

**City of Aberdeen Council Meeting  
October 26, 2009**

**Present:** Mayor Bennett, Council President Hiob, Councilwoman Elliott,  
Councilman Kupferman, 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  
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 Pastor Ben Cordle of the Bible Baptist Church and the Pledge of Allegiance was led by Councilman Kupferman.

The minutes of the October 12, 2009 meeting were approved as submitted with a vote of 5 – yes.

**PRESENTATIONS:**

1. Proclamation in Recognition of American Legion Post #128 – Betty Phipps

Mayor Bennett presented the Proclamation to Ms. Phipps and the officers of American Legion Post #128. He thanked them for the improvements to Aberdeen Veterans Memorial Park. Additionally, all volunteers were thanked for their work within the City.

**PUBLIC HEARINGS:**

1. Ordinance No. 09-O-03 – Amendment to City Code, Chapter 63, Environmental Control and Property Maintenance

Mr. Miller informed the Council that this ordinance was introduced in August, 2009. There was a 60-day window after the introduction for action to be taken. As of November 9, 2009, there will be a new Council and it was suggested and agreed that the ordinance be reintroduced, and have a public hearing with the new Council at a future meeting.

**COMMENTS:**

1. Ms. Karen Heavey, 634 W. Bel Air Avenue;  
Ms. Heavey commented that the ordinance did not reflect changes discussed.

**PUBLIC COMMENT:**

1. Mr. Carson, 1 Swan Street;  
Mr. Carson referred to a remark made by Councilwoman Elliott about petty crime.
2. Mr. Dan Gosnell, FOP Lodge 128;  
Mr. Gosnell commented on a comment made by Councilwoman Elliott in the newspaper regarding petty crime. He also commented on the policy for police to take cars home and that it is not a recent policy.
3. Mr. Bob Phillabaum, 102 Graceford Drive;  
Mr. Phillabaum is concerned regarding a parcel of land behind his house and storm water management.
4. Ms. Karen Heavey, 634 W. Bel Air Avenue;  
Ms. Heavey distributed copies of issues she has with Aberdeen Corporate Park to the Council. She commented that the project is large to be so close to a residential community. Buffers could minimize the impact, height was not mentioned, and plans for the lower part of the parcel were not indicated. She asked whether a second access road was required.
5. Ms. Sandi Easton, 65 Green Way;  
Ms. Easton is concerned with Councilwoman Elliott's comments regarding crime and that they are bad publicity for home sales in the area.
6. Mr. Greg Warfield, 834 Old Philadelphia Road;  
Mr. Warfield said documents have been submitted for Newton Plaza and he would like information on the status. Could he submit documents to show that there is no clear title? When will the feedback be available so the project can move on? This road will have an impact on the area.
7. Ms. Janice Grant, 428 Law Street;  
Ms. Grant discussed projected to benefit the needy. Additionally, she referred to a letter she sent to Chief Rudy regarding suspicious activities near her home.

**LEGISLATIVE SESSION:**

1. Ordinance No. 09-O-03, Amendment to the City Code, Chapter 3, Environmental Control and Property Maintenance (For Re-Introduction)

Mayor Bennett re-introduced Ordinance No. 09-O-03, and stated that the 60-day time frame would begin as of today.

2. Ordinance No. 09-O-05, Amendment to the Aberdeen Zoning Map, Phase II (For Introduction)

Mayor Bennett introduced Ordinance No. 09-O-05. Ms. Grover said there will be a public hearing on November 23, 2009 on this ordinance.

3. Ordinance No. 09-O-06, CDA Loan (For Introduction)

Mayor Bennett introduced Ordinance No. 09-O-06.

#### **BUSINESS OF THE CITY:**

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

##### **A. Revised Concept Plan for North Gate Business Park**

Ms. Grover noted that the original Concept Plan was approved by the Planning Commission November, 2007, and approved by the Council January, 2008. It was for a Class A Office Park consisting of 765,000 sq. ft. of office space, situated on 55 acres zoned B-3, located off of Rt. 22, and Research Boulevard. The above request is for the addition of 135,000 sq. ft. The owner-developer is COPT, LLC. The Planning Commission approved this request at their September, 2009, meeting.

Mr. Max Ryan, the construction manager with COPT reported that one building has been constructed and construction on the second began today. There are 4 buildings to be constructed in the next year. The Revised Plan being considered tonight is a better plan for the area.

Mr. Tory Pierce with Frederick Ward Associates said this plan has created a courtyard concept, and reduced required parking per square footage of buildings. He noted that the APG water main is located in the public road; there are 3 storm water management ponds planned, and a sewage pumping station. Currently, SHA (State Highway Administration) has the plans for final approval.

Councilman Kupferman asked if there has been communication with APG. Mr. Pierce said talks are underway regarding the traffic study results.

Councilwoman Young asked if there was any change in the amount of water required. Mr. Pierce said there would be an increase in the water requirement of 17% and this is an underestimated amount of water. She asked if gray water will be used. Mr. Pierce replied not at this time.

Council President Hiob asked if development would stop if the water allocation goes over the estimate. Mr. Lapinsky said it would.

Mr. Miller stated that talks are moving forward with the Army on the road alignment and the SHA land swap.

A motion was made by Council President Hiob and seconded by Councilwoman Young to approve the Revised Concept Plan for the North Gate Business Park as presented.

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

B. Revised Preliminary Subdivision Plan for North Gate Business Park

Ms. Grover said the existing zoning is B-3 and is located off of Rt. 22 and Research Boulevard. Currently, Lot A is under construction and construction on Lot C began today. Phase 1 consists of Lots A, B, and C and Phase 2 consists of Lots D, E, and F. The site consists of 55 acres with a right of way. The Preliminary Subdivision Plan was approved by the Planning Commission at their September, 2009 meeting. At this time, setback issues were resolved.

Mr. Tory Pierce with Frederick Ward Associates noted that all lots can access Research Boulevard and the land swap with the City is scheduled for completion.

A motion was made by Councilwoman Elliott and seconded by Councilman Kupferman to approve the Revised Preliminary Subdivision Plan for North Gate Business Park.

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

C. Preliminary Site Plan for Aberdeen Corporate Park

Mr. Paul Muddiman with Morris Ritchie Associates introduced Ms. Amy DiPietro, also with Morris Ritchie Associates.

Ms. Grover referred to notes by the Planning Commission and the City Staff, especially Note 23 regarding access off of Middleton Road. The property is zoned B-3 with a small portion zoned R-2. The plan consists of 3 office buildings on 2 site pads. The developer has held a community input meeting.

Mr. Lou Valeri, a principal, said the property consists of 35 ½ acres with one access off of Middelton Road. A community input meeting was held at the Senior Center with 40 residents attending. This request was approved by the Planning Commission last week. The approval was for 3 office buildings consisting of 254,000 sq. ft., there will be 1 two-story building and 2 three-story buildings, and 2 pad sites on Rt. 22 for sit-down restaurants with parking around the buildings. Storm water management is being designed for 100-year management, The Department of Public Works (DPW) is conducting studies on the use of the water main, Silver Leed Certificates will be on site, and there will be a plaza area. At the community meeting, a drainage stream problem was mentioned; the runoff from this project will be contained on site. There will be a 50 ft. buffer to Graceford Drive and plantings will be supplemented. The developers and residents felt that this meeting was of great value.

Mayor Bennett asked for clarification on the buildings' frontage. Mr. Muddiman complied with this request. He added that 45% of the green space would be retained (approximately 16 acres would be permanent wetlands).

Councilwoman Elliott asked if there was a conservation agreement. Mr. Muddiman said wetlands are protected by State and Federal law; however, some ponds may be filled. She asked if there were plans for a Bozarth Lane exit. Mr. Muddiman said there were none but the developer is working with Target for a second access. There is no guarantee at this time nor is there any legal access to W. Bel Air Avenue.

Councilwoman Young asked if Mr. Phillabaum presented his document at the meeting. Mr. Muddiman said this area was created from the Mews Property. Councilwoman Young knows of the previous water problems. She likes the project and appreciates the community meeting. She asked if Middelton Road would be widened and the response was that there would be signage at Middelton Road but the road would not be widened. Councilwoman Young asked if there were any plans for the small parcel at W. Bel Air Avenue. Mr. Muddiman noted that it was zoned R-2. She indicated that the residents want it kept residential and she supports residential for this area. The water and run-off issues are still a concern.

Council President Hiob asked for an explanation of the 100-year management plan. Mr. Muddiman stated that 100-year management is used for anticipated larger storm events. The Target pond is not functioning and DPW may be checking on this issue. Council President Hiob noted that Stancill still owns this property and the storm water management is not working properly. Mr. Muddiman noted that both ponds run through the area to be developed. Council President Hiob indicated that repairs to Target storm water management and the new 100-year facility should improve drainage. He asked if there would be fast

food restaurants to which Mr. Valeri said he favored family sit-down dining. Council President Hiob indicated that some or most of the issues in the Phillabaum and Heavey letters have been addressed. This project will be a great asset for the City.

Councilman Kupferman said this property has been considered for several ideas over the years but this project is one of the best.

A motion was made by Council President Hiob and seconded by Councilman Kupferman to approve the Preliminary Site Plan for Aberdeen Corporate Park as presented.

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

4. Business from the Chief of Police

Chief Rudy reported that the Police Department is  $\frac{3}{4}$  of the way through the annual fire arms classes and all is going well. He has received Ms. Grant's letter and will check into the problem.

5. Business from the Director of Finance – None

6. Business from the Director of Public Works

A. Contract Approval APG Waste Water Treatment Plant Upgrade

Mr. Lapinsky stated that eight months ago a study was done. Repairs are needed for corrective and design upgrades to help with I & I problems. The cost for this project, to be completed by Stearns & Wheeler, is \$662,685 which will be financed by APG.

A motion was made by Councilman Kupferman and seconded by Councilwoman Elliott for contract approval for the APG Waste Water Treatment Plant Upgrade.

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

7. Business from the City Manager

Mr. Miller said Halloween Trick-or-Treating will be Saturday, October 31<sup>st</sup>, from 5:00p.m. – 8:00p.m. Motorists were asked to be aware of children.

**PUBLIC COMMENT:**

1. Mr. Bob Phillabaum, 102 Graceford Drive;

- Mr. Phillabaum said the developer provided no consideration of the drainage in his presentation tonight. He asked who would manage the water coming from Target to this property and any of the damages caused by this water.
2. Ms. Janice Grant, 428 Law Street;  
Ms. Grant indicated that the area in question is on Walker and Robinson Streets. Some trees were cut down without permission on her property.
  3. Mr. William Cronin, 226 Mt. Royal Avenue;  
Mr. Cronin feels it is not proper for the City to pay Harford County for water. The money should be used to pay for a source for new water. The Big Inch water needs special treatment. The Susquehanna Basin sends water where they only want it to be. Additionally, the Police Department and DPW carry on the biggest functions of the City. Aberdeen needs its own water plant and BRAC has money that could pay for the water for the area.
  4. Ms. Karen Heavey, 634 W. Bel Air Avenue;  
Ms. Heavey sees positive changes in the plans. She would like citizens involved in city planning; community input meetings should be mandated. When advertising, more specifics should be available. Televising meetings has been good for the City.
  5. Pastor Ben Cordle, Bible Baptist Church;  
Pastor Cordle said people parking at the MARC and Amtrak stations cannot see oncoming traffic because of parked cars as they exit the lot. Some parking areas are covered with rain water and are unusable. The City has a great Police Department; they should be paid well and the cars being taken home are a minor issue. The cars parked in neighborhoods act as a deterrent to crime. Any new development needs the security of the Police and Fire Departments. He asked if there could be a schedule posted for the street sweeper.

**BUSINESS OF THE COUNCIL:**

1. Business of the Council:

Councilwoman Elliott:

- Oct. 22<sup>nd</sup>, Golden Age Club held their 43<sup>rd</sup> Annual Dinner.
- Spoke with Chief Rudy to be sure areas are safe for residents.
- Trying to make a point that Police are treated very well, i.e., pensions, health insurance, uniforms, etc.
- City does its best for all employees.
- Development does not control water, the City should.

Councilman Kupferman:

- Property Maintenance Ordinance should be amended for long range so services will go on current tax bills.

- Property must be maintained.

Councilwoman Young:

- Oct 22<sup>nd</sup>, 21<sup>st</sup> Learning Center event.
- Oct. 22<sup>nd</sup>, Harford's Most Beautiful People Awards.
- Recommended reading, *Words to Help You with Success*.

Council President Hiob:

- Update needed on Water & Sewer ENR.  
Mr. Miller noted that 3<sup>rd</sup> quarter figures for the City cost estimate is approximately \$10 per month.
- How can voters get absentee ballots? Ms. Correll said registered voters may get applications on-line or at the Harford County Board of Elections, and after receiving the ballot, mail or drop off at Aberdeen City Hall.
- Oct. 22<sup>nd</sup>, he and his daughter attended the Boys and Girls Club Event at the library for "Lights on After School".
- Oct. 27<sup>th</sup>, Lions Club Dinner.
- Oct. 27<sup>th</sup>, FOP Lodge 128 sponsoring, "Meet the Candidates Forum".
- Said that it has been a privilege to serve.

2. Business from the Mayor:

- He and the City Manager attended MML meeting geared for Budget cuts and to find ways to keep State revenue from shrinking.
- Oct. 29<sup>th</sup>, Board of Directors meeting on how to keep the State from reducing funds.
- Time change this Saturday and remember to change smoke detector batteries.
- Nov. 3<sup>rd</sup>, Election – Polls will be open 7:00 a.m. – 8:00 p.m.

**ANNOUNCEMENTS:**

Aberdeen Municipal Election is Tuesday, November 3, 2009 – Poll Hours 7 a.m. – 8 p.m.  
Location – Aberdeen Senior Center, 7 Franklin Street.

Next Council Meeting: Monday, November 9, 2009 – Ceremony at 7:00 p.m.

**ADJOURNMENT:**

The meeting was adjourned at 8:45 p.m.