



Public Hearing 7 pm

Ordinance 934

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND PURSUANT TO ARTICLE 23A OF THE ANNOTATED CODE OF MARYLAND ARTICLE 66B OD THE ANNOTATED CODE OF MARYLAND AND SECTION 34 OF THE HAVRE DE GRACE CITY CHARTER RESCINDING THE CURRENT RENTAL PROPERTY CODE IN CHAPTER 147 OF THE CITY CODE AND REPLACING IT IN ITS ENTIRETY.

Martha Dennis 607 Lafayette St: Asked why are we passing this law? Understands the issue of absentee landlords and they should be dealt with accordingly. Who is protected the landlord or the tenant? Feels as if this Ordinance has been changed multiple times and landlords should not be paying for the fees and why this Ordinance exists. What happens if the home is vacant? Per the Mayor, code enforcement deals with vacant homes.

Candice Bossoli: 523 Camilla St; concerned with inspections and compliance and the verbiage within the Ordinance. Concerned those landlords should be notified when law enforcement is involved. Feels that Ordinance is discriminatory

What is the mission statement and outcome of this Ordinance? Feels this is open for interpretation.

Would like Council to define implementation of this program and feels expenses should be set aside from general fund.

Dr. Gunther Hirsch: Does not doubt the Ordinance and the good intentions and good bills are not necessary. Asked the Council not to erect new walls within the Government in Havre de Grace that makes it difficult for new landlords to operate.

Dr. Edna Hirsch 516 Glenville Rd, Churchville: Notes the dynamic of the Ordinance but feels the 80% of the landlords present keep their rentals clean and safe. Feels that the Ordinance if for the few that do not follow the Ordinance. Cost analysis should be set forth to determine the how much this Ordinance will cost the City.

Mr. Gary Getz: 449 Bourbon St: Not sure of the intent of the Ordinance. Bureaucracy and fees need to be left out of this.

Mary Lynn Snyder: 300 Bourbon St: Was a member of the first Landlord Commission and tried to make it simple however feels that this does not work. Feels that the Landlords should be held accountable and that code enforcement should work with the few non compliant landlords. Ordinance needs thought thru further and stated Council did not ask the peoples opinion.

The Honorable Dion Gunthrie: Harford County Council; Brought to the Council's attention the same issues that the County is having, started a task force to review the livability code and bring it up to date. Biggest issue is enforceability with the absentee landlords. The proposed Ordinance deals with non compliant property owners. County's fee is 20 dollars every three years so this forces the landlord to register and then the housing department has the ability contact the landlord.

Task force has been diligently working on surrounding municipal rental codes so they can bring the county up to date.

Helen Cayer; Concord Apartments, Chesapeake Drive: Our community has a high rental rate and feels this Ordinance does not protect the tenant.

Carol Rimel 810 Market St: Would like the Council to consider meeting with a few landlords so they have a better understanding of what is expected of them; Feels that the Council does not communicate with the landlords.

George Wagner; 408 Union Ave: Code enforcement is a problem; Feels that creating this Ordinance is creating another level of government.

Charles Hiner 666 Ontario Street: represents BCH Realty; would like to know the intent of the Ordinance. Would like to see the code enforcement call log and how many times they have been out to the rental properties.

Council President Martin: March 21st 2012 Council suspended the old Landlord Tenant Ordinance and we are trying to revise to improve. The old Landlord Tenant Ordinance is cumbersome. The Admin committee has researched the components of what should be in this ordinance. The fee will be \$12 a year; the original Ordinance did not work because it was free and had no teeth to it. This ordinance is directed to help the landlord. A public work session will be held on November 28th at 6:30pm.

Councilmember Cullum; stated he is glad that the public spoke and is looking forward to further comments. The concerns with inspections are complaint driven only. He encourages all landlords to attend the public work session. At this point, Councilmember Cullum is on the fence with supporting this Ordinance. Feels the City does not regulate businesses and rentals are a business. This Ordinance protects property values and landlords.

Councilmember Correrri; Thanked everyone for their time and a public hearing is needed, Agrees with Dr. Hirsch about not building walls and agrees with Ms. Rimel about having input from the Landlords. Councilmember Correrri is looking forward to the work session.

Councilmember Miller: Councilmember Miller states that he was on Council 5 years ago when the first landlord tenant Ordinance was adopted. Feels the issue was that the administration could not get a handle on a comprehensive list on rentals. Feels the new proposed Ordinance does not improve anything. Does not support the proposed Ordinance, liked the old Ordinance.

Five minute recess:

Mayor Dougherty called the regular meeting called to order at 8:02 with the Councilmember's Martin, Cullum, Miller, Correrri and Wagner present. Councilmember Craig was not present. The pledge of Allegiance was led by Mayor Dougherty and the opening prayer was sung by the Lewis Lane singers under the direction of Mr. Tom Barnes.

A motion was made by Councilmember Cullum and seconded by Councilmember Wagner to add the sustainability resolution that was tabled at the last council meeting be placed on the agenda under old business. Motion carries 5-0.

A motion was made by Council President Martin and seconded by Councilmember Correrri to approve the minutes of November 7, 2011.

Recognitions: (Presented by Mayor Dougherty and Councilmember Correrri) A Recognition was presented to Mr. Angelucci as EMT person of the month.

“Did you know Awards” were presented to Mr. Bay Wettig and Mr. Dinghy Fears by Mayor Dougherty, Councilmember Correrri, Mr. Larry Parks, Mr. Bill Reeder and Ms. Carol Mathis for their life saving efforts.

Proclamations:

Mayor Dougherty presented a Proclamation to Councilmember Fred Cullum for “Municipal Government Works Month” as part as Banner City USA.

Presentations:

A presentation was given by members of S.M.I.L.E.S at HHS. Thanked Mayor and Council for their continued financial support. The members of this organization spoke about their annual Thanksgiving Dinner.

Mr. Lucas Matissi and Mr. Mike Bisen from the Reznick Group presented annual report of June 30th, 2011. Audit report was of the financial statements through June 30th 2011. Financial statistics were discussed- a packet was provided

Appointments:

A motion was made by Councilmember Wagner and seconded by Councilmember Correrri to appoint Ms. Terri Dezell to the Tourism Advisory Board, Motion carries 5-0. Ms. Dezell term will be November 21, 2011 thru November 21, 2014

Oath of Office:

Mayor Dougherty administered the Oath of Office to Ms. Terri Dezell,

Comments from Citizens on Agenda Items:

Norman Obenshain: 101 North Union Ave.; thanked and commended the elected officials, police, citizens and business owners for the way the community treated the Occupy Wall Street. This is a reflection and speaks volumes for our community.

Resolutions: None

Ordinances: None

Unfinished/Old Business:

Sustainability Resolution:

A RESOLUTION OF THE MAYOR AND CITY COUNCIL PURSUANT TO ARTICLE 23A OF THE ANNOTATED CODE OF MARYLAND AND CHARTER 34 OF THE HAVRE DE GRACE CITY CHARTER INDICATING SUPPORTING FOR PARTICIPATION IN THE SUSTAINABLE MARYLAND MUNICIPAL CERTIFICATION PROGRAM.

A motion was made by Councilmember Wagner and seconded by Councilmember Cullum to introduce the resolution 2011-18. After the header was read and assigned a number

A motion was made by Councilmember Miller and seconded by Councilmember Cullum to adopt Resolution 2011-18, under the question motions were made by Councilmember Wagner and seconded by Councilmember Cullum, they are as follows (page 1) Remove entirely the second Whereas; motion carries 5-0, In the third Whereas remove the word also; 5-0, Remove entirely the fifth Whereas 5-0, Remove entirely the eighth Whereas; motion carries 5-0

(Page 2), number 3 delete: paragraph in its entirety and replace with:

The City of Havre de Grace shall create a Green Team made up of nine members; five citizens and four city representatives (two members of City Council and two city employees) as chosen by the Mayor with approval by the Mayor and City Council. Members shall serve one year term from the date of appointment. Motion carries 5-0

(Page 2) number 4 first line change the word my to any and at end of second line add or any future years. Motion carries 5-0

(Page 2) number 5 and number 6; delete in its entirety; motion carries 5-0

Under the question a motion was made by Councilmember Martin and seconded by Councilmember Correrri that the amended resolution be retyped and reviewed by public and a public hearing set for December 5, 2011; Motion fails 3-2 with Councilmembers Miller, Cullum and Wagner opposing the motion.

Resolution 2011-18 as amended was adopted on roll call 4-1 with Councilmember Martin opposing the motion

New Business;

Employee Christmas Bonus: Mayor Dougherty proposed \$100 for full time employees and \$50 for part time A motion was made by Councilmember Correrri and seconded by Councilmember Cullum to approve the proposed employee bonuses. Motion carries 4-1 with Councilmember Miller opposing the motion.

A motion was made by and seconded by Councilmember Correrri and seconded by Councilmember Cullum to approve the Mardi Gras 2012 parade to be held on February 21, 2012. Motion carries 5-0

Directors Report:

Carol Mathis: (Director of Administration)

Ms. Mathis will be posting on the website ten reasons why to “Buy Local”

Mr. Neal Mills: (Director of Planning)

Mr. Mills states grading permits were issued for Scenic Manor

Mr. George DeHority: (Director of Finance)

Mr. DeHority states the primary focus for the Finance Department is FY 2013 Budget

Mr. Larry Parks: (Director of Public Works)

Mr. Parks stated the recycle schedule has been modified for the Thanksgiving holiday. Recycling will be picked up on Friday.

Chief Teresa Walter (Police Department)

Chief Walter stated the Small business Saturday is November 26, 2012, encourages everyone to buy local Increased foot patrol during the holiday season has been increased.

Business from the Mayor:

Mayor Dougherty stated two contracts are located in Joan Scarlato’s office along with two amendments that he is proffering.

Mayor Dougherty is concerned with Sustainability Resolution and not being able to hold a public hearing and allowing the public to be involved.

RFP for dredging have been posted on the website and in Record and Aegis

Received information from constellation energy, rate has decreased and advised citizens to read the material carefully

Councilmember Cullum:

Councilmember Cullum is requesting a compile of code violations and police calls to all rental activity in the last two years.

Mr. Cullum stated nothing has changed with the sustainability resolution, cannot believe that this resolution has been so difficult to pass.

Mr. Cullum wishes everyone a Happy Thanksgiving

Councilmember Wagner:

Thanked the Mayor and Council for the support for the sustainability resolution. The resolution that has been passed is simple and is excited for the initiatives to begin.

Ms. Wagner attended a concert at Billiards Bikes

Ms. Wagner wished everyone a Happy Thanksgiving

Councilmember Correrri:

Mr. Correrri wished everyone a Happy Thanksgiving
Attended the Veterans Day Service was November 11, 2011 and all organizations that participated
The Ambulance Corps is organizing Toys for Tots; contact Mark Hemler for more information ;939 6662

Councilmember Miller:

Mr. Miller Attended the Veterans Day at the American Legion
Mr. Miller thanked the members of the VFW for replacing the flags.
The Planning Committee still working on the task force recommendations
Mr. Miller would like to explore other avenues of approach in the upkeep of the 102 Storm Water Management Ponds
Mr. Miller stated that the Mayor and Council did not have anything to do with the 7-11 at Legion Square. Zoning laws have been in effect since 1982.
The sustainability resolution was brought up two meetings ago and feels that the resolution almost slipped through the cracks. Resolution could have been put on the website so that the citizens could view it.
Thanked Lewis Lane singers and is hoping to see them at the new renovated Opera House on Union Ave.
Councilmember Miller wished everyone a Happy Thanksgiving.

Council President Martin:

Council President supports recycling however it is a personal choice and he would have preferred the “wait and watch” approach with the sustainability resolution. Would have liked of had a public hearing so the public could review the proposed amendments.

Appreciates Pastor Obeinshain’s comments on how the city welcomed the Wall Street Protestors.
Thanked the Police Department and DPW.

Councilmember Cullum:

Councilmember Cullum feels that he added the Sustainability at the beginning so citizens could comment.

Councilmember Miller:

Mr. Miller stated we are stewards of the Chesapeake Bay and being green helps our environment and if any company does not support or chooses not to be green they do not belong in Havre de Grace.
Companies should comply with the green initiatives.

A motion was made by Councilmember Correrri and seconded by Council President Martin to adjourn at 10 a.m. Motion carries 5-0