

**Aberdeen City Council Meeting
April 30, 2007**

OPENING:

Roll Call: The Aberdeen City Council Meeting roll was called with the following results:

Present: Mayor Simmons, Council President Hiob, Councilwoman Elliott, Councilmen Kupferman and Yensan

Absent: None

Also Present: Mr. Miller, Mr. Lapinsky, Chief Rudy, and Mr. Jack

Mayor Simmons called the meeting to order at 6:00 p.m. in the Council Chambers. The prayer was led by Councilman Yensan and the Pledge of Allegiance was led by Council President Hiob.

APPROVAL OF MINUTES:

The minutes of the April 16, 2007, City Council Meeting were approved as submitted.

The minutes of the April 23, 2007, City Council Work Session were approved as submitted.

PRESENTATIONS:

1. Police Department's Annual Report for 2006

Mayor Simmons and Chief Rudy thanked Ms. Barbara Kane for her loyalty to the City and welcomed her back.

Chief Rudy gave a PowerPoint presentation on the Police Department's Annual Report for 2006. He noted that the City is divided into four areas for service calls. They are central, western, eastern and outside the City.

Chief Rudy stated that there were decreases in 911 hang-up calls, rapes, robbery, aggravated assaults, burglaries, and motor vehicle thefts. There has been an increase in foot patrols, bank checks, swat team calls, school incidents, and thefts. There were 949 adult arrests and 179 juvenile arrests.

The Police Department has received the following: \$3,000 overtime grant, 2 total stations from the MTA Police valued at \$20,000, a 1999 Ford Expedition

valued at \$10,000, and a 1997 Toyota RAV 4X4 valued at \$7,000 which total \$40,000.

Chief Rudy said the fire rescue at 15 S. Rogers Street resulted in the Mayor's Medal being awarded to members of the Police Department and Fire Department. Members of the Department sponsored and participated in the Sinai Hospital Community Policing Event for Children.

The Police Department practices the Seven Core Virtues of Policing. They are trying to stay on the front edge of BRAC. There were only six complaints this year against the personnel. Chief Rudy said he watches the Police Department Budget very closely. Following his report he answered questions from the audience.

PUBLIC HEARINGS:

None

PUBLIC COMMENTS:

1. Mr. Bob Hartman, 226 Paradise Road

Mr. Hartman asked the amount of interest owed to Saks. Mr. Miller said meetings were being held this week on possible options. He asked why there were no roll-over of funds on the new Budget. Mr. Jack noted that the FY 2008 Budget contains no roll-over funds. He was told the new loan was for the Water Fund. Mr. Hartman said the people should have more time to review the Budget. Mr. Miller indicated that tonight was the introduction of the Budget, hearings will be held, work sessions will take place, and the first time a vote could take place on adoption of the Budget was May 21st.

Mr. Hartman also requested a referendum for the residents to have input on the sale of Ripken Stadium. Mayor Simmons said this was an information gathering time and thought the suggestion was good.

Mr. Hartman mentioned the meetings taking place for BRAC in Baltimore County and he wants citizen input from the areas to be involved. He was told Aberdeen is always represented at these meetings and there will be Town Hall Meetings with Mr. Craig. The Perryman annexation was mentioned and he asked why Aberdeen was not involved. Mayor Simmons thinks the contracts have been let and there are plans to develop thousands of houses in Perryman with severe impact on Aberdeen with no remuneration for the impact.

2. Ms. Thelma Davis

Ms. Davis has seen an e-mail from Councilman Yensan which is very disrespectful. She was one of the people who was involved with opposing the tax increase, which is her right as a citizen of the United States. Ms. Davis said she did not expect to be referred to as “a demented old woman” by an elected official of Aberdeen. She feels an apology should be given.

3. Ms. Barbara Osborne-Kreamer, 701 Beards Hill Road

Ms. Osborne-Kreamer said some of the women present tonight are here because of the subject e-mail. This reference to “demented old women” is very offensive to all of them. Elected officials should respect their constituents and each other. Ms. Osborne-Kreamer also referred to a message on her answering machine from Council President Hiob calling her an offensive name. To date, no apology has been forthcoming. She objects to these references just because there is disagreement with officials. Age and sex should be irrelevant. Follow-up action is needed from the Council and Councilman Yensan.

Mayor Simmons noted that this communication was privileged between City Attorneys and members of the City Council. He noted that further comment may be forthcoming.

4. Ms. Glenda Large, 529 Beards Hill Road

Ms. Large read an e-mail from Ms. Ellen Cutler which stated that she was appalled by Councilman Yensan’s remarks. This should be considered defamation of anyone who disagrees with public officials. Ms. Cutler is a college professor, 55 years old, and very articulate. Obviously, some members of the Council hold the Citizens in total disdain. Council President Hiob referred to Ms. Osborne-Kreamer with the “B” word; apologies are needed from Councilman Yensan and Council President Hiob.

Councilwoman Elliott said no e-mails should be considered confidential and should be made available for public information. These actions are unprofessional and deceitful and must be stopped.

LEGISLATIVE SESSION:

1. Ordinance No. 723-07, Amend Chapter 113, Sewers, Code of the City of Aberdeen

Mr. Lapinsky noted that this ordinance was introduced on January 29, 2007, and a Public Hearing was held on April 16, 2007. Adoption should take place at this time.

The pollutants are listed on the document along with the following recommended changes:

Chapter 113-46. Wastewater discharge permit contents.

A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Director to prevent pass-through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

Chapter 113-56. Periodic compliance reports.

A. All significant industrial users shall, at a frequency determined by the Director but in no case less than twice per year, submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports must be signed and certified in accordance with Chapter 113-43 of this Part I.

A motion was made by Councilman Yensan and seconded by Council President Hiob to adopt Ordinance No. 723-07, Amend Chapter 113, Sewers, Code of the City of Aberdeen.

The motion was passed with a vote of 5 – yes.

2. Ordinance No. 728-07, Amend Chapter A150-1, Fees, Code of the City of Aberdeen

Mr. Lapinsky said this change is being proposed to bring the replacement of water meter costs to current market value plus 15% for handling. The change was introduced on March 12, 2007, a Public Hearing was held on April 16, 2007, and adoption should take place tonight.

Chapter A150-1.A.(6), Water meter charge.

- (a) This charge is additional to the area connection charges. The City will furnish and install the water meter. The meter shall be owned and maintained by the City.
- (b) The meter charge will include all costs accrued by the City, including the meter, any ancillary components, and any labor/installation charges, plus a charge of fifteen percent (15%) of said cost for handling.
- (c) Applicants will need to provide the City, in writing, the size of the meter required for a given project before said meter is ordered.
- (d) Applicants will need to provide at least a thirty (30) day notice to the City to allow for ordering and receipt of meters.
- (e) Meters will not be released, provided, or installed until all requisite fees and charges are paid to the City.

A motion was made by Councilman Kupferman and seconded by Councilwoman Elliott to adopt Ordinance No. 728-07, Amend Chapter A150-1, Fees, Code of the City of Aberdeen.

The motion was passed with a vote of 5 – yes.

3. Ordinance No. 730-07, FY08 Budgets

Mr. Miller provided copies of the subject budget for the Council and residents in attendance. He stated that the Budget is being introduced tonight, a Hearing will be held on May 14, 2007, and a Public Hearing on the Constant Yield Tax Rate will be held after May 14, 2007. The first possible date for adoption will be May 21, 2007.

A motion was made by Council President Hiob and seconded by Councilman Yensan to approve Introduction of Ordinance No. 730-07, FY08 Budgets.

The motion was passed with a vote of 5 – yes.

BUSINESS OF THE COUNCIL

1. Unfinished Business – None
2. New Business – None
3. Business from the Director of Planning & Community Development

Council President Hiob, liaison to the Planning Commission reported that the next meeting will be held on May 9th. He listed the four items currently on the agenda.

4. Business from the Chief of Police

Chief Rudy reported that some officers attended a meeting in Cecil County. This area is having some problems, which are believed to be a result of the drastic reduction of crime in Aberdeen. It seems that the violators are moving into that county. He said the Aberdeen Police Department will help with problems in this area. Chief Rudy noted that the Council and the Mayor encourage and give the Police Department the confidence to go above and beyond the call of duty. They deserve thanks for the safety the City now enjoys.

5. Business from the Director of Finance – None
6. Business from the Director of Public Works

Mr. Lapinsky showed pictures of an oil spill at the Frito-Lay Plant on April 30, 2007. This substance was pure corn oil. Public Works employees vacuumed the oil from the pond and filled 3 tanker trucks. He indicated that quick reaction by City employees prevented serious issues from taking place. Frito-Lay has been asked to take immediate action to solve the problem and do their part in the clean-up process. Mr. Lapinsky noted that Frito-Lay has committed to the majority of the cost of this process.

Mr. Lapinsky referred to the Pretreatment Amendment which just passed. He said the MDE Pretreatment Coordinator has just provided a template for future permits.

A. Water System Capital Needs

Mr. Lapinsky reported that the current water treatment plant began use in 1979. Many distribution system improvements are needed. He is preparing a slide show which will detail the issues involved.

Mr. Lapinsky said MDE is close to issuing a new Appropriations Permit and comments will be available by Friday.

7. Business from the City Manager

Mr. Miller assured everyone that technical difficulties with the City website are being addressed.

8. Business from the Council

Councilwoman Elliott asked the status of the Paving Reports for 2006-2007 and 2007-2008. Mr. Lapinsky said the Report for 2006-2007 is being prepared and lists will be prioritized.

Councilwoman Elliott asked the status of the Old Philadelphia Road Project. Mr. Miller said a large developer is looking at the property and they may upgrade the road to Rt. 40.

Councilwoman Elliott referred to an e-mail she received from a resident who has asked five times for the drainage problem on his property to be addressed. Nothing has been done to date. Mr. Lapinsky said he was at the site today and pulled the necessary deeds and plats. There is an inlet on City property which will recapture the water and the area will be regraded to the catch basin and seed applied. This action will take place during the Spring or Summer.

Councilwoman Elliott thanked the Police for solving a potential problem with parking on Main Street.

Councilman Kupferman noted that Police morale is top notch and there is a decline in crimes. This is the result of the task force doing a great job.

Councilman Kupferman referred to the Budget and said his position has not changed. A two-cent reduction is not acceptable and the issue will be addressed at future meetings.

Council President Hiob said the comment of Ms. Osborne-Kreamer was presented out of context. He noted that she did not apologize for a threat to him.

Council President Hiob, in answer to Mr. Hartman, said a meeting was held on April 24th, which was the Harford County Quarterly Meeting. The City is not being left out. On April 25th some members of the Council attended a meeting extending funding for Glen Heights extending public water to 80 homes in the area. A check in the amount of \$746,000 was presented and low interest loans were offered.

Council President Hiob showed a copy of a DVD which was made by Mr. Jim Litke and will be taken to the Farm Fair.

Council President Hiob said his family rode bikes to the southwest portion of Aberdeen and felt very safe in this area. He thanked the Council and the Police Department for solving problems which previously existed in this area of the City.

9. Business from the Mayor

Mayor Simmons apologized for issues which came up at the meeting tonight. He said Councilman Kupferman will have suggestions to fix some Budget problems. Council President Hiob and Councilman Yensan are working hard on many City issues; and the Council will be vigilant on the situations which were discussed tonight. It is hard to gain momentum due to the 24-month tenure of office. Mayor Simmons spends his days serving the City when he is not traveling to meetings. Today he and Chief Rudy checked 5 schools and had lunch at one of them. The City government and the Police are friends and are working well together for the citizens. The government is working on the water supply and BRAC issues. It is common for the City Manager to work on weekends. He and all of the City Staff work very hard. Currently, the City taxes are being reduced and there may be further reductions in the future.

PUBLIC COMMENT:

1. Bishop Barnes, Highway Holiness Church

Bishop Barnes complimented the City for the camera located at Washington and Edmund Streets. He asked what it records. Chief Rudy said it only records action on the streets; it is not used for speeders. Bishop Barnes is concerned that a child or some other person will be hit by cars speeding in this area.

Mayor Simmons said Chief Rudy will look into this situation.

2. Mr. Art Koszura, 424 Doris Circle

Mr. Koszura asked what is being done to implement a parking fee at Ripken Stadium. This should be treated as a business and the City should try to get some money back. Mayor Simmons said the City will revisit this issue. Initially, there was not fee because Ripken was to be affordable baseball. The parking lot was to be located against the Avenue parking lot and a parking fee would be a problem.

3. Ms. Karen Heavey, 634 W. Bel Air Avenue

Ms. Heavey mentioned a news item on WBAL-TV which came from the Associated Press on the possible sale of Ripken Stadium. The report included a statement from Nottingham Properties which mentioned the inclusion of a Super Target on their property. She asked why residents had not heard this information before. Mr. Miller had one quote which was misquoted. Mayor Simmons met recently with people who represent, now what was previously, Nottingham. He referred to a situation which was similar in White Marsh. Eventually, the office property was sold to COPT. A representative for the Real Estate Investment Trust for the retail portion came to City Hall for a meeting. They said they were still interested in developing the property and floated the prospect of a Super Target. Mayor Simmons informed them that he was not in favor of this project. He again mentioned that this was only an informal discussion.

Ms. Heavey thanked the City for the detailed Budget handout. She asked about any Budget adjustments for this year or this fiscal year. Mr. Jack said this information would be available within the next two months.

4. Mr. John Feroli, Mt. Royal Avenue

Mr. Feroli said he was not a demented old woman or demented old man. He was disappointed that there were no signs of an apology. This issue definitely needs to be resolved.

5. Mr. Curtis Coon, Attorney

Mr. Coon said e-mails and other written documents represent different types of speech, i.e., public, private, etc. Public servants can speak privately to their attorneys; this is an American right. The Council has the right to communication without being quoted. This situation was a breach of confidence to come to the Public Forum.

Councilwoman Elliott asked if the message was confidential why was it sent to the Staff and Council.

6. Ms. Ruth Ann Young, 445 Doris Circle

Ms. Young asked if Saks could receive a tax credit for the amount they indicated they are owed by the City. She was told Frito-Lay will owe some money which could help with the Saks problem.

Ms. Young mentioned the homes coming to the Perryman area with no help in sight for Aberdeen. Councilman Kupferman has arranged a meeting to discuss this situation.

Ms. Young gave the following quote, "Those who throw dirt will lose ground."

Mayor Simmons said he is not sure that the City owes much money to Saks because the claim was based on Personal Property.

7. Rev. Dr. James Smith, Word of Life Christian Fellowship

Rev. Smith thanked the Council and Staff for their help with his church's dedication. He also thanked Councilman Yensan and his family for their participation. On June 2nd, a celebration will take place for Violence Prevention at Festival Park. His brother, DeAngelo Hall will be attending the event.

Mayor Simmons thanked Rev. Smith and stated the hope that his church will grow rapidly.

ANNOUNCEMENTS:

The Big Event 10K Fun Run/Walk at Aberdeen Festival Park, May 5, 7 a.m.-11 a.m.

ADJOURNMENT:

The meeting was adjourned at 8:15 p.m.