

At 4:00 p.m., some members of the Mayor and City Council and City staff toured the downtown area to view look at the possibility of alley refuse collection for those residents.

EXECUTIVE SESSION – October 24, 2017

On a motion duly made by Councilmember E. Keller and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote of all members present to meet in closed session 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 3-305(b)), on Tuesday, October 24, 2017 at 6:34 p.m. in the Council Chamber, 2nd floor, City Hall, Hagerstown, Maryland.

The following people were in attendance: Mayor R. E. Bruchey, II, Councilmember K. B. Aleshire, Councilmember P. D. Corderman, Councilmember E. Keller, Councilmember L. C. Metzner, City Administrator Valerie Means, Michelle Hepburn, Director of Finance, and D. K. Spickler, City Clerk. Councilmember D. F. Munson was not present.

The meeting was held to discuss the City's legal services contract. No formal action was taken at the meeting. On a motion duly made, seconded, and passed, the Executive Session was adjourned at 6:50 p.m.

26th REGULAR SESSION – October 24, 2017

Mayor R. E. Bruchey, II called this 26th Session of the Mayor and City Council to order at 7:00 p.m. Tuesday, October 24, 2017, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers K. B. Aleshire, P. D. Corderman, E. Keller, and L. C. Metzner, City Administrator Valerie Means, City Attorney Jennifer Keefer, and City Clerk D. K. Spickler. Councilmember D. F. Munson was not present.

The invocation was offered by Councilmember Lewis C. Metzner. The Pledge of Allegiance was then recited.

Mayor Bruchey announced the Rules of Procedure for this meeting will be followed as adopted December 20, 2016. It was announced that the use of cell phones 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: Work Sessions beginning at 4:00 p.m. on Tuesday, November 7, 2017, Tuesday, November 14, 2017, and Tuesday, November 21, 2017, and the Regular Session on Tuesday, November 28, 2017 at 7:00 p.m.

BOARD APPOINTMENTS

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember E. Keller, the following appointments were unanimously approved by voice vote of all members present:

Janice Kelsh, Board of Zoning Appeals, Term to Expire November 30, 2020
Chad Crumrine, Historic District Commission, Term to Expire November 30, 2020
Sean Guy, Bicycle Advisory Commission, Term to Expire June 1, 2018

GUESTS

Mayor Bruchey read a proclamation naming October 23-31, 2017 as Red Ribbon Week in Hagerstown, Maryland. The Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts. National Red Ribbon Week encourages Americans to wear a red ribbon to show their support for a drug-free environment. Young Marine Michael Artone accepted the proclamation.

Mayor Bruchey read a proclamation naming October 22-28, 2017 as Economic Development Week in Hagerstown, Maryland, and encouraged all citizens to recognize and reaffirm the importance of business development locally and statewide. Paul Frey, Chamber of Commerce President, and Amanda Whitmore, Downtown Coordinator, accepted the proclamation.

CITIZEN COMMENTS

Max Pratt, 245 N. Potomac Street, Hagerstown, Maryland, has lived downtown for 15 years. He doesn't understand the uproar about the clip on the Bob Rocks radio station. Hagerstown should reach out to them and prove them wrong. He stated more vigilant police patrols are needed downtown. Officers are supposed to sign a book at businesses downtown. He owns Washington Street Pawnbrokers and hasn't seen an officer for more than two months.

Mayor Bruchey stated there are foot patrols in downtown. He will discuss the sign in book with Chief Brito. He realizes the radio clip was a parody but it is not appropriate to make jokes about overdose victims.

Councilmember Keller thanked Mr. Pratt for reaching out to the Mayor and City Council.

CITY ADMINISTRATOR COMMENTS

Valerie Means, City Administrator, reminded everyone the 92nd Annual Mummies Parade will be held on Saturday, October 28, 2017. Trick or treat is on October 31, 2017, from 6:00 p.m. to 8:00 p.m.

MAYOR AND COUNCIL COMMENTS

Councilmember K. B. Aleshire had no additional comments.

Councilmember P. D. Corderman congratulated Aaron Hedermetz and his team on their grand opening at the Mulberry Lofts. There are more than 30 tenants in the building now. The 5th annual Howl-O-Ween Dog parade will be held on Saturday, October 28, 2017. The Mayoress and other Wesel dignitaries will be visiting Hagerstown this month. The Gridiron Challenge will be held on Friday, November 3, 2017. He dared Councilmember Keller to wear the opposing team's jersey to the next Council meeting if North High wins. If South High wins he will wear one of their jerseys.

Councilmember E. Keller congratulated the staff and students at Antietam Academy for participating in the Red Ribbon Week campaign. She has spoken to students about Opioid addictions and other issues.

Councilmember L. C. Metzner had no additional comments.

Mayor R. E. Bruchey, II is looking forward to participating in the Mummer's Parade. Burgermeister Welkamp and her husband will be riding in the parade with him. He mentioned the radio clip. He understands it was done in fun, however, when you know someone who has been affected by Opioid addiction or someone's child lost their life to addiction, it is no longer funny.

MINUTES

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote of all members present to approve the minutes, as presented, for the Mayor and Council meetings held on September 12, 2017, September 19, 2017, and September 26, 2017.

CONSENT AGENDA

On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember E. Keller, the Consent Agenda was approved as follows:

- A. Information Technology, Communications, and Support Services:
 - 1. Microsoft Exchange Enterprise Server Software Upgrade – Vision Business Products (Carnegie, PA) \$ 34,857.00

- B. Fire Department:
 - 1. Roof Replacement at Engine 3 – Bonded Applicators, Inc. (Hagerstown, MD) \$ 56,476.00

- C. Police Department
 - 1. Community Based Prosecutor Fees – Washington County Sheriff's Office (Hagerstown, MD) \$ 30,244.00
 - 2. NTF Reimbursement to Washington County - \$ 310,000.00

D. Public Works:

1. Bulk Road Salt – Cargill, Inc. (North Olmstead, OH) \$ 62.38/ton

E. Utilities:

1. Electric – Transformers – National Transformer Sales (Raleigh, NC)
\$ 75,089.00
2. Electric – Three Vehicles – Keystone Ford (Chambersburg, PA) \$ 84,755.00

UNFINISHED BUSINESS

There is no Unfinished Business.

NEW BUSINESS

A. Approval of a Resolution: Memorandum of Understanding with Frostburg State University- BuroBox, 60 W. Washington Street

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 of all members present to approve a resolution authorizing the execution of a Memorandum of Understanding agreement for a portion of the City of Hagerstown property known as BuroBox located at 60 West Washington Street in Hagerstown, Maryland. The MOU will be between the City of Hagerstown and Frostburg State University at USMH.

B. Approval of a Resolution: Memorandum of Understanding with SCORE Hagerstown #0539 – BuroBox, 60 W. Washington Street

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember E. Keller, the Mayor and City Council unanimously agreed by voice vote of all members present to approve a resolution authorizing the execution of a Memorandum of Understanding Agreement for a portion of the City of Hagerstown property known as BuroBox located at 60 West Washington Street in Hagerstown, Maryland. The MOU will be between the City of Hagerstown and SCORE Hagerstown #0539.

C. Approval of a Resolution: Salt Utilization Agreement with Maryland State Highway Administration

Action: On a motion duly made by Councilmember E. Keller and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote of all members present to approve a resolution to approve a salt utilization agreement with the Maryland State Highway Administration. The agreement allows the City of Hagerstown to purchase road salt from state highway stockpiles during winter weather

emergencies. The City shall reimburse the highway administration for the cost of the salt, delivery charges and overhead.

D. Approval of Contract Extension with The Groundskeeper, Inc.

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 of all members present to approve extending the Landscape Bed and Ground Maintenance for Various Locations Citywide contract with The Groundskeeper, Inc. The extension is for two additional years at a price adjustment of 1% or \$ 25,351.00 for each of the additional years. The original contract was approved on August 30, 2016 at an annual amount of \$ 25,100.00. All other terms of the contract will remain in force.

E. Approval of City Center Holiday Parking Program

Action: On a motion duly made by Councilmember P. D. Corderman and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote of all members present to approve the City Center holiday parking program that allows for free parking after 5:00 pm. Weekdays and all day Saturday and Sunday in the University District Parking Deck and Arts & Entertainment District Parking Deck beginning Monday, November 27, 2017 through Monday January 1, 2018. Normal parking operations will resume on Tuesday, January 2, 2018.

Parking in the city center, central business district street and lot meters will continue to be free after 5:00 p.m. and all day Saturday and Sunday as it is normally throughout the year.

F. Approval of 2017-2018 After School Program at Robert W. Johnson Community Center - \$ 17,940.00

Action: On a motion duly made by Councilmember E. Keller and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote of all members present to approve funding of the after school program at the Robert W. Johnson Community Center (RWJCC).

The RWJCC provides a variety of constructive after school programs to area youth. This program runs for the 2017-2018 school year at a cost of \$ 17,940.00

G. Approval of Changes in the Assumptions Used for the Annual Financial Reporting for the City of Hagerstown Police and Fire Employee's Retirement Plan

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember E. Keller, the Mayor and City Council unanimously

agreed by voice vote of all members present to approve the following changes for the annual actuarial reporting for the Police and Fire Retirement Plan:

1. Change the long term rate of return to 7.25%
2. Change the Salary growth assumption for OPEB to 4.25% for GASB purposes

H. Approval of Funding for Municipal Stadium Improvements for the 2018 Season

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 of all members present to approve \$ 35,000 for improvements at Municipal Stadium as follows (which is consistent with the terms of the lease and amendments):

1. Contract with MUSCO to replace all field lights and re-aim
2. Replace concession counter and add roof
3. Contract with Ellsworth Electric for electrical conduit repair
4. Contract for general plumbing and electrical repairs
5. Complete other work listed in an October 17, 2017 memo as funds allow. The \$ 6,321.00 in fund balance will be spent if the lease is extended beyond the 2018 season.

The Mayor and Council further authorized staff to complete the work prior to the start of the 2018 Hagerstown Suns Baseball season. Funding for the project is from rent paid by the Suns.

I. Approval of a Memorandum of Agreement with Maryland Historical Trust and Hager 5, LLC for 43-53 West Washington Street

Action: On a motion duly made by Councilmember P. D. Corderman and seconded by Councilmember L. C. Metzner, the Mayor and City Council unanimously agreed by voice vote of all members present to approve entry into a Memorandum of Agreement (MOA) with the Maryland Historical Trust and Hager 5, LLC for the 43-53 West Washington Street redevelopment project. The City's proposed property sale to Hager 5, LLC and the Hager 5, LLC redevelopment plan requires the MOA due to Federal and State funding associated with the property. A copy of the MOA was attached to the motion.

J. Termination of Contracts and Prohibiting Future Purchases with VerStandig Broadcasting

Action: Councilmember K. B. Aleshire made a motion to authorize staff to terminate any and all existing contracts and prohibit any future purchases with VerStandig Broadcasting due to the actions of the radio station known as 101.5. Councilmember E. Keller seconded the motion.

Councilmember L. C. Metzner moved to table the motion.
Councilmember P. D. Corderman seconded the motion.

Discussion: Councilmember Metzner feels this issue should have been discussed in a Work Session prior to voting on it. Media broadcasting affects the community. When staff contracts for advertising it is because they see the need to provide information to the public. If the advertising wasn't done, the Mayor and Council would hear complaints that things are not advertised enough. Staff contracted with these stations for a reason and they could decide not to place advertising with them again if their broadcast negatively affects the community. He believes this motion takes the City further than the Mayor and City Council intended. A Work Session discussion would be more appropriate.

Councilmember Aleshire would compromise with the motion and remove the permanent prohibition. Because of media distribution, this clip is out in the public permanently. These things can't be retracted. He mentioned the piece about Williamsport was still on the site. To see that other communities are still being impacted is discouraging.

Councilmember Keller stated the clip gave the misperception that City officials are not aware there is a crime and drug problem. Advertising is intended to portray something positively. Any business in this community would pull their advertising if this happened to their business. The City is paying the broadcasting company to provide a service to it.

Councilmember Corderman stated it is a broad statement to say future advertising is prohibited. The Mayor and Council would be remiss to not work with the company and City staff to determine the City's best interest in the future. It should be discussed in a work session.

Mayor Bruchey agreed a work session discussion is appropriate.

Motion to table passed 3-1 with Councilmember K. B. Aleshire voting No.

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 7:49 p.m.

Respectfully submitted,

Original signed by D. K. Spickler

Donna K. Spickler
City Clerk

Approved: November 28, 2017