

**PROCEEDINGS OF CITY COUNCIL MEETING  
APRIL 7, 2008  
CITY OF HAVRE DE GRACE, MARYLAND  
COUNCIL CHAMBERS**

The regular meeting of the Mayor and City Council was called to order on April 7, 2008, at 7:02 p.m. with Mayor Wayne H. Dougherty presiding and the following members present: Council President Stephen Gamatoria, Council Members Barbara Ferguson, James Miller, Randolph Craig, Joe Kochenderfer and Garrett Lyttle.

Mayor Dougherty led the Pledge of Allegiance.

Opening prayer was led by Pastor Lonna Smith (Webster United Church of Christ).

**On motion by Council President Gamatoria, seconded by Councilmember Ferguson, and on six affirmative votes, the Minutes of March 17, 2008 were approved.**

**At this time, Council President Gamatoria requested a Friendly Amendment to the Agenda by removing Item #6A (Recognitions of Susquehanna Hose Company) Firefighters and postponing until the next Council meeting.**

**PRESENTATIONS/RECOGNITIONS:**

- A. Students of the Month: (Mayor Dougherty and Council President Gamatoria)**
  - 1. Havre de Grace High School – Taylor Hendricks**
  - 2. Havre de Grace Elementary School – Megan Coleman**
  - 3. Havre de Grace Middle School – Tori Lomonico**
- B. Recognition of Bev Delaune-Lownie’s Retirement (Mayor Dougherty)**
- C. Proclamation for Telecommunications Week (April 13 thru 19, 2008) (Mayor Dougherty and Chief Walter)**
- D. Recognition to Chamber of Commerce for their 80<sup>th</sup> Year. (Presented to Cathy Vincenti, Executive Director by: Mayor Dougherty)**
- E. Harford Habitat for Humanity (Joann Blewett)** Joann expressed how pleased they are to be partnering with the City and announced their plans to be building three (3) town homes in the Bradford Green area the week of June 2<sup>nd</sup> thru the 6<sup>th</sup>. These homes will be “blitz” built – one completely finished by Friday of that week starting with the foundation. The other two will be framed up and dried in. Any volunteers to assist with finishing these two homes would be greatly appreciated. Robb Manns, architect, then shared and reviewed the plans for these homes. Council President Gamatoria noted at this time how very excited we (the City) also are about this newly formed partnership between the City and the Habitat for Humanity. Mayor Dougherty followed by welcoming Habitat into our home and community.
- F. Presentation/Public Comment (Harford County Community Services) Re: Annual Action Plan – Presented by: Jennifer Phelps** Jennifer noted that Havre

de Grace has been allocated a total of \$73,045.00 for the FY09 Action Plans. She asked for any questions/comments – there were none.

- G. Havre de Grace Elementary School – Mary Sampson (Outdoor Classroom Project at Lilly Run)** Ms.. Sampson assisted by Eva Jones noted the wonderful classroom project that had taken place – cleaning up of trash and debris close to Lilly Run as well as planting of a beautiful garden. The school wants to take an active role in keeping this area clean, noting that Lilly Run flows directly into the Chesapeake Bay. They also informed and encouraged those present to participate in a Walk-A-Thon they are holding on Sunday, April 20, 2008 from 2:00 to 4:00 to help fund this project.

**APPOINTMENTS: (None)**

**COMMENTS FROM CITIZENS ON AGENDA ITEMS: (None)**

**RESOLUTIONS:**

- A. Resolution #2008-10 “A Resolution of the Mayor and City Council of Havre de Grace, Maryland pursuant to the authority of the Havre de Grace City Charter, Section 76 approving of a lease of City property by Resolution to DMC Properties, LLC (Ken’s Steak House) for a period of two (2) years.”** Council President Gamatoria made a motion to Introduce this Resolution , which was seconded by Councilmember Lyttle, voted on and passed 6-0. Once this Resolution was read and assigned the number of 2008-10, Council President Gamatoria then made motion to Adopt Resolution #2008-10, seconded by Councilmember Miller, voted on and passed 6-0.
- B. Resolution # 2008-11 “A Resolution of the Mayor and City Council of Havre de Grace, Maryland pursuant to the authority of the Havre de Grace City Charter, Section 76 approving of a lease of City property by resolution to 500 North Union Avenue, LLC (Sue’s Country Flower Shop) for a period of two (2) years.”** Council President Gamatoria made a motion to Introduce this Resolution, which was seconded by Councilmember Ferguson, voted on and passed 6-0. Once this Resolution was read and assigned the number of 2008-11, Councilmember Miller then made a motion to Adopt Resolution #2008-11, seconded by Councilmember Ferguson, voted on and passed 6-0.

**ORDINANCES:**

- A. Ordinance: Amendment to Ordinance No. 887: Ordinance No. 894: Establishment of Water/Sewer Rates “An Ordinance by the Mayor and City Council of Havre de Grace adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and the provisions of Article 23A of the Annotated Code of Maryland for the purpose of creating the Havre de Grace Water/Sewer Rates.”** Councilmember Kochenderfer made a motion to Introduce this Ordinance, seconded by Councilmember Lyttle, voted on and passed 6-0. Once this Ordinance was read and assigned the number of Ordinance #894, Council President Gamatoria then made a motion to Adopt Ordinance #894, seconded by Councilmember Ferguson, voted on and passed 6-0. A Public Hearing will be held on this at 7:00 p.m. on April 21, 2008 immediately prior to the next Council meeting.

**ORDINANCES: (None)**

**NEW BUSINESS:**

- A. Request for RAD Loan (De Chalet Salon and Hair Enhancement Center) Address: 1039-A Harbor Shop – Pulaski Highway Councilmember Lyttle made a motion to approve this loan which was seconded by Councilmember Kochenderfer, voted on and approved 6-0 on a roll call vote. Council President Gamatoria thanked the owners for their patience and their efforts.**
- B. Approval of Lease: DMC Properties, LLC (Ken’s Steak House) Council President Gamatoria made a motion to approve this lease, seconded by Councilmember Lyttle, voted on and approved 6-0 on a roll call vote. Councilmember Kochenderfer commented that this lease as well as the next lease are based on cost of square footage established by Resolution #97-2. It was further noted that the only change is the Admin Committee recommended these two leases be pulled back to a two (2) year period rather than five (5).**
- C. Approval of Lease: 500 North Union Avenue, LLC (Sue’s Country Flower Shop) Council President Gamatoria made a motion to approve this lease, seconded by Councilmember Ferguson, voted on and approved 6-0 on a roll call vote.**
- D. Approval of Sign in Right of Way (204 Congress Avenue) Councilmember Lyttle made a motion to approve this sign, seconded by Councilmember Kochenderfer, voted on and approved 6-0 on a voice vote. It was noted that this issue will be under a License Agreement.**
- E. Approval of Special Events:**
  - 1. April 12<sup>th</sup> – Chesapeake Heritage Conservancy – Bull and Oyster Roast; Hutchins Park – 6:00 p.m. until 10:00 p.m.. Councilmember Kochenderfer made a motion to approve this, seconded by Councilmember Lyttle, voted on and approved 6-0 on a voice vote.**
  - 2. April 19<sup>th</sup> – LSHG River Sweep – Shoreline and Tributary Cleanup – 9:30 a.m. until 1:00 p.m. Councilmember Kochenderfer made a motion to approve this, seconded by Council President Gamatoria, voted on and approved 6-0 on a voice vote.**
  - 3. April 27<sup>th</sup> – Women’s 5K by the Bay/RASAC – Tydings Park and City Streets – 8:00 a.m. until 11:00 a.m. Councilmember Kochenderfer made a motion to approve this, seconded by Councilmember Ferguson, voted on and approved 6-0 by a voice vote.**
  - 4. May 3<sup>rd</sup> thru October 25, 2008 – Farmer’s Market – HDG Chamber of Commerce – 9:00 a.m. until 12:00 noon – Saturday mornings. Councilmember Kochenderfer made a motion to approve this, seconded by Councilmember Lyttle, voted on and approved 6-0 by a voice vote.**
  - 5. Independence Day/Week – Request by Independence Day Committee- Includes: Carnival – July 1 thru 5, 2008 – 6:00 p.m. until 10:00 p.m at Tydings Park; Concert – July 5, 2008 – 7:00 p.m. until 10:00 p.m. at Tydings Park; Fireworks – July 5, 2008 – 9:15 p.m.**

**until 10:00 p.m. at Tydings Park; Parade – July 5, 2008 – 12:00 noon until 4:30 p.m. – City Streets – Includes Prep Time – Actual Parade – 2:00 p.m. Councilmember Lyttle made a motion to approve this request, seconded by Council President Gamatoria, voted on and approved 6-0 by a roll call vote.**

## **BUSINESS FROM THE MAYOR**

Mayor Dougherty had several items to share.

- A. Regarding a Time Schedule that the Mayor had put together on Executive Orders, he presented the results of Executive Order #1 – Risk Management. He thanked the committee that Council President Gamatoria headed up on this for their efforts. He noted this was quite a challenge but much positive feedback has come back as a result of this.
- B. Downtown Parking Issue – The City right now working through our City Attorney is working with three (3) different property owners to provide some more parking and fulfill a need. Hopefully, by tomorrow, we will have one (1) of these properties completed (we're talking about leases) – we just need to get the license agreements signed and approved. Although the Mayor was not at liberty to disclose exactly which properties he was talking about, he was able to share that all three areas are within a block and a half of downtown. The Mayor noted that immediately prior to the Council meeting he had met with Roxanne Lynch from Harford County and went over directives between the City and the County. It was a very productive meeting and a positive relationship for notification to the citizens/businesses once decisions have been made. Tomorrow, the Mayor has a scheduled meeting with Ms. Lynch and County Councilwoman Lisanti to go over some more details. The Mayor then asked Roxanne Lynch to convey his thanks to the County Executive for the efforts extended in the City and County working together.
- C. The Mayor was sad to announce the passing of Mr. Roy Mentzer, who had been President of the Young at Heart Organization. He spoke about Mr. Mentzer's many accomplishments in establishing and carrying through on his efforts associated with this organization. He announced funeral arrangements and asked everyone to keep the family in their prayers.
- D. The Mayor then asked Director of Finance George DeHority to present a list of dates for the Proposed Budget Calendar for FY 2009. Those dates are as follows:
  1. **First Reading of the Water/Sewer Rate Ordinance was tonight (4/7/08)**
  2. **Water/Sewer Rate Ordinance Public Hearing will be 4/21/08**
  3. **First Reading of Tax Rate Ordinance will be 4/21/08**
  4. **Constant Yield Tax Rate Public Hearing Advertisement will be 4/18/08 and 4/25/08**
  5. **Tentative Public Work Sessions for Budget will be: April 22, 24 and 29, 2008 from 6:00 to 8:00 p.m.**
  6. **Water/Sewer Rate Ordinance Second Reading and Adoption – 5/5/08**
  7. **Tax Rate Ordinance Public Hearing – 5/5/08**
  8. **Tax Rate Second Reading and Adoption – 5/19/08**
  9. **First Reading of Budget Ordinance – 5/19/08**
  10. **Public Hearing for Budget Ordinance – 6/02/08**

## **Budget Ordinance Second Reading and Adoption – 6/16/08**

### **BUSINESS FROM COUNCIL**

**Councilmember Craig** - No Comments

**Councilmember Ferguson:** Deferred her comments on the Neighborhood Watch Program to Chief Walter. Chief Walter noted there was a “Havre de Grace on Watch” meeting held on April 1<sup>st</sup> – topic was “home security” and it went well. Chief Walter also mentioned that on August 5<sup>th</sup>, 2008 from 6:00 to 10:00 p.m. will be again “National Night Out”. The Chief asked that any neighborhoods that would like to participate in this program to please get in touch with her and she will be glad to give them necessary information.

Councilmember Ferguson offered her congratulations to Bev Lownie as well as her condolences to the Mentzer family.

**Councilmember Kochenderfer:** Announced there has been the passing of four (4) very vibrant individuals in the City over the last ten (10) days, including Bob Lee Geddes, Ronald Simmons, Leo Heppner and Roy Mentzer. All of these gentlemen were very involved with the City and will be sorely missed. Mentioned there will be another Tree Commission meeting next Monday. He also noted there has been quite an increase in the County tipping fee and this will certainly impact us as well.

**Council President Gamatoria:** Also noted he had the pleasure of knowing Roy Mentzer, Leo Heppner and Bob Lee – all of these individuals will be greatly missed. He further noted that a closed session will be called at the next Council meeting to discuss contracts for directors. Mentioned the next Admin meeting is scheduled for this coming Friday at 3:00 p.m. – among other things, a Lease Agreement with Office Centre will be discussed. He offered personal congratulations to Bev Lownie and the students of the month. He asked Council if they have any feedback on the dates that George DeHority provided to please get back their comments as soon as possible. As far as the Water Sewer Task Force, he noted that Councilmember Kochenderfer is trying to put together a Commission to handle this issue. Council President Gamatoria ended his comments by welcoming and encouraging all those candidates that are running for Council to contact Council members with any questions, etc. He also suggested that they review the Charter (which can be found on the City’s website) as well as previous minutes and wished everyone well in the upcoming election.

**Councilmember Lyttle:** Also wished Bev Lownie a happy retirement. He noted a workshop has been scheduled for the RAD and Planning Committee, which was set up by Meghan McDonough. It has become evident that there are no current established guidelines for RAD Loans – this will be accomplished and Havre de Grace will be a model for other jurisdictions. He further noted at the present time there is \$100,000 remaining in the fund. He thanked Meghan for her hard work in establishing this workshop. He also added his condolences to the Roy Mentzer and Ron Simmons family, both of whom he personally knew. On this coming Friday morning at 9:30, the Public Works committee will be meeting with the Historic Preservation Commission to look at the Historic Trail.

**Councilmember Miller:** Also offered his condolences to each of the families previously mentioned. Noted that on Thursday, April 10<sup>th</sup> from 5:00 to 9:00 anyone that orders food from Pat’s Pizzeria, a portion will go towards the Susquehanna Lock House Museum. Noted that on Friday, April 11<sup>th</sup>, there is a D.P.W. Committee meeting and on Monday, April 14<sup>th</sup>, 2008 will be a Planning Commission meeting. He announced that Transviron,

an engineering firm hired by the City, will be conducting smoke tests to detect any leaks in the system.

At this time, Council President Gamatoria added the following two (2) comments:

1. There will be an Annual Spring Fling for the Harford Family House, Inc. held on Friday, April 11<sup>th</sup> at Jarrettsville Gardens.
2. Noted the Grandstands are going in over at Harris Field – a long awaited event. They are in dire need of donations in order to continue with this project. This has been a joint effort between government, businesses and citizens. The new “State of the Art Pressbox” was donated by J.M. Huber; the Scoreboard was donated by Cytec. Both the Mayor and Council President expressed how fortunate we are to have all of these different agencies involved.

**COMMENTS FROM CITIZENS:**

**1. Mr. Barry Anderson – 555 Giles Street, Havre de Grace, Md.**

Spoke in opposition to the property at I-95/Rt. 155 interchange. Expressed the opinion that he believed this property had always been discussed to become some type of business park/campus/ or technological environment as expressed in our Comprehensive Plan. He now believes that JDH wants to change our vision of a campus so that it can become one more shopping center. Mr. Anderson asked the Mayor and City Council and staff to make an effort to hold off on this agreement with JDH and wait until something more conducive to the original plan for this property happens.

**2. Mr. Fred Cullum – 117 North Stokes Street, Havre de Grace, Md.**

Spoke regarding 800 block of Erie Street – Mr. Cullum expressed a concern regarding traffic at this location with the beginning of construction on Hatem Bridge. He believes this 800 block of Erie Street should be “Residents Only” to traffic while bridge construction is going on. Councilmember Miller assured Mr. Cullum that this issue had been discussed at a meeting the other day with the State and the State does plan on closing that intersection during the duration of this project.

Following a motion to adjourn by Council President Gamatoria, seconded by Councilmember Miller, the Mayor adjourned the meeting at 8:43 P.M.