

PROCEEDINGS OF CITY COUNCIL MEETING

February 1, 2010

City of Havre de Grace, Maryland

A Public Hearing was called to order at 7:00pm for Charter Resolution 271 and Ordinance No. 911.

Councilmember Cullum and Councilmember Miller recused themselves in any discussion of Charter Resolution 271 and Ordinance 911 due to their financial benefit.

Charles Packard: President of the Susquehanna Hose Company and spoke on behalf of Ambulance Corps. (712 Shawnee Brook Dive, Havre de Grace) Thanked the Mayor and Council for the Introduction of Charter Resolution and Ordinance No. 911. The tax credit is greatly appreciated and is the best recruitment and retention tool.

Betty Coakley; 287 Girard St, Havre de Grace. Stated the emergency response service personnel are outstanding people and she supports the tax credit. She is hoping the Resolution is not restricted to many of the members.

Councilmember Martin states the positive effects of these documents are far reaching. Feels this is a deserving tax credit and believes that using this Ordinance and Resolution as a recruitment and retention tool is important. Councilmember Martin feels this concept is proper for the members that serve our City. He would like to consider amending Ordinance 911 to state the following: 1. When a married couple resides at the same address and are both members of the Susquehanna Hose Company or the Ambulance Corps, they are eligible for double the tax credit, making the tax credit \$1,000. 2. If a life time member of the Susquehanna Hose Company or Ambulance Corps pass away in the line of duty serving the City, the widow will not have to pay any property tax.

Councilmember Shank personally extends thanks to all the members of the Ambulance Corps and Hose Company for their efforts in serving the City.

Councilmember Guldenzopf supports the suggestions of Councilmember Martin.

Council President Craig looks forward to finalizing the Ordinance and also supports the comments of his fellow Councilmember's.

The regular meeting of the Mayor and City Council was called to order on February 1, 2010 at 7:20 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 Retired Pastor Ed Heydt.

On motion by Councilmember Cullum and seconded by Councilmember Shank and on six affirmative votes, the minutes of January 4, 2010 were approved.

RECOGNITIONS: (Presented by Mayor Dougherty)

Students of the month were recognized. Meadowvale student's Devon Martin and Bradley Pierce; Havre de Grace Middle School students Cassandra Rogers and Daniel Webb; Havre de Grace High School students Hannah Saenz and Jeffery Riggelman.

Firefighters of the Month were recognized. Lieutenant Keith Beckley, Firefighter Bay Wettig, Firefighter Jim Miller, Firefighter Allen Dinan and Firefighter Ed Grainger.

PROCLAMATIONS: (Presented by Mayor Dougherty)

A Proclamation was presented to Steve Gamatoria (Interim Marina Manager March 30, 2009-January 31, 2010)

VFW RECOGNITIONS: (Presented by Philip Balch, Commander of HDG VFW)

Patriot Pen Award was presented to Middle School Student Jacob Kirby.

Voice of Democracy Award was presented to High School Student Miss Frankie Roman.

Law Enforcement Officer of the Year was presented to Billy Thompson of HDG Police Department.

Fireman of the Year was presented to Bill Reeder from Susquehanna Hose Company.

Teacher of the Year was presented to Yolanda Presberry from HDG Middle School.

COMMENTS FROM THE CITIZENS ON AGENDA ITEMS:

Joe Kochenderfer – Commented concerning item 8B paragraph 2; proposing of the Nursing Home Sale. Would like the Mayor and Council to expand on Paragraph 2 on what the future holds for the building. Mr. Kochenderfer would like further elaboration on the buy back portion of this Resolution.

Pete Panos, 717 Farrow Ct. Administration from Citizens Care Center: Comments that the Board of Directors are in support of Resolutions 2010-01 and 2010-02.

RESOLUTIONS:

A motion was made by Council President Craig and seconded by Councilmember Cullum to introduce Resolution 2010-01, A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND FOR THE PURPOSE OF DECLARING CERTAIN REAL PROPERTY AND NO LONGER NEEDED FOR ANY PUBLIC PURPOSE OF PUBLIC USE. Motion carries 6-0. A motion was made by Councilmember Miller and seconded by Council President Craig to amend paragraph 4 to state *WHEREAS, The Mayor and City Council seek to retain the open land bounded on the north by Girard Street, the east by Concord Street, the south by Revolution Street and with a new western boundary 305 feet long more or less running from the south side of Girard*

Street to the north side of Revolution Street, the said new western boundary line being the western edge of Young Street extended northward from Revolution Street to Girard Street (hereinafter "Park Parcel"). After explaining the rationale surrounding the purpose of the Resolution, Council President Craig made the motion to adopt Resolution 2010-01. Councilmember Shank seconded the motion. Motion carries 6-0.

A motion was made by Council President Craig and seconded by Councilmember Cullum to introduce Resolution 2010-02, **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, FOR THE PURPOSE OF PROPOSING FOR SALE OF CERTAIN REAL PROPERTY PREVIOUSLY DECLARED AS SURPLUS PROPERTY AND NO LONGER NEEDED FOR ANY PUBLIC PURPOSE OR PUBLIC USE BY THE CITY TO THE HARFORD COUNTY GOVERNMENT.**

A motion was made by Councilmember Miller and seconded by Council President Craig to amend Section 1 to state: *An improved parcel of land located in the Sixth Election district of Harford County, in the City of Havre de Grace known as 415 Market Street being a part of parcel 1276 as shown on Harford County Tax Map 602, and part of the land described in a 1980 Agreement signed by Harford County, Maryland and The Mayor and City Council and recorded in the Land Records of Harford County at Liber 1130 Folio 0098 and being part of the land described in a deed from the Mayor and City Council unto the County Commissioners of Harford County for the use of the Citizens Nursing Home Board of Harford County and filed in the Land Records of Harford County at Liber 0661 Folio 0425, which purported transfer was void as it violated the City Charter, and more particularly described as an area bounded by the north side of Revolution Street, the eastern side of Market Street and the southern side of Girard Street with a new boundary line running 305 feet from the southern side of Girard Street to the northern side of Revolution Street, said boundary line running along the same line as the western edge of Young Street* Extended Motion carries 6-0.

A motion was made by Councilmember Cullum and seconded by Councilmember Shank to amend Section 1, paragraph 3 to add "non profit" nursing home facility. *The Property is to be offered to the Harford County Government for One Dollar (\$1.00) with a deed restriction that the Property will automatically revert to the Mayor and City Council if it is not used as a non-profit nursing home facility in conjunction with the Harford County Government, State of Maryland and the Citizens Care and Rehabilitation Center, a Maryland unincorporated entity assigned Department No. T00219108 by the State Department of Assessments and Taxation.* Motion carries 6-0

A motion was made by Council President Craig and seconded by Councilmember Shank to amend the Resolution to state in the last paragraph *settlement to take place within one year from the date of the election and the Property is sold As is, @ by negotiated contract approved by the Mayor and City Council.* Motion carries 6-0.

After explaining the rationale surrounding Resolution, Council President Craig made the motion to adopt Resolution 2010-02, Councilmember Miller seconded the motion. Motion carries 6-0.

UNFINISHED BUSINESS/OLD BUSINESS:

A motion was made by Councilmember Shank and seconded by Councilmember Cullum to allow the Independence Day Committee to begin the carnival setup at Tydings Park on Sunday, June 27th and 28th beginning at 8 a.m. This motion will amend the original authorization given at the Council meeting held on January 4th, 2010. Further Council discussion ensued, to include clarification received from Charles Mike, Chairman of the Independence Day Committee, concerning the starting time of the setup. A motion was made by Councilmember Shank and seconded by Councilmember Craig to allow setup to begin at 10 am. Upon a roll call vote of 3 in favor and 3 opposed, Mayor Dougherty broke the tie by opposing the amendment. Councilmember's Craig, Shank and Guldenzopf were in favor of the amending motion with Councilmen Miller, Martin and Cullum opposing the motion. The motion to give the Independence Day Committee authorization to hold the carnival at Tydings Park from Tuesday, June 29th through Sunday, July 4th, with setup to begin on June 27th at 8 a.m. was unanimously approved.

A motion was made by Councilmember Shank and seconded by Council President Craig to approve the amendment to the MS Walk application. The applicant is requesting to hang one banner to advertise the event April 4th -April 18th at their choice. Motion carries by voice 6-0.

NEW BUSINESS:

A motion was made by Councilmember Shank and seconded by Councilmember Cullum to approve the River Sweep Application. Motion carries by voice 6-0.

A motion was made by Councilmember Shank and seconded by Councilmember Miller to approve the request made by Chesapeake Heritage Conservancy to hold their 16th annual Bull Roast at Hutchins Park from 6 – 10 p.m. on April 24th, 2010. Under the question a motion was made by Councilmember Miller and seconded by Council President Craig to direct the applicant to be responsible for their own trash pick up. The amending motion failed for lack of a majority vote. The original motion was unanimously approved.

A motion was made by Councilmember Shank and seconded by Council President Craig to approve the Farmers Market application. Motion carries 6-0
Council President Craig made the motion to change the time on the event application to 8:15am to 12:15pm. This will insure set up and break down time. The motion was unanimously approved. Motion carries 6-0.

A motion was made by Councilmember Shank and seconded by Councilmember Martin to approve the HDG concerts in the Park application. The motion was unanimously approved. Motion carries 6-0.

A motion was made by Councilmember Shank and seconded by Councilmember Cullum to approve the Flea Market Application. The motion was unanimously approved. Motion carries 6-0.

A motion was made by Councilmember Shank and seconded by Councilmember Cullum to approve the Seafood Festival Application. After a lengthy discussion among the applicant and Council the motion was unanimously approved. Motion carries 6-0.

Mayor Dougherty requested a 5 minute recess with no objections.
The Council Meeting was called to order at 10:14 pm

A motion was made by Councilmember Shank and seconded by Councilmember Cullum to approve the 47th Annual Art Show. The motion was unanimously approved. Motion carries 6-0.

~~A motion was made by Councilmember Shank and seconded by Councilmember Miller to approve the Graw Days application. The motion was unanimously approved. Motion carries 6-0.~~

A motion was made by Councilmember Shank and seconded by Councilmember Martin to approve the First Friday's application. Under the question, Mayor Dougherty suggested that it be tentatively approved without the beer garden on the application. Carol Mathis will contact Bill Watson and clarify the application. A motion was made by Councilmember Cullum and seconded by Councilmember Martin to table the application since the "beer garden" request was not stated on the original application. The tabling motion failed with Councilmember Cullum in favor of the motion and Council President Craig, Councilmember's Martin, Miller, Guldenzopf, and Shank opposing the motion. A motion was made by Councilmember Miller and seconded by Councilmember Shank to amend the application to assume the "beer garden" is needed. Motion was approved with 5 in favor and 1 opposed. Motion carries 5-1. Councilmember Cullum opposes the motion.

A motion was made by Councilmember Guldenzopf and seconded by Councilmember Cullum to approve the placement of the free standing sign at 608 S Union Ave. Motion carries 6-0.

Mayor Dougherty read into the record Fiscal 2010 Financial Results.

BUSINESS FROM THE MAYOR:

Directors Reports:

- A. Carol Mathis, Director of Administration- Received two thank you notes, one was from the Lockhouse, thanking the City for general support, the other was from a citizen that thanked DPW for helping her in an emergency situation and their quick response.
- B. Neal Mills, Director of Planning- At the last meeting Councilmember Miller requested an update on the residential rental registration. Total registrations include 1, 931. Last year we added 80; exploring 80 other leads in the area. Our enforcement program update, 161 new violations, last year reported 145. Reasons are high vegetation, rubbish and abandon vehicles. 57 are outstanding and 17 are carried over from last year. Outstanding property balance for fines and fees are \$19,590.
- C. George DeHority, Director of Finance- Closing second quarter of fiscal year. Currently prioritizing department needs FY 2011 budget. The deadline for second Semi Annual payment for property taxes and efforts for follow up are being completed.

D. Larry Parks, Update on snow storm was presented. Stated that 12 DPW staff worked, 172 ½ OT hours were recorded, 42 ½ tons of salt, \$3,470 total is overtime hours, \$2,796 total in salt. Total was \$6,541. No accidents or major repairs were need to equipment. The budget was covered.

800 block of Ontario Street, is now a one way street. This has been advertised in the paper and on our website.

E. Chief Teresa Walter, Police Department- An increase in motor vehicle accidents was noted due to the snow event. Computer Aided Dispatch tracks calls for service, and is working well. Police Department is having a fence installed around the perimeter. This will allow for a higher level of security. The fence is being paid for by grant money. In the last 6 months of 2009, 12% decrease in part one crimes has been noted.

Mayor Dougherty:

A. Will be calling the Better Business Bureau regarding the notification for water line sewer coverage. This is a guarantee of acceptance insurance. The City is not sending these notifications out and will not sell any insurance.

B. Commends the efforts from DPW during the snow storm.

C. Thanked Pat Donovan and Arts Commission for a wonderful time at the Arts Ball.

BUSINESS FROM THE COUNCIL:

Council President Craig:

A. Thanked Parks and Harbor Chair, Councilmember Bill Martin for arranging a Public Works Session for February 9th at 7pm for the Yacht Basin Manual Review.

Councilmember Guldenzopf:

A. Planning Committee continues to work thru several issues and the RB amendment still on the table.

B. Zoning Review Committee- Tuesday February 2nd at 7pm is the next meeting.

C. Harford County Action Center is sponsoring Chili dinner at Churchville Presbyterian Church on February 6th from 2-7.

D. Night at the Museum Gala will be February 27th at the Maritime Museum

E. Harford County does not participate in the National History Day Program. Brenda will be taking the lead on bringing this to Harford County starting in HDG. March 6th all the museums will sponsor National History Day.

Councilmember Cullum:

A. Thanked the Mayor for the budget report.

B. Reassessment notice on property was mailed to everyone, included was notice was a form for Homestead Property Tax, the form must be filled out to obtain property tax.

C. February 5th at 3pm is the next Water/Sewer Commission. Public is Welcome.

Councilmember Shank:

- A. Last Tuesday night, Mainstreet held their general membership meeting. Thanked Council President Craig, Councilmember Miller and Carol Mathis for their membership. Also thanked Diane Smith for being a gold member.
- B. Arts by the Bay is having their next opening Friday 5th, 2010 @ 7pm
- C. Last Thursday D & J Medical opened their new business located in 422 south Stokes Street.
- D. Another new business is opening on February 6th, Simplicity Décor located on Franklin Street.
- E. Ellsworth Lecture Series will be held in the Council Chambers next Thursday night 6:30. Professor Wayne Kirkland from the Maritime Museum of Delaware will be discussing Floating Lighthouses on the mid Atlantic.
- F. Thanked Wayne from the ARC for the new sweater.

Councilmember Martin:

- A. January 23rd was the Patio Polar Plunge to help raise money for the Maryland Special Olympics. A few City employees participated in the plunge which included Councilmember Bill Martin, Chief Walter, Brigitte Peters and Shyla Glassman

Councilmember Miller:

- A. Reminder that February 15th is President's Day and City Hall will be closed. No Council Meeting is scheduled.

Comments from the Citizens: NONE

A motion was made by Councilmember Miller and seconded by Councilmember Shank to adjourn at 11:00pm.