

**Aberdeen Council Meeting
June 15, 2009**

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

Present: Mayor Bennett, Council President Hiob, Councilman Kupferman, Councilwomen Elliott and 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
Doris Manner, Recording Secretary

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 Council President Hiob.

The minutes of the May 26, 2009 meeting were approved as submitted with a vote of 5 – yes.

PRESENTATIONS:

1. Lions Club Presentation to the City of Aberdeen, Earth Day Committee – Mark Schlottman

Mr. Schlottman presented a check in the amount of \$1,000 to the Earth Day Committee which is chaired by Mr. Jim Litke. Council President Hiob accepted the donation.

2. Proclamation in Recognition of Lena Harris

Mayor Bennett presented a Proclamation from the City along with flowers and a gift to Ms. Lena Harris upon her retirement from the City of Aberdeen as Financial Supervisor (1986 – 2008).

3. Proclamation in Recognition of RTR Technologies, LLC

Mayor Bennett presented a Proclamation to Messrs. Randy Pippen, Reid Pippen, and Earl Theiss, owners of RTR Technologies, LLC, recipient of the 2009 Small Business Award given by the President of the United States.

4. Introduction – Officer Arnold Eugene Houghton

Chief Rudy introduced Officer Houghton who served with the Baltimore City Police Department for 21 years and in the Navy for 4 years.

PUBLIC HEARING: None

PUBLIC COMMENT:

1. Mr. William Cronin, 226 Mt. Royal Avenue;
Mr. Cronin noted that the City has the opportunity to renovate the B&O Station and that CSX is willing to donate property for its relocation. The Historical Society is able to move the station but much additional work is needed. Help is needed from the Council and the City.
2. Ms. Charlotte Cronin, 226 Mt. Royal Avenue;
Ms. Cronin said there is a Memorandum of Understanding with the Historical Society regarding the train station.
3. Mr. William Young, 445 Doris Circle;
Mr. Young read a letter from Ms. Karen Heavey stating her opposition to Train Station Plaza.
4. Mr. Richard Herbig, Harford County Historical Society;
Mr. Herbig reported that there was an agreement in place with CSX for the land to be used to relocate the train station.
5. Ms. Kimberly Byseski, 109 Hawkins Drive;
Ms. Byseski noted that there are problems in her neighborhood and that Officer Garcia is helping to eliminate them. She would like to organize a Citizens-on-Patrol group.
6. Mr. William Young, 445 Doris Circle;
Mr. Young wants to see a final cost on the B&O Train Station project before a decision is made.
7. Ms. Sandra Pierce, W. Bel Air Avenue;
Ms. Pierce is opposed to the Train Station Plaza since she lives adjacent to it and views it as a negative impact to her family and environment.
8. Mr. Don Erlinger, 115 Meeks Drive;
Mr. Erlinger said the problem with loud speakers on Rt. 40 is not a police issue and that action should be taken by the City.
9. Ms. JoAnn Basta, 53 Lewis Drive;
Ms. Basta said that residents should have 30 days to pay their water bills They have been receiving the bills late.
10. Ms. Dawn Moody, 102 Hawkins Drive;
Ms. Moody thanked Officer Garcia for his help with the trailer park problems.

LEGISLATIVE SESSION: None

BUSINESS OF THE CITY:

1. Unfinished Business – None
2. New Business

Mayor Bennett reappointed Ms. Maria Fothergill to the Ethics Commission.

A motion was made by Councilman Kupferman and seconded by Councilwoman Elliott to approve the reappointment of Ms. Maria Fothergill to the Ethics Commission for the City of Aberdeen.

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

3. Business from the Director of Planning & Community Development

A. Preliminary Site Plan – Train Station Plaza

Ms. Grover said the Planning Commission recommended approval with conditions for Train Station Plaza located at 416 West Bel Air Avenue. The Architectural Review Committee had also recommended approval. A traffic impact study must be completed with SHA comments, zoning is M-1. The request is for approval of a 69,000 sq. ft.; 3-story office building.

Mr. Dudley Campbell with Bay State Land Services stated that the zoning is M-1, light industrial. The request is for a 3-story office building with one entrance which is approved by SHA. The 100-year flood plain is to be addressed. There will be underground storm water management and approval of the traffic study by the City.

The Board of Appeals approval required a 25 ft. setback, moving dumpsters, and acceptable windows. Councilwoman Young questioned the underground storm water management to which Mr. Campbell said there would be an 80 ft. by 150 ft. surface area complying with the 2000 State Management Code and the water quality component. She also questioned a traffic study on school traffic. Mr. Campbell indicated that there were no SHA comments at this point. The State has considered timing of the school with employees of the proposed complex. Councilwoman Young asked about joint parking with the adjacent Train Station and leaving existing trees. Mr. Campbell said the trees may have to be removed. He will submit a diagram to the Board of Appeals for a new landscaping proposal.

Council President Hiob questioned the property owner's address. He was told the owner, Mr. Helton, has a farm in Darlington and a Joppatown address. Council President Hiob was told the Train Station property was not being considered for B-3 zoning. He addressed the flooding problems along Mt. Royal Avenue at the base of CSX and possible community input meetings on this issue. Mr. Campbell would like to meet with

CSX and work with them on this situation and stated that earlier there was an opportunity for citizens to address issues.

Councilwoman Elliott was told there would be underground storm water management with no pond. She asked about the landscaping plan to which Mr. Campbell replied that the plan would exceed requirements of the Architectural Review Committee.

Councilman Kupferman asked if the Helton property line by CSX involved the drainage. Mr. Campbell said these were all CSX problems and that no drainage would leave the Helton site. Councilman Kupferman approves moving the train station because it would be an asset for the City. He asked if the Helton building could be rotated to give the Pierce family a better view. Mr. Campbell said the proposed location would alleviate reducing the quality of life because a change would place parking within 5 ft. of the property line with no 25 ft. buffer. Councilman Kupferman stated that more dialogue is needed.

Ms. Grover said the applicant tried to move the building many times and that this is a difficult site to work with.

Councilwoman Young asked if notices were sent to local residents inviting them to attend the meetings. Ms. Grover answered that notice was put in the newspaper of the Planning Commission Meeting and the Board of Appeals Meeting. Residents attended both meetings.

Mr. Art Helton, the property owner, said there have been many problems with moving the building, especially with drainage, deed restrictions from CSX, and the fence installation. The entire property is in the 100-year flood plain.

Councilwoman Young asked the distance from the property line to the Pierce home to which Mr. Campbell stated approximately 50 – 55 ft. and that many issues were considered when designing the building.

Councilwoman Elliott asked if a 3-story building is necessary because this is considered a historic district. Mr. Helton noted that lighting does not impact neighbors and the height of the building is determined by costs and requirements.

Council President Hiob favored rezoning to B-3 to benefit the City and that the existing flood plain is man-made. Mr. Campbell agreed that many flood plains around Rt. 40 and CSX are man-made. Council President Hiob feels a motion without resident input meeting is improper.

Councilwoman Elliott and Councilman Kupferman wanted a traffic study before approval. Councilwoman Young favored an input meeting.

A motion was made by Councilwoman Young and seconded by Mayor Bennett to approve the Preliminary Site Plan for Train Station Plaza as presented with a voluntary input meeting being held for the neighbors to better understand the project.

The motion was not passed with a vote of 2 – yes and 3 – no.

Ayes: Mayor Bennett and Councilwoman Young

Nays: Council President Hiob, Councilwoman Elliott, and Councilman Kupferman

4. Business from the Chief of Police – None
5. Business from the Director of Finance

Mr. Jack distributed a handout of the proposed FY 2009 Budget Amendments. The General Fund Original Revenues Amount Budgeted is \$13,828; the Revised Amount is \$33,179 for an increase of \$19,351. The Capital Projects (General Fund Account) Amount Budgeted is \$136,860; the Revised Amount is \$157,599 for an increase of \$20,739.

A motion was made by Council President Hiob and seconded by Councilwoman Elliott to approve the FY 2009 Budget Amendments.

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

6. Business from the Director of Public Works
 - A. Excess Property, Plater Street Playground

Mr. Lapinsky stated that the City received a Grant for new playground equipment at the Plater Street Playground and wants the old equipment declared excess.

A motion was made by Councilman Kupferman and seconded by Council President Hiob to declare the existing Plater Street Playground Equipment Excess.

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

- B. Digester Project Grant Acceptance Approval

Mr. Lapinsky noted that the City has received a Grant for \$15,000 toward the Digester Project. The original request was for \$40,000, the reduction in funds necessitates redoing the project. The Grant for \$15,000 will be supplemented by an additional \$5,000 by using the Staff instead of an outside company.

A motion was made by Councilwoman Elliott and seconded by Councilwoman Young to approve the acceptance of the Digester Project Grant in the Amount of \$15,000 with an additional \$5,000 by using City Staff in the project.

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

C. Environmental Building Addition Approval

Mr. Lapinsky provided a handout detailing the costs involved for this addition totaling \$82,720. Double Tree will build the interior and exterior structure for \$62,555; D & P Electric the electrical portion for \$9,465; in-house or floor contractor for \$1,900; and Level Heating for heat and air conditioning for \$8,800. The total for the building will be \$82,720.

A motion was made by Council President Hiob and seconded by Councilwoman Young to Approve the Environmental Building Addition in the total amount of \$82,720.

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

7. Business from the City Manager - None

PUBLIC COMMENT:

1. Mr. William Cronin, Mt. Royal Avenue;
Mr. Cronin agreed with the Council's Train Station Plaza decision. He favors a neighborhood input meeting.
2. Mr. Steve Johnson, Economic Development Commission;
Mr. Johnson said that he is in favor of the Train Station Plaza. He stated that there are 3-story buildings all along West Bel Air Avenue, this would bring 250 jobs to Aberdeen, it is convenient to the Marc Station, and that it is unfair for the Council to require that all problems be solved by the developer.
3. Ms. Sandy Easton, 65 Green Avenue;
Ms. Easton stated that there was much verbal bullying and disagreement with the Train Station Plaza presentation.

BUSINESS OF THE COUNCIL:

1. Business from the City Council

Councilwoman Elliott invited everyone to a Senior Center Fashion Show.

Councilman Kupferman felt that the Council took appropriate action on the Train Station Plaza issue and wants the Patient First request processed quickly.

Council President Hiob noted the acquisition of real property, i.e., the Edmund Street Pumping Station.

Councilwoman Young mentioned that the Fix-It-Up Program for homeowners still has money available and compost is available at the Waste Water Treatment Plant at no cost.

Events attended by Council Members: Senior Awards at Aberdeen High School, Maryland Alliance Dinner, Home Depot work at the Boys & Girls Club, Chesapeake Consortium Meeting, Harford County Quarterly Elected Officials Meeting, Meeting with County Councilwoman Lisanti, Event for Mary Delaney-James, Fund Raiser at Aberdeen Green Turtle for Victims' Families of the Tank Explosion, Habitat for Humanity at 1512 Mitchell Lane, Wetlands Golf Course Sickle Cell Tournament, and the Bishop Barnes & Pastor Johnson Event. The Maryland Municipal League Convention is scheduled from June 28 through July 1.

2. Business from the Mayor

Mayor Bennett attended the following events: Swan Harbor Farm Meeting on Water Treatment, City Parks & Recreation Board Meeting, Fire Department Chief Meeting on Hydrants, Harford County Parks & Recreation Dinner, Flag Day Ceremony, Police Auxiliary Picnic, and a Press Conference with Lt Gov. Brown and County Executive Craig to announce Aberdeen as a recipient of the BRAC Enhancement and Revitalization Grant.

ANNOUNCEMENTS:

Next Council Meeting	Monday, July 13, 2009 at 7:00 p.m.
Next Council Work Session	Monday, July 20, 2009 at 4:30 p.m.

A motion was made by Council President Hiob and seconded by Councilman Kupferman for the Council to Recess to a Closed Session.

The motion was passed with a vote of 3 – yes and 2 – no.

Ayes: Council President Hiob, Councilwoman Elliott, and Councilman Kupferman

Nays: Mayor Bennett and Councilwoman Young

The open meeting was recessed to a closed session at 9:07 p.m.

Statement of Closed Session:

On June 15, 2009 at approximately 9:10 p.m. at City Hall, a closed session was held by the Mayor and City Council by a vote of 3 – yes, 2 – no. Also in attendance were: Douglas R. Miller, City Manager; Matthew M. Lapinsky, Director of Public Works; and Monica A. Correll, City Clerk.

The session was held pursuant to the Open Meetings Act, Section 10-508 (a): (3) to consider the acquisition of real property for a public purpose and matters directly related thereto.

The Mayor and City Council discussed site options regarding property acquisition for a water booster station that will allow the City to accept finished water from the Harford County water system. No other actions were taken during the session.

The meeting was adjourned at 9:26 p.m.