

68TH SPECIAL SESSION, WORK SESSION AND EXECUTIVE SESSION – APRIL
10, 2012

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Mayor R. E. Bruchey, II called this 68th Special Session, Work Session and Executive Session of the Mayor and City Council to order at 4:03 p.m., Tuesday, April 10, 2012, in the Council Chamber at City Hall. Present with the Mayor were Councilmembers W. M. Breichner, M. E. Brubaker, F. W. Easton, A. C. Haywood, L. C. Metzner; City Administrator Bruce Zimmerman, City Attorney Mark Boyer and City Clerk D. K. Spickler.

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On a motion duly made by Councilmember M. E. Brubaker and seconded by Councilmember W. M. Breichner, the Mayor and City Council unanimously agreed by voice vote to meet in Special Session at 4:04 p.m.

Approval of a Resolution: To Support a Join Application For Designation of an Enterprise Zone in the City of Hagerstown

Action: On a motion duly made by Councilmember L. C. Metzner and seconded by Councilmember F. W. Easton, the Mayor and City Council unanimously agreed by voice vote to approve a resolution authorizing the joint application with the Board of Washington County Commissioners to redesignate the Hagerstown/Washington County Enterprise Zone for a period of ten years from December 14, 2012 to December 14, 2022. The Enterprise Zone provides property tax credits for construction or rehabilitation investments and provides income tax credits for job creation.

On a motion duly made, seconded and passed, the special session was closed at 4:05 p.m.

WORK SESSION – April 10, 2012

Proclamation – National Child Abuse Prevention Month

Mayor Bruchey read a proclamation naming April as National Child Abuse Prevention Month. Dee Myers and others were present to accept the proclamation. The blue ribbons that were placed on meters and trees downtown on April 1, 2012 are in recognition of National Child Abuse Prevention month.

Fairgrounds Softball Association – Field Lighting Proposal

Rodney Tissue, City Engineer, Mike Shifler and Mike Kelbaugh, Hagerstown Fairgrounds Softball Association (HFSA), were present to discuss a project to light a second softball field at Fairgrounds Park.

The City Attorney prepared a field light installation agreement and a loan agreement for the Mayor and City Council's review. If the agreements are approved by the Mayor and City Council, it would allow the project to move forward.

Highlights of the Agreement are:

1. The City will need to forward fund the entire \$ 114,000 project. Work will occur in roughly July or August of 2012. In the end, the City's portion of the installation costs will be \$ 31,916.
2. Upon completion, the City will be reimbursed \$ 47,084 by Maryland Program Open Space (POS). These funds were approved by the Washington County Board of Commissioners. Work on the project will not commence until POS approval has occurred.
3. The City will provide a loan to the HFSA in the amount of \$ 35,000 to fund their portion of the project costs. The HFSA will pay this back to the City in five annual payments with no interest charges.
4. The HFSA will pay all electric costs.
5. The field use is subject to the POS requirements and restrictions. The HFSA may charge a fee to use the fields at night to cover their electrical costs.

Mr. Shifler thanked the Mayor and City Council for their support of the organization.

Councilmember Brubaker clarified the lights will be the property of the City of Hagerstown. This will be an economic benefit by bringing more people to Hagerstown for events and tournaments.

The funding source is from the CIP budget - \$ 8,300 left over from completed projects and \$ 23,000 from CIP reserves.

It was the general consensus to include approval of the installation agreement and loan agreement on the agenda for April 24, 2012.

RecycleBank

Rodney Tissue, City Engineer, and Jason Buck, RecycleBank, were present to provide information on the new recycling program.

The presentation is primarily an opportunity for the public to hear how the program will work and what they must do to benefit from it.

The program begins on April 23, 2012. This program rewards residents for recycling. On average, active members earn \$ 165 of rewards per year. Mr. Buck stated participants can register on-line or by phone. Rewards can be redeemed at select national and local businesses. Rewards points can also be donated to a school project.

Mr. Tissue provided the following information about the tote distribution:

1. 11,431 totes will be delivered between Wednesday, April 11 and Friday, April 27, 2012. Each tote includes information about what items are recyclable and the rewards program.
2. The RecycleBank program starts April 23, 2012
3. Old City-supplied bins will also be collected the week of April 23, 2012. Residents should leave the old blue and green bins at curbside and the City will take them and recycle them.

Appalachian Regional Commission (ARC) Grant

John Lestitian, Director of the Department of Community and Economic Development, and Michael Spiker, Director of Utilities, stated an opportunity exists to apply to the Appalachian Regional Commission (ARC) for grant funds to assist with qualified projects. The available funds total approximately \$ 1.1 million for the Tri-County Council Area. Competition for these limited funds remains very high.

The ARC application requires a preliminary project description to be submitted by April 16, 2012. This submittal requires a defined scope of a project, ARC goals to be achieved and a proposed budget that demonstrates a minimum 50% fund match is available.

Staff identified the following proposed project which met the criteria:

Wastewater Collection System Rehabilitation – Inflow and Infiltration

This is a multi-phase project to correct inflow and infiltration (I&I) from entering the City of Hagerstown's Wastewater Collection System. Removal of I&I is a critical aspect of efforts to improve the capacity of the City's Wastewater Treatment Plant, because expansion efforts are limited by the State of Maryland's wastewater treatment plant National Pollutants Discharge Elimination System (NPDES) Permits.

As a result of these I&I correction activities, the City will gain additional capacity at the wastewater plant which in turn will allow the City to accommodate new growth and economic development opportunities in the community. In addition, these activities provide environmental benefits to the Chesapeake Bay Watershed and local tributaries by assisting in the reduction of the threat of wastewater overflows from the City's Collection System and Wastewater Treatment Plant.

The funding model is as follows:

Appalachian Regional Commission	\$ 200,000
City of Hagerstown	\$ 827,437
MD Department of the Environment	\$ 800,000
ARRA Federal Stimulus Funds	\$ 1,422,563
Total Project Cost	\$ 3,250,000

Staff recommends that the City submit a grant application to the Appalachian Regional Commission in the amount of \$ 200,000 to assist with a multi-phase project to correct inflow and infiltration in order to support new growth and economic development opportunities.

Mr. Lestitian indicated the application is submitted to the Tri-County Council and then reviewed by the Washington County Commissioners.

Councilmember Breichner asked how the work was progressing in the alley to the rear of the parking deck. Mr. Spiker indicated the project is almost complete. The alley should be open by the end of the week.

It was the general consensus to submit an application.

2012-13 Employee Benefits Update

Karen Paulson, Acting Director of Human Resources, and Susan Delauter, Human Resources Administrator, were present to provide an update of the City's health care. The City will continue providing health insurance through a partially self-funded arrangement for FY2012-13. The Health Care Committee continues to monitor and evaluate cost effective benefit plans for employees. No changes are being projected to medical or dental coverage, but staff is recommending a few changes to help control costs.

The Committee's recommendations for the plan, beginning July 1, 2012, are:

1. Employee and Retiree Premiums – Union contracts state that “For the term of this contract there will be no change in employee or retiree premiums for health care benefits.” Staff recommends that employee/retiree rates remain the same for the plan year beginning July 1, 2012.
2. The City currently funds \$ 500 a year to the Health Savings Accounts of participants enrolled in the Plus Medical Plan. The committee recommends changing the contribution amount to \$ 500 for employee only coverage, \$ 750 for employee + one, and \$ 1,000 for family coverage. This plan is a lower costing plan with savings opportunities for employees.
3. Specialty medications help patients manage many health conditions and these medications tend to be in the form of injectables or need special handling. The Committee recommends using CuraScript, an Express

Scripts Specialty Pharmacy to be the point of service for obtaining specialty medications. Participants in the Rx program will receive personalized service in getting these prescriptions filled. CuraScript will offer better management of costs also for these medications that tend to have very high costs.

4. The City will move the medical management services to TriState Health Partners. Located in Hagerstown, THP works closely with Health @ Work and Meritus Health Inc. They will manage inpatient pre-certifications, case management of high claims and assist employees to manage multiple health conditions through their disease management resources.
5. The Medical Flexible Spending Account maximum will change from \$ 5,000 to \$ 2,500 per year. This is part of the national health care changes.

Councilmember Brubaker asked how the City would realize savings with the tiered health savings plant. Ms. Paulson indicated the plan has a lower premium cost and the tiered contribution may lead to more employees choosing the plan.

Councilmember Easton asked if there are educational programs for employees. Ms. Paulson stated information is provided to all employees during open enrollment about the different insurance options/coverages that are available. A benefits newsletter is also provided.

Councilmember Metzner stated many people are getting their prescriptions in Canada. He wondered if this would be a possibility for the City or for Washington County. Ms. Paulson will research this.

Mr. Zimmerman stated the tiered funding plan will require Mayor and City Council approval. It was the general consensus to include the approval on the April 24, 2012 agenda.

FY 12/13 Initial Budget Overview

Bruce Zimmerman, City Administrator, and Michelle Hepburn, Budget Officer, were present to provide information about the FY 12/13 budget.

Mr. Zimmerman indicated there are no major changes from the information that was presented to the Mayor and City Council during the January 31, 2012 Budget Retreat. The projected General Fund revenues of \$ 36,735,414 for next year reflect a 2.1% increase over current year budget, and include no increase in the Property Tax Rate. Unlike the last three years, staff is not anticipating significant losses or reductions in major revenue sources. The losses have not been recovered, but projections for the coming year indicate there should not be any additional major reductions. For this reason, the City faces a different scenario in FY 2012/13 than it has the past three fiscal years, when there was a need to make adjustments in operations and reductions in

expenditures to offset the loss of major revenue. The City is now in a more stable financial situation, but not one where staff is anticipating the strong growth in property tax revenue that supported operations in the mid-2000's. However, it should be noted that the FY 2012/13 projected General Fund revenue is \$3,801,065 less than the adopted FY 2009/10 budgeted revenue of \$ 40,536,479.

The Mayor and Council have guided the City Government through the most difficult financial challenges Hagerstown has experienced in decades by establishing three principles to steer finances and operations.

The primary principle guiding us the past three years has been to live within our means, and in doing so respect our property taxpayers. As we started to incur the major losses in State and County revenue and subsequent reduction in City property tax revenue, we committed ourselves to offsetting these losses with expenditure reductions. We did not attempt to increase revenue by raising the City's property tax rate. Instead we adjusted our operations, deferred equipment purchase, eliminated funding for 56 staff positions and lowered wage and benefit expenditures. We successfully avoided reductions in core service operations. Including the next fiscal year, our employees will go four years without a cost of living adjustment and three years without a pay step increase. City employees have definitely contributed to our efforts to live within our means. The City is presently operating with 11.3% less revenue than two years ago. The property tax rate of 78.8 cents per \$100 of assessed value has remained unchanged since FY 2008/09. We have attempted to address revenue shortfalls without creating a negative impact on taxpayers.

A second important principle has been the Mayor and Council's direction to rethink operations and consider new ways of operating with less. In the past two years, we have significantly reduced staffing. We now operate with 43 fewer General Fund positions and 13 less staff positions in other operations. We have utilized citizen task forces to develop recommendations to the City on our Refuse and Recycling Program, Green Initiatives, and Sidewalk and Curb Maintenance Policies. We have restructured operations, combining smaller departments into one unified operation. City staff have introduced new technologies into operations, changing the way we staff functions and deliver service to the public. New service components have been added to the refuse and recycling program while reducing service charges. The Mayor and Council adopted a comprehensive Strategic Plan in September 2010, which established priorities for City departments and guided operations. The City has forged new strategies with the County Economic Development Commission with a special focus on shared objectives for the downtown. Significant neighborhood based projects have begun with the goal of enhancing the quality of life for residents.

During an October 2011 Mayor and Council meeting which focused on the difficulties and loss of business being experienced in the downtown, we discussed the important role all sectors of Hagerstown play in revitalizing downtown and creating a healthy and strong City. We discussed the need for a community partnership, which included all levels of government, local business leaders, non-profit organizations, the media, citizens and

others; and, the need for a unified commitment. This theme was further developed in the recent State of the City presented to the community.

This Mayor and Council have consistently demonstrated unity as they worked together to forge the current year's budget and operating plan, developed major changes to the refuse and recycling program and undertaken new downtown revitalization projects. Unity is reflected in the current community efforts to create a Multi-Use Outdoor Sports and Events Center downtown, with private sector leaders taking a strong and active role. It has been reflected in the City's labor unions and their agreement to exclude wage increases in the current and coming fiscal year. Unity is being reflected in the Mayor and Council and County Commissioner joint meetings and their willingness to work together.

Hagerstown needs to remain mindful that our citizens continue to face economic challenges. Based on 2010 census data, the median family income in Hagerstown is just \$ 43,112. The unemployment rate for Hagerstown in January 2012 was 8.4%. High fuel costs, concern over employment, and the cost of housing remain important issues for our citizens.

Likewise, we need to be respectful of our employees. They have felt the largest brunt of the city's decision to reduce operating expenditures. They have gone many years without wage adjustments while sustaining our operations and services with fewer staff. However; it is time to position our finances to budget for wage increases in FY2013/14 and beyond.

The principles of reinvention and unity will be critical to us if we are to build on what we have accomplished the past three years. We will need to continue to develop and implement new strategies and structures to operations, rely on new technologies, and rethink the way we approach our work. Likewise we will need to strengthen and expand our partnerships, utilizing unity both internally and externally. We must avoid the decisiveness and negative attitudes that so often undermine communities and local governments. Unity helps us accomplish this.

Mr. Zimmerman recommended adding two operating principles to the first three: Strengthening City Revenue and Strong Community Based Leadership.

We need to devote more attention to strengthening City revenue. As a City government, we can never lose sight of the need to build our property tax base through annexation and new development. Without either, we will not have sufficient revenue to sustain our operations. As we look ahead, we should give consideration to the possibility of limited property tax rate increases to further strengthen our finances. This will also be reassuring to the bond rating agencies which analyze our finances. They have complemented us for our financial management and reduced operating expenditure levels, but they have also cautioned us that revenue needs to be strengthened.

Everyone needs to dedicate themselves and this City government to utilizing bold and courageous leadership in the years ahead. It is not a case that we have not used strong

leadership in the past, but more a situation of leading into the future with a bolder vision for Hagerstown. If we are going to achieve our mission to *Be the location of choice for a diverse and dynamic citizenry*, as stated in the strategic plan, we need to be willing to think bigger and bolder. The recent experience with the impact of the economic recession demonstrates the value of strong leadership. We need to accept that Hagerstown cannot remain static. We cannot wait on others, wish for the past, or think we are not good enough to undertake projects and programs that have proven successful in other cities.

Hagerstown currently faces opportunities to demonstrate this level of leadership that have not existed in the past. The Multi-Use Outdoor Sports and Events Center is one such opportunity. A second is the potential relocation of the Board of Education Administrative Offices to downtown. Both of these projects are needed if we are to revitalize our downtown for small businesses, better position it to absorb future economic downturns, and begin to attract higher quality housing to the City Center.

General Fund Projections include the following assumptions:

1. Property Tax Rate: There is no rate increase in either the coming year or 2013/14. A 3 cent tax increase is included as a possible consideration in the FY 2014/15 projections.
2. Stormwater Management Fee: \$ 750,000 is included in FY2013/14 projections, based on a January 1, 2014 implementation of a stormwater management fee. This will be contingent on the State's legislative requirements for all Maryland local governments, which are still under consideration in Annapolis.
3. Red Light Cameras: The FY2016/17 projections include possible revenue increases from the implementation of red light cameras.
4. Employee Pay Increases: A 2.5% COLA is included for each of the four years beginning in FY2013/14 and the restoration of step increases in the final two years of the projections.
5. Stadium Funding: \$ 2.2M in bond funding is included in FY2012/13 and an additional \$2.1M is included in FY2013/14.
6. Fire Apparatus: \$450,000 in bond financing is included in FY2012/13, \$ 900,000 in FY2013/14 and \$950,000 in FY2014/15 is included to purchase new fire apparatus.
7. Restoration of Unfunded Positions: Financial projects show a gradual, restoration of funding, beginning in FY 2014/15, for the 24 vacant General Fund positions which were not funded in recent years as a result of the recession.
8. Employee Health Insurance and Retirement Benefits: Financial projections continue to include strong levels of funding to maintain current health insurance and retirement programs.

Section 7 of the proposed budget provides projections. Section 9 includes the CIP funding, with summaries of the projects. It was pointed out the last payment was made in March for the funding of the North Potomac Street parking deck.

Councilmember Breichner stated the newspaper reported the South End Fire Company has a surplus of money. He suggested meeting with the officers and discussing options for using the surplus. Mr. Zimmerman pointed out that volunteer companies often provide funding for operations.

Ms. Hepburn reviewed Section 7, Projections, with the Mayor and City Council. The projections can provide an important tool for the City's long-term financial planning.

The projections include:

1. No property tax rate is proposed in FY2012/13. The projected tax rate is projected to increase in FY2014/15 by \$0.03 per \$ 100 of assessed value.
2. Due to the impact of the recent triennial reassessment in December 2010 of real property in the City, the 2011/12 estimated actually property tax revenue reflects an overall 10.1% decrease. This decrease was a result of a 10.3% decrease in the City's assessable base. The next two fiscal years will likely level out and experience little to no growth.
3. Generally, total revenue growth is projected to be flat or to increase modestly in the range of 3.0-4.5%
4. From FY2011/12 to FY2012/13, City share of state income tax is expected to continue to decline by just under 1% from \$3.39 million to \$3.35 million. It is expected to start growing again at about 2.1% annually beginning in FY 2013/14.

Councilmember Breichner asked if any of the debt service could be refinanced while interest rates are low. Mr. Zimmerman stated this could be explored with the bond counsel.

Councilmember Breichner asked about the water and wastewater fund service fees. Mr. Zimmermann stated based on the five-year rate schedule adopted in September, 2009, water rates are scheduled to increase an average of 5.0% for services provided in the City and an average of 6.5% per year for services provided outside the City. Under the same schedule, wastewater rates are scheduled to increase 5.0% for inside and 3.0% for outside City customers. In FY2014/15 a 10% rate increase is proposed for wastewater fees followed by a 3% annual increase in FY2015/16 and FY2016/17.

The budget will be discussed during future work sessions.

The tentative date for the budget hearing is May 8, 2012 at 7:00 p.m.

CITY ADMINISTRATOR'S COMMENTS

Bruce Zimmerman, City Administrator, had no additional comments.

MAYOR AND COUNCIL COMMENTS

Councilmember M. E. Brubaker had no additional comments.

Councilmember W. M. Breichner commended staff for one of the best public relations programs he has seen for the recycling program information. The information has been well presented. Rodney Tissue, City Engineer, thanked Jeannie Jeffries, Administrative Secretary, for her tremendous work on this project.

Councilmember L. C. Metzner had no additional comments.

Councilmember A. C. Haywood had no additional comments.

Councilmember F. W. Easton stated Mayor and Council members received a letter from concerned citizens about the future of the Historic District Commission (HDC). He recommended, three months after taking office, reviewing and updating all the boards. Most boards have been brought up to date. A discussion about the HDC has not been scheduled for a work session yet. He stated he will not be voting, in any session, to dissolve the HDC. He met with 31 concerned citizens about the HDC recently. He asked that a discussion of the HDC be scheduled soon. All the terms of the members have expired. He suggested asking currently members to reapply for the board and advertise for applications from interested citizens. He believes changes are needed but he will not vote to dissolve the Board.

Mayor Bruchey indicated he and John Lestitian discussed the HDC earlier today. Mr. Zimmerman clarified the Mayor and Council wish to send notices to current members and advertise for new members. This is correct. It was the general consensus of the Mayor and City Council to update the membership list of the HDC and to maintain the HDC, but possibly with changes in the regulations.

Mayor R. E. Bruchey, II had no additional comments.

EXECUTIVE SESSION – April 10, 2012

Councilmember A. C. Haywood made a motion 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, Section 10-508(a) 1. (i.) and to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, Section 10-508(a) 4. and to consult with counsel to obtain legal advice, Section 10-508(a) 7. at 5:50 p.m. in the Council Chamber, 2nd Floor, City Hall, Hagerstown, Maryland. Councilmember L. C. Metzner seconded the motion.

Discussion: Councilmember Metzner expressed his concern about discussing a lease with the Suns in closed session. He stated if the Mayor and Council had met in open session last year when discussing the issues at Municipal Stadium with Tony Dahbura there would have been less confusion. Mr. Dahbura asked the Council at that time to wait until the Suns group got back with them. Since that time, the principal owner indicated upgrades at Municipal Stadium would be unacceptable. He

believes the biggest impediment for the project is the failure to gain strong public support. This needs to be discussed in open session. He agrees that the board appointment should be discussed in closed session but not the lease amendment.

Councilmember Metzner then tabled the motion to meet in executive session until the board appointment is discussed. Councilmember Breichner seconded the motion to table.

Councilmember Haywood asked if any precedence set by the Mayor and City Council by previously discussing the lease agreement in closed session would be violated.

Mark Boyer, City Attorney, indicated there are no privacy issues to protect the tenant within the proposed amendments. The Mayor and City Council may wish to meet in executive session to discuss strategy and obtain legal advice.

The discussion regarding proposed amendments to the lease with the Hagerstown Suns was discussed in open session.

Mr. Boyer reviewed the two documents that were provided to the Mayor and City Council. The first document is the lease agreement, which provides five one-year options for renewal. The existing lease terminates on December 1, 2012. The lease addresses the following issues the Suns requested:

1. The City pays all utility charges
2. Additional Hagerstown Police Department Personnel
3. Fire Service Provision
4. Lessor will endeavor to establish a stand-by ambulance crew

Mr. Zimmerman stated the proposed FY 12/13 budget includes \$ 50,000 for improvements to the stadium. The amount in prior years has been \$ 35,000. Neither this lease nor proposed budget includes any payment to the Suns for operating at Municipal Stadium.

Councilmember Haywood stated she is not clear regarding providing an ambulance crew. She stated Community Rescue Service (CRS) is not in a financial position to provide a crew without cost. CRS estimates the cost for this coverage would be \$ 8,000. If the Council wants to provide the crew through CRS, she suggested adding the cost as a line item in the budget.

Councilmember Metzner thinks the City would not be asking CRS to have an exclusive ambulance at the games. The ambulance crew could be at the game but would respond to calls, just as if they were at the station. This is similar to the ambulance crews at high school football games.

Councilmember Haywood pointed out the Board of Education pays for the ambulances to be at the games. She is concerned the Council is committing another organization's services without discussing it with the organization.

Councilmember Metzner stated they are not committing another organization. The lease discusses providing emergency services. There may be other ambulance services who would be willing to provide the services.

Mayor Bruchey stated an ambulance service may be willing to have a unit stationed at the games.

Councilmember Metzner stated he has been an advocate for providing \$ 50,000 to CRS in the City's budget. There is a line item in the budget. However, the line item is not automatic each year. He is a past president of CRS and understands the financial needs. If CRS is struggling, the Board should make a presentation to the Mayor and City Council. It was reported the South End Fire Company has a surplus of funding. Perhaps they could help.

Mayor Bruchey stated he has been trying to reach the president of CRS.

Councilmember Brubaker asked if there is an exclusivity clause in the proposed lease. Mr. Boyer indicated there is not. This proposed lease is a pared down version that the Suns may accept. It does not include a lot of the expenditures they requested.

Mr. Zimmerman stated, under this proposed lease, the City would provide an additional \$ 20,000 in utility costs and an additional \$ 15,000 for police coverage.

Councilmember Brubaker pointed out the Suns made requests that would have cost between \$ 100,000 and \$ 200,000. The Council did not agree to those requests. He feels the proposed lease is fair in order to extend the lease and keep the Suns in Hagerstown.

Councilmember Haywood indicated that from 2006 to 2011, there were ten transported calls from Municipal Stadium. Most of these were because of foul balls. She stated an additional \$ 8,000 cost seems excessive for an average of 2.5 transports per year.

Councilmember Brubaker asked if the additional costs can be accommodated in the current budget. Mr. Zimmerman stated neither the police coverage or the utility costs are included in the current budget. The amounts are adequate for this season, through December, 2012.

Councilmember Breichner suggested meeting with CRS to discuss the possibilities for providing ambulance service at the stadium. Councilmember Easton wondered if other companies would provide the service at no cost. Mayor Bruchey stated a volunteer company may be willing to do this.

Councilmember Haywood wondered if having sufficient ambulance services to the stadium by a company in the City would satisfy the request from the Suns.

Mr. Zimmerman stated the language will have to be revised after further discussion regarding ambulance coverage.

A Work Session will be scheduled for April 24, 2012 at 6:30 p.m. to discuss the amendments for ambulance coverage. Approval of the lease amendment will be included on the April 24, 2012 regular meeting.

Mr. Boyer stated the other document provided is a resolution, which highlights the City's commitment to the multi-use and sports center, identifies the steps that have been taken so far and forecasts anticipated steps to complete the process. The resolution has no impact on the amended lease.

Councilmember Brubaker stated he feels the consideration of the resolution is premature. He does not believe the Mayor and Council have come to a consensus at this point, partially because of the uncertainty of committed funding.

A joint meeting with the County Commissioners, the Mayor and City Council and the Washington County Delegation will be held on April 17, 2012 at 3:00 p.m. to present the results of the Ripken Design study.

Councilmember Metzner stated a joint resolution with the County Commissioners, the Mayor and City Council and the Washington County Delegation would show commitment from all three parties. The project must have support from the three government entities.

Councilmember Breichner stated there are many things to be considered for a multi-use center beyond the funding with the downtown site. He stated the downtown other locations could work also.

Councilmember Brubaker clarified the resolution discussed is a draft. The lease agreement can be acted on without the resolution.

Councilmember L. C. Metzner made a motion to remove from the table the motion to meet in closed session. Councilmember W. M. Breichner seconded the motion. This occurred at 6:16 p.m.

The original motion was amended to only include meeting 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, Section 10-508(a) 1. The Mayor and City Council unanimously agreed to meet in closed session at 6:16 p.m. in the Council Chamber, 2nd Floor, City Hall, Hagerstown, Maryland. The following people were in attendance: Mayor R. E. Bruchey, II, Councilmember W. M. Breichner, Councilmember M. E. Brubaker, Councilmember F. W. Easton, Councilmember A. C. Haywood, Councilmember L. C. Metzner, City Administrator Bruce Zimmerman, City and Donna K. Spickler, City Clerk. The meeting was held to discuss potential members of the

Planning Commission. No formal action was taken at the meeting. On a motion duly made, seconded and passed, the meeting was adjourned at 6:25 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Donna K. Spickler".

Donna K. Spickler, City Clerk

Approved: May 22, 2012