

**Aberdeen City Council Meeting  
July 9, 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:** Doug Miller, City Manager  
Phyllis Grover, Director of Planning & Community Development  
Randy Rudy, Chief of Police  
David Ranney, City Engineer

Mayor Simmons called the meeting to order at 6:00 p.m. in the Council Chambers. The Prayer was led by Apostle Diane Welsh of the Breath of God Christian Fellowship Church and the Pledge of Allegiance was led by Council President Hiob.

The Minutes of the June 11, 2007 and June 18, 2007 meetings were approved as submitted.

**PRESENTATIONS:**

1. Introduction of Raul Forsmark, Police Officer – Chief Rudy

Chief Rudy introduced Officer Forsmark who was with the Aberdeen Police Department from 2000 – 2003. He is married and has three children. After residing in Florida, Officer Forsmark is returning to the City Police Department. He will assume patrol duty after some additional training.

2. Presentation to Med Line Services by the Aberdeen Police Department – Chief Rudy and Officer Beall

Police Officer Beall and Chief Rudy presented plaques to Mr. Dale Harvey and Ms. Tracey Barry of Med Line Services. Med Line donates the gloves worn by the officers when responding to calls. This helps the Police Department assure the safety of their officers and also saves the City money. Med Line also donates first aid kits which are carried in each police vehicle. Mayor Simmons also thanked Mr. Harvey, Ms. Barry, and Med Line for their involvement with the City.

3. Presentation Close/COPT Annexation and Annexation Agreement Mr. Dwight Taylor

Mr. Taylor stated that the Close Property consists of 55 acres which is now planted with corn. COPT headquarters is located in Columbia, MD. They are 70% invested in the local area. The majority of their clients are U.S. government agencies. COPT is rated number one in the country for customer service, it is a strong organization, and is the largest owner of office space in the state. The development of the Close Property will bring 700,000 sq. ft. of office space and retail to the Rt. 22 area. The property is located at the Rt. 22 entrance to APG and construction on the first building is to begin in 2008. COPT rarely sells any of its properties. This is an outstanding opportunity for the City of Aberdeen. The company has holdings in Texas, Pennsylvania, Maryland, Virginia, and Colorado.

Mayor Simmons asked how many employees will be located at the proposed site. Mr. Taylor said there will be 3,500 – 4,000 employees. This is a one quarter of a billion dollar project. The net impact will subsidize the City residential taxes.

Mr. Taylor said meetings with APG are progressing very well. COPT is a national leader in Green Development and has a high tenant retention level.

Councilman Kupferman mentioned that Nottingham Properties owns land in the Aberdeen area. Mr. Taylor said he had no information on that subject and COPT has no involvement.

Mr. Taylor said COPT would become involved in the community. Councilman Kupferman asked if the Boys and Girls Clubs would be a possible recipient. He was told the organizations that had employee involvement would be considered.

Councilman Kupferman asked what type of retail the tenants would be. He was told the retail would support the working population during working hours and after work hours, i.e., restaurants, etc.

**PUBLIC HEARINGS**

None

**PUBLIC COMMENT:**

Mayor Simmons stated that resident taxpayers would be heard first and then others in the audience who live outside the City.

1. Jacob Sagner, 203 Baltimore Street;

Mr. Sagner asked the City Council to pass legislation regarding animal attacks. A German shepherd attacked his 4 year old son recently. This attack required numerous stitches in the child's head, face, hands, and arms and Animal Control refuses to remove the dog. Currently, the dog is chained 3 feet from the public sidewalk. He would like to have an ordinance passed which would have the animal removed from the residence or destroyed after attacking a person. He thanked the Council for their concern and also the Police Department for their fast response.

Mayor Simmons noted that the owners of the dog are not negligent; however, Animal Control will not step up. Mr. Sagner said the child suffered from bites on his cheek which resulted in some hearing loss. Mayor Simmons said he will meet with Chief Rudy and Ms. Grover to initiate some action.

Chief Rudy said the Police Department calls Animal Control and they decide what takes place regarding the animal.

2. Ms. Karen Heavey, 634 W. Bel Air Avenue;

Ms. Heavey asked the status of the COPT Annexation Agreement and the Policy being developed. She posed the following questions: is a traffic study being done, has a water study been done and what are the results, and have any public hearings been held? Ms. Heavey said the City Charter requires action within 60 days. She wants clarification on this issue. Reference was made to the new guidelines for the Public Hearing regarding resident taxpayers. If someone lives in the City but does not pay taxes can they still speak? She was told that resident taxpayers will be permitted to speak first and then others in attendance. Ms. Heavey asked what other municipalities do this?

Mr. Miller said the Close Annexation was introduced on September 11, 2006 and a Public Hearing was held in October which predated the moratorium. The Draft of the Annexation Policy will be e-mailed, the traffic study is being requested by the Army and COPT, and the Water Study caused the hold on annexations.

3. Pastor Kenneth Telsee, True Joy Ministry;

Pastor Telsee introduced the "deCyclers" who are bike riding from Florida to Vermont, a total of 1,850 miles. The City and his church are providing meals and lodging for them tonight. He introduced some of the participants. Those involved range in age from 13 years to their early 20's. The group is cycling for peace and today they rode from Washington, DC to Aberdeen.

4. Mr. Mike Bostwick, 514 Walker Street;

Mr. Bostwick is having problems with a neighbor who does not maintain his property. Mr. Bostwick has even tried to help him clean up to no avail. There is trash which is causing a rodent problem and he and his family need help from the City. This property has a trailer on it, the garage is full of electric supplies and is falling apart. Mr. Bostwick noted that the City permits two vehicles per house to park on City streets. This homeowner has four vehicles parked on the street. Mr. Bostwick has asked for help and has not gotten any.

Ms. Grover asked who the request for help was sent to. She was told it was sent to the Zoning Department and the Harford County Health Department.

Mayor Simmons said this issue would be addressed tomorrow and help will be forthcoming.

5. Ms. Ruth Ann Young, 445 Doris Circle;

Ms. Young said she is glad to hear about the traffic study which was mentioned in the COPT presentation. This project will be good for the City. She asked that COPT proceed with as many green buildings as possible. Ms. Young mentioned that previously there were two and three story buildings noted on the plans. This will require over 2,000 parking spaces and road issues need to be addressed. Ms. Young asked the following questions: how does this fit into the Army Alliance Master Plan, how does this fit into the Maryland upgrade of Rt. 40 and Rt. 22, how has this been received by APG, and has the use of buses and rail been investigated? Currently, there is no proposed Annexation Agreement.

Mayor Simmons said the minutes are available for the Multi-Modal Study Group on issues of traffic, Amtrak, etc.

#### **LEGISLATIVE SESSION:**

1. Ordinance No. 729-07, Amendment to Ordinance No. 11-06, Aberdeen Development Code (for Adoption)

Mayor Simmons noted that Ordinance No. 729-07 deals with cameras and the Council has not discussed this in detail. As a result, this action will not be considered at this meeting.

2. Annexation Agreement, Close Annexation (for Adoption)

Mr. Miller said the last Draft of the Annexation Agreement was sent to the Council on Friday. The owners of the Close Property, representatives of COPT, and the attorney, Mr. Kahoe, are in attendance. The City agrees with

the Annexation and Zone the property B-3. COPT agrees to develop the property as an office park, to enhance development regulations, and to do off-site water and sewer upgrades. They have also agreed to reimburse the City up to \$10,000 for power costs. Mr. Miller noted that an Annexation Agreement is not required but is desired. The document is ready for action by the Council tonight.

Councilwoman Elliott referred to Page 7 which states that the contract purchaser pays all fees, i.e. impact fees. She asked if there was any problem with this issue. She was told there was none.

Mr. Miller said the Matrix will be completed by the time COPT is ready to begin.

Councilman Yensan said copies of this document will be available at no cost to residents.

A motion was made by Councilman Yensan and seconded by Council President Hiob to approve the Annexation Agreement – Close Annexation.

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

3. Charter Amendment Resolution No. 716-06; Close Annexation (for Adoption)

Ms. Grover stated that Resolution No. 716-06 was introduced on June 11, 2006 and a Public Hearing was held on October 30, 2006. At the Public Hearing comments were received, some of which have been addressed in the Annexation Agreement. The property will be zoned B-3 (Highway, Commercial District) under the Aberdeen Zoning designation. As stated in the Agreement, the property will be developed as an Office Park. Comments have been received from Harford County Planning Office and have been addressed.

A motion was made by Councilman Yensan and seconded by Councilman Kupferman to adopt Charter Amendment Resolution No. 716-06, Close Annexation.

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

Councilman Kupferman said he was glad to see COPT and APG working on traffic issues. The traffic increase will be gradual and this will be a great economic aid to the City.

**BUSINESS OF THE COUNCIL:**

1. Unfinished Business – None

## 2. New Business

### A. Preliminary Site Plan for Winston's Choice Addition – Ms. Grover

Ms. Grover said the proposed Plan includes 22 townhouses. The property is located off of Old Post Road, Roosevelt Drive, and Taft Street and is next to the Winston's Choice subdivision which is currently under construction. The Baldwin Manor Office Building is currently on the site and will be torn down. The Plan was before the Planning Commission in April and received a favorable recommendation. The Plan is being approved conditionally for school impact and water allocation.

Mayor Simmons asked how this impacts schools. Ms. Grover stated that when the County lifts a moratorium on schools then other projects can begin.

Mr. Mitch Ensor of Bay State Land Services said the parcel consists of 3 acres; one acre will be open space and 2 acres will contain the 22 townhouse lots. It is located across from the Baldwin Mill Apartments and will be similar to Winston's Choice. The Planning Commission approval included storm water management, public water, sewer, roads, and other items described by Ms. Grover.

Mayor Simmons said this development will help turn around the area for the betterment of the City.

Councilman Yensan asked for clarification of the plan in the flood zone. Mr. Ensor said the construction will be raised above the flood level.

Councilwoman Elliott said residents in the area are happy with the plan and it will be good for the City.

A motion was made by Councilman Kupferman and seconded by Councilwoman Elliott to approve the Preliminary Site Plan for Winston's Choice Addition with the conditions set forth by the Planning Commission.

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

### B. Preliminary Site Plan – 690 S. Philadelphia Blvd., Colonel's Corner – Ms. Grover

Ms. Grover stated that this property is the former Colonel's Choice Restaurant. The proposal is for a one story office building with a total area of 9,630 sq. ft. The project is in the overlay zone. The plans have been presented to the Architectural Review Committee and the Planning Commission and received a favorable recommendation. The zoning is B-3.

Mr. Art Helton, the developer, said all studies have been done. He noted that commercial development and redevelopment expand the tax base more than residential development. His past projects have created 165 new jobs for the City of Aberdeen. Some of the original building will be used and additions made. The exterior will be split-faced textured block with a darker gray contrast. The building will have awnings, additional green space, and beaming. The project has been appraised at 2.1 million dollars.

Mayor Simmons noted that the number of new employees is comparable to Frito Lay. The office building's water and sewer use, when fully occupied, will equal that of 2 dwelling units per day.

Councilman Yensan complimented Mr. Helton on his previous and current projects for adding pervious area.

Mr. Helton encourages more redevelopment.

Councilwoman Elliott said the project looks good and asked when construction would begin. Mr. Helton said work would begin as soon as permits were obtained and should be completed by November, 2007. He has also purchased the house behind this property.

A motion was made by Councilman Yensan and seconded by Councilwoman Elliott to approve the Preliminary Site Plan for 690 S. Philadelphia Blvd., Colonel's Corner.

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

3. Business from the Director of Planning & Community Development

Ms. Grover reminded everyone that there will be a Planning Commission meeting on Wednesday, July 11<sup>th</sup> at 7:00 p.m.

4. Business from the Chief of Police

Chief Rudy attended the Harford County Chamber of Commerce luncheon on June 21, 2007. Two City officers, Sgt. Severn and Officer Reiber were recognized for their bravery at the fire at Rogers and Parke Streets.

Chief Rudy attended the Maryland Municipal League convention in Ocean City, June 24<sup>th</sup> – 27<sup>th</sup>. The sessions were intense and very valuable. He proudly announced that the Aberdeen Police Department posted the colors.

5. Business from the Director of Finance

None

6. Business from the Director of Public Works

None

7. Business from the City Manager

Mr. Miller said there will be no Council meeting on July 16<sup>th</sup>.

8. Business of the Council

Council President Hiob thanked the City for allowing him to present the colors at the MML meeting. He attended many classes and also worked at some of the meetings. Council President Hiob said the networking at these sessions was very valuable and worthwhile.

Council President Hiob stated that he hoped everyone had received the Water Quality Reports sent to residents and thanked the parties who produced these reports.

Council President Hiob commented on the negative perspective on Mr. Litke's DVD reported by the Aegis Editors. The facts were inaccurate as reported. He mentioned that Mr. Litke participated in the Havre de Grace and Bel Air parades with a City truck which he decorated for the occasions. He deserves an award, not criticism.

Council President Hiob will be the featured speaker Thursday at the Swan Meadows Block Party.

Councilman Yensan noted that the MML was very productive. He completed the requirements for the Leadership class and also participated in Workshops. In a Multi-Family Housing Class he learned that larger areas have licensing by the unit, not by the landlord. This provides more rights for the City. Councilman Yensan met with Lt. Governor Brown, spoke with Cabinet Secretaries, and was able to ask questions and receive answers. On June 27<sup>th</sup> he attended a session on Municipalities as Economic Engines which demonstrated excellent growth possibilities. Smart growth was discussed; without annexation and growth, cities would flat-line.

Councilman Yensan spoke about permit time-lines. Mr. Lapinsky and Mr. Miller should turn over permits when they are outsourced.

Councilman Kupferman said the Preliminary Report from Carl Corse and the Committee has been received and copies will be made available. There will be a Public Hearing at a later date and then the Council will vote. Mr. Miller and Ms. Grover will insert it into the Development Code then there will be another Public Hearing.

Councilwoman Elliott read an excerpt from Theodore Roosevelt in 1907 on Immigration for those who wish to become Americans.

9. Business from the Mayor

Mayor Simmons took numerous classes at the MML convention and met with other mayors. Tomorrow he will meet with Mayor Dixon. Future water permits will be coming from the Mayor of Baltimore. He also met with the Governor three times and with many Police Chiefs and Aberdeen is light-years ahead of other municipalities.

**PUBLIC COMMENT:**

1. Ms. Nancy Kosko, 441 Woodcrest Drive;

Ms. Kosko asked for clarification on whether the Annexation document would go to the Planning Commission first. She was told it would go to the Planning Commission before the Public Hearing.

2. Ms. Beth Boyson, Curry Realty Co.;

Ms. Boyson asked if COPT would become part of the Enterprise Zone. She was told this would be researched. Also, there is no reference in the Annexation Agreement on the Enterprise Zone.

**ANNOUNCEMENTS:**

\*Festival Park Concert, Tuesday, July 10<sup>th</sup>, 7:00 p.m. featuring, "No Pro Bono."

\*Swan Meadows Community Meeting & Cookout, July 12<sup>th</sup> 6:00 - 8:00 p.m.

\*Free Friday Flicks, Aberdeen Festival Park, Friday, July 27<sup>th</sup>, 6:00 p.m.

**ADJOURNMENT:**

The meeting was adjourned at 8:25 p.m.