

68TH SPECIAL SESSION AND WORK SESSION – May 5, 2015

Mayor D. S. Gysberts called this 68th Special Session and Work Session of the Mayor City Council to order at 3:19 p.m., Tuesday, May 5, 2015, 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, and City Clerk D. K. Spickler.

64TH Special Session – May 5, 2015

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 meet in Special Session at 3:20 p.m.

Approval of an Ordinance: Authorizing the Purchase of 278 S. Prospect Street for the City's Homeownership Program – Community's City Center Plan Catalytic Project #8

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 an ordinance authorizing the purchase of property located at 278 South Prospect Street for the City's Homeownership Program. The acquisition of 278 South Prospect Street is consistent with the Community's City Center Plan Catalytic Project #8, the City's Housing & Neighborhoods Vision, and the 2015 Goals & Priorities established by the Mayor and City Council. The proposed purchase price is \$ 72,000 and will be funded with State Community Legacy Grant funds.

Discussion: Councilmember Munson stated this is a good project for the neighborhood.

Councilmember Aleshire stated it is good to help a neighborhood with houses like this that cause surrounding property values to decline.

Approval of City Administrator's Employment Agreement

Action: Councilmember M. E. Brubaker made a motion to approve a four year employment agreement, as presented, with Valerie Means to serve as City Administrator.

The term of the contract is June 15, 2015 through June 14, 2019.

Councilmember D. F. Munson seconded the motion.

Motion carried 4-1, with Councilmember K. B. Aleshire voting No.

The Special Session was adjourned at 3:24 p.m.

The order of the agenda was revised until guests for the first two items arrived.

FY 2015/16 Budget Discussion

Michelle Hepburn, Director of Finance, reviewed the proposed adjustments to the proposed FY16 budget. She distributed a listing of three budget balancing scenarios, incorporating the adjustments as discussed during the Work Session on April 28, 2015.

All three scenarios eliminate the five cent tax rate increase. Savings include keeping the DCED Director position vacant, reductions in the CIP expenditures in different amounts, reduction of redevelopment contributions by \$ 100,000, reduction in operation expenditures for police and fire, different amounts for the use of Fund Balance reserves, maintaining the police and fire retirement contributions at the FY15 level, and reductions in debt service.

Councilmember Brubaker stated he does not agree that position savings in the Director of DCED position is the best approach. He does not agree with eliminating the position. The department has been established and has functioned well for five years. His proposal shows the current wages as a reduction in expenses for the FY16 budget. He is proposing to let the new administrator decide how to structure the department. He noted an Interim Director would rightfully anticipate an increase in their current pay. It would be appropriate to appoint an Acting Director and let the new City Administrator review the department and determine the best way to move forward. He does not recommend eliminating the position. He noted there would be an expected small increase in pay for an acting director.

Councilmember Aleshire asked if Councilmember Brubaker was suggesting unfunding the position.

Councilmember Brubaker stated his recommendation is to keep the position but not eliminating the position. He stated he estimated the savings by reviewing the current salary and benefits of the current position.

Councilmember Nigh asked how long ago this position was created. Mr. Zimmerman indicated several departments were reorganized in May of 2010.

Councilmember Nigh stated she feels there are people in the department that complete the work. She thinks the position should be eliminated. She hopes the new City Administrator will be able to review the department and see there are good people in the department.

Mayor Gysberts stated the consensus of the Council appears to be to let the new administrator determine how the department would function best.

Councilmember Nigh wondered what increase in salary there would be for an interim. She stated there are qualified people within the department that could handle things. She stated there are things that have not happened that she anticipated when the department was created.

Councilmember Munson does not support eliminating funding for the Director position. He believes this would be handicapping the new City Administrator (Valerie Means).

Councilmember Brubaker stated he is willing to review the funding for the position, if the new City Administrator recommends filling the vacancy and provides a viable funding source.

Councilmember Munson stated it is possible that an employee could be the acting director for possibly two years.

Councilmember Metzner agrees with Councilmember Brubaker.

Councilmember Nigh stated she would rather eliminate the position and she supports the savings recommendation.

Councilmember Munson wondered how an acting director could be named if the Council removes the funding. Councilmember Brubaker stated there are a variety of ways to run a department in a leaner fashion.

Ms. Hepburn pointed out vacancy savings are not always evident until the following fiscal year.

Mayor Gysberts noted staff recommends that the Public Works supervisor position remain in the budget.

Councilmember Brubaker stated if Ms. Means makes a recommendation to create the new position, adjustments to the budget can be discussed.

Councilmember Aleshire stated if Ms. Means and Mr. Deike discuss the position and identify a funding source, savings could be realized for six months. He believes a 2 cent tax rate increase places the City in a better position to discuss the FY17 budget.

Councilmember Brubaker noted some of the savings on the list are one time savings for the FY16 budget. He pointed out a 2 cent tax rate increase will provide flexibility for FY16 year, but will create a larger deficit in FY17.

Councilmember Aleshire pointed out that addressing the expenses and increasing the tax rate will solve some of the issues with the FY17 budget.

Mayor Gysberts clarified the consensus of the Council is to increase the tax rate by 2 cents and continue discussions regarding the Public Works Supervisor position and the vacancy savings from the Director of Department of Community and Economic Development.

Councilmember Aleshire stated his proposal last year included a plan to reduce expenses and he was not in favor of the 11 cent tax rate increase. It is not fair to imply that reducing expenses has not been considered.

Councilmember Metzner pointed out past budget discussions show that the City is reducing expenses. Taxes have not been raised every year. He does not think the reserve funds should be used continually. He prefers Scenario B as a recommended proposal.

Mr. Zimmerman noted the \$ 130,000 position vacancy is now included in Scenario 3.

Ms. Hepburn stated there is an option included in the budget message to include \$ 500,000 to continue the successful Invest Hagerstown program. This would not be shown as an expenditure until the reimbursement is completed.

Councilmember Brubaker recommended decreasing the Economic Redevelopment Contribution by \$ 100,000.

Mayor Gysberts asked if Councilmembers support keeping the Fund Balance Reserves use at \$ 250,000.

Mr. Zimmerman noted the success of the housing grant program. The Mayor and Council approved an additional \$ 30,000 for the program that covered three pending applications. There is no additional money available to distribute. The First Third Grant program has \$ 1.2 million committed to recipients that has not been spent down. If requests for reimbursement come in at the same time, additional funding is not available.

Councilmember Brubaker is reviewing the recommendation of \$ 120,000 for three CIP projects as noted in Scenario 3. He is not ready to support any particular scenario at this time.

Councilmember Aleshire stated the \$ 120,000 figure for CIP projects would provide greater flexibility with funding. He noted that adjusting the tax rate increase to 2 cents only increases his tax bill by approximately \$ 80.00.

Mr. Zimmerman clarified that the consensus of the Council is to include \$ 130,000 as position lapse (vacancy savings) as a reduction in expenses in Scenario C.

Councilmember Munson is concerned about the retirement contributions but supports reducing the amount until the economy improves. At that time, contributions could be increased and restored. He supports the recommendations discussed, except for the position lapse. He does not want to dissolve that department without a review of the services provided. He is concerned the City will be facing a larger tax increase next year.

It was the general consensus of the Council to not reduce the Police and Fire Retirement contributions.

Councilmember Metzner believes this budget has been one of the most difficult. He reminded everyone that Mr. Zimmerman has always noted that additional revenue sources have to be identified or the City has to find ways to do things differently. He believes the Mayor and Council are generally agreeing there will not be a 5 cent tax rate increase, but there will probably be a 2 cent tax rate increase. The Council has provided staff with potential savings within the budget.

Mayor Gysberts stated a Budget Work Session will be held May 12, 2015 at 4:00 p.m., followed by the Public Hearing for the tax rate and budget at 7:00 p.m.

Proclamation: National Bike Month – May, 2015 and Bike to Work Week – May 11-15, 2015

Mayor Gysberts read a proclamation recognizing May, 2015 as National Bike Month and May 11-15, 2015 as Bike to Work Week. Joyce Martin, Hagerstown Bicycle Committee, accepted the proclamation.

Review of Foreign Trade Zone

Jill Frick, Development Manager, and Michael Spiker, Director of Utilities, were present to provide information about the area of the City designated as Foreign Trade Zone #255.

A Foreign Trade Zone benefits companies importing and exporting goods in high volumes and on a regular basis by offering relief of tariffs/custom duties and taxes. Foreign Trade Zone #255 is comprised of seven Zone Sites within Washington County. Site 5 is the land solely owned by the City of Hagerstown. Part of Site 4 includes the land owned by Tractor Supply, which was annexed into the City in December 2011. Tractor Supply has indicated to Washington County that they do not plan on continuing to have their land parcels included in the Foreign Trade Zone.

The original Foreign Trade Zone application was submitted in 2002, and it was discovered in October 2014 that Grantee/property owner Agreements were not executed with property owners in 2002. Washington County is working to review the Foreign Trade Zone and bring the Zone into compliance with regulations.

The City may consider not continuing to have the land parcels included in the Foreign Trade Zone for a number of reasons:

1. The area is property solely owned by the City, referred to as the City Farm, managed and utilized by the Wastewater Division for decades as an MDE approved spoils disposal site.
2. The land has not been positioned or marketed for sale for development for this reason, and has been viewed by the City as reserved for future expansion of the City's Wastewater Treatment Plant (WWTP).
3. Long range transportation plan calls for Southern Boulevard to pass through this property and cross Antietam Creek, though no formal discussions with the City have occurred.
4. A flood plain encompasses the vast majority of the boundary of the property restricting development. The only current access to the property is through the gated WWTP.

If the City wishes to continue to have the land parcels included in Foreign Trade Zone #255, the City will need to execute a Grantee/Property Owner Agreement with the Board of County Commissioners of Washington County who serves as the Grantee of Foreign Trade Zone #255, and is required to obtain and maintain property owner agreements with each real property owner in the Zone.

Ms. Frick indicated a property can now be designated in the Foreign Trade Zone when a company is ready to participate, rather than having to be designated prior to a project. She stated staff have no reason to recommend keeping the designation in place until there is a project planned.

It was the general consensus to not continue the Foreign Trade Zone designation for the two properties within the City limits. Ms. Frick will notify the County that the City has chosen to not continue the Foreign Trade Zone.

Board of Education Academic Hub Project

Dr. Clayton Wilcox, Superintendent, and Dr. Boyd Michael were present to discuss the status of the Board's Academic Hub Project and their request for City financial support.

Dr. Wilcox reported the Board has moved away from the concept of connecting the building next to the Barbara Ingram School for the Arts (BISFA) with the Maryland Theatre due to anticipated costs. The original Academic Hub project has been redesigned.

The center would complement the opportunities for the students who attend the BISFA and would allow additional students to attend new "boutique" programs that would include specialized courses of study and internships in the downtown area. Other studies may include culinary, cosmetology, and historical architecture.

The anticipated total construction cost of this new Academic Hub facility is \$ 15.5 million. The Board has been working with the Mayor and City Council and the Board of County Commissioners to identify funding for the construction of the project. The Board approved dedicating \$ 4.0 million from the Board's fund balance reserve for the project. The Board is seeking funding from the City in the amount of \$ 1.5 million and \$ 4.0 million from the County Commissioners. The County Commissioners are being asked to finance the remaining costs associated with the funding in the amount of \$ 6.0 million.

The Superintendent has been authorized to secure the necessary approvals for the project from the State Superintendent and the Executive Director of the Public School Construction Program. Dr. Wilcox stated drawings are complete and Requests for Proposals (RFP) will be advertised soon. He will be able to present the details of the RFP to the Mayor and City Council at that time.

Dr. Wilcox indicated the Board of Education is formally requesting a funding commitment of \$ 1.5 million from the City of Hagerstown. This Academic Hub will be a comprehensive high school. Even though there is no obligation for the City to participate in the funding, he and the Board hopes the Mayor and Council also believes this project promotes the ideals of the Arts and Entertainment District.

Councilmember Munson noted the amount of work completed to date for this project and thanked the Board for their dedication to this project. He is looking forward to this project, which is important for downtown Hagerstown.

Councilmember Brubaker stated the City may be able to consider funding, possibly acquisition, and still make the project work. He noted parking was a concern when this project was first discussed. Dr. Wilcox stated the parking concerns will resolve themselves during the project.

Mayor Gysberts stated this is a great investment that would be good for the City to participate in. This project will provide families with choices for education. If students can live close to the school, it will help the City achieve their goals of new and different residents. People may move to the center of the City because of the educational opportunities.

Councilmember Aleshire knows there are preconceived notions of what downtown Hagerstown is like that needs to be changed. The Board is asking the City to contribute 10% to a project that will change the perception of a generation. There is no tangible measurement of the impact this will have. He has been saying for 10 years that the key to success for Hagerstown is to build the educational opportunity. He can envision immense change because of this project.

Mayor Gysberts stated there are ways to enhance the flow of traffic for pedestrians and vehicles. If the citizens of Hagerstown are willing to invest in themselves, it tells the

world this is a worthwhile community. Whether through vocational programs or academic programs, the City is moving forward. He noted Dr. Justin Hartings was also present at this meeting.

Councilmember Munson stated part of the motivation for supporting the demolition project on West Antietam Street was to provide the Board with a staging area for the Academic Hub project. Students currently have to cross streets to attend classes and activities in different buildings. It will be safer for the students with buildings that are adjacent to each other.

Dr. Wilcox hopes the Mayor and City Council will be the Board's partner as the project moves forward. There will have to be a confirmation of funding at some point.

Mayor Gysberts stated the last two budgets have included \$ 1.5 million for a downtown project, which has been anticipated to be an educational opportunity.

The Board will be approaching the County Commissioners in the near future to discuss the project and make a funding request.

Eagle Scout Recognition for Daniel Holmes

Mayor Gysberts presented a Certificate of Recognition to Daniel Holmes, Troop 75, who has been awarded the designation of Eagle Scout.

Land Management Code Amendments

Kathleen Maher, Planning Director, and Stephen Bockmiller, Zoning Administrator and Development Planner, were present to discuss the proposed Land Management Code Amendments in more detail.

The amendments were first discussed at the March 24, 2015 Work Session. There seemed to be a general consensus to support the following proposals not included in the Planning Commission's recommended package of amendments:

1. Written Decision proposal for the Board of Zoning Appeals (the City Attorney remains opposed to this provision)
2. Some version of the storefront Protection Zone proposal
3. Historic District Commission (HDC) hardship provision – however, need to develop the criteria for “bona fide economic development opportunity.”

At the March 24, 2015 meeting, Councilmember Aleshire provided the Mayor and City Council with his thoughts on the following proposed provisions:

1. Suggest removing the “pedestrian traffic generator” qualifier from the definition of bona fide economic development opportunity” in the HDC hardship provisions;

2. Supports extending the sunset provision for Planned Unit Developments (PUD) to three years, but would not support an open ended provision for suspension until any appeals are concluded;
3. Support allowing non-city residents on the HDC, only if they have some connection to or stake in the City;
4. Suggest modifying the proposal for a higher residential fence height provision to be for properties adjacent to “non-residential uses” rather than “non-residential districts,” as proposed;
5. Support requiring dumpster enclosures for all new dumpsters on existing development, not just for those visible from the street;
6. Support Planning staff or the City Attorney preparing the written BZA decisions for the BZA’s review, revision and approval;
7. Would like to discuss staff’s Hookah Lounge proposal in more detail;
8. Would like to discuss staff’s Storefront Protection Zone proposal in more detail.

Since the March 24th Work Session, staff have forwarded six email briefings to the Mayor and City Council on the following issues to provide background on the Planning Commission’s nine month review of the Land Management Code amendments package:

1. March 25, 2015 – Artist Live-Work Space and Multi-Family Buildings
2. March 30, 2015 – Light Manufacturing
3. March 31, 2015 – Layman’s explanation of zoning in Hagerstown
4. April 1, 2015 – Graphics amendments
5. April 8, 2015 – Storefront Protection Zone
6. April 10, 2015 – Planning Commission minutes – applicable meetings from May 28, 2014 through February 25, 2015. (March 11, 2015 minutes forwarded following approval).

If it is desired to add the provisions not previously supported by the Planning Commission, it would be appropriate to add those provisions to the draft amendments package prior to the Mayor and city Council’s public hearing. This will enable the public to comment on the fully package under consideration by the Mayor and City Council.

If it is desired to add new provisions not previously reviewed by the Planning Commission, it would be appropriate to remand those proposals back to the Planning Commission for their consideration and recommendation.

Councilmember Aleshire stated dumpsters need to be defined. There are many places that use the City’s residential pick up for the dumpster type trash.

Mr. Bockmiller noted dumpsters that are in the public view will require an enclosure, if the amendments are approved as presented.

Councilmember Munson stated he does not agree with the Planning Commission’s decision regarding the window graphics, hookah lounge regulations, and the storefront

protection zone. He thinks the proposed amendments for these uses should be approved. He mentioned examples where stricter regulations would have a positive impact on the surrounding neighborhood. He suggested a sunset provision on the storefront protection zone.

Mayor Gysberts agrees that the Storefront Protection Zone provision should be included in the amendments. He pointed out the purpose of large windows on retail buildings is so potential customers can see the merchandise inside the store.

Councilmember Brubaker stated the Planning Commission generally supported staff recommendations. Everyone worked hard and earnestly on this major review. It was discussed at a Planning Commission meeting that anything viewed as an obstacle to development is not helpful for the City. The Planning Commission considered many scenarios for the uses of buildings.

It was the general consensus to include the proposed amendments for the Storefront Protection Zone, window graphics, dumpster enclosures, and hookah lounges in the Public Hearing discussion.

Ms. Maher indicated the Planning Commission thought because of the newness of the hookah lounges uses, a separate ordinance regulating this use would be more appropriate. Councilmember Munson stated a separate ordinance may help change the negative perception of hookah lounges. Councilmember Brubaker thinks the subject of hookah lounges should be kept in the amendments.

It was the general consensus to not change the written decision requirements and to include the original proposed storefront protection area regulations.

A Public Hearing regarding the proposed amendments will be held on June 23, 2015.

The sunset provision for Planned Unit Developments (PUD) was discussed. Staff recommends extending the sunset to three years. Assuming appeals don't delay the work, a two year sunset provision creates a burden for the owner to complete a project. Councilmember Aleshire stated he is concerned that plans that could be five years old would be used.

Mayor Gysberts asked if there has been a successful PUD in the City. Ms. Maher noted Hager's Crossing is a PUD. Mayor Gysberts stated he doesn't think that project was a successful PUD because of the commercial component. Mr. Bockmiller indicated a PUD is difficult to manage in a suburban area like Hagerstown. There is more flexibility with larger tracts of land.

Mayor Gysberts stated this provision could be included in the information for the Public Hearing and then reviewed prior to voting on the ordinances.

The residential fence height provision was then discussed. Councilmember Aleshire stated he believes the requirements in the proposed amendment are stricter than necessary. Councilmember Brubaker supports a higher fence next to an industrial use.

Mr. Bockmiller stated there may be an argument of why accessory buildings are not allowed on the property line if a 12' fence is allowed. Ms. Maher indicated this issue came up with the concrete plant in the South End. The company was willing to put up a fence as a buffer for the residences, but the zoning ordinance would not permit a fence that high.

It was the general consensus to include the fence height amendment in the package of amendments.

Mr. Zimmerman inquired if any of the changes discussed by the Mayor and City Council need to be returned to the Planning Commission for further review. Ms. Maher does not think so. Councilmember Brubaker would not object to the Planning Commission's input.

It was noted that the owners of Cortpark have appealed the Planning Commission's denial of a concept plan regarding a proposal for an additional 72 units. Mr. Bockmiller is working with the City Attorney on the City's response to the suit.

Future Uses of the Massey Property – 28-50 East Baltimore Street

Rodney Tissue, City Engineer, provided information about the Massey Property. As the City moves forward with obtaining the Washington County-owned properties, there are several issues staff would like to review with the Mayor and Council to obtain their direction and input.

Agreements for the conveyance of the various lots were sent to the County by the City Attorney on April 24, 2015, and the County-prepared plat is currently under review by staff and ultimately the Planning Commission.

'Former showroom building' parcel (Lot 1) – It is staff's understanding that the Mayor and Council wish to convey this 0.7 acres of property. With Mayor and Council concurrence, staff will use the "Competitive Negotiated Sale Process" and the Department of Community and Economic Development will take the lead on this endeavor.

One thing to keep in mind is, while the Land Management Code does not require parking for the re-use of existing buildings or for new construction downtown where adequate public parking exists within 500 feet, re-use of this large building will generate parking demand. The parking demand for a 20,000 square foot building would range from 25 spaces (light manufacturing use) to a high of 200 spaces (restaurant). The parking schematic presented shows that 19 spaces would be the most that could be

developed. Consideration should be given to a parking sharing arrangement at the County's library parcel, counting some on-street parking and possibly using some or all of Lot 2 for parking.

Possible park parcel (Lot 2) – Staff understands the Mayor and City Council would like to remove the two blighted buildings and envision this 0.36 acre lot as a future public park or greenspace.

Staff is developing a demolition contract to remove both structures and the demolition will be advertised for bids as soon as the City acquires the property. The buildings both have some asbestos material in them, and removal of the asbestos will be included in the demolition contract.

Regarding the development of the park, staff have met with a representative from the synagogue who indicated that they would like to see the area used as a park that honors Thomas Kennedy, but offered no financial resources to install or maintain the park. Staff would recommend holding a public meeting to gather information from the community regarding what they would like to see in the park and develop the park in a way that maximizes the local community benefit, and possible use/programming of the park so staff can complete the design.

Lot 3 – Lot 3 is a small 0.06 acre parcel of land in the rear NE corner. It is accessed by a very narrow private alley and is difficult to enter or exit from Locust Street. It is currently used by the local tenants for parking.

In speaking with the County staff, it seems like the current plan is for the County to keep this lot as part of the library property. If this changes, the County will likely want to convey it to the City as their process to dispose of property to a private entity is complex. In that scenario, staff recommends that the City dispose of the property by conveying it to the owner of the adjacent property that fronts it at 141 South Locust, (a rental property, that the State tax records show is owned by Irv and Anna Heishman), possibly at appraised value.

Costs/Funding – Staff estimates that the cost of demolition of both buildings along with asbestos removal will be in the order of magnitude of \$ 60,000 to \$ 75,000. Staff cannot provide an estimate of the park development at this time because there are no details of the design of the park. For comparison, a passive park with a monument such as Oswald Park cost about \$ 50,000 to develop, while a small active park with a very small playset such as Greenawalt cost about \$ 100,000 to develop.

The only option for funding (since the City can't use State or Federal funds for the demolition and subsequent park development as those funds must go through the State Clearinghouse Review process which includes MHIT review) is local funds. For demolition, staff would suggest reallocating funds from another project if this is a higher priority and use bond financing or the balance of the remaining excise tax funds for the

park development. A “crowd sourcing” effort that solicits contributions from a large group of people, especially from an online community, might be an option for a park that is related to tolerance or protection of freedoms.

Councilmember Metzner left the meeting at 5:40 p.m.

Councilmember Brubaker suggested packaging this as one, long-term, public project and funding it with 2015 Bond proceeds.

Councilmember Munson agreed with the funding plan; however, he stated the buildings need to be removed as soon as possible.

Councilmember Aleshire is not interested in an approach that does not remove the buildings by summer.

Ms. Hepburn stated staff is waiting for additional information about the regulations for tax exempt bonds. She will provide the answer to the Mayor and City Council.

Councilmember Brubaker stated it should be considered eligible for the tax exempt bond because it will be retained by the City for development.

Councilmember Aleshire wondered if the bond documents would have to include the specified use. Ms. Hepburn stated it would have to be included in a project list.

It was the general consensus to develop the demolition RFP in order to be ready to move quickly when the City gains ownership of the property.

Councilmember Brubaker asked if there has been additional discussion about a public/private partnership for funding support. Mr. Tissue is not aware of additional discussions.

Staff will seek community input for future uses of the properties.

CITY ADMINISTRATOR’S COMMENTS

Bruce Zimmerman, City Administrator, had no additional comments.

MAYOR AND COUNCIL COMMENTS

Councilmember P. M. Nigh wonders what business is being located at Prospect Avenue and Franklin Street. She mentioned there are more cab companies locating in Hagerstown. She wondered if anything is planned for the former Sheetz store property on N. Potomac Street. Mr. Zimmerman indicated senior management at Sheetz say they are checking on the future use possibilities. She mentioned increased negative activity in several locations. She wondered why the gates at Fairgrounds Park are now open late at

night. This will be checked into. She expressed condolences to Bob Everhart's (Washington County Liquor Board) family.

Councilmember M. E. Brubaker stated he has been criticized for not showing support for the library. He noted he is one of the strongest supporters of the library on this Council. He fought for the State funding. He thinks he is within his rights to ask for small contributions of notification from the library. He has a fiduciary duty to the citizens of Hagerstown to consider all aspects of requests for funding. The Taste of the Arts event was very nice. He thanked everyone involved with the event.

Councilmember K. B. Aleshire stated it is disconcerting to read in the newspaper that members of the public safety unions were disappointed the Mayor and City Council decided to appeal Judge Beachley's decision regarding binding arbitration. He noted the Mayor and Council did not lobby signatures from the people in Hagerstown under false pretensions, Instead, they developed a budget that provided wage increases for the first time in five years. The Mayor and Council have acted in good faith. The Mayor and City Council are expected to review the budget, as they have been for the last 30 days. With binding arbitration, the Mayor and Council would be including what the Public Safety divisions asked for, without any review.

Mayor Gysberts pointed out the situation mentioned by Councilmember Aleshire would be a delegation of the legislative duty of the Mayor and City Council.

Councilmember Aleshire would support placing the binding arbitration vote on the ballot for the election in November, 2016. Someone will have to convince him that he is required to vote for an ordinance that requires such a provision.

Mayor D. S. Gysberts attended the unveiling of the sculpture at the library. It is a beautiful piece. He believes people will visit the library to see this artwork. He hopes the Council will agree to contribute something toward the art. Bike with the Mayor is scheduled for Saturday, May 9, 2015. Other events being held include Elizabethtown East block party and Wind Down at the Maryland Theatre. He congratulated the Discovery Station for their first 5k event and for their 10th year anniversary.

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 6:14 p.m.

Respectfully submitted,

Donna K. Spickler
City Clerk

Approved: June 23, 2015