

**City of Aberdeen Council Meeting
August 9, 2010**

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

Absent: None

Also Present: Douglas Miller, City Manager
Phyllis Grover, Director of Planning and Community Development
Chief Randy Rudy, 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 Councilwoman Elliott.

A motion was made by Councilwoman Elliott and seconded by Councilman Garner to approve the minutes of the July 26, 2010 meeting.

The minutes of the July 26, 2010 meeting were approved as submitted.

The following was read into the minutes by the City Clerk:

Statement of Closed Session:

On August 2, 2010 at approximately 4:40 p.m. at City Hall, a closed session was held by the Mayor and City Council in the second floor administrative conference room. Members present were: Mayor Michael E. Bennett, Councilwoman Elliott, Councilwoman Landbeck, and Councilwoman Young. Councilman Garner was absent. All members present voted by roll call in the affirmative to close the session. Also in attendance were: Douglas R. Miller, City Manager; and Monica A. Correll, City Clerk. Phyllis G. Grover, Director of Planning and Community Development; and Matthew M. Lapinsky, Director of Department of Public Works, were present until 5:09 p.m.

The session was held pursuant to the Open Meetings Act, Section 10-508 (a): (7) to consult with counsel to obtain legal advice on a legal matter; and, (14) before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

The Mayor and City Council discussed: (1) the Bosworth Annexation Agreement; (2) the potential sale of City property at Rt. 22 and Old Post Road; and, (3) the lease of City property.

The following actions were taken during the session: (1) established conditions for annexation to be included in an Annexation Agreement for Bosworth Properties at Kretlow Drive and Hiob Lane (Chapel Estates); (2) decided against the sale of City property located at Rt. 22 and Old Post Road; and, (3) directed the City Manager and City Attorney to proceed with a lease of City property on Locust Lane to the Prost German Restaurant.

The meeting was adjourned at 5:28 p.m.

PRESENTATIONS: None

PUBLIC HEARINGS: None

PUBLIC COMMENT:

1. Mr. Bradley Stover, S. Main Street, Bel Air;

Mr. Stover stated that he is the attorney representing the clients for the 952 Gilbert Road annexation and Estate of Nellie Virginia Scotten/NC Venture, LLC annexation and would be available to answer questions from the Council.

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

Ms. Heavey commented on single-stream recycling, signs for the drinking water protection areas, and wants the second public comment restored to the agenda.

3. Mr. Michael Hiob, Graceford Drive;

Mr. Hiob favored restoring the second public comment to the agenda, thanked Chief Rudy for the police annual report, and requested the property maintenance ordinance be placed back on the agenda. He asked the Chapel Hill water plant closing date, the future of the five employees who work there, and stated that he feels Aberdeen citizens should not have to pick up their compensation tab afterwards. He asked about costs associated with the special hire attorney by the City for the APG matter and remarked negatively on the e-newsletter posted on the website.

4. Mr. John Landbeck, Jr., Crestmont Drive;

Mr. Landbeck said the property maintenance ordinance takes away property rights of individuals and that the Council should consider specifics in this ordinance so it would not violate the 5th Amendment.

LEGISLATIVE SESSION:

1. Ordinance No. 10-O-12, Code Adoption (For Introduction)

Mayor Bennett introduced Ordinance No. 10-O-12, Code Adoption.

2. Resolution No. 10-R-01, 952 Gilbert Road Annexation Agreement (For Adoption)

Mr. Miller said this Resolution had been introduced and a public hearing was held with no comment.

Mr. Bradley Stover, attorney, stated that the two Resolutions are part of the Stadium Town Center project and are consistent with the Harford County Master Land Use Plan and the Aberdeen Comprehensive Plan. All development infrastructure will be the fiscal responsibility of his client.

A motion was made by Councilwoman Landbeck and seconded by Councilwoman Elliott to approve Resolution No. 10-R-01, 952 Gilbert Road Annexation Agreement.

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

3. Resolution No. 10-R-02, Estate of Nellie Virginia Scotten/NC Venture, LLC Annexation Agreement (For Adoption)

A motion was made by Councilwoman Elliott and seconded by Councilwoman Landbeck to approve Resolution No. 10-R-02, Estate of Nellie Virginia Scotten/NC Venture, LLC Annexation Agreement.

Mr. Miller noted that after both Annexation Agreements are signed a vote will be taken at the meeting on August 23, 2010 on the Annexation Resolutions.

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

BUSINESS OF THE CITY:

1. Unfinished Business – None
2. New Business – None
3. Business from the Director of Planning & Community Development
 - A. Final Subdivision Plat – Mt. Royal Crossing

Ms. Grover said the subject property is located at Farm Road and Mt. Royal Avenue. The Planning Commission has given their approval and recommended approval by the Council. The Three items of note were resolved including the AT&T easement and a common drive agreement. This was a 3-lot subdivision of parcel 2765 and is zoned R-3

Mr. Welsh of Welsh Engineering was present to request Council approval and answer Council questions. Councilwoman Young confirmed with Mr. Welsh that there was not going to be any construction on the right-of-way for AT&T.

A motion was made by Councilman Garner and seconded by Councilwoman Elliott to approve the Final Subdivision Plat – Mt. Royal Crossing

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

4. Business from Chief of Police - Law Enforcement Deaths 2010

Chief Rudy reported the following statistics as of August 4, 2010 regarding 101 police officer deaths:

- 36 by gunfire;
- 27 auto accidents;
- 9 heart attacks;
- 8 by vehicular assault;
- average age was 40 years;
- average tour of duty was 11 years, 11 months;
- 5 females and 96 males;
- high month was January and June (19 deaths each month);
- high states were CA- 9; TX-8, FL-6, IL-5, and MD-3.

5. Business from the Director of Finance – None

6. Business from the Director of Public Works – None

7. Business from the City Manager

In response to some of the public comments and questions Mr. Miller reported that: 1) a brochure is being prepared for residents on single stream recycling and residents should use the blue and green containers they already have. New containers will be reissued after the current supply is exhausted. 2) The drinking area signs refer to recharge areas for aquifers and Mr. Lapinsky will explain at the next meeting. 3) The conversion of APG water from Chapel Hill to a sole Harford County source is in the negotiation stage. 4) Sub-counsel was hired for government contract matters and is still in negotiation. Costs are not yet available.

BUSINESS OF THE COUNCIL:

1. Business from the City Council

Councilwoman Elliott and Councilwoman Landbeck welcomed and acknowledged the opening the Gold Star Diner.

Councilman Garner said that he agreed with Mr. Landbeck and that the Council must closely review the property maintenance ordinance. He felt that the City benefits from special counsel and that this should have been done, in the past, regarding Ripken Stadium. He thanked everyone for the sympathy shown on the death of his mother.

Councilwoman Young reported that she and Mayor Bennett attended the Celebration of Life remembrance for the former Havre de Grace Council member Brenda Guldenzopf.

2. Business from the Mayor

Mayor Bennett said that the e-newsletter was intended for the City website only, was posted for transparency purposes, and to provide information to the residents. The City will be participating on Facebook soon and is in the beginning stages.

ANNOUNCEMENTS:

Next Council Meeting: Monday, August 23, 2010 at 7:00 p.m.

Next Council Work Session: Monday, September 20, 2010 at 4:00 p.m.

ADJOURNMENT:

The meeting was adjourned at 7:41 p.m.

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Absent: None

Also Present: Douglas Miller, City Manager
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A motion was made by Councilwoman Elliott and seconded by Councilman Garner to approve the minutes of the July 26, 2010 meeting.

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PUBLIC HEARINGS: None

PUBLIC COMMENT:

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

Ms. Heavey commented on single-stream recycling, signs for the drinking water protection areas, and wants the second public comment restored to the agenda.

3. Mr. Michael Hiob, Graceford Drive;

Mr. Hiob favored restoring the second public comment to the agenda, thanked Chief Rudy for the police annual report, and requested the property maintenance ordinance be placed back on the agenda. He asked the Chapel Hill water plant closing date, the future of the five employees who work there, and stated that he feels Aberdeen citizens should not have to pick up their compensation tab afterwards. He asked about costs associated with the special hire attorney by the City for the APG matter and remarked negatively on the e-newsletter posted on the website.

4. Mr. John Landbeck, Jr., Crestmont Drive;

Mr. Landbeck said the property maintenance ordinance takes away property rights of individuals and that the Council should consider specifics in this ordinance so it would not violate the 5th Amendment.

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Mr. Miller said this Resolution had been introduced and a public hearing was held with no comment.

Mr. Bradley Stover, attorney, stated that the two Resolutions are part of the Stadium Town Center project and are consistent with the Harford County Master Land Use Plan and the Aberdeen Comprehensive Plan. All development infrastructure will be the fiscal responsibility of his client.

A motion was made by Councilwoman Landbeck and seconded by Councilwoman Elliott to approve Resolution No. 10-R-01, 952 Gilbert Road Annexation Agreement.

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

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A motion was made by Councilwoman Elliott and seconded by Councilwoman Landbeck to approve Resolution No. 10-R-02, Estate of Nellie Virginia Scotten/NC Venture, LLC Annexation Agreement.

Mr. Miller noted that after both Annexation Agreements are signed a vote will be taken at the meeting on August 23, 2010 on the Annexation Resolutions.

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

BUSINESS OF THE CITY:

1. Unfinished Business – None
2. New Business – None
3. Business from the Director of Planning & Community Development
 - A. Final Subdivision Plat – Mt. Royal Crossing

Ms. Grover said the subject property is located at Farm Road and Mt. Royal Avenue. The Planning Commission has given their approval and recommended approval by the Council. The Three items of note were resolved including the AT&T easement and a common drive agreement. This was a 3-lot subdivision of parcel 2765 and is zoned R-3

Mr. Welsh of Welsh Engineering was present to request Council approval and answer Council questions. Councilwoman Young confirmed with Mr. Welsh that there was not going to be any construction on the right-of-way for AT&T.

A motion was made by Councilman Garner and seconded by Councilwoman Elliott to approve the Final Subdivision Plat – Mt. Royal Crossing

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

4. Business from Chief of Police - Law Enforcement Deaths 2010

Chief Rudy reported the following statistics as of August 4, 2010 regarding 101 police officer deaths:

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5. Business from the Director of Finance – None

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7. Business from the City Manager

In response to some of the public comments and questions Mr. Miller reported that: 1) a brochure is being prepared for residents on single stream recycling and residents should use the blue and green containers they already have. New containers will be reissued after the current supply is exhausted. 2) The drinking area signs refer to recharge areas for aquifers and Mr. Lapinsky will explain at the next meeting. 3) The conversion of APG water from Chapel Hill to a sole Harford County source is in the negotiation stage. 4) Sub-counsel was hired for government contract matters and is still in negotiation. Costs are not yet available.

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Ms. Grover said the subject property is located at Farm Road and Mt. Royal Avenue. The Planning Commission has given their approval and recommended approval by the Council. The Three items of note were resolved including the AT&T easement and a common drive agreement. This was a 3-lot subdivision of parcel 2765 and is zoned R-3

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5. Business from the Director of Finance – None

6. Business from the Director of Public Works – None

7. Business from the City Manager

In response to some of the public comments and questions Mr. Miller reported that: 1) a brochure is being prepared for residents on single stream recycling and residents should use the blue and green containers they already have. New containers will be reissued after the current supply is exhausted. 2) The drinking area signs refer to recharge areas for aquifers and Mr. Lapinsky will explain at the next meeting. 3) The conversion of APG water from Chapel Hill to a sole Harford County source is in the negotiation stage. 4) Sub-counsel was hired for government contract matters and is still in negotiation. Costs are not yet available.

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Councilwoman Young reported that she and Mayor Bennett attended the Celebration of Life remembrance for the former Havre de Grace Council member Brenda Guldenzopf.

2. Business from the Mayor

Mayor Bennett said that the e-newsletter was intended for the City website only, was posted for transparency purposes, and to provide information to the residents. The City will be participating on Facebook soon and is in the beginning stages.

ANNOUNCEMENTS:

Next Council Meeting: Monday, August 23, 2010 at 7:00 p.m.

Next Council Work Session: Monday, September 20, 2010 at 4:00 p.m.

ADJOURNMENT:

The meeting was adjourned at 7:41 p.m.

**City of Aberdeen Council Meeting
August 9, 2010**

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

Absent: None

Also Present: Douglas Miller, City Manager
Phyllis Grover, Director of Planning and Community Development
Chief Randy Rudy, 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 Councilwoman Elliott.

A motion was made by Councilwoman Elliott and seconded by Councilman Garner to approve the minutes of the July 26, 2010 meeting.

The minutes of the July 26, 2010 meeting were approved as submitted.

The following was read into the minutes by the City Clerk:

Statement of Closed Session:

On August 2, 2010 at approximately 4:40 p.m. at City Hall, a closed session was held by the Mayor and City Council in the second floor administrative conference room. Members present were: Mayor Michael E. Bennett, Councilwoman Elliott, Councilwoman Landbeck, and Councilwoman Young. Councilman Garner was absent. All members present voted by roll call in the affirmative to close the session. Also in attendance were: Douglas R. Miller, City Manager; and Monica A. Correll, City Clerk. Phyllis G. Grover, Director of Planning and Community Development; and Matthew M. Lapinsky, Director of Department of Public Works, were present until 5:09 p.m.

The session was held pursuant to the Open Meetings Act, Section 10-508 (a): (7) to consult with counsel to obtain legal advice on a legal matter; and, (14) before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

The Mayor and City Council discussed: (1) the Bosworth Annexation Agreement; (2) the potential sale of City property at Rt. 22 and Old Post Road; and, (3) the lease of City property.

The following actions were taken during the session: (1) established conditions for annexation to be included in an Annexation Agreement for Bosworth Properties at Kretlow Drive and Hiob Lane (Chapel Estates); (2) decided against the sale of City property located at Rt. 22 and Old Post Road; and, (3) directed the City Manager and City Attorney to proceed with a lease of City property on Locust Lane to the Prost German Restaurant.

The meeting was adjourned at 5:28 p.m.

PRESENTATIONS: None

PUBLIC HEARINGS: None

PUBLIC COMMENT:

1. Mr. Bradley Stover, S. Main Street, Bel Air;

Mr. Stover stated that he is the attorney representing the clients for the 952 Gilbert Road annexation and Estate of Nellie Virginia Scotten/NC Venture, LLC annexation and would be available to answer questions from the Council.

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

Ms. Heavey commented on single-stream recycling, signs for the drinking water protection areas, and wants the second public comment restored to the agenda.

3. Mr. Michael Hiob, Graceford Drive;

Mr. Hiob favored restoring the second public comment to the agenda, thanked Chief Rudy for the police annual report, and requested the property maintenance ordinance be placed back on the agenda. He asked the Chapel Hill water plant closing date, the future of the five employees who work there, and stated that he feels Aberdeen citizens should not have to pick up their compensation tab afterwards. He asked about costs associated with the special hire attorney by the City for the APG matter and remarked negatively on the e-newsletter posted on the website.

4. Mr. John Landbeck, Jr., Crestmont Drive;

Mr. Landbeck said the property maintenance ordinance takes away property rights of individuals and that the Council should consider specifics in this ordinance so it would not violate the 5th Amendment.

LEGISLATIVE SESSION:

1. Ordinance No. 10-O-12, Code Adoption (For Introduction)

Mayor Bennett introduced Ordinance No. 10-O-12, Code Adoption.

2. Resolution No. 10-R-01, 952 Gilbert Road Annexation Agreement (For Adoption)

Mr. Miller said this Resolution had been introduced and a public hearing was held with no comment.

Mr. Bradley Stover, attorney, stated that the two Resolutions are part of the Stadium Town Center project and are consistent with the Harford County Master Land Use Plan and the Aberdeen Comprehensive Plan. All development infrastructure will be the fiscal responsibility of his client.

A motion was made by Councilwoman Landbeck and seconded by Councilwoman Elliott to approve Resolution No. 10-R-01, 952 Gilbert Road Annexation Agreement.

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

3. Resolution No. 10-R-02, Estate of Nellie Virginia Scotten/NC Venture, LLC Annexation Agreement (For Adoption)

A motion was made by Councilwoman Elliott and seconded by Councilwoman Landbeck to approve Resolution No. 10-R-02, Estate of Nellie Virginia Scotten/NC Venture, LLC Annexation Agreement.

Mr. Miller noted that after both Annexation Agreements are signed a vote will be taken at the meeting on August 23, 2010 on the Annexation Resolutions.

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

BUSINESS OF THE CITY:

1. Unfinished Business – None
2. New Business – None
3. Business from the Director of Planning & Community Development
 - A. Final Subdivision Plat – Mt. Royal Crossing

Ms. Grover said the subject property is located at Farm Road and Mt. Royal Avenue. The Planning Commission has given their approval and recommended approval by the Council. The Three items of note were resolved including the AT&T easement and a common drive agreement. This was a 3-lot subdivision of parcel 2765 and is zoned R-3

Mr. Welsh of Welsh Engineering was present to request Council approval and answer Council questions. Councilwoman Young confirmed with Mr. Welsh that there was not going to be any construction on the right-of-way for AT&T.

A motion was made by Councilman Garner and seconded by Councilwoman Elliott to approve the Final Subdivision Plat – Mt. Royal Crossing

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

4. Business from Chief of Police - Law Enforcement Deaths 2010

Chief Rudy reported the following statistics as of August 4, 2010 regarding 101 police officer deaths:

- 36 by gunfire;
- 27 auto accidents;
- 9 heart attacks;
- 8 by vehicular assault;
- average age was 40 years;
- average tour of duty was 11 years, 11 months;
- 5 females and 96 males;
- high month was January and June (19 deaths each month);
- high states were CA- 9; TX-8, FL-6, IL-5, and MD-3.

5. Business from the Director of Finance – None

6. Business from the Director of Public Works – None

7. Business from the City Manager

In response to some of the public comments and questions Mr. Miller reported that: 1) a brochure is being prepared for residents on single stream recycling and residents should use the blue and green containers they already have. New containers will be reissued after the current supply is exhausted. 2) The drinking area signs refer to recharge areas for aquifers and Mr. Lapinsky will explain at the next meeting. 3) The conversion of APG water from Chapel Hill to a sole Harford County source is in the negotiation stage. 4) Sub-counsel was hired for government contract matters and is still in negotiation. Costs are not yet available.

BUSINESS OF THE COUNCIL:

1. Business from the City Council

Councilwoman Elliott and Councilwoman Landbeck welcomed and acknowledged the opening the Gold Star Diner.

Councilman Garner said that he agreed with Mr. Landbeck and that the Council must closely review the property maintenance ordinance. He felt that the City benefits from special counsel and that this should have been done, in the past, regarding Ripken Stadium. He thanked everyone for the sympathy shown on the death of his mother.

Councilwoman Young reported that she and Mayor Bennett attended the Celebration of Life remembrance for the former Havre de Grace Council member Brenda Guldenzopf.

2. Business from the Mayor

Mayor Bennett said that the e-newsletter was intended for the City website only, was posted for transparency purposes, and to provide information to the residents. The City will be participating on Facebook soon and is in the beginning stages.

ANNOUNCEMENTS:

Next Council Meeting: Monday, August 23, 2010 at 7:00 p.m.

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

Absent: None

Also Present: Douglas Miller, City Manager
Phyllis Grover, Director of Planning and Community Development
Chief Randy Rudy, 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 Councilwoman Elliott.

A motion was made by Councilwoman Elliott and seconded by Councilman Garner to approve the minutes of the July 26, 2010 meeting.

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