

**City of Aberdeen Council Meeting
March 8, 2010**

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

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 Chaplain (LTC) W. Scott Weichl of APG and the Pledge of Allegiance was led by Councilman Garner. A motion was made by Councilwoman Elliott and seconded by Council President Young to approve the minutes of the February 22, 2010 Council meeting. The minutes were approval unanimously.

PRESENTATIONS: None

PUBLIC HEARINGS: None

PUBLIC COMMENT:

1. Mr. Michael Hiob, Graceford Drive;
Mr. Hiob said that he feels that the Code of Conduct for Elected Officials is in violation of the City Charter and in conflict regarding the day-to-day operation of the City.

LEGISLATIVE SESSION:

1. Ordinance No. 10-O-01, an Ordinance to Adopt an Amendment to the Aberdeen Zoning Map, Phase III (For Adoption)

A motion was made by Councilwoman Landbeck and seconded by Councilwoman Elliott to approve Ordinance No. 10-O-01, an Ordinance to Adopt an Amendment to the Aberdeen Zoning Map, Phase III.

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

**Ayes: Mayor Bennett, Councilman Garner, Councilwoman Elliott, and
Councilwoman Landbeck**

Nays: Council President Young

2. Ordinance No. 10-O-02, an Ordinance to Amend Chapter 142, Section 25, Off-Street Parking and Loading Requirements (For Adoption)

Ms. Grover said this Ordinance received approval of the Planning Commission at their January, 2010 meeting and approval from the Staff and Council in February, 2010.

A motion was made by Councilwoman Elliott and seconded by Councilwoman Landbeck to approve Ordinance No. 10-O-02, an Ordinance to Amend Chapter 142, Section 25, Off-Street Parking and Loading Requirements

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

3. Ordinance No. 10-O-03, an Ordinance to Amend Chapter 142, Section 7, Definitions and Appendix A, Table of Use Regulations, Auction House (For Adoption)

A motion was made by Council President Young and seconded by Councilwoman Elliott to amend Ordinance No. 10-O-03 by adding a sentence at the end of the definition of Auction House to read, “Provided that the public sale of goods or property is done predominantly within an enclosed structure”. Also, Appendix A – Table of Use Regulations, page 5 of 11, under Auction House; change the P in the B-3 Zone to a Special Exception Use (SE) which will allow an Auction House in the M-1 Zone as a Permitted Use and allow an Auction House in the B-3 zone as a Special Exception use.

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

A motion was made by Councilman Garner and seconded by Councilwoman Landbeck to approve Ordinance No. 10-O-03, an Ordinance to Amend Chapter 142, Section 7, Definitions and Appendix A, Table of Use Regulations, Auction House as amended.

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

4. Ordinance No. 10-O-04, Code of Conduct (For Adoption)

Councilwoman Elliott stated that this Ordinance needs clarification and recommends changing the Charter and delaying adoption.

A motion was made by Councilwoman Landbeck and seconded by Councilman Garner to approve Ordinance No. 10-O-04, Code of Conduct for Elected Officials.

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

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

Nays: Councilwoman Elliott

BUSINESS OF THE CITY:

1. Unfinished Business – None
2. New Business – None
3. Business from the Director of Planning & Community Development
 - A. The Village at Carsins Run, Preliminary Plat Approval

Ms. Grover introduced Mr. Paul Muddiman and Ms. Megan Maffeo with Morris & Ritchie Associates, Inc., Ms. Susan Shea with Presbyterian Home of Maryland, and Mr. Joseph Snee with Gessner, Snee, Mahoney, and Lutche, P.A.

Ms. Grover indicated that this property was annexed into the City May, 2004 and consists of 205 acres which are zoned IBD (Integrated Business District). There will be a total of 680 units located on 138 acres. The Architectural Review Committee gave their approval May, 2009, the Planning Commission gave approval July, 2009 and the Concept Plan was approved by the Council August, 2009. A parking waiver was approved December, 2009.

Mr. Muddiman gave a Power Point presentation on the location of the property, a wetland area, and a large flood plain. He said the main entrance would be off of Long Drive with three additional access points. All four entrances are gated for security. The Village at Carsins Run will construct a 400,000 gallon water tank and a sewage pumping station (which will be part of Eagles Rest). All buildings will be constructed to compliment each other. Upon completion there will be 200 fulltime positions with salaries of approximately \$45,000. This will be the only planned retirement community in Harford County. Currently, there are 484 qualified households interested in the project. Construction will begin 2011 with first occupancy in 2013. Total build-out will take approximately 12-15 years.

Councilwoman Elliott asked why only 40 units are assisted living out of 680 units. Ms. Shea said that the State regulates the percentage possible at each facility and 80 total units serves that requirement comprised of 40 assisted and 40 skilled nursing units.

Councilman Garner asked if the front entrance would be gated. Mr. Muddiman said it would.

Council President Young thanked the presenters and principals for submitting the requested information on the last 3 years audits. Council President Young also had concerns with traffic on Aldino Stepney Road. Mr. Mark Keeley with Traffic Concepts, Inc. stated that no traffic signals are warranted at that intersection. The decision would be made by the State Highway Administration (SHA) and seems to be a political decision. Council President Young noted that the addition of other projects would also increase traffic.

A motion was made by Councilwoman Elliott and seconded by Councilwoman Landbeck to approve the Preliminary Plan at The Village at Carsins Run conditional with the following Staff comments.

Replace Notes 29 and 30 as follows:

29. The developer agrees to pay for the design and construction of a water tower and all necessary utility extensions in order to provide adequate water capacity to service this property and other properties within the service area. The design and construction of a water tower and all water towers required utility extensions, and procedure for the recoupment by the developer of its costs associated with the same shall be subject to the provisions of the water and sewer recoupment policy to be enacted by the City of Aberdeen. The service area shall be designated by the City and be provided for pursuant to the recoupment policy.

30. Properties located within the service area described in Note 29 above, shall not be eligible to receive water service unless they are located within the City of Aberdeen municipal boundaries or unless the City has agreed to provide water service by a prior contractual commitment. By this note, the City does not guarantee that sufficient water capacity will be available at any time to service the properties located within the service area.

Staff comments to be addressed for final approval:

The Village at Carsins Run Preliminary Plan 1st review.

1. Please provide separate signature blocks for Presbyterian Homes of Maryland, Inc. and The Village at Carsins Run, LLC.
2. Provide Water Usage Calculations complying with Maryland Department of the Environment (MDE) Guidelines.
3. Provide Water Usage Calculations complying with MDE Guidelines, by a signed, sealed, and dated letter from the engineer.
4. Public Water and Sewer needs to extend to Aldino-Stepney Road and other properties that can be served by Gravity sewer.
5. Provisions should be made to extend the Public Water and Sewer to Long Drive extended prior to paving of Hummingbird Drive.
6. Offsite Easements need to be recorded prior to construction plan approval.
7. Identify Hatched Area on Aldino-Stepney Road and Route 22.

8. Add the following note:

Condition of approval: No building permits shall be issued for any lot whereby that lot's anticipated flow at the time of building permit application would cause the City's systems (water and/or sewer) to exceed its rated capacity.

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

4. Business from the Chief of Police

Chief Rudy reported that two SWAT team members have completed polygraph training and have returned to duty. Additionally, patrol units are being identically marked for uniformity.

5. Business from the Director of Finance – None

6. Business from the Director of Public Works

Mr. Lapinsky said the work on Shirley Drive has been completed, pot holes are being repaired, and the sewer replacement in the shopping center is almost completed. He will have the sweeper schedule available for review.

7. Business from the City Manager – None

PUBLIC COMMENT:

1. Mr. Paul Curtis, Windemere Drive;

Mr. Curtis said the absence of a hotel/motel tax is unfair to Harford County. He has contacted his State senator regarding her opposition to this issue and got no satisfaction. Mayor Bennett received a copy of his comments.

Mayor Bennett asked residents who favor House Bill 664 to contact their elected officials. He noted that Aberdeen would welcome any percentage of the tax. Ripken Stadium would benefit from receipts from this revenue.

2. Mr. Michael Hiob, Graceford Drive;

Mr. Hiob requested an update on the City pool and feels that all members should act independently with regard to the Code of Conduct and during the election of a Council President.

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

Ms. Heavy appreciates the posting of the sweeper schedule.

4. Ms. Sherry Miller, Old Robin Hood Road;
Ms. Miller noted that Baltimore County benefits from an 8% tax on hotel rooms.
Aberdeen residents should contact all possible elected officials and voice their opinions.

BUSINESS OF THE COUNCIL:

1. Business of the City Council:

Councilwoman Elliott asked the frequency of sweeping Bel Air Avenue. Mr. Lapinsky said it was cleaned once a week. Councilwoman Landbeck attended the Business Round Table for Education and noted that citizens should be proud of the students. Councilman Garner thanked Mr. Curtis for his concern with the hotel tax issue. He noted that Delegate Riley is the only official who favors the Bill. Cecil County is building a casino in Perryville and Aberdeen would benefit from people who use the facility. He noted that a Code of Conduct will hold all elected officials accountable. Council President Young said that she voted no to changing zoning on Ordinance 10-O-01 as a result of citizen requests. She reminded everyone that the Census is very important to the City, County, and State because money would be lost by lack of participation.

2. Business from the Mayor:

Mayor Bennett announced that a COPT Building at Northgate has a pre-lease contract for 27,500 square feet from Northrop Grumman. Building C will be completed by June, 2010.

ADJOURNMENT: The meeting was adjourned at 8:24 p.m.