

**City of Aberdeen Council Meeting
April 26, 2010**

Present: Mayor Bennett, Council President Young, Councilwoman Elliott, Councilman Garner, and Councilwoman Landbeck

Absent: None

Also Present: Douglas Miller, City Manager
Matthew Lapinsky, Director of Public Works
Captain Henry Trabert, Aberdeen Police Department
Opiribo Jack, Director of Finance
Monica Correll, City Clerk
Doris Manner, Recording Secretary

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

A motion was made by Councilwoman Elliott and seconded by Council President Young to approve the minutes of April 12, 2010, as submitted.

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

PRESENTATIONS:

1. Proclamation in Recognition of Paul Visser, MD Decision Maker for the Rural Water Association Award

Mr. Visser is a supervisor in the Waste Water Treatment Plant. He received the William F. Eckman Decision Maker of the Year Award. Mayor Bennett presented the proclamation to Mr. Visser from the City and thanked him for his outstanding service to Aberdeen.

2. Proclamation in Recognition of Michael Kropt, MD Rural Water Association Award

Mayor Bennett presented the proclamation to Mr. Michael Kropt designating him as Rookie Waste Water Operator of the Year.

3. Proclamation for the 2010 Maryland Enforcement Challenge Campaign, Sgt. Albert Severn

Mayor Bennett presented a proclamation to Chief Rudy and Sgt. Severn designating May as “Click It or Ticket” month, a program which helps reduce automobile accident injuries and deaths by the use of seat belts.

4. Proclamation in Observance of Silver Star Banner Day on May 1

Mayor Bennett presented a proclamation in Observance of Silver Star Banner Day on May 1 to honor members of military service who have been wounded.

PUBLIC HEARINGS: None

PUBLIC COMMENT:

1. Mr. Dean Wood, Pine Street;
Mr. Wood expressed his discontent regarding no parking signs on Pine Street and poor snow plowing. He wanted the City to mow grass and trim trees in this area. He said that there were 18 vehicles parked illegally on nearby streets.
2. Mr. Tom Buonaugurio, W. Bel Air Avenue;
Mr. Buonaugurio thanked the Council and Staff for their support of the military vehicle rally at Ripken Stadium to recognize Armed Forces Day.
3. Mr. William Oberholtzer, W. Bel Air Avenue;
Mr. Oberholtzer cautioned the Council on the sole hire/fire authority change in the Charter and that the terms of office, which were changed from two to four years, should be taken to referendum.
4. Mr. Michael Hiob, Graceford Drive;
Mr. Hiob commented that the Aberdeen Swim Club has reasonable fees.

LEGISLATIVE SESSION:

1. Resolution No. 10-R-06, Wells Fargo Collection Truck Agreement

The Mayor introduced Resolution No. 10-R-06. Mr. Miller reported that the City has purchased a refuse truck which will be paid for on a 24-month installment plan. A resolution is required for Aberdeen to assume a multi-year debt. This purchase is included in the budget.

A motion was made by Councilwoman Landbeck and seconded by Councilwoman Elliott to approve Resolution No. 10-R-06, Wells Fargo Collection Truck Agreement.

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

2. Ordinance No. 10-O-06, Creation of ENR Fee (For Introduction)

Mayor Bennett introduced Ordinance No. 10-O-06. Mr. Miller stated that a \$9 million upgrade to the Waste Water Treatment Plant is planned. The ENR fee on City sewer bills will be \$76 per year, quarterly per resident and will be removed when

the debt is satisfied. Residents of Aberdeen will receive an information piece on this in the near future.

3. Repeal and Enactment of the Charter of the City of Aberdeen 10-CR-01
(For Adoption)

Mr. Miller noted that information on the proposed changes to the Charter has been presented at past meetings, on the website, and at City Hall. This Charter Amendment Resolution will repeal the current Charter and enact a new Charter. If passed, there is a 40-day wait period for possible petition for referendum from the citizens. If there is no petition, 50 days after adoption, the Charter is effective and the City Clerk will register it within 10 days after enactment with the Department of Legislative Services in Annapolis. The Charter and the changes are available for inspection to the public at City Hall and on the City website.

A motion was made by Councilwoman Landbeck and seconded by Councilman Garner to approve Charter Amendment No. 10-CR-01, the Repeal and Enactment of the Charter of the City of Aberdeen.

A motion was made by Councilwoman Elliott to amend Charter Amendment Resolution 10-CR-01 with two amendments.

Amendment 1

In the section that read:

§ IV. THE MAYOR

1. The Mayor holding office at the time of adoption of this Charter shall continue to hold office for the term for which he was elected and until the succeeding Mayor takes office under the provisions of this Charter. Commencing in 2011, elections for Mayor shall be held every four (4) years on the first Tuesday after the first Monday in November. Commencing in November 2011, the term of office shall be four (4) years.

Amend language in Section IV, paragraph 1, second sentence, strike “four (4)” and insert “two (2)”. In the third sentence, strike “four (4)” and insert “two (2)”.

Amendment 2

In the section that read:

§ VI. OFFICERS, DEPARTMENT HEADS AND EMPLOYEES

1. All officers and department heads established under this section of the Charter shall be appointed by the City Manager subject to the approval of the Council. Except

as expressly set forth in this Charter, all such officers and department heads shall be removed only for cause upon the action of the City Manager.

Amend language in Section VII, paragraph 1, second sentence, add “subject to the approval of the majority of the City Council” to the end of the sentence.

There was no second to this motion.

The main motion to approve Charter Amendment No. 10-CR-01, the Repeal and Enactment of the Charter of the City of Aberdeen was presented by the Mayor for the vote.

Ayes: Mayor Bennett, Council President Young, Councilman Garner and Councilwoman Landbeck,

Nays: Councilwoman Elliott

The motion was passed with a vote of 4 – yes and 1 – no.

4. Ordinance No. 10-O-08, Stormwater Management Regulations (For Introduction)

The Mayor introduced Ordinance No. 10-O-08. Mr. Miller asked the Council for Repeal and Enactment of Chapter 118 of the City Stormwater Management Regulations. Maryland Department of the Environment (MDE) requires this action in order for the regulations to be kept up-to-date.

BUSINESS OF THE CITY:

1. Unfinished Business – None

2. New Business

a. Board Appointments

The Mayor presented Ms. Amy Lindecamp for nomination to the Aberdeen Board of Appeals and explained her qualifications.

Ayes: Mayor Bennett, Council President Young, Councilwoman Elliott, and Councilwoman Landbeck

Abstain: Councilman Garner

The nomination was approved with a vote of 4 – yes and 1 – abstention.

3. Business from the Director of Planning & Community Development

a. Preliminary Site Plan for the Winston's Choice Addition

Mr. Miller stated that the request is for 22 townhouses which have been redesigned. The request was previously approved by the Planning Commission. All previous approvals have expired.

Mr. Dudley Campbell and Mr. Mitch Ensor represented the principals. Mr. Campbell noted that the previous approval was given an extension which has also expired. The current request meets all of the criteria for the existing Code requirements. Planning Commission approval was granted on February 24, 2010. The current request is for 22 townhouses, with existing storm water management facilities, City water and sewer. The developers and owners will extend the water main and required paving, and install a fence between their property and the railroad tracks. There are 55 parking spaces required and 74 spaces will be provided. Additionally, the townhouses will have garages. The zoning is R-3 and this is only an update to comply with the new Code.

Ms. Maria Miller, Senior Development Director, The Shelter Group, stated that they have had successful development in Baltimore, and Baldwin Manor. The 22 townhomes will be rental units with brick construction with garages and many amenities. A playground and club house will be in the development. They will contain 3 and 4 bedrooms with 2 ½ baths. The average rent will be \$850.00 per month.

Councilman Garner asked how many homes will be in the flood plain. Mr. Campbell said eight would be in the flood plain.

Council President Young asked that additional insulation be placed in the homes for the potential problems with noise. Ms. Miller said this will be done. She also asked if the houses would continue to be rented or lease to purchase. Ms. Miller said they would be rent to own.

A motion was made by Councilwoman Elliott and seconded by Councilwoman Landbeck to approve the Preliminary Site Plan for the Winston's Choice Addition.

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

4. Business from the Chief of Police

Chief Rudy, officers and City representatives attended the memorial service at APG for Department of Defense Officer, Peter Simon.

Chief Rudy invited the Mayor, Council, Staff, and citizens to the Police Department Spring Inspection on July 8, 2010.

5. Business from the Director of Finance

a. Year-to-Date Financial Activities

Mr. Jack reported the following amounts for the July 2009 – March 2010 Budget:

General Fund:

Total Revenues:	(\$691,603)
Expenditures:	\$580,823
Excess Revenue Over (Under) Expenditures:	\$1,731,003

Capital Projects:

Total Revenues:	(\$382,223)
Expenditures:	\$373,354
Excess Revenue Over (Under) Expenditures:	(\$36,369)

Water Fund:

Total Revenues:	(\$576,498)
Expenditures:	\$1,122,963
Excess Revenue Over (Under) Expenditures:	\$95,899

Sewer Fund:

Total Revenues:	(\$12,401,049)
Expenditures:	\$11,127,931
Excess Revenue Over (Under) Expenditures:	(\$414,300)

Stadium Fund:

Total Revenues:	\$142,932
Expenditures:	\$952
Excess Revenue Over (Under) Expenditures:	\$594,698

Summary:

Total Revenues:	(\$13,908,441)
Total Expenditures:	\$13,206,023
Excess Revenues Over (Under) Expenditures:	\$2,570,931

6. Business from Director of Public Works

Mr. Lapinsky reported the following:

Meetings were held with Stearns and Wheler last week. The City website contains information on the progress regarding Enhanced Nutrient Removal technology (ENR). The pumping station will be located at the end of Edmund Street. Street sweeping in Zone 2 will take place the end of April and Zone 3 will begin in May.

Hydro-flushing will be taking place in the near future and cloudy water will not be a problem to use.

IWIF Workers' Compensation Insurance will conduct on-site training for employees. An insurance premium reduction is anticipated. The Return-to-Work program reduces incident and frequency rates for the City. IWIF Safety Training and Education for Staff Development is being implemented. The Lions Club was commended for their help with the Aberdeen pool.

Mr. Lapinsky noted that two approvals will be needed at the next meeting for the Post Road water line. Also, paving contract bids are coming in to be paid with community block grant money from Harford County.

Councilman Garner asked for a Stadium Management Agreement update. Mr. Lapinsky said he is waiting for final information from Ripken Stadium staff.

Mr. Lapinsky replied to the comment regarding Pine Street; the road was plowed, open, and passable during the snow storms. He requested the citizen to provide the information on the 18 illegal vehicles and the City Inspector will investigate.

7. Business from the City Manager

Mr. Miller noted two items which were stricken from the agenda: the Holiday Inn Express agenda item and the general fund budget. The budget should be ready for distribution in a week, and the budget and constant yield tax rate hearings will be conducted on May 10. The general budget maintains the current tax rate.

Mr. Miller requested a work session on May 3, 2010 at 4:00 p.m. to which the Council agreed.

PUBLIC COMMENT: None

BUSINESS OF THE COUNCIL:

1. Business from the City Council:

Councilwoman Landbeck thanked the Council and Staff for their time and effort concerning the Charter revisions.

Councilman Garner thanked Delegate Riley for supporting the hotel tax, but Delegate Riley could not obtain the support needed from other legislators. This is not a new tax on the citizens of Harford County and all the other counties have the hotel tax. Councilman Garner believes the legislators need to be informed that the Stadium costs the citizens of Aberdeen money. Delegate Riley will have this reconsidered next year.

Council President Young supports Councilman Garner on the hotel tax. She visited the Harford County Council for budget discussions.

2. Business from the Mayor:

Mayor Bennett recognized students on the team from Halls Crossroads Elementary School on their success with Destination ImagiNation. The Mayor gave an account of his activities on behalf of the City:

- April 15 MML Committee Chairman Meeting in Annapolis;
- April 15 Cecil/Harford County Chapter Meeting at Hilton Garden Inn, Aberdeen;
- April 16 Luncheon at APG Garrison Headquarters for Team APG Senior Leaders;
- April 17 Prayer Breakfast sponsored by True Joy Ministries, Women's Group;
- April 17 Parks and Recreation Kickoff, Girls Softball Program at the Roye Williams Elementary School;
- April 17 Earth Day in Festival Park;
- April 21 Economic Development Committee Meeting;
- April 22 Steak & Burger Dinner, Boys and Girls Club, Joppa;
- April 23 Presented a Proclamation at the 95th Anniversary Dinner Celebration, Masonic Lodge #48, Havre de Grace;
- April 24 Board of Directors Meeting at Maryland Municipal League and Home Town Emergency Preparedness Meeting in Laurel;
- April 29 Governor O'Malley scheduled to announce reelection, Festival Park.

ANNOUNCEMENTS:

- Unity in the Community: Sunday, May 1, Festival Park, 12:00 – 5:00 p.m.
- Next Work Session: Monday, May 3, 2010, at 4:00 p.m.
- Next Council Meeting: Monday, May 10, 2010, at 7:00 p.m.
- Next Work Session: Monday May 17, 2010, at 4:00 p.m.

ADJOURNMENT:

The meeting was adjourned at 8:21 p.m.