



April 19, 2010 @7:00 pm

Public Hearing Ordinance 912 (7:00pm)

During the citizen's comments on the proposed Stormwater Management Ordinance, Mr. Kochenderfer offered a list of syntax changes. In addition, he questioned if the City could impose more than the minimum requirements for areas such as Lily Run; an explanation of disconnection of roof-top and non-roof top runoff as it pertains to gutters/downspouts and sump pumps respectively; the difference between a 12 and 24 month maintenance bond stated in the ordinance; confirmation that the Department of Planning is authorized waiver authority.

Mr. Mills responded that the City could impose more than minimum requirements and Lily Run is such an example; roof top runoff does not affect gutters and downspouts only directing their flow away from impervious surfaces; non-roof top runoff pertains to re-directing run-off from impervious surfaces such as drive ways to pervious areas; that a 24 month bond was required for current structural storm water management systems and the 12 month bond is for the newly mandated use of non-structural or natural site design features to the maximum extent possible; the Department of Planning does have waiver authority under the new proposed ordinance.

A concerned citizen Gabriela Hunter: 709 Teal Court, Havre de Grace cited examples where stormwater management has been a constant environmental problem. She stated the current ordinance does not work because developers and builders find ways around compliance. Her question is why the new ordinance would be any different?

Mr Mills explained that the new ordinance is much more environmentally friendly, contains much stricter requirements and that it is not the intent of the Department of Planning, the Mayor, nor the City Council to allow developers and builders to circumvent the new stormwater management requirements.

Ordinances 913, 914 (7:17pm)

John Gessner: 11 S. Main Street, Bel Air, MD; is present on behalf of Nick Contis who is trying to develop a Banquet Hall via an amendment to Ordinance 913 or adding to Ordinance 914. Mr. Contis will follow the recommendations of Council. Drafting stand point would be up to Council.

Joe K, Tydings Road; Ordinance 913; Would like the Council to consider defining "what temporary parking is", define what retail sale is; leaves for interpretation of what cannot be used.

Ordinance 914: Section S- Museum, Mr. K states this is not required since Museum is covered in Cultural Arts Center, definition in present Ordinance.

Mr. K also states that lot specifications should be identified for the last five items listed in the last page.

Let the record reflect that Mr. K has sent all suggestions discussed this evening to Mayor and Council via email.

Ordinance 915: (7:26pm)

Mr. K, Tydings Road; Section 4-1, would like the Council to consider adding "material" and including "book, magazine...." Seems as if such places as convenience stores may be affected which were not in violation previously.

Section 4-2, previously seemed to apply to live performances in the definition of "Patently offensive sexual performances" and now would apply across the board to inanimate as well.

PROCEEDINGS OF CITY COUNCIL MEETING

April 19, 2010

City of Havre de Grace, Maryland

The regular meeting of the Mayor and City Council was called to order on April 19, 2010 at 7:29 pm with Mayor Wayne H. Dougherty presiding and the following members present: Council President Craig, Councilmember's Cullum, Martin, Shank, and Miller and Guldenzopf. The Pledge of Allegiance was led by Mayor Dougherty and the opening prayer was performed by Councilmember Shank.

On motion by Councilmember Martin and seconded by Councilmember Guldenzopf and on six affirmative votes, the minutes of April 5, 2010 were approved.

RECOGNITIONS: (Presented by Mayor Dougherty and Councilmember Shank)

Fire Fighter recognitions were presented to Captain James Sampson for the month of March; Incentive Program Fire Fighters of the Year were presented to Captain Ron Cardwell, Firefighter Gail Reeder, and Lieutenant Gene Burchett. Not present to accept awards were they following: Captain Bob Goll Jr., Lieutenant's Billy Lamana and Shawn Hurst.

PRESENTATIONS:

Mr. Bill Watson; Chairman of the Tourism Advisory Board read into the record the response for a request of a statement regarding listing of Havre de Grace Businesses and their relationship with the tourism website.

Suzanne Streeter of Harford County Government updated Mayor and Council to the HUD Annual Action Plan.

Hollee Sifford and Debbie Leodore of American Cancer Society and Relay for Life presented Mayor and Council a plaque for the continued support and presented Chief Walter with a certificate of appreciation.

PROCLAMATIONS:

A Proclamation was presented by Mayor Dougherty to the Havre de Grace Heritage Museums for collaborating and joining forces.

OATH OF OFFICE: None

COMMENTS FROM THE CITIZENS ON AGENDA ITEMS:

Betty Coakley, Girard Street: Commented the City is fulfilling all responsibilities as a municipal government.

With no objections from Council the Council meeting was recessed at 8:33pm.

The Council meeting was re-convened by Mayor Wayne Dougherty at 8:47pm

RESOLUTIONS:

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

A motion was made by Council President Craig to introduce resolution 2010-05 and seconded by Councilmember Cullum. 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 Martin to adopt Resolution 2010-05. Motion carries 6-0.

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 SECTION 2 OF ARTICLE 23A OF THE ANNOTATED CODE OF MARYLAND AND ANY AMENDMENTS THERETO, TITLED "CORPORATIONS – MUNICIPAL," THE ENVIRONMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND AND ANY AMENDMENTS THERETO, AND SECTION 37 OF THE CITY CHARTER, FOR THE PURPOSES OF ENACTING THIS ORDINANCE NO. 916 ESTABLISHING THE CITY WATER AND SEWER RATES FOR THE FISCAL YEAR JULY 1, 2010 TO JUNE 30, 2011.

A motion was made by Councilmember Cullum to introduce Ordinance 916 on first reading and seconded by Councilmember Craig. Motion carries 5-1 with Councilmember Shank opposing the motion. A motion was made by Councilmember Cullum and seconded by Council President Craig to adopt Ordinance 916. Council President Craig made a motion which was seconded by Councilmember Shank to amend Ordinance 916 leaving the water & sewer rates unchanged for FY 2011. After explaining the rationale of the proposed amendment and upon a roll call vote of 4 in favor and 2 opposed, the amendment to Ordinance 916 was approved. Councilmember's Cullum and Guldenzopf were opposed to the amendment. Upon a roll call vote of 4 in favor and 2 opposed, Ordinance 916, as amended, was approved on first reading. A Public Hearing is scheduled for May 3, 2010 @ 7:00.

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, PURSUANT TO THE AUTHORITY PROVIDED BY THE ANNOTATED CODE OF MARYLAND TAX-PROPERTY ARTICLE TITLE 6 AND THE ANNOTATED CODE OF MARYLAND ARTICLE 23A, FIXING THE TAX RATE FOR THE FISCAL YEAR JULY 1, 2010 TO JUNE 30, 2011 ON EACH ONE HUNDRED DOLLARS (\$100.00) OF ASSESSABLE REAL PROPERTY, PERSONAL PROPERTY; AND PROVIDING AN ADDITIONAL SPECIAL TAX LEVIED WITHIN THE CRITICAL AREA SPECIAL TAXING DISTRICT.

A motion was made by Councilmember Cullum and seconded by Council President Craig to introduce Ordinance 917 on first reading. Motion carries 5-1, with Councilmember Shank opposing motion. After the header was read and assigned a number and explaining the rationale of Ordinance, a motion was made by Councilmember Cullum and seconded by Council President Craig to adopt Ordinance 916 on first reading. Motion carries 4-2 with Councilmember's Shank and Miller opposing the motion. A Public Hearing is scheduled for May 3rd@ 7pm.

UNFINISHED BUSINESS/OLD BUSINESS:

Councilmember Miller gave a copy of 17 proposed changes to Ordinance 913 and Ordinance 914. Councilmember Miller will propose these changes on May 3, 2010.

The Planning Committee Meeting has reviewed these changes.

NEW BUSINESS:

A motion was made by Council President Craig and seconded by Councilmember Guldenzopf to approve the lease for DMC properties. (Chiapparelli's) (Formally Ken's Steak House) Motion carries 6-0.

A motion was made by Councilmember Miller and seconded by Councilmember Shank to approve the Lockhouse Festival walk/run. Motion carries 6-0.

BUSINESS FROM THE MAYOR:

Carol Mathis- Director of Administration:

Ribbon Cutting will take place on the North Park/Joe k Trail on May 15, 2010 @10am starting at the Lockhouse.

Neal Mills- Director of Planning:

Final inspection for Chiapparellis' and U & O issued.

Issued U &O for DJ Liquidators and also completed final inspection.

Sent final notice for 517 S. Stokes Street. The owner has 30 days to respond or the house will be demolished.

George DeHority- Director of Finance:

Mr. DeHority is following up with budget requests from the Budget Hearings.

Closed third quarter and a report will be forthcoming.

Preparing and coordinating for 2010 Audit to begin in June.

Larry Parks- Director of DPW

May 10, 2010 City Contractor will be reconstructing Franklin Street, foot traffic will be allowed accommodations will be made for deliveries.

City has been flushing fire hydrants at night.

Reminded car traffic to be aware of the DPW crew working.

Chief Walter- Police Department

Commented on the Women's 5K by the Bay that will be happening this weekend on April 25th; anticipating 600 runners in Havre de Grace.

May 1-2nd, many activities are taking place and she is asking that citizens use caution when they are in town.

Mayor's Report-

Read into the record, Nancy Jacob's letter regarding highway user funds.

Read into the Record from the April 16th Record newspaper, "Havre de Grace Notice of real property taxes"

Read into the record a statement that was read at the April 8th 2010 budget hearing.

Read into the record Quarterly Fiscal 2010 Financial Results; copies were distributed to Council.

Business from the Council President:

No comments.

BUSINESS FROM COUNCIL:

Councilmember Miller:

Councilmember Miller received and email from Pam Wexler and request a copy is attached to the minutes.

Councilmember Miller deferred reading the email into the record.

Councilmember Miller stated that he has accomplished many projects through teamwork in the last four years.

Mr. Miller feels that every downtown business should be listed on the HDG website to increase visitors and revenue for the downtown business area.

Councilmember Guldenzopf:

Distributed a Comprehensive Zoning Review report that reflects the Executive Order #2009-1. Report was read into the record.

The Havre de Grace Triathlon is approaching us and there are spots available.

Councilmember Guldenzopf urges citizens to vote for the candidate that is willing to work with the City

Councilmember Shank:

Would like the Council to show the citizens that we support them in economic times without giving steps and colas.

Commended Mr. Parks and DPW for scheduling the Franklin Street project around First Friday's.

Would like to go on the record and state he supports Christmas bonuses however he suggests the City employee should spend their bonus in a downtown business.

April 29th, 2010 is the Liquor Board Presentation to all non profits organizations.

Arts Crawl will be held Sunday April 25th from 12-5.

Councilmember Cullum:

Councilmember Cullum feels that while on Council he has helped the City grow and prosper.

Councilmember Martin:

Commented on the 10th annual River-sweep; will take place April 24th. Registration is online.

Blockhouse is having there annual dinner at the Bayou on April 20th @ 6:00.

Commented that some Council has been avoiding Steps and Cola's in the last 4 Budget Hearing Session and his intent is to address this at the next meeting.

Councilmember Martin would like to see the following, to allocate 48,000 to sustain level funding for the Susquehanna Hose Company and Ambulance Corps. He also desires to lower the tax rate to 591/2cents and to provide a side walk on Commerce Street and leading into Tydings Park.

COMMENTS FROM CITIZENS:

Kevin Racine, 900 Erie St:

Mr. Racine would like the community to take action in improving transit in Harford County.

Elected Vice Chair for the Maryland Transportation Administration

Betty Coakley, Girard Street:

Mrs. Coakley feels that Havre de Grace needs a new "we" to help the citizens.

A motion was made by Councilmember Miller and seconded by Councilmember Martin to adjourn at 10:37pm.