

**Aberdeen City Council Meeting
December 8, 2008**

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

Present: Mayor Bennett, Council President Hiob, Councilwoman Elliott,
Councilman Kupferman and Councilwoman Young

Absent: None

Also Present: Douglas Miller, City Manager
Phyllis Grover, Director of Planning and Community Development
Matthew Lapinsky, Director of Public Works
Randy Rudy, Chief of Police
Opiribo Jack, Director of Finance
Monica Correll, City Clerk

Mayor Bennett called the meeting to order in the Council Chambers at 7:00 p.m. The prayer was led by Chief Rudy and the Pledge of Allegiance was led by Councilman Kupferman.

The minutes of the November 24, 2008 Aberdeen City Council Meeting were unanimously approved.

PRESENTATIONS: None.

PUBLIC HEARINGS:

1. Resolution No. 08-10, Glengarry Annexation Plan

Mayor Bennett stated that the public hearing concerned the infrastructure needs of this area. Phyllis Grover explained that the Plan is for the proposed annexation of 497.21 acres and the meeting includes descriptions of land use patterns as proposed, identification of land available for public facilities, statements describing the schedule for serving the public facility, and the general methods for financing the services. The State Department of Planning and Harford County Department of Planning and Zoning have reviewed the Plan. She introduced: Ms. Jackie Seneschal, KCI Technologies, Inc. (KCI); Mr. Curtis Coon, Esq., Counsel for the Developer; and Chris Michel, Managing Partner of Michel, Simons, Benfield & Benfield.

Mr. Coon mentioned that they may have a couple of changes to be made to the Plan. Jackie Seneschal stated that the original rezoning request from the developer was for an R2 zone with the intention of perhaps exercising the PUD (Planned Unit Development) option in the future. KCI had been working with the development group since February 2008 and the Planning Commission since March 2008 and developed a proposal for the extension of water and sewer service to this area immediately adjacent to the City and within the area proposed in the City's Comprehensive Plan. The utility concept for water would result in a looping of the existing water service and a ½ million

gallon water tower on one of the highest points on the Glengarry site. In regard to the sewer service, they proposed a development of a gravity flow sewer interceptor that would go down into Route 40.

Ms. Seneschal discussed the bottom line for the City in connection with this development; calculations were based on the current level of services that the City provides to the existing population projected against the new population. There would be a significant increase in overall tax revenue which would more than offset the projected costs of services.

KCI could work with the County to address the inconsistencies between the annexation of this area by the City and the County's proposal that it should not be annexed to possibly obtain a waiver to move forward with development. Otherwise, according to State law, there is a 5-year waiting period after which the City's Comprehensive Plan and Zoning Patterns would take effect. .

There is potential for a treatment site if arrangements were worked out for treating water on the big inch that comes within the vicinity of this property and a developer funded regional gravity flow sewer collection system in cooperation with other area projects.

Ms. Seneschal said that the changes in wordsmithing in the water and sewer area of the Plan, mentioned by Mr. Coon, would make it clearer that all the developers would share the expenses of the new water and sewer collection system. It is their understanding that all the developers would share the expenses so that it would not be borne by the current users of the City's water and sewer system.

There would be improvements to Gilbert Road and they would accommodate the regional road system which is still in the development process. They will prepare a transportation impact study during the subdivision review process. The annexation of Glengarry as proposed does not create an enclave but the potential does exist with subsequent annexations that might take place. They have proposed a couple of ways for this to be resolved when the time comes.

Glengarry's intention is to create an inviting community, support revitalization, sustainable development, smart growth, fiscal assets, enhancement to the City's image, and a reasonable business venture.

Public Comment on the Annexation Plan:

1. Mr. Art Kozura, 424 Doris Circle;
Mr. Kozura would like language to prohibit a gated community. He is not in favor of PUDs or having any commercial permits granted.
2. Ms. Karen Heavey, 634 W. Bel Air Avenue;
Ms. Heavey is concerned with the City's ability to provide water and the treatment of sewage for this area. She would like to see changes made to the Plan.
3. Mr. Bob Hartman, 226 Paradise Road;
Mr. Hartman mentioned that the Planning and Zoning Committee recommended R-1 zoning only.

4. Mr. Robert Price, 615 Gilbert Road;
Mr. Price expressed his concern about the R2 PUD and if it is valid in Aberdeen. He is also concerned about the financial capacity of the developer concerned.
5. Mr. Curtis Coon, Esq., Coon and Cole, LLC, Counsel for the Developer;
Mr. Coon addressed the three requests for changes to the Annexation Plan concerning the character of the proposed development, extension of public services, and road network. Written comments were provided to the Mayor and Council.
6. Ms. Rosemary Queen, 614 Locksley Manor Drive;
Ms. Queen expressed concern in regard to the initial infrastructure costs, feels the Plan is premature, and recommended that it should not be approved.

PUBLIC COMMENT:

1. Ms. Frances Bobbie Randles, 624 Locksley Manor Drive;
Ms. Randall is opposed to the Annexation, prefers the area to remain agricultural, and that we should stay within the development envelope.

LEGISLATIVE SESSION:

1. Approval of Ripken Stadium Memorandum of Understanding (MOU)

Doug Miller explained that the MOU is slightly different than the previous one in that the gross income is 10% the first two years then 11% after that. Also, a couple loopholes have been closed. In order to give Tufton Baseball the authority to lease out the facilities at the Stadium, Council approval is needed.

A motion was made by Councilman Kupferman and seconded by Council President Hiob to approve the Memorandum of Understanding between the City of Aberdeen, Maryland and Tufton Professional Baseball, LLC for Calendar Years 2009, 2010, and 2011.

The City Manager and Council discussed that the City would receive a percentage of the gross rather than the net income with a guaranteed minimum and that Ripken Stadium Management Board worked hard to achieve this for the City. No other licensing agent has been pursued because Tufton is a logical choice; they are physically present for the Iron Birds, have the people and the know-how needed. Mr. Miller added that the City attorney added wording to the contract to protect our interest in regard to charging parking fees at the Stadium gate if desired in the future.

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

2. Amendment to Procurement Policy

According to the City Manager, in 1993, the City developed a standard procurement policy, amended in 2000, which required the City to go out for competitive bids for large ticket items. Several exemptions to the 1993 policy allowed piggybacking with other Maryland jurisdictions. Today there is a trend in which there are purchasing cooperatives with State and local

governments. Mr. Miller asked for the language to be amended in Section C,VI which allows us to piggyback on other bono fide purchasing cooperatives serving State and local governments.

Section C. Exemptions

VI. When in the best interest of the City, The City (Administrator) MANAGER may undertake programs involving joint or cooperative purchase with other public jurisdictions within the State of Maryland, OR OTHER BONO FIDE PURCHASING COOPERATIVES SERVING STATE OR LOCAL GOVERNMENTS.

{LANGUAGE IN CAPITAL LETTERS DENOTE ADDITIONS}

{Language in () denote deletions}

A motion was made by Council President Hiob and seconded by Councilwoman Elliott to approve the procurement/purchase order policy amendment to Section C, IV.

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

3. Resolution No. 08-14, Pennsylvania Capital City Automotive & Equipment Contract (PACC)

Mr. Miller explained that Mr. Jim Litke, the Environmental and Safety Manager, is shopping for a refuse truck under this year's budget through a Pennsylvania Purchasing Cooperative and that this resolution grants us authority to enter into the cooperative. The potential purchase will be brought to the Mayor and Council for approval.

A motion was made by Councilwoman Elliott and seconded by Councilman Kupferman to approve Resolution No. 08-14, Pennsylvania Capital City Automotive & Equipment Contract (PACC).

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

4. Budget Amendment, Transfer of Credit

The City Manager explained that in 2006, through a competitive process, the City obtained a letter of credit through Cecil Bank. Cecil Bank has now required the City to submit all our deposits to them in order to continue this letter of credit. The City has had a longstanding relationship with Harford Bank who are willing to substitute the letter of credit. This would be in the City's best interest; however, this requires a budget amendment. No more money is being borrowed.

Mr. Jack explained that since the loan with Cecil Bank needs to be paid off, which constitutes an expenditure; this is another reason why the amendment is needed. The City will be in the same financial position it is in now.

A motion was made by Councilwoman Elliott and seconded by Council President Hiob to approve the Budget Amendment, Transfer of Credit from Cecil Bank to Harford Bank.

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
 - a) Community Development Block Grant (CDBG) Funds (FY07/08 and 08/09), Bush Chapel Road, Phase II Road Improvement Project Reallocation

Ms. Grover asked for Council approval to reallocate CDBG funds which total \$207,579 to the Bush Chapel Road project and the remaining funds to Swan Meadows infrastructure.

A motion was made by Council President Hiob and seconded by Councilman Kupferman to redirect \$207,579 from the Community Development Block Grant Funds to the Bush Chapel Phase II Road Improvement Project Allocation with the remaining funds going to Swan Meadows.

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

4. Business from the Chief of Police

The Chief reported on data for January 1, 2008 to November 30th, 2008 and compared it to last year. Part I crimes (murder, rape, robbery, aggravated assault, etc.) in the City of Aberdeen were down 11% and arrests were up 26%.

5. Business from the Director of Finance

Mr. Jack reported the highlights of the Fiscal Year 2008 Audited Financial Statement, available on the City's website, www.aberdeen-md.org. The financial statements were audited by the independent accounting firm, McGladery & Pullen for the fiscal year ending June 30, 2008.

- The financial position of the City improved. The General Fund had a budgetary surplus of \$938,000. Part came from an insurance refund when the City withdrew from the Harford County Health Insurance Consortium.
- The Water Fund posted a net income of \$982,000. The Sewer Fund posted a net loss of \$295,000. The Stadium Fund posted a net loss of \$73,000.
- Long-term debt increased by \$2 million to \$17.6 million. The increase was due to a new debt of \$3 million that was incurred in the Water Fund for infrastructure projects.

- The City's net assets increased by \$2.3 million to \$36.1 million. Net assets are the difference between total assets and total liabilities.
- The Fund Balance for the City's governmental funds was \$2.9 million. Fund Balance is the difference between current assets and current liabilities. About \$2 million of the \$2.9 million is unreserved and represents working capital that can be used to support the general government's operating needs.
- In the General Fund, property taxes increased by \$776,000. This increase was due to increased property values as assessed by the State Department of Assessments and Taxation.
- Expenditures increased by \$645,000 from the prior year. The major changes were attributed to an increase in human resource expenses, including salaries and wages.
- In the Enterprise Funds, charges for services increased by \$178,000.
- Expenses increased by \$1 million due to more capital projects, higher payroll, and energy costs.
- The City's net assets steadily increased since 2006 indicating improvement.

6. Business from the Director of Public Works

Mr. Lapinsky reported that operators Muriel Bledsoe and Kyle Witt from the APG Wastewater Treatment Plant received their wastewater "A" licenses which entitles them to be able to operate an Enhanced Nutrient Removal Plant. He also announced that Bradley Grant was hired as the new IT Coordinator. Mr. Lapinsky encouraged everyone to attend the ribbon cutting scheduled for the Plater Street Pump Station Monday, December 15, 2008.

7. Business from the City Manager

Mr. Miller also encouraged attendance at the new Plater Street Pump Station event after which a Council Work Session is scheduled at 4:30 p.m.

8. Business from the Council

Councilwoman Young reminded everyone about a "fix-it up" program advertised in the Harford Habitat brochure in regard to repairing homes. There is qualifying criteria and the phone number is 410-638-4434. She also mentioned that sometime in the future, the Council will look at the Maintenance Code again and this program will help.

Councilman Kupferman praised the Christmas parade and thanked the Chief of Police, Staff, Caroline Curry, the Appearance and Preservation Committee, and Jim Litke.

Councilwoman Elliott declined statement.

Council President Hiob expressed his dissatisfaction about *The Record* editorial dated Friday, December 5, 2008 entitled, "Aberdeen in the Deep End". Council President also noted that the Christmas Parade was a huge, well-attended success.

9. Business from the Mayor

The Mayor remarked on the positive image of the new receptionist desk and that the new receptionist is an outstanding addition to City Hall.

On Tuesday, December 9, 2008 the Council President, City Manager, and the Chief will attend a luncheon to honor the Police Department and receive two awards from the Governor. This is a big accomplishment since few police departments receive two awards from the Governor at these functions.

PUBLIC COMMENT:

1. Mr. Mark Smithson, Harford County Contractor;
Mr. Smithson expressed his unhappiness with certain actions and comments from a City Inspector. The Mayor said this would be investigated and he would be contacted.

ANNOUNCEMENTS:

Next Council Work Session:	Monday, December 15, 2008 at 4:30 p.m.
Next Council Meetings:	Monday, January 12, 2009 at 7:00 p.m.
	Monday, January 26, 2009 at 7:00 p.m.

ADJOURNMENT:

The meeting was adjourned at 8:14 p.m.