



PROCEEDINGS OF THE CITY COUNCIL MEETING

February 18, 2014

7:00 p.m.

The regular meeting of the Mayor and City Council was called to order on February 18, 2014 at 7:00 p.m. with Mayor Dougherty presiding and the following Councilmembers present: Councilmember's, Craig, Martin Smith, Glenn, Correrri and Cullum. The Pledge of Allegiance was led by Mayor Wayne H. Dougherty and the opening prayer was given by Mary Whitehead of the Healing House.

A motion was made by Councilmember Martin and seconded by Councilmember Cullum to approve the Council meeting minutes of February 3, 2014; motion carries 6-0.

**RECOGNITIONS:**

Participation and support plaques were presented by Mayor Dougherty, Councilmember Bill Martin and Ms. Brigitte Peters to recipients for their efforts for the War of 1812.

**PROCLAMATIONS:** None

**PRESENTATIONS:**

Ms. Carla Sparrow and representatives from the HDG Housing Authority gave an update on Beacon of Hope; where they provide safe, affordable houses.

**APPOINTMENTS:**

A motion was made by Council President Craig and seconded by Councilmember Correrri to approve the appointment of Phil Powell to the Board of Appeals; motion carries 6-0. Mr. Powell's term will be from 2/18/14-2/18/17

A motion was made by Councilmember Martin and seconded by Council President Craig to approve the appointment of Jackie Hoover to the Historic Preservation Commission. Motion carries 6-0 Ms. Hoover terms will be from 2/18/14-2/6/15

**OATH OF OFFICE:**

Mayor Dougherty administered the Oath of Office to Lou Ann Swam; Arts Commission who was voted upon at the 2/3/14 Council meeting.

Mayor Dougherty administered the Oath of Office to Phil Powell and Jackie Hoover.

**COMMENTS FROM CITIZENS ON AGENDA ITEMS:**

George Wagner 408 Union Ave; Mr. Wagner asked Council for their support for the First Friday Application that is proposed.

Ralph Shapot; owner of Tidewater Grill; Stated that First Fridays traffic patterns hurt his business.

Allen Fair; 100 St. John St. would like to consider a different traffic pattern during First Fridays.

**RESOLUTIONS:**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL PURSUANT TO THE ANNOTATED CODE OF MARYLAND ARTICLE 23A AND CITY CHARTER SECTION 34 ESTABLISHING CERTAIN SAFETY REQUIREMENTS FOR POOLS THAT ARE AVAILABLE FOR PUBLIC USE.

A motion was made by Councilmember Glenn and seconded by Councilmember Correrri to introduce Resolution 2014-02; motion carries. After the header was read and assigned a number, a public hearing date of March 3, 2014 @ 7:00 p.m., was established.

**Charter Resolution 277**

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF THE MARYLAND CONSTITUTION, ARTICLE XI – E AND THE PROVISIONS OF THE ANNOTATED CODE OF MARYLAND, LOCAL GOVERNMENT ARTICLE SUBTITLE 3 – AMENDMENT OR REPEAL OF CHARTER AND SUBTITLE 4 ANNEXATION WHICH AUTHORIZE THE LEGISLATIVE BODY OF A MUNICIPALITY TO ANNEX PROPERTY, IN THIS CASE PROPERTY BETWEEN CHAPEL ROAD AND LEVEL ROAD AND BY AMENDING THE CHARTER OF THE CITY; SPECIFICALLY APPENDIX A OF THE HAVRE DE GRACE CHARTER BY ADDING “SUBSECTION A.30 THE FIRST 2014 ADDITION TO THE CITY BOUNDARIES,” ALONG WITH THE LEGAL DESCRIPTION OF THE ACRES OF LAND WHICH WILL ENLARGE THE BOUNDARIES OF THE CITY OF HAVRE DE GRACE BY ANNEXING THE LAND OF ANN W. GREEN, MONTGOMERY C.M. GREEN, ELIZABETH WATTS GREEN, JOHN RODGERS MEIGS GREEN, R. JONATHAN M. GREEN, ANN W. GREEN & MARIANNE SCHMITT HELLAUER TRUSTEES, MONTGOMERY M. GREEN, TRUSTEE, MARIANNE SCHMITT HELLAUER TRUSTEE & 2003 R. JONATHAN M. GREEN SPINOFF TRUSTEE (“GREEN”), PETER J. IANNIELLO & MARY C. IANNIELLO (“IANNIELLO”) AND CHARLOTTE PATRONE (“PATRONE”) CONSISTING OF A TOTAL OF 244.372 ACRES OF LAND MORE OR LESS ADJOINING THE EXISTING CORPORATE BOUNDARIES OF THE CITY OF HAVRE DE GRACE.

A motion was made by Councilmember Cullum and seconded by Council President Craig to introduce Charter Annexation 277; motion carries 6-0. Under the question a motion was made by Councilmember Cullum and seconded by Council President Craig to make the follow amendments: Motion carries 6-0

A public hearing has been set for **Charter Annexation Resolution 277 as amended** for April 7, 2014

*Page 1. Last sentence after the word City add of Havre de Grace and (City)*

*Page 2. First Whereas Line 2 after the word contiguous add the word to*

*Page 2. Second Whereas Line 3 add an s to the word petition and add or consents  
Line 4 the word Section add an s and add 4-403 and*

*Page 3. Section 2. (a) Line 4 after the word Ordinance change the period to a comma*

*Line 5 capitalize the word upon and after the word period add of County Land use authority after the passage of the Annexation Resolution,*

*Page 4. Line 2 after the word owners remove the period and add the following: and/or the City, land use shall then be regulated by the City and not Harford County. Notwithstanding the above, should the City create an Agricultural zoning designation during the five year period, two parcels of Green listed in paragraph one (1) and three (3) in Resolution 2013-13, the Annexation Plan for the Green Property, which is attached hereto as part of exhibit B, may be given the City's proposed Agricultural zoning designation with the property owner's consent in lieu of the zoning designation RB.*

*Line 2 start of second sentence change The to All*

*Line 3 add an s to the word designation and change the is to are*

*Line 4 add an s to the words owner/developer after the word shall add Previously change the word submit to submitted and after the word plan add for the property*

*Line 6 after the word The add Single*

*Line 7 removes the word evenly*

*Line 8 after the word uses change the period to a comma and add :see page 4 of amended version starting after the word uses on line*

*14 thru page 5 line 12 ending with the word agreement(s)*

*with no more than two-thirds (2/3) of the remaining balance devoted to either one use. In addition, on the Property there shall be dedicated to the City a public park, five (5) acres in size, exclusive of any area used for parking or storm water management, for use by the public for leisure and relaxation, akin to Tydings Park in the City along Commerce Street (Public Park). The Public Park area may be used to partially satisfy the requirements that one quarter of the Property be used for open space. Furthermore, on the Property there shall be constructed and dedicated for use by the public an extension of the Lower Susquehanna Heritage Greenway Trail by a six foot wide paved trail that will connect Level Road to the closest point the Property comes to Chapel Road. The construction and dedication of the trail connection may be used to partially satisfy the requirement that one quarter of the Property be used for open space. The road network across the Property must reflect a public road connection into the Scenic Manor subdivision allowing for traffic to make access from Scenic Manor to Bulle Rock Parkway. Other requirements for public facilities will be addressed in the future public works agreement(s).*

*Line 9 before the word must add by any owner*

*Page 4. Section 2. (b) Line 1 remove the word herby*

*Line 2 remove the word annexed Line 9 after the words In addition to add constructing the  
Line 10. After the word their add heirs, after the word assigns add  
Transfers*

*Page 5. Line 9. after the word No remove the words concept plan or*

*Line 11. after the word adequate add the word public*

*Line 13. Before the word plan add the word site*

*Page 6. (c) Line one remove the word that and start sentence with The*

*Page 7. Section 4. (a) Remove all text and replace with the following:  
see page 8 of amended version thru page 9 ending with the word rate*

*Notwithstanding the above, should any parcel of the Property be the subject of a recorded  
subdivision plat, during the ten year waiver period, then upon the recordation of the plat, the  
subject parcel shall then be subject to the City's real property tax at the full rate.*

*Page 7. Section 4. (b) remove all text*

*Page 8. Section 4. (c) remove all text*

*Page 10. Change Patrick Sypolt interim Director no Administration to  
James Newby Director of Administration*

*Change date of Public Hearing to Dates of Public Hearings and  
Add February 3, 2014*

*Change date of second reading and adoption to March 3, 2014*

*Change Effective date to April 17, 2014*

#### **ORDINANCES:**

**AN ORDINANCE BY THE MAYOR AND CITY COUNCIL PURSUANT TO ARTICLE 23A OF THE ANNOTATED CODE OF MARYLAND, TITLE 15 OF THE STATE GOVERNMENT ARTICLE AND SECTION 34 OF THE HAVRE DE GRACE CITY CHARTER AMENDING THE CURRENT ETHICS CODE IN CHAPTER 67 OF THE CITY CODE AND REPLACING IT IN ITS ENTIRETY.**

A motion was made by Council President Craig and seconded by Councilmember Corrieri to introduce Ordinance 952 on first reading. Motion carries 6-0; after the header was read and assigned a number, a motion was made by Council President Craig and seconded by Councilmember Corrieri to adopt Ordinance 952 on first reading. A public hearing is scheduled for March 3, 2014 @ 7 p.m.

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE MARYLAND PURSUANT TO THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND SECTION 5-202 AND CITY CHARTER SECTION 34 AMENDING CITY CODE CHAPTER 25 BOARDS, COMMITTEES AND COMMISSIONS TO ADD THE DUTY TO PROVIDE AN ANNUAL PUBLIC REPORT TO THE MAYOR AND CITY COUNCIL AND ATTEND A JOINT PUBLIC WORK SESSION AS ADDITIONAL DUTIES OF CITY BOARDS, COMMITTEES AND COMMISSIONS.

A motion was made by Councilmember Martin and seconded by Councilmember Correrri to introduce Ordinance 953 on first reading. Motion carries 6-0; after the header was read and assigned a number, a motion was made by Councilmember Correrri and seconded by Councilmember Glenn to adopt Ordinance 953 on first reading. A public hearing is scheduled for March 3, 2014 @ 7 p.m.

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL PURSUANT TO THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND SECTION 5-202 AND CITY CHARTER SECTION 34 AMENDING CITY CODE CHAPTER 97 HISTORIC PRESERVATION BY ADDING ADDITIONAL DUTIES OF THE HISTORIC PRESERVATION COMMISSION TO REPORT TO THE MAYOR AND CITY COUNCIL ANNUALLY AND TO ATTEND A JOINT PUBLIC WORK SESSION TO COORDINATE ACTIVITIES AND TO CONDUCT STREET SCAPE PHOTO DOCUMENTATION OF THE CITY IN CONJUNCTION WITH THE DEPARTMENT OF PLANNING.

A motion was made by Councilmember Martin and seconded by Councilmember Glenn to introduce Ordinance 954 on first reading. Motion carries 6-0; after the header was read and assigned a number, a motion was made by Councilmember Craig and seconded by Councilmember Correrri to adopt Ordinance 954 on first reading. A public hearing is scheduled for March 3, 2014 @ 7 p.m.

**UNFINISHED OLD BUSINESS:** None

**NEW BUSINESS:**

A motion was made by Councilmember Correrri and seconded by Councilmember Cullum to approve the First Friday Special Event Application which includes the First Friday of every month April-December. Motion carries 6-0

**DIRECTOR'S REPORT:**

Mr. Jim Newby; Director of Administration;

Mr. Newby stated the Election registration information will be available on the website.

Mr. Neal Mills; Director of Planning;

Mr. Mills presented the MS4 report.

Mr George DeHority; Director of Finance;

Mr. DeHority stated the finance department is closing the second quarter.

Mr. Larry Parks; Director of Public Works

Mr. Parks stated the Spring Clean Up days will be 4/19, 4/26, 5/3 located at the Community Center.

**Chief Walter; Police Department:**

Chief Walter asked citizens to use caution during the snow and to stay home if they do not need to go out.

**Business from Mayor Dougherty:**

Mayor Dougherty commended all Directors for their support during the last few months.

Young at Heart meets on Wednesdays at 10 a.m at the Activity Center.

Mayor Dougherty gave the second quarter report and gave the annual report on the state of Fund 9.

**Business from Council:**

**Councilmember Smith:**

Councilmember Smith expressed displeasure with how the administration is handling the changes in Economic Development.

**Councilmember Cullum:**

Councilmember Cullum thanked all the departments in the City during the snow events.

Councilmember Cullum congratulated all the recipients of the WAR of 1812 plaques.

Mr. Cullum thanked the citizens that were appointed this evening to our boards and commissions.

Mr. Cullum thanked fellow councilmembers for supporting the amendments to the Annexation Resolution.

Mr. Cullum stated the zoning work has been completed by the Planning Committee and hopes to have the changes before Council in March/April.

Councilmember Cullum appreciates the Mayors response to the Water and Sewer Report.

Mr. Cullum stated the RAD Loan is a valuable service for new businesses.

**Councilmember Corrieri:**

Councilmember Corrieri salutes the efforts of all DPW during the snow storms.

Councilmember Corrieri commends all emergency services who responded for the fire on 2/14/14

**Councilmember Glenn:**

Councilmember Glenn commended all the volunteers and organizations within Havre de Grace.

Councilmember Glenn thanked the citizens that were appointed this evening.

Councilmember Glenn stated the Public Safety Committee is addressing a concern on Warren St and St. John Street crosswalk.

Mr. Glenn commented on the Resolution concerning Connor's Law and AED's in public pools.

Councilmember Glenn reported the ADHOC traffic committee met, Phases I, II, III are complete.

Mr. Glenn attended Boy Scout 967 Spaghetti dinner.

Mr. Glenn commended the Hose co and Ambulance corps for their volunteerism and dedication. Councilmember Glenn gave an update on HHS.

**Councilmember Martin:**

Councilmember thanked the new appoints for their volunteerism to the City.  
Councilmember Martin recognized the recipients of the War of 1812 plaques.  
Mr. Martin thanked the City for plowing the streets in a safe and professional manner.

**Council President Craig:**

No Comments

**Comments from Citizens:**

Bob Robinson; 320 S. Stokes St; Mr. Robinson would like bicycle laws enforced.

Walter Pee Wee Glenn; Anderson Ave; thanked Larry Parks and DPW for fixing the pot hole on Lewis Lane.

George Wagner; 408 Union Ave; Thanked Mayor and Council for approving the First Friday event application. Mr. Wagner asked Council for guidance how he should proceed with the surveys to extend First Fridays. Mayor Dougherty advised Mr. Wagner to forward all information to Shyla Glassman.

A motion was made by Councilmember Corrieri and seconded by Councilmember Craig to adjourn at 9:24 pm; motion carries 6-0