

**PROCEEDINGS OF CITY COUNCIL MEETING
AUGUST 20, 2007
CITY OF HAVRE DE GRACE, MARYLAND
COUNCIL CHAMBERS**

The regular meeting of the Mayor and City Council was called to order on August 20, 2007 at 7:02 p.m. with Mayor Wayne H. Dougherty presiding and the following members present: Council President Stephen Gamatoria, Council Members Garrett Lyttle, James Miller, Randolph Craig, Barbara Jenifer-Ferguson, and Joe Kochenderfer.

Mayor Dougherty led the Pledge of Allegiance.

Opening prayer was led by Reverend Ron Tabor of First Christian Church.

At this point, Councilman Miller made a motion that a slight correction/amendment be made to Item #7 on the Agenda which is Appointments. He noted that Charles E. Packard, Sr., will be appointed to the Board of Appeals rather than the Planning Commission and Ms. Robin Shane will be appointed to the Planning Commission rather than the Board of Appeals.

Also, at this time Council President Gamatoria requested an amendment to Item #6 on the Agenda under Presentations/Proclamations. He asked that Section "E" under Item #6 be changed to Promotion of Lt. Wayne Young to Captain and Recognition of Mr. Robert Goll, Sr., be moved to Section "F" under Item #6. Both of these requests were granted on the basis of them being a "friendly amendment", not requiring a vote.

On motion by Council President Gamatoria, seconded by Councilman Miller and, on six affirmative votes, the Minutes of August 6, 2007 were approved.

PRESENTATIONS/PROCLAMATIONS

A. Presentation by: MML for "Banner City"

Mr. Stewart Cumbo, MML President and Mr. Scott Hancock, Executive Director presented the Mayor and City Council with a plaque and banner proclaiming Havre de Grace as a "Banner City". It was noted that only 14 of the 157 cities in the State qualified for this award, which is the highest award given by MML. Because of the outstanding commitment in many areas including continuing education, quality of life, etc., Havre de Grace was chosen for this prestigious award. The plaque and banner were accepted by Mayor Dougherty and Council President Gamatoria.

B. Presentation by: Mr. Thomas L. Fidler, Jr.- President, Harford County Board of Education

Mr. Fidler introduced himself as being the newly appointed President of the Harford County Board of Education noting that his goal is for improved communication between the County level and municipalities. Mr. Fidler shared some of the hot topics that will be forthcoming in the next year as well as explained the goals they are undertaking this first year. He stressed his willingness to come back and meet with the Mayor and Council whenever they have any concerns and offered his professional assistance in providing for

the City's citizens. Mayor Dougherty thanked Mr. Fidler for coming and providing the opportunity for open dialogue. Councilmember Ferguson offered her assistance to serve on a Board with regard to the issue of possible school uniforms. Councilman Miller asked Mr. Fidler if he would consider returning and sharing his expertise in the capacity of Economic Development. Mr. Fidler replied he would welcome that opportunity and thanked the Mayor for allowing him to be part of the Agenda this evening.

C. Presentation by: The Harford County Master Gardeners Club

Councilman Miller, on behalf of the Appearance and Preservation Committee, welcomed and introduced two (2) members of the Harford County Master Gardeners Club (they were Mr. Michael Gaborek and Ms. Sarah Harris), noting they were here to present the proposed Landscape Restoration Project off of Lafayette Street. A power point presentation was then given by Mr. Gaborek showing each area as it exists at the present time followed by the proposed renovation(s) for that same area. Council President Gamatoria thanked Mr. Gaborek for the excellent presentation noting the fact that visual is so much more appealing and helpful in actually understanding what is planned. Councilman Miller explained that he had undertaken this project last year and is really trying to see this to completion. He noted that there are other improvements that need to be taken care of before any actual planting would be started such as removal of deteriorated concrete and existing electrical lines. The existing water meter will remain and have the connection improved for hose use. He then asked to permission to move ahead with this project and asked for approximately \$20,000.00 in seed money to proceed. At this time, the Mayor asked Larry Parks (Director of Public Works) to have the concrete removed and hire an electrician to bury the existing lines. The water meter will be left in place for the time being to help monitor plantings, etc. The Mayor then asked Councilman Miller to meet with him to review the budget and go over this. Councilman Lyttle asked what the time limit is for actual plantings; Mr. Gaborek that the end of September would be the "drop dead" time to carry this plan out. A meeting was scheduled for tomorrow, August 21, 2007, at 3:30 p.m. for the Mayor, Councilmen Miller and Lyttle to discuss Phase I of this project.

Councilman Miller then asked Mr. Gaborek to provide an update on the "Franklina" tree at Tydings Park. Mr. Gaborek explained that this tree is extremely rare and unique for this area and should very likely be protected by some type of temporary fencing around it during events and possibly even a plaque made up with the specie information included.

D. Introduction of Captain Roy Mitchell:

Mayor Dougherty with Chief Walter and Councilmember Ferguson assisting, then introduced and welcomed the newly hired Captain Roy Mitchell for the Havre de Grace Police Department. The Oath of Office was administered to Captain Mitchell with his wife and mother present. Following the Oath, his wife presented him with his badge. Chief Walters then explained the duties that Captain Mitchell's new position will entail.

E. Promotion of Lieutenant Wayne Young to Captain:

With members of Lt. Young's family present, Mayor Dougherty, again assisted by Chief Walter and Councilmember Ferguson announced the promotion of Lieutenant Wayne Young to the position of Captain. Mrs. Young was presented with and pinned Captain Young with his "Captain's" badge. Chief Walter noted she was particularly pleased to

share in this promotion; she noted he has done an outstanding job in fulfilling duties since Lieutenant Johnson retired. Councilwoman Ferguson thanked him for the job he has done and looks forward to him doing an even better job in the future.

F. Recognition of Mr. Robert Goll, Sr.:

Mayor Dougherty and Council President Gamatoria presented Mr. Robert Goll, Sr. with a Proclamation honoring his fifty years of active service in the Susquehanna Hose Company. During his fifty year tenure, he served in the following capacities: Company President, Company Treasurer, Long Time Board Member and Captain of House #2 for nineteen years. It was further noted that he is only one of three members that have achieved an active service of fifty years.

APPOINTMENTS

On motion by Councilmember Lyttle and seconded by Councilmember Kochenderfer and, on six affirmative votes, the appointment of Robin Shane, to the Planning Commission was approved.

On motion by Council President Gamatoria and seconded by Councilmember Ferguson and, on six affirmative votes, the appointment of Charles E. Packard, Sr., to the Board of Appeals was approved.

Mayor Dougherty administered the oath of office to Robin Shane for the Planning Commission and Charles E. Packard, Sr., for the Board of Appeals. He then administered the oath of office to Cathy Vincenti as a member of the Landlord/Tenant Commission serving in the capacity as a representative from the Chamber of Commerce.

At this time, a motion was made by Council President Gamatoria seconded by Councilman Miller asking to amend the Agenda to include the appointment of another applicant to the Landlord/Tenant Commission which had been received at a late date. Motion for amending the agenda was voted on and passed 5 to 1 with Councilman Kochenderfer noting he voted against this solely because of the lateness of Council receiving the application but has complete confidence in Mr. Joyner's ability to serve on this committee. A motion was then made by Councilman Miller, seconded by Council President Gamatoria to approve the appointment of Darryl Joyner to the Landlord/Tenant Commission (fulfilling the requirement of a second landlord with less than 12 properties), voted on and passed 6 to 0.

COMMENTS FROM CITIZENS ON AGENDA ITEMS

- None -

RESOLUTIONS

- None -

ORDINANCES

Ordinance # 892 – Municipal Tree Commission: Motion to Introduce Second Reading made by Councilman Kochenderfer, seconded by Council President Gamatoria, voted on and passed 6-0.

Ordinance Introduction was read: *“An Ordinance by the Mayor and City Council of Havre de Grace for the purpose of establishing the Municipal Tree Commission and its assigned duties and responsibilities. By repealing Ordinances 740 and 740 (Amended) of the Mayor and City Council of Havre de Grace, Maryland, then reenacting the Ordinances. Be it, therefore, enacted and ordained by the Mayor and City Council of Havre de Grace, Maryland, that Ordinances 740 and 740 (Amended) be hereby repealed and reenacted to read as follows:”*

Motion was then made to Adopt Ordinance #892 by Councilman Kochenderfer and seconded by Councilman Lyttle. At this time, Councilmember Miller proposed the following amendment to this Ordinance: “Under Section 14 – add: Except as permitted in emergency situations by the American National Standards Institute (ANSI) and as outlined in the ANSI A300 Manual, It shall be unlawful for any person, firm or entity, to perform tree topping on any street tree, park tree, or other tree on public property.” This proposed amendment was seconded by Councilmember Kochenderfer, voted on and passed 6-0. A motion was then called to Adopt Ordinance #892 by Councilmember Kochenderfer, seconded by Councilmember Miller, voted on and passed 6-0. Mayor Dougherty announced that Ordinance #892 has passed and will become law in 21 days. We have fulfilled all necessary requirements to make this law.

UNFINISHED BUSINESS

A. Executive Order #1: Risk Management and Employee Safety Review Committee (Presented by Council President Gamatoria):

Council President Gamatoria stressed that the committee assigned to this review took their task very seriously. He thanked the Mayor for undertaking this issue and also thanked the committee for their hard work. He stated it was with great pleasure that he presented the findings to the Mayor of Executive Order # 1.

B. Executive Order #2: Water & Sewer Operations Review Committee (Presented by Councilman Kochenderfer)

Councilman Kochenderfer noted that this Committee had a very positive report to present. He thanked the Council members of the Committee as well as the citizens who helped with this review. He particularly mentioned how helpful Donna Geiger, Deputy Director of Water and Sewer, had been in providing them with information and answering of questions. He distributed their findings to the Mayor.

C. Executive Order #3: Department of Human Resources Review Committee (Presented by Councilman Lyttle)

Councilman Lyttle presented their report noting the existing Human Resources Manual was found to be very thorough with exceptions of some minor suggestions for changes. He also thanked the members of his committee for their hard work and assistance. He mentioned how helpful and patient Joan Scarlato had been in this process by providing them with information and answering of questions. He stated she has a manual that she should be very proud of.

NEW BUSINESS

A: Approval of RAD Loan Recommendations:

Vincenti Decoys (353 Pennington Avenue) \$85,000 for Renovations

Councilman Lyttle made a motion seconded by Council President Gamatoria to approve this request; was voted on and passed 6-0.

B: City Council/Planning Committee Recommendation:

Approval for a fence in right-of-way request at 400 South Union Avenue. This request was presented by: Councilman Lyttle who shared the background history on this request. Brief discussion followed with Councilman Miller sharing the reasons this request was being made. Following discussion and verifying this resident had already received approval to install a fence on their private property, a vote was taken. Councilman Lyttle made a motion, seconded by Councilman Miller for approval of this request. President Gamatoria and Councilman Kochenderfer abstained from voting on this issue; the remaining votes resulted in 3 against and 1 for, therefore, this motion failed.

C: Administrative Policy #2 – Administration of Special Events: (Many Special Events are held by various groups in the City – some require City services/support and others do not.) A motion was made to approve this Policy by Councilman Kochenderfer, seconded by Council President Gamatoria, voted on and passed 6-0.

D. Special Event Requests:

- 1. Request to hold the 20th Annual Duck Fair on September 8, 2007 at Havre de Grace Decoy Museum. Councilmember Kochenderfer made a motion to approve this event; this was seconded by Council President Gamatoria, voted on and carried 6-0.**
- 2. Request to hold the 11th Annual 5-K Celebration Run, Sponsored by Harford Memorial Hospital on Saturday, September 29, 2007. Councilmember Kochenderfer made a motion to approve this event, seconded by Council President Gamatoria, voted on and carried 6-0.**

COMMENTS FROM CITIZENS

Mr. Bobby Parker – 608 Swan Court:

Presented information regarding “Negro League Night” at Ripken Stadium on September 6, 2007. First time this has taken place at Ripken Stadium – asking for support from citizens of Havre de Grace.

Mr. Daryl Colter – 1300 Clover Valley Way #C – Edgewood, Maryland 21040: Interested in starting a new business here in Havre de Grace – would also like to join the Chamber of Commerce. Mayor Dougherty thanked him and welcomed him to Havre de Grace; also asked Carol Mathis to set up appointment with Mr. Colter.

Mr. Kevin Racine – 900 Erie Street: (Vice President of Transportation MTA Committee) Informed group that this committee is in process of “closing the gap” between White Marsh and Harford County. They are also working on setting up bus transportation between Maryland and Delaware. Kevin was thanked for coming and keeping Havre de Grace informed.

BUSINESS FROM THE MAYOR

Mayor Dougherty shared the news that he had received a letter today from the Office of the Governor informing us that the State Board of Public Works approved a grant increase of \$10,889,000 from Bay Restoration Funds for the WWTP Expansion. It was noted this is in addition to funding we have already received.

The Mayor noted he attended many meetings in the last two weeks dealing with various issues. He thanked the Council for their diligence in working on the three Executive Orders. He also thanked the Police Department for all their work and efforts on Girard Street. He then summarized the various events he had attended.

BUSINESS FROM COUNCIL

Council President Gamatoria thanked all the Council members for their hard work during the last two or three months. He also thanked the Mayor for the line of communication they have developed. He also reported on the new Flood Insurance Reduction Program that will be available in the near future and explained this could be a real savings to citizens of Havre de Grace. He thanked Jim Newby for all his efforts in this endeavor. He also noted that the Council will be holding work sessions in the near future regarding proposed development by JDH Developers. These meetings will be open to the public and once the dates are confirmed, will be advertised.

Each Councilmember individually reported on the many activities they have taken part in since the last Council meeting. Following are noteworthy comments made by each Councilmember:

Councilman Craig thanked the MML for the banner presentation and congratulated the past Council and Administration and the current one for their efforts in obtaining this honor. He also offered his congratulations to the two Captains of the Police Department as well as to Mr. Goll and the commitment to volunteerism present in Havre de Grace. He further noted that he is anxious to implement the recommendations that were made on the two committees he served on for review as requested by Executive Orders.

Councilmember Ferguson reported on her recent appointment to the Maryland Criminal Justice Information Systems Advisory Board; she is glad to be serving on this Board representing the City of Havre de Grace. She also offered her congratulations to Captains Mitchell and Young as well as Mr. Goll.

Councilman Kochenderfer reported on his attendance at various meetings. He further noted that since the Tree Commission was adopted tonight, there should also be some appointments and reappointments for that Commission at the next Council meeting on September 17th.

Councilman Lytle noted that he felt one of the most important things he heard tonight was the fact that there will be indoctrination/training periods offer to the new members of the Board of Appeals and Planning Commission. He also offered his congratulations to Captains Mitchell and Young. He thanked Councilman Kochenderfer for all his hard work as Chairman of the Water and Sewer Review Committee. He noted that it appears there are more neighborhoods interested in joining the Neighborhood Watch Program.

Councilman Miller reported he has been very busy on the various committees he has been assigned to. The D.P.W. committee has been working on information to fulfill the Executive Orders; he attended the Historic Commission last week and the Board of Appeals will be this coming Wednesday. He is also involved in looking for some additional grants for Water and Sewer.

On motion by Councilmember Miller, Mayor Dougherty adjourned the Council Meeting at 9:50 p.m.