

## PROCEEDINGS OF CITY COUNCIL MEETING

April 5, 2010

City of Havre de Grace, Maryland

The regular meeting of the Mayor and City Council was called to order on April 5, 2010 at 7:00 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 Chaplain Nick McDonald of Upper Chesapeake Health.

On motion by Councilmember Shank and seconded by Councilmember Cullum and on six affirmative votes, the minutes of March 15, 2010 were approved.

Mayor Dougherty removed item 6B from the agenda. "Did You Know" awards. Employees are in training.

RECOGNITIONS: (Presented by Mayor Dougherty)

Recognition was presented to Student of the Month from Meadowvale Elementary School, Miss. Dachele Johnson.

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PRESENTATIONS: None

PROCLAMATIONS: None

OATH OF OFFICE: None

COMMENTS FROM THE CITIZENS ON AGENDA ITEMS:

Charles Packard Sr., 712 Shawnee Brook Drive, Havre de Grace: Mr. Packard is the President of the Susquehanna Hose Company. Commented on item 10B, stated funding is important and appreciates continued support. He appreciates Council reaching out to both the Susquehanna Hose Company and Ambulance Corps.

Joe K, Tydings Road; commented on item 10A, Mr. K offered his personal observations and opinions. He asked the Council to consider putting Opera House Resolution on hold. Feels that the Old City Hall does not represents a Visitors Center and feels that Old City Hall does not have welcoming appearance. He stressed that the current Visitors Center should remain. Old City Hall has a conservative image and cannot be changed without hurting the historical value. He does not agree with demolishing the current Visitors Center and making it into parking. Owners and employees should not park in front of their own businesses.

Phil Barker, 101 McSpadden Drive, Former Mayor of Havre de Grace, New President of Maritime Museum. Mr. Barker thanked the Mayor and Council for there continued support and financial support. Commented on three important events that relate to the success of the Maritime Museum; these events are Wooden Canoe Event, Marifest and HDG Triathlon.

Marsha Jacksteit, 409 Girard, President of Friends of Concord Point Lighthouse; Asked for support for the upcoming event, re-dedication of the John O'Neil Cannon Memorial.

Charles Vasilaski, 974 Chesapeake Drive, President of Lockhouse. Asked for support for the event of War 1812 on the Lockhouse grounds. On behalf of all the museums, he thanked the Mayor and Council for the support during the years. Stated support is crucial and thanked the City. Ensures the Mayor

and Council that every museum is working just as hard as the next and they meet to collaborate often. Asking for favorable considerations for funding.

Cecil F. Hill, 505 Concord Street. Stated his support for the May 2, 2010 triathlon event.

**RESOLUTIONS:**

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND FOR THE PURPOSE OF DETERMINING THE CURRENT AND FUTURE USE OF THE CITY PROPERTY KNOWN AS THE OLD CITY HALL BUILDING ON UNION AVENUE PURSUANT TO THE AUTHORITY OF ARTICLE 23A OF THE ANNOTATED CODE OF MARYLAND AND CITY CHARTER SECTIONS 4 AND 34.**

A motion was made by Councilmember Martin and seconded by Councilmember Craig to introduce Resolution 2010-03. Motion carries 5-1 with Councilmember Shank opposing introduction. After the header was read and assigned a number, a motion was made by Councilmember Miller and seconded by Councilmember Martin to adopt Resolution 2010-03. Motion carries 5-1 with Councilmember Shank opposing the motion.

Councilmember Shank commented he will not support the concept of moving the Visitors Center to the Opera House.

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND AMENDING CITY RESOLUTION 2001-4 AND ESTABLISHING LEVEL FUNDING FOR THE SUSQUEHANNA HOSE COMPANY, INC. AND THE HAVRE DE GRACE AMBULANCE CORPS.**

A motion was made by Councilmember Martin and seconded by Councilmember Cullum to introduce Resolution 2010-04. Motion carries 6-0. A motion was made by Councilmember Guldenzopf to amend the resolution to cover only thru 2014 so that a reassessment could be made. Motion failed for lack of a second.

After the header was read and assigned a number, a motion was made by Councilmember Shank and seconded by Councilmember Cullum to adopt Resolution 2010-04. Motion carries 6-0.

**AN ORDINANCE DELETING AND REPLACING CITY CODE CHAPTER 169 STORM WATER MANAGEMENT IN ITS ENTIRETY IN ORDER TO BRING THE EXISTING CODE INTO COMPLIANCE WITH THE MARYLAND ANNOTATED CODE ENVIRONMENT ARTICLE.**

A motion was made by Councilmember Guldenzopf and seconded by Councilmember Shank to introduce Ordinance 912 on first reading. Motion carries 6-0. After the header was read and assigned a number a motion was made by Councilmember Guldenzopf and seconded by Councilmember Shank to adopt Ordinance 912 on first reading. Motion carries 6-0. A Public hearing is scheduled for April 19, 2010 at 7:00pm.

**AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, ARTICLE 23A AND 66B OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER, FOR THE PURPOSE OF AMENDING HAVRE DE GRACE CITY CODE CHAPTER 205 ZONING ARTICLE 11 SECTION 205-13 DEFINITIONS.**

A motion was made by Councilmember Guldenzopf and seconded by Councilmember Miller to introduce Ordinance 913 on first reading. Motion carries 6-0. After the header was read and assigned a number a motion was made by Councilmember Guldenzopf and seconded by Councilmember Miller to adopt Ordinance 913 on first reading. Motion carries 6-0. A Public hearing is scheduled for April 19, 2010 at 7:00pm.

**AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, ARTICLE 23A AND 66B OF THE ANNOTATED CODE OF MARYLAND AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER FOR THE PURPOSE OF AMENDING HAVRE DE GRACE CITY CODE CHARTER 205 ZONING ARTICLE VII RB RESIDENTIAL BUSINESS DISTRICT SECTIONS 205-26, PRINCIPAL PERMITTED USES AND SECTIONS 205-27 CONDITIONAL USES.**

A motion was made by Councilmember Guldenzopf and seconded by Councilmember Miller to introduce Ordinance 914 on first reading. Motion carries 6-0. After the header was read and assigned a number a motion was made by Councilmember Guldenzopf and seconded by Councilmember Cullum to adopt Ordinance 914 on first reading. Motion carries 6-0. A Public hearing is scheduled for April 19, 2010 at 7:00pm.

**~~AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, ARTICLE 23A OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER, FOR THE PURPOSE OF AMENDING HAVRE DE GRACE CITY CODE CHAPTER 4 ADULT ENTERTAINMENT~~**

A motion was made by Councilmember Guldenzopf and seconded by Councilmember Shank to introduce Ordinance 915 on first reading. Motion carries 6-0. After the header was read and assigned a number a motion was made by Councilmember Guldenzopf and seconded by Councilmember Shank to adopt Ordinance 915 on first reading. Motion carries 6-0. A Public hearing is scheduled for April 19, 2010 at 7:00pm.

**UNFINISHED BUSINESS/OLD BUSINESS: None**

**NEW BUSINESS:**

A motion was made by Councilmember Cullum and seconded by Councilmember Martin to approve special event "Wooden Canoe Rendezvous" Motion carries 5-0; Councilmember Guldenzopf recused herself from voting due to her involvement with the Maritime Museum.

A motion was made by Councilmember Shank and seconded by Councilmember Martin to approve special event "Marifest". Motion carries 5-0, Councilmember Guldenzopf recused herself from voting due to her involvement with the Maritime Museum.

A motion was made by Councilmember Shank and seconded by Councilmember Miller to approve special event "Susquehanna Music and Arts Festival". Motion carries 6-0

A motion was made by Councilmember Miller and seconded by Councilmember Guldenzopf to approve special event "Rededication of the John O'Neil Cannon". Motion carries 6-0

A motion was made by Councilmember Martin and seconded by Councilmember Shank to approve special event "HDG Triathlon". Motion carries 5-0. , Councilmember Guldenzopf recused herself from voting due to her involvement with the Maritime Museum.

A motion was made by Councilmember Guldenzopf and seconded by Councilmember Shank to approve special event "War of 1812". Motion carries 6-0

A motion was made by Councilmember Guldenzopf and seconded by Councilmember Cullum to approve license agreement for Susquehanna Hose Company Station #3- Market St to establish new Parking on Fountain St. This parking is located in the City right-of-way. Motion carries 6-0.

A motion was made by Councilmember Guldenzopf and seconded by Councilmember Miller to approve the free standing sign in the City right-of-way; 1126 South Washington St. Motion carries 6-0.

A motion was made by Councilmember Guldenzopf and seconded by Councilmember Miller to approve the block patio with fireplace/chimney and wall in City right-of-way; 600 Lewis St. Motion carries 6-0.

A motion was made by Councilmember Guldenzopf and seconded by Councilmember Miller to approve free standing sign in City right-of-way; 611 South Union Ave. Motion carries 6-0.

#### **BUSINESS FROM THE MAYOR:**

##### **Carol Mathis- Director of Administration:**

The Franklin Street project will begin in the next few weeks. A pre-construction meeting will be held on April 6, 2010.

The Five point project will start before August.

##### **Neal Mills- Director of Planning:**

Requested extensions and received approvals from Maryland Department of Planning for our state mandated Water Resource and Municipal Growth elements.

In the process of reviewing Critical Area requirements for two projects- Fire House #3 addition and new boat ramp at Tydings Park.

##### **George DeHORITY- Director of Finance:**

Primary effort is working on the Budget

Wrapping up third quarter results

Will be meeting with FEMA

##### **Larry Parks- Director of DPW**

**FRANKLIN STREET STREETSCAPE PROJECT:** Contract awarded, pre-*construction* meeting will be held on Wednesday April 7, 2010 at City Hall. Businesses will be notified and construction should start the following week.

**BOURBON STREET WATER LINE IMPROVEMENT:** Advertising and engineering completed and the pre bid meeting will be held on April 7, 2010 at 9:30 am at City Hall in the large conference room. The bid opening for this project will be held in council chambers on April 21, 2010 at 2pm.

**US40/LEWIS LANE WATER MAIN CROSSING :** Advertising and engineering completed and the pre bid meeting will be held on April 7, 2010 at 11am in the large conference room. The bid opening for this project will be held in council chambers on April 21, 2010 at 3pm.

**BLOOMSBURY AVE., ERIE ST. AND LOCUST RD., SANITARY SEWER REHAB. :** Approx. 50% complete, waiting on pre cast vault. This project is scheduled to be completed by the end of April.

**OLD BAY LANE:** Engineering and surveying services are in the process of being re-bid with a new scope of services. We expect to have this completed by the middle of May.

**LEWIS LANE PAVING:** Plans are in the process of being reviewed by the city attorney and CSX's attorney.

**WATER SYSTEM IMPROVEMENT PHASE III:** Engineering bid's due by April 9, 2010.

**PAVING PROGRAM:** Paving for Tidewater drive will start as soon as the weather permits. (Road temperature must be 60 degree and climbing). Residents will be provided at least two weeks notice.

**TYDINGS PARK ELECTRICAL UPGRADE:** Received quotes. Lowest bidder has been notified.

**Chief Walter- Police Department**

Vandalism at the Maritime Museum has been reported. Please contact the Police Department if you have information related to this.

Increased number of calls has been received regarding dogs and bicycles on the promenade. Chief Walter reminded everyone that dogs and bicycles are not allowed on the promenade.

The police department is gearing up for special events throughout the summer time.

The Chief reminded everyone who is a business owner not to park in customer parking.

**Mayor's Report-**

There is a new business in downtown HDG. The store is called Pizzazz. A variety of gifts and party supplies are available. The store is located on 220 North Washington Street.

Young at Heart meets on Wednesdays at 10am at the Community Activity Center.

**BUSINESS FROM THE COUNCIL PRESIDENT:**

The City of HDG has been represented at MML for the past year by Councilmember Cullum.

Councilmember Cullum will be running for an elected position on the Board of Directors for MML.

**BUSINESS FROM COUNCIL:****Councilmember Martin:**

The next Parks and Harbor meeting will take place on April 8<sup>th</sup> at 4pm.

**Councilmember Miller:**

Two new bathrooms were installed at the pumping station.

Councilmember Miller reminded everyone to clean up after their dogs.

**Councilmember Guldenzopf:**

Comprehensive Zoning Review Committee meets the first and third Tuesday of the Month.

Councilmember Guldenzopf will be making a report at the next Council meeting.

**Councilmember Shank:**

Last week, Don Oman, Council President Craig, Superintendent of schools Tombeck and Mary Ann Lisanti met to discuss future magnet school for HDG.

Made the suggestion that the local businesses should have cost deferred for initial listing on the tourism website.

April 9<sup>th</sup>, Fellowship of Christian athletes will present former Denver Bronco player, Steve Pitso. He will be speaking about topics that teenagers face today. This is open to the public and will be held at HDG High School.

This weekend the Union gallery located on Union Ave will have a special show. Call Tourism or Mainstreet for further details.

The Painted Lady will have a special exhibit on Saturday evening.

Warren St Art Gallery and other art galleries will participate with the "Art Crawl"

On April 27, from 6-8 @ the Art Gallery will host special exhibit for art students from HDG High School.

This is under the direction of Jenna Zimmerman. Councilmember Shank commented that he will not support the budget due to the current economic times.

**Councilmember Cullum:**

Suggested that if Citizens want to obtain the facts about the budget to attend a budget hearing.

Reminded everyone to complete there Census and explained the importance.

Stated as a City body, we should thank all the museums for their hard work and dedication. Also stated he is glad to hear all the museums are working together.

**COMMENTS FROM CITIZENS:**

**Betty Coakley, Girard Street:**

Would like the Mayor and Council to review plans for a Tourism center at David Craig Park.

Asked why Havre de Grace does not have a Magistrate Court. Expressed this would be convenient for the Citizens of HDG.

Commented that she feels safer with the Police Department on Bicycle's.

**Sharon Duncan, Locust Rd.**

Expressed her opinion concerning on the preparation of the fiscal year budget.

Mayor Dougherty stated he has an open door policy and he assures Mrs. Duncan there is no hiding of salaries.

He reiterated that the City has had a 7 cent drop in property tax and we will be 5 cent below the constant yield based on his preliminary budget.

**Allan Fair, Concord Place;**

Stated that auxiliary police would be a great asset to the City.

**Kevin Racine, Erie St:**

Expressed when rates are increased it affects many disabled citizens.

**Tom Fitzpatrick:**

Expressed thanks to Brenda Guldenzopf and Carol Mathis

The Lockhouse grand re opening will be April 10<sup>th</sup>, 2010 @2pm.

**Charles Packard 712 Shawnee Brook Drive:**

Thanked Mayor and Council and express gratitude for level funding.

A motion was made by Council President Craig and seconded by Councilmember Cullum to proceed in accordance with Section 10-508 of the Annotated Code of Maryland, the Havre de Grace City Council will meet in closed session on Monday, April 5<sup>th</sup>, 2010 at the conclusion of the regularly scheduled City Council Meeting. The purpose of this closed session is to seek legal counsel from the City Attorney regarding potential property acquisition.

**A motion was made by Councilmember Shank and seconded by Councilmember Miller to adjourn at 9:26pm.**