



PROCEEDINGS OF THE CITY COUNCIL MEETING

April 7, 2014

7:00 p.m.

A public hearing concerning **Charter Annexation Resolution #277 as amended** was called to order at 7:00 p.m.

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.

Several comments from Joe Kochenderfer were read into the record. His comments are attached. Mr. K does favor the annexation so long as it can be substantially accomplished in line with the goals of the Comprehensive Plan, particularly regarding the residential component of the requested RB zoning designation.

The public hearing was closed at 7:08 p.m.

The regular meeting of the Mayor and City Council was called to order on April 7, 2014 at 7:08 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 Reverend Rick Haynes.

A motion was made by Councilmember Correrri and seconded by Councilmember Glenn to approve the Council meeting minutes of March 17, 2014; motion carries 6-0.

RECOGNITIONS:

Student of the Month recognitions were presented by Mayor Dougherty

- Havre de Grace Elementary School: Members of the News Team

Chance Brezna, Devin Coates, Jacob Goad, Holly Guldenzopf, Destiny Mister, Britan Nastalski, Alyssa Weeks, Coniah Zoogah and Yamna Essakhi

- Meadowvale Elementary School: Robert DiMauro
- Havre de Grace Middle School: Katie Cymek
- Havre de Grace High School: Marissa Smith

War of 1812 Recognition Plaques was presented by Mayor Dougherty and Councilmember Martin:

- Mrs. Billee Smith; Distinctive Decor
- Mrs. Camay Murphy; St. John's Episcopal Church

PROCLAMATIONS: None

PRESENTATIONS:

- Ms. Bridget Carty of LSHG; Presented a check to the City of HDG for \$5,000 for the Public Art Plan
- Mrs. Elaine Bennett gave a presentation on Relay for Life; this is the 10th year and the goal is to raise \$120,000
- Gary Lyttle presented the Fourth of July T-Shirt Design Contest Winner: HHS Student - Hugh McFarland

APPOINTMENTS: None

OATH OF OFFICE: None

COMMENTS FROM CITIZENS ON AGENDA ITEMS:

1. Bill Watson; 712 Giles St. Thanked the City of HDG/LSHG and Main Street for contributing to the Public Art Plan.
2. There were many citizens that spoke for and against the "Second First Friday" event
The citizens that were in support of the proposed event and spoke in favor are as follows:
 - Steve Sheppard; President of Mainstreet
 - Lori Maslin; 100 S. Washington St.
 - Wayne Meichshein; Rodgers Tavern
 - Shirley Baker; Bay Blvd
 - Carl Lucas; 217 N. Washington St
 - George Wagner; 408 Union Ave
 - Lisa Thomas; unknown address

Citizens that were opposed to the proposed additional First Fridays and spoke not in favor are as follows:

- John Klisavage; 131 N. Washington ST.
- Jay McSpadden; Victory Ct.
- Ralph Shapot; Tidewater Grill
- Shalonn Lawson; Java by the Bay

RESOLUTIONS: None

ORDINANCES:

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 ARTICLE 23A OF THE ANNOTATED CODE OF MARYLAND, AND SECTION 37 OF THE CITY CHARTER AND CITY CODE CHAPTER 196 WATER AND SEWER RATES, FOR THE PURPOSE OF ESTABLISHING THE CITY WATER AND SEWER RATES FOR THE FISCAL YEAR JULY 1, 2014 TO JUNE 30, 2015 AS APPEARS IN CITY CODE CHAPTER 196 AND EXHIBIT A THERETO; AND SETTING FORTH THE BASIC RATE CHARGED FOR WATER AND SEWER SERVICE FOR FISCAL YEARS JULY 1, 2015 TO JUNE 30, 2016; AND JULY 1, 2016 TO JUNE 30, 2017.

A motion was made by Councilmember Cullum and seconded by Councilmember Corrieri to introduce Ordinance 955 on first reading; motion carries 6-0. After the header was read and assigned a number, a motion was made by Councilmember Cullum and seconded by Councilmember Corrieri to adopt Ordinance 955 on first reading; motion carries 6-0. A public hearing is scheduled for April 21, 2014 @7pm.

UNFINISHED OLD BUSINESS: None

- Mayor Dougherty requested a ten minute recess; all in favor 6-0.
The council meeting reconvened at 9:05 with all members' presents on roll call vote.

NEW BUSINESS:

- A motion was made by Councilmember Corrieri and seconded by Councilmember Smith to approve the American Legion Car and Truck Show; June 21, 2014. Motion carries 6-0
- A motion was made by Councilmember Corrieri and seconded by Councilmember Glenn to approve the Waterman's Appreciation Day; July 25, 2014; motion carries 6-0
- A motion was made by Councilmember Smith and seconded by Councilmember Cullum to approve the 3rd First Friday starting May 16, 2014; motion fails 5-1 with Councilmember's Craig, Martin, Glenn, Corrieri and Cullum opposing the motion.
- A motion was made by Councilmember Glenn and seconded by Councilmember Martin to approve the Candlelight Tour; December 6, 2014. Motion carries 6-0

DIRECTOR'S REPORT:

Mr. Jim Newby; Director of Administration
No report

Mr. Neal Mills; Director of Planning
Mr. Mills gave a report on building permits.

Mr. George DeHority; Director of Finance
Mr. DeHority stated the Finance department is going through the property tax sale process.

Mr. Larry Parks; Director of Public Works
Mr. Parks stated the BID project for Juniata Street is currently on the website.
Spring Clean-up days will be held on 4/19, 4/26, and 5/3 at the Community Center

Chief Teresa Walter; Chief of Police

Chief Walter advised citizens that spring sports are in full affect and to use caution around Harris Field and other highly traveled areas with families.

Chief Walter also stated the Prescription Take Back initiative will be held on April 26th, 2014.

Business from Mayor Dougherty:

Mayor Dougherty stated Young at Heart meets every Wednesday at 10 am at the Activity Center.

Mayor Dougherty stated that Havre de Grace was recognized in the Smithsonian Magazine
Mayor Dougherty attended an Eagle Scout Ceremony for Ricky Dill of Troop 130 in Port Deposit.

Business from Council:

Councilmember Smith:

Councilmember Smith attended the Chesapeake Conservancy Fundraiser for the Skipjack Martha Lewis.

Councilmember Smith attended the Harford County Council meeting last week and Ms. Lisanti extended her congratulations for the recognition noted in the Smithsonian Magazine.

Mr. Smith stated a march for public education will be held in Bel Air in hopes to bring attention to the funding issues.

Councilmember Cullum:

Councilmember Cullum stated he will be attending the budget work session on April 14, 2014.

Councilmember Correrri:

Councilmember Correrri met with Ms. Peters of Tourism for a weekly update.

Councilmember Correrri extended his appreciation to the Lower Susquehanna Heritage Greenway for all their support.

Councilmember Glenn:

Councilmember Glenn congratulated Camay Murphy and Billee Smith for their contribution for the War of 1812.

Councilmember Glenn congratulated the Students of the Month to include Hugh McFarland.

Mr. Glenn recognized Laurie Dawson for the education piece "Ringing the Bell of Excellence"

Councilmember Glenn stated a Director of Economic Development will be chosen soon and this will assist to fill the vacant stores downtown

Councilmember Glenn said he was opposed to the second First Friday because he didn't want this to fail.

Councilmember Martin:

Councilmember Martin attended the Martha Lewis fundraiser. He thanked Dianne Klair (city Employee) for being instrumental in the fundraiser.

Councilmember Martin stated he attended the "School House Rock" play at the HDGMS and thanked the teachers for staying after school to make this play successful.

Mr. Martin thanked the administration for replacing the 15 star/15 stripe flag at the Lighthouse.

Council President Craig:

Council President Craig stated that session⁴ in Annapolis will end at midnight and it will be determined what have been approved.

An upcoming budget work session will be held on April 14, 2014 at 6 pm.

A closed session is planned for after the April 21st meeting to discuss the status of the Department of Economic Development Director.

Comments from Citizens:

Lori Maslin 100 S. Washington St; Ms. Maslin appreciates the support of Council and Main Street will go back to the drawing board to collaborate ideas for bringing businesses and visitors downtown.

Charlie Hiner; Ontario St. Mr. Hiner is concerned with the Water and Sewer Proposal and asked Council to be prudent with tax payer's dollars.

Elaine Bennett: 5 N. Rogers Street; Consider moving the candlelight tour to a different date; the Aberdeen Christmas Street falls on the same day.

A motion was made by Councilmember Correrri and seconded by Councilmember Glenn to adjourn at 10:03 pm; motion carries 6-0

JK

This is a repeat of some of my comments from an earlier hearing and another hearing which was an evening when there was a snow event and schedules may have been messed up so I apologize for the seeming echo.

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5. Note that the current Comprehensive Plan indicates the following:

a. Figure 3.10 identifies the proposed annexation properties as Growth Areas 8 and 17 (p 3-27)

b. Figure 3.11 identifies the proposed annexation properties in the Land Use Plan as Employment/Industrial (Area 8) and Open Space and Preserved Land (Area 17)

c. Page 3-27 notes that Area 8, which consists of three parcels, be considered for employment use and that industrial and retail uses are not recommended. Alignment of Bulle Rock Parkway with Lapidum Road is also desired.

d. Page 3-29/30 notes that Area 17, with easements from Maryland Environmental Trust, is recommended to be used as open space. An additional comment states that future use as passive or active open space of the grounds is desired, with careful preservation of historic structures.

(R)

e. Page 3A-22 of the printed copy (page 3A-21 of the on line version) states that both Area 8 and 17 are not intended for increased residential growth.

f. Pages 6-9 and 6-16 list Capacity Allowance of 53,000 gallons of water per day and 49,000 gallons of wastewater per day for Area 8; however, Area 17 is allocated neither water nor wastewater capacity. It is also noted that "Maryland Environmental Trust easements have been placed on portions or all of these properties at property owner's request. Because they are adjacent to municipal boundaries, it is appropriate that the City of Havre de Grace include these properties for land use planning consideration."

←

(B)

(over)

Working w/Paul's updated (red lined) version of the amendment:

Section 2

(a) p 4 - Agricultural zoning for two parcels listed in para (1) and (3) - should this include something such as at least two parcels ...
in case more are desired ?

(a) p 5 - line 6 - "closest point" - could this conceivably be the place where the 20 ft easement along the edge of Scenic Manor which connects Chapel Road to MD 155 ? - if so, I don't think that is what is desired - seems as if the Patrone property would be a good place to start and could be continued along Bulle Rock Pkwy to MD 155 through their parcels and down MD 155 opposite Lapidum Road

(b) p 6 - since site plans are required to have Planning Commission approval, should Planning Commission appear somewhere in this paragraph ?

Section 4 - shouldn't City taxes apply if services (water/sewer and everything available through Public Works) are made available to the existing parcels which may not need any subdivision ? such as some of the existing residences and uses

6. Perhaps, some or all of the items mentioned above are more properly addressed when the concept plan is offered for action by the Mayor and City Council; however, since these items are addressed/implied in the Resolution, I feel that this is a time to make comment. Basically, I favor the annexation so long as it can be substantially accomplished in line with the goals of the Comprehensive Plan, particularly regarding the residential component of the requested RB zoning designation..