her time for this potential project. A proposal was developed for multiple fields on City property in the east end. Nothing ever happened with the proposal. There are natural resources in Washington County that are not being utilized, i.e. Antietam Creek. She stated the Mayor and Council are not listening to the people, who clearly indicated they don't want a stadium downtown. She had asked the Mayor and Council to find private funding for a stadium. The Mayor and Council did not take advantage of the opportunity to find private funding. She urged the Mayor and Council to take the opportunity to find a better location for a stadium and create places for families to go. This should not be funded by taxpayers.

Councilmember Aleshire stated the proposed site mentioned is the old dump. Ms. Allen indicated site work was done and nothing materialized. Private people were ready to do work on their own.

Barbara Hovermill, 16286 Spielman Road, Williamsport, Maryland, stated she is a Washington County taxpayer and has a right to oppose the use of taxpayer money for a stadium. A downtown stadium would affect elderly people and handicapped people. These people have fewer capabilities to protest the location. She thought the Mayor's ideas for the waterways were

good and she hoped he would move forward with those ideas. She feels the City dropped the ball many years ago by not keeping up maintenance on Municipal Stadium and adding activities there. She stated the agreement between the City and the team owners is not beneficial to the City. She stated the City put the hotel/motel tax revenue in the general fund. She previously presented 2,200 signatures to the Mayor and Council of people saying no to a downtown stadium and they didn't listen. A stadium in the east end would be good for Hagerstown.

Harold Wills, 149 Summit Avenue, Hagerstown, Maryland, wanted to present facts concerning the stadium as they were reported in the Herald Mail newspaper articles that he brought to the meeting. One story reported that a Planning Commission official (David Gysberts) had raised questions about the stadium proposal. Mr. Wills read part of the story out loud. He stated the Council should have listened to the people. He then read a passage from Ezekiel.

Kevin Fisler, 309 N. Mulberry Street, Hagerstown, Maryland, is concerned about crime. There have been stabbings, thefts and property damage. He asked the Mayor and Council to make the police department whole. If the situation is improved, investors will come.

Councilmember Nigh read a statement from Lisa Oakes, N. Cannon Avenue, Hagerstown, Maryland, who is concerned about crime in the neighborhood. Ms. Oakes' property has been damaged, she has been confronted by kids, rocks have been thrown at her husband and her mail has been stolen. This is a serious situation in the Cannon Avenue, Jefferson Street, and Mulberry Street area. There need to be more police officers in the City.

Councilmember Munson stated, in addition to the area Councilmember Nigh spoke about, there are other neighborhoods that are experiencing the same things. Bad parenting leads to these types of problems. He stated these are problems that have to be addressed. Funding is needed for more police officers.

MINUTES

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember M. E. Brubaker, the Mayor and City Council unanimously agreed by voice vote to approve the minutes, as presented, for the Mayor and Council meetings held on July 9, 2013, July 16, 2013, July 23, 2013 and July 30, 2013.

CONSENT AGENDA

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote to approve the consent agenda as follows:

A. Police Department:

1. Annual Cell Service for Street Crime Cameras – Verizon Wireless (Laurel, MD) \$ 36,001.00
2. Uniforms for Hagerstown Citizens on Patrol – Various Vendors - \$ 1,313.83
3. Ballistic Vests – Atlantic Tactical (New Cumberland, PA) \$ 17,625.60

- B. Department of Community and Economic Development:
1. Trick or Treat Date for 2013 and 2014 – October 31, from 6:00 p.m. to 8:00 p.m.
 2. Zumba Fest – September 13, 2013
- C. Department of Technology and Support Services: ESRI GIS Enterprise License Agreement – ESRI (Redlands, CA) \$ 35,000.00

UNFINISHED BUSINESS

A. Approval of an Ordinance: Amending City Code, Chapter 33, Code of Ethics

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember M. E. Brubaker, the Mayor and City Council unanimously agreed by voice vote to approve an ordinance to amend Chapter 33, Code of Ethics, of the City Code to include a definition of Gift, to clarify financial reporting requirements for elected officials, to revise financial disclosure requirements for non-elected officials and employees to comport with Maryland law, to revise lobbying gift disclosure limitations to comport with Maryland law, and to revise and clarify disciplinary actions for violations.

B. Approval of an Ordinance: Amending Chapter 10, Part 2, Article XIII, Hagerstown Redevelopment Authority

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote to approve an ordinance to amend the Code of the City of Hagerstown, Chapter 10, Part 2, Article XIII. This amendment repeals and replaces the current Article XIII. The amended language changes the name and clarifies the duties of this authority. The new name will be the Hagerstown Loan Review Authority.

NEW BUSINESS

A. Introduction of an Ordinance: Hager's Crossing PUD Amendment – West City Elementary School (ZM-2013-01)

Action: Councilmember M. E. Brubaker made a motion to introduce an ordinance approving an amendment to the Hager's Crossing Planned Unit Development (PUD), including the condition endorsed by the Planning Commission, on property located at the northeast corner of Bartow Drive and Hager's Crossing Drive. Councilmember L. C. Metzner seconded the motion.

Motion carried 4-1 with Councilmember P. M. Nigh voting No.

B. Introduction of an Ordinance: Amending the City Code, Chapter 140, Land Management Code

Action: On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote to introduce an ordinance to amend the Code of the City of Hagerstown, by deleting and repealing Chapter 140, Land Management Code, and replacing said chapter with a new Chapter 140, which incorporates by reference the text of the Chapter to be maintained as a separate document for the purpose of efficiency in the use of public resources.

Discussion: It was noted the Planning Commission spent many volunteer hours reviewing the Land Management Code. The Mayor and Council thanked them for their efforts.

C. Introduction of an Ordinance: Amending the Land Management Code of the City of Hagerstown in Multiple Sections

Action: On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to introduce an ordinance to amend the Land Management Code of the City of Hagerstown, previously incorporated by reference in Chapter 140 of the City Code. The amendments are being made in multiple sections to clarify language and to add other substantial changes, such as those to car sales facilities, on-premise sign regulations and adding a Special Exception Use in the Industrial Restricted zoning district. A listing of the 24 amendments is incorporated into the Ordinance.

D. Introduction of an Ordinance: Authorizing Legal Counsel and Staff to Commence with Eminent Domain Proceedings at the Old City Light Plant (MELP) Property

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote to introduce an ordinance to authorize Legal Counsel and Staff to commence with Eminent Domain proceedings against property legally described as Lot 2 2.29633 Acres on the East Side of Eastern Boulevard South known as the Old City Light Plant (MELP) further identified in SDAT as located in District 17 Account Number 025759. The Public Purpose of the Eminent Domain proceedings are related to the protection and continued operation of Public Utilities contained within and adjacent to the property and Public Safety concerns related to the condition of the property.

E. Introduction of an Ordinance: Accepting Offer of Conveyance of Lands of Bowman Hollyhock, LLC

Action: On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to introduce an ordinance authorizing the Acceptance of Conveyance of property known as lands of Bowman Hollyhock, LLC along the east side of Broadfording Road. The property will be conveyed to the City of Hagerstown by the adjoining land owner to allow the widening of Broadfording Road.

F. Introduction of an Ordinance: Accepting Offer of Conveyance of Lands of 2003 Salem Avenue, LLC

Action: On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to introduce an ordinance authorizing the Acceptance of Conveyance of property known as lands of 2003 Salem Avenue, LLC along the east side of Broadfording Road. The property will be conveyed to the City of Hagerstown by the adjoining land owner to allow the widening of Broadfording Road.

Discussion: Mr. Zimmerman stated this project reflects a long work in progress with a number of actions and discussions from the Mayor and City Council and Rodney Tissue, City Engineer. The \$ 1.8 million project is being funded by the developer and the Washington County Commissioners.

G. Introduction of an Ordinance: To Prohibit Smoking in Hagerstown Parks

Action: On a motion duly made by Councilmember D. F. Munson and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to introduce an ordinance to amend Section 173-30 of the Code of the City of Hagerstown to prohibit smoking in the parks and playgrounds.

H. Introduction of an Ordinance: Acquisition of Permanent Drainage Easement – 626 and 638 Young Avenue

Action: On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to introduce an ordinance to accept an offer of conveyance to the City of drainage easements from Rodney Turner and from Dean and Sharon Trovinger at 638 and 626 Young Avenue. These easements are being accepted so that the City may correct an existing drainage problem at this location.

I. Approval of a Resolution: Approving Addendum to Memorandum of Understanding with the United Way of Washington County for Three Born Learning Trails in City Parks

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote to approve a resolution authorizing an addendum to the Memorandum of Understanding (MOU) with the United Way of Washington County extending the term of the Born Learning Trails program in Staley Park, Pangborn Park, and Wheaton Park, for an additional four years through July 27, 2017 or until the majority of the trails become unusable, whichever comes first.

J. Approval of a Resolution: First Amendment to Memorandum of Understanding with the Washington County Board of Education for School Resource Officers within the City of Hagerstown

Action: On a motion duly made by Councilmember D. F. Munson and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to approve a resolution authorizing an amendment to the City's Memorandum of Understanding (MOU) with the Washington County Board of Education. This amendment changes only the terms and not the amount of the funding reimbursement to the City for the five school resource officers. The substantive changes allow for the flexibility to bill for overtime in the event any of the full-time positions are not filled. The amount remains the same at \$ 187,500.

K. Approval of a Resolution: Authorizing a Lease Agreement between the City of Hagerstown, Maryland and Nathan and Alison Buchman

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to approve a resolution authorizing the City of Hagerstown to enter into a commercial lease agreement with Nathan and Allison Buchman, owners of Potomac Bead Company, at 53 West Washington Street.

L. Approval of a Resolution Authorizing the Execution of the Road Transfer Agreement for Haven Road and Outer Drive

Action: On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote to approve a resolution approving a Road Transfer Agreement between the Washington County Commissioners and the City of Hagerstown for 880 feet of Haven Road and 300 feet of Outer Drive. The Agreement assigns jurisdiction and maintenance responsibilities to the City of Hagerstown for these sections of the roadways.

Discussion: Rodney Tissue, City Engineer, noted, due to the uniqueness of this area, a portion of this section of the road is outside the City limits. When property is developed in this location, the roadway would be annexed into the City.

M. Approval of a Resolution: Authorizing to Name Alley – Artist Alley

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote to approve a resolution authorizing the walkway between 28 and 32-36 South Potomac Street to be named as “Artist Alley.” This is in recognition of the Art Council’s gallery in the heart of the Arts and Entertainment District.

Discussion: Councilmember Munson hopes these artists will use this alley way as a work area.

N. Approval of a Resolution for Construction Easements with the Broadfording Road Construction Project

Action: On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to approve a resolution to obtain and accept Temporary Construction Easements in connection with the Broadfording Road construction project. This is for the properties on the west side of the street.

O. Approval of a Resolution: To rename a portion of Broadfording Road to Garland Groh Boulevard

Action: On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to rename the 0.28 mile portion of Broadfording Road between Hollyhock Road and MD 58 (Salem Avenue extended) as “Garland Groh Boulevard.” This designation will be posted after reconstruction of the roadway.

P. Approval of a License Agreement: B & J Auctions, Inc. (Four States Livestock Sales)

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed by voice vote to execute a License Agreement between the City of Hagerstown and B & J Auctions, Inc. for the installation of roof/corral structure at their building at 501 E. First Street. Final execution of this agreement is contingent upon the Applicant obtaining a variance from the City’s Board of Zoning Appeals.

Q. Approval of Hagerstown Suns Fireworks Show for September 6th

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to approve a fireworks show for Friday, September 6, 2013. This show is rescheduled from the original date of May 9, 2013, which was canceled due to inclement weather. The Mayor and Council's approval will exempt the event from the City of Hagerstown's Noise Ordinance under section 155-3 of the City Code.

Discussion: Mayor Gysberts stated this game is part of the division championship series.

R. Acceptance of Cities Combating Hunger through Afterschool and Summer Meal Programs (CHAMPS) Grant

Action: On a motion duly made by Councilmember P. M. Nigh and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to accept a Cities Combating Hunger through Afterschool and Summer Meal Programs (CHAMPS) grant in the amount of \$ 45,000 from the National League of Cities. The City is partnering with the Community Action Council (CAC) and Board of Education (BOE) to provide afterschool and summer meal programs for the community. There is no cash match required for this grant.

S. Approval of City Funding for After School Program – Robert W. Johnson Community Center

Action: On a motion duly made by Councilmember D. F. Munson and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to approve of City funding to support after school programs conducted by the Robert W. Johnson Community Center. This program was originally funded under the C-Safe grant but, in recent years, has been funded through the City's general fund. This program will run for the 2013-2014 school year with a cost of \$ 18,020.00 in City funding support.

T. Approval of City Funding Request for Children's Village

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember K. B. Aleshire, the Mayor and City Council unanimously agreed by voice vote to approve of City funding to support Children's Village of Washington County, Inc. Children's Village plays a vital role in improving the education and safety in the community and meets the intent of the Safe Speed for Students program. City funding support, in the amount of \$ 2,000.00, will be from the Safe Speed for Students program.

Discussion: Councilmember Nigh asked that the Police Athletic League program be considered for funding in next year's budget.

U. Renewal of Agreement between the City of Hagerstown and the U. S. Department of Justice

Action: On a motion duly made by Councilmember K. B. Aleshire and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to approve of a renewal agreement between the United States Department of Justice, Drug Enforcement Administration (DEA) and the Hagerstown City Police. The terms of the agreement are September 30, 2013 through September 29, 2014. This agreement renews HPD's commitment to provide two officers and one sergeant to the Hagerstown DEA office to work specifically on narcotics investigations in Hagerstown and the surrounding areas. In return, the DEA provides reimbursement for overtime costs associated with drug investigations up to \$ 17,202.25 per officer to the City of Hagerstown.

V. Approval of Contract to Complete Multiple Repairs to the University District Parking Deck

Action: On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to approve the contract to complete multiple repairs to the University District Parking Deck in the amount of \$ 279,614. Staff is authorized to spend up to \$ 325,000 for the completion of this project. The contract will be awarded to Eastern Waterproofing & Restoration Co., Inc. of Jessup, Maryland.

W. Acceptance of the Utilities Department Street Patching Contract for Fiscal Year 14 with Huntzberry Brothers, Inc.

Action: On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote to approve the Fiscal Year 2014 Street Patching Contract in the amount of \$ 260,382 with Huntzberry Brothers, Inc. This Contract was originally bid through the City's Purchasing Department in April 2011 for FY12, FY13, and FY14 under mutually agreeable terms. This contract amount is an estimate, with the actual cost based upon the actual work performed for street patching and repairs associated with the operations of the Water Division and Wastewater Divisions. Adequate budgetary funds are in place in the three accounts listed on the Consent Agenda Form that is included.

X. Approval of Purchase: Water Meters – L/B Water Service, Inc. (Chambersburg, PA) \$ 1,144,658.44

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember D. F. Munson, the Mayor and City Council unanimously agreed

by voice vote to approve the expenditure of \$ 1,144,658.44 of Water Division Inventory funds of the purchase of radio read meters for the residential meter replacement program. The purchase will be funded through the Water Division CIP C0653. \$1,205,600 is in the approved FY14 for the meter replacement/upgrade program.

CITY ADMINSTRATOR COMMENTS

Bruce Zimmerman, City Administrator, pointed out there were 26 Mayor and City Council actions completed during this meeting. There were six motions that involved support of children and youth in the City – the West City Elementary School PUD, Born Learning Trails, School Resource Officers, CHAMPS grant, After School Program at the Robert W. Johnson Community Center and support of Children’s Village. There is clearly strong support of programs and activities that benefit the City’s children.

MAYOR AND COUNCIL COMMENTS

Councilmember P. M. Nigh would like to review the concept plan mentioned by Nancy Allen. She had asked if that property could be used for the dog park. She stated the residents on Jefferson Street and Cannon Avenue were not at this meeting to speak negatively about the police. She has discussed the issues with Chief Mark Holtzman.

Councilmember D. F. Munson stated this Council should seriously discuss a financial commitment for more cameras for crime control throughout the City. He represented the City at the 10th Anniversary celebration for The Boutique in Hagerstown. Shanna Ringer is the owner. The Boutique was located downtown for many years. He would like to have this business return to downtown. He has enjoyed attending the weekly Municipal Band concerts. The band will be playing at the grand opening of the library on October 5, 2013. He thanked everyone who helped with or attended Augustoberfest. He thanked Mr. Zimmerman for his comments regarding the actions taken by the Mayor and Council. The positive actions sometimes go unnoticed. The ice cream plant will be reopening. There was great effort put forth from many people. This administration has been invited to 22 grand openings since they took office. He thanked City staff who put their time and efforts into improving the City.

Councilmember L. C. Metzner agreed with Councilmember Munson.

Councilmember M. E. Brubaker thanked City staff and the many volunteers who helped make Augustoberfest a success.

Councilmember K. B. Aleshire enjoyed the Augustoberfest event. He is glad there are more children’s activities. The golf tournament at the Greens at Hamilton Run was a success. He stated he meant the site of the proposal Nancy Allen mentioned is referred to by many people as the old city dump. The Lobbying Coalition has provided a list to members to consider. He would like to discuss information he received regarding a police officer residency initiative. He asked for an update on the ice rink agreement.

Councilmember Aleshire stated he feels that many people are wondering what has occurred with the stadium issue and why no action has been taken. One of the first things the members of this Mayor and Council were asked to do is review the information and form an opinion. The first information he received was confidential information from Bruce Quinn (majority owner of the Hagerstown Suns) that was provided at an open meeting. It may appear that the Council has not done anything but they actually have been reviewing all the information. He created a five point goal list. This list included 17 items that are important to him. He asked repeatedly that the stadium issue be placed on a Mayor and Council agenda. He finds it frustrating that a letter was sent from the EDC to the Suns ownership without Mayor and Council input. One Councilmember had reviewed the letter but the other members were not made aware of this. He stated Mayor and Council members need to be open with each other about things that are happening. He is also frustrated that a message was provided to the Board of Education prior to the Mayor and Council discussion of the stadium at last week's work session indicating three Councilmembers were supporting a downtown site for a stadium. He stated when he prepares for a meeting, he considers the information carefully and discusses his thoughts with the Mayor and Council at open meetings. He does not like that the Board of Education had notice of the outcome before it was discussed.

Mayor Gysberts asked if Councilmember Aleshire was implying that there was some questionable or illegal activity by this body. Councilmember Aleshire stated he was not implying that. The manner in which the decision was reported is frustrating. He does not make a decision within a short time without information prior to the discussion.

Mayor Gysberts stated the information about the stadium has been provided to the Council members. The stadium has been a challenging issue. The letter from the EDC is meaningless unless the support includes private funding. The idea that the Mayor and Council have done nothing with this issue is ridiculous. They have met in private (which is not unreasonable) and in public. It is the prerogative of Councilmembers to have discussions with other Councilmembers. He is charged with setting the agenda and getting the City's business on the agenda. As Mr. Wills pointed out, he had questions about the stadium and he has taken nine months to consider the information provided. The reality is that the Suns don't want to be in Hagerstown. It doesn't matter what other cities are doing or thinking. This Council, by consensus, has agreed to do a large project in the downtown in the form of a stadium. The City has not had big business people negotiating for it. The stadium will not happen unless there is private funding. The City has committed funding to the project as has the County. The State has indicated a willingness to commit funding to the project, if there is a solid plan. Mr. Quinn has been asked to present the Mayor and Council with his best proposal by September 30, 2013. If private investors are supporting the project in Fredericksburg, Virginia, then private investors could support a project in Hagerstown. Mr. Quinn has indicated he has not located a local investor. He presented a challenge to the people who have said the Mayor and Council have not done anything – that is to find the private funding. He does not like the fact that one Councilmember feels as though others are hiding things from him. The reason the topic has not been on the agenda is because there has been nothing to report. If the Suns stay or go, the stadium project is not just about baseball. A project of this scale and size is for the community. It is about getting feet on the street and bringing people together for a common purpose. He cares about Hagerstown and there needs to be bold action and community involvement from citizens.

Mayor D. S. Gysberts thanked City employees for their work. The investors at the former Unilever plant are 22 farmers from Virginia who chose to come to Hagerstown. Two grand openings are being held this week – Greens and Grains and Creation Station. Bells will ring tomorrow (August 28, 2013) at 3:00 p.m. in recognition of the 50th anniversary of Dr. Martin Luther King’s speech.

There being no further business to come before the Mayor and City Council, on a motion duly made, seconded and passed, the meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler, City Clerk

Approved: September 24, 2013