

PUBLIC HEARING

May 19, 2008- 7:00 P.M.

Public Hearing on W/S Commission Ordinance # 896

This Public Hearing was called to order at 7:00 P.M. by Mayor Wayne Dougherty.

Note: A Friendly Amendment was made to change number of this Ordinance assigned at last Council Meeting from #895 to #896.

“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 Article 23A of the Annotated Code of Maryland for the purpose of creating the Havre de Grace Water/Sewer Commission; establishing the purpose, duties, and organization of the Commission; establishing the membership, method of appointment, and terms of membership of the Havre de Grace Water/Sewer Commission.”

There were no comments or questions from the audience. Council President Gamatoria clarified that this Ordinance is not to be confused with the Commission or Group that the County is looking into; this is strictly a Havre de Grace Commission that will study water rates and then make recommendations to the City Council. Councilmember Kochenderfer commented that the idea of forming this Commission is to hopefully insulate it somewhat from the political process by having a three (3) citizen member group as well as a couple people from the staff and a Council person. It has been operating for approximately a year and a half as an Ad-Hoc committee; the purpose of this is to formalize it into a Commission.

There being no further comments, Mayor Dougherty closed the Public Hearing 7:03 P.M.

PROCEEDINGS OF CITYCOUNCIL MEETING

May 19, 2008

CITY OF HAVRE DE GRACE, MARYLAND

The regular meeting of the Mayor and City Council was called to order on May 19, 2008, at 7:04 p.m. with Mayor Wayne H. Dougherty presiding and the following members present: Council President Stephen Gamatoria, Councilmembers Barbara Ferguson, James Miller, Randolph Craig, Joe Kochenderfer and Garrett Lyttle.

Mayor Dougherty led the Pledge of Allegiance.

Opening prayer was led by Pastor Timothy Rabbit; the Harbor of Grace Assembly of God.

On motion by Councilmember Lyttle, seconded by Councilmember Ferguson, and on six affirmative votes, the minutes of May 5, 2008 were approved.

PRESENTATIONS/RECOGNITIONS:

A. Presentations to Firefighters for Month of March and April, 2008:

Council President Gamatoria presented the Recognition to Firefighters for March and April to the following individuals: March: Tom Phelan and Dave Larson (these two gentlemen were unable to be present – Chief Scott Hurst was presented with them). April: Jim Miller, Barry Hewitt and Floyd Bowman were all three recognized for their efforts and accomplishments during the month of April.

B. Student(s) of the Month: (Brittney Kane)

There was only one (1) student recognized this month and that was Brittney Kane from Havre de Grace High School. Mayor Dougherty presented Ms. Kane with her much deserved recognition with Principal Pat Walling and her family present.

C: Alicia Smith – Parks and Recreation Volunteer

Ms. Smith was presented with a Recognition Certificate by the Mayor for her action and taking the initiative to assist an elderly citizen that was in distress at the Office on Aging while volunteering there. Ms. Smith’s family was present as well as Ms. Karen Green, who nominated Alicia for this award, as well as a member and leader from her Girl Scout troop.

D. “Did You Know Award” A new program for employees of the City has been established where employee(s) will be selected to be recognized for accomplishments above and beyond the call of duty. These employees must be nominated and then approved through a selection committee; these awards will be given on a quarterly basis. Ms. Carol Mathis, Director of Administration, presented the first awards to the following employees: Finance Department: Phyllis Fenwick, Michele Barrow-Widman, Shanemarie Ferguson, Resa Laird, Sandy Ayres and Tracy Conaway; D.P.W.: Thomas Borneman, Ken Van Dusen and Ken Montgomery.

E. Main Street Program: The Mayor presented President Bill Watson of the Main Street, Inc. Organization with a Proclamation recognizing them for receiving Accreditation as a 2008 National Main Street Program member.

F. Official Election Results: As required by Charter, Ms. Sally Daigle, Chairperson of the Havre de Grace Board of Elections, presented the official results of the recent election as follows.

CITY COUNCIL:

Barry Anderson	361
John P. Correrri, Jr.	388
Fred H. Cullum	416
Joseph G. Gamatoria	334
Bill Martin	465
James P. Miller	499
James W. Walker	177

BALLOT QUESTIONS:

A: Sale of Property to Shane Sheet Metal, Inc.	For: 664	against: 289
B: Sale of Property to St. James AME Church And Mt. Erin Cemetery	For: 843	Against: 166
C: Sale of Property to Macgregor’s Inc.	For: 687	against: 312

COMMENTS FOR CITIZENS ON AGENDA ITEMS:

A. Mr. Mike Hiob (Councilmember from City of Aberdeen) Extended his congratulations to the newest Councilman Elect Bill Martin as well as returning Councilmember Cullum and Councilmember Miller for his re-election. He stated that he is looking forward to working with the entire Council and maintaining a working relationship between the two cities (Aberdeen and Havre de Grace). He then distributed pens to each of the Council members.

ORDINANCES:

A. Introduction for Amended Taxi Ordinance

“An Amendment to Ordinance No. 880 by the Mayor and City Council of Havre de Grace pursuant to the authority of Article 23A of the Annotated Code of Maryland and the City Charter for the purpose of amending City Code Chapter 180, current City Ordinance No. 880.” A motion to introduce was made by Councilmember Ferguson, seconded by Council President Gamatoria, voted on and approved 6-0. A motion was made by Councilmember Lyttle for first reading of this Ordinance, seconded by Councilmember Miller, voted on and approved 6-0. The number 897 was assigned to this Ordinance. A Public Hearing will be scheduled for June 2, 2008 at 7:00 and second reading and adopt on June 16th. Councilmember Ferguson thanked Chief Walter for her support while working on this. Council President Gamatoria mentioned that the taxi cab companies have also been involved in this effort.

B. Tax Rate Ordinance #895 (Second Reading and Adoption)

“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 23A, fixing the tax rate for the fiscal year July 1, 2008 to June 30, 2009 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 for second reading was made by Council President Gamatoria; seconded by Councilmember Miller, voted on and approved by voice vote 6-0. Following the reading, a motion to adopt was made by Council President Gamatoria, seconded by Councilmember Miller.

At this time, Councilmember Kochenderfer made a motion, seconded by Councilmember Lyttle to amend this Ordinance to reflect a 64¢ tax rate rather than the proposed 63¢ rate for each \$100.00 assessable real property. This was voted on by roll call resulting in two Councilmembers (Kochenderfer and Lyttle) voting for the change rate while the remaining Councilmembers voted against this change. Therefore, this proposed amendment failed.

The original motion to adopt by Council President Gamatoria which was seconded by Councilmember Miller was then voted on and passed 6 to 0.

UNFINISHED BUSINESS:

A. Licensing Agreement – 509 Green Street- Replacement Fence in Right of Way

A motion to approve this Licensing Agreement was made by Council President Gamatoria, seconded by Councilmember Kochenderfer, voted on and approved 6-0.

B. Rescind of RAD Loan to De Chalet Salon in the amount of \$84,400 due to the loan not meeting the current requirements of the City.

A motion to approve this request was made by Councilmember Lyttle, seconded by Councilmember Miller, voted on and approved 6-0 by voice vote.

BUSINESS FROM COUNCIL:

Council President Gamatoria thanked the citizens for their support – he noted he has received numerous thanks from citizens, but he truly believes he and those others that choose to run for such as position should thank the citizens for that opportunity. He noted his tenure here was a very positive experiences and he thanked the Mayor, Councilmembers, Administration, etc. for their hard work and support. He announced several upcoming events and invited citizens to attend. He commented on the “Did You Know” awards and believed this was a good idea and well deserved.

Councilmember Craig: Welcomed back Councilmember Miller, thanked Councilmember Lyttle for his service to the City and especially thanked Council President Gamatoria for being his mentor before running for office and while he has been serving. He thanked the Council President for a very pro-active role he played.

Councilmember Ferguson: Added her pleasure at serving on committees with Council President Gamatoria – thanked him for his honesty, concern and hard work and for following through on all issues. Congratulated Councilmember Miller for his re-election and looking forward to working with you.

Councilmember Kochenderfer: Thanked the Council President and Councilmember Lyttle for this service – considers them both friends and appreciates the opportunity of getting to know them.

Councilmember Lyttle: Mentioned he has served over the past two years with members who have “good heads and good hearts”. He thanked all the Councilmember he has worked with as well as Mayor and staff. He especially thanked those who have been mentors to him since coming on board the past two years.

Councilmember Miller: Thanked Council President Gamatoria and Councilmember Lyttle for their service the last two years – welcomed Fred Cullum back and welcomed Bill Martin for his first term.

City Attorney Paul Ishak: Added his best wishes and thanks to Councilmember Lyttle and Council President Gamatoria. Noted what he appreciated most about Mr. Lyttle in negotiations was his calm. Said when Steve ran for Council, he was surprised but a very welcome surprise – he noted he has set the bar very high and thanked him for that.

Mayor Wayne Dougherty: Thanked Councilmember Lyttle for his friendship, words of encouragement, etc. outside of the office, but also respected and valued his views on City issues. As far as Council President Gamatoria, he agreed that he has set a “very high bar”. Really appreciated

your open mindedness and being willing to listen to explanations, etc. Most of all, he appreciated the friendship they have developed. The Mayor then thanked Jim Miller for the hard work he has done, especially in Department of Public Works issues and thanked him for his dedication to the City and the citizens and looks forward to working with him in the future.

All of the Councilmember's comments included not only thanks and praise to their co-members but congratulated and wished the new members the very best.

PRESENTATIONS FROM MAYOR:

At this time, the Mayor presented Council President Gamatoria and Councilmember Lyttle with two engraved crystal vases in appreciation for their years of service.

Prior to adjourning, the Mayor invited Mr. Robert Parker to speak regarding the upcoming Negro League which will take place on August 29th at the Ripen Stadium. He thanked Havre de Grace for their support last year and expressed the hope that they will participate and support even more this year.

ADJOURN SINE DIE:

A motion to adjourn Sine Die was made by Council President Gamatoria, seconded by Councilmember Lyttle.

OATH OF OFFICE:

At this time, the Oath of Office was administered by Judge Emory Plitt to the newly elected Councilmembers – James P. Miller, Fred H. Cullum and William Thomas Napier Martin.

CALL TO ORDER

The regular meeting of the Mayor and new City Council was called to order on May 19, 2008, at approximately 8:45 p.m. with Mayor Wayne H. Dougherty presiding and the following members present: Councilmembers Barbara Ferguson, James Miller, Randolph Craig, Joe Kochenderfer, Fred Cullum and Bill Martin.

CLOSED SESSION:

A Motion from Council to Move to Closed Session for the purpose of selecting the new Council President was made by Councilmember Ferguson, seconded by Councilmember Kochenderfer, voted on and approved 6-0.

ROLL CALL: Mayor Dougherty called the meeting back to order at 10:32 p.m. A roll call was taken with Mayor Wayne Dougherty presiding and the following members present: Barbara Ferguson, James Miller, Randolph Craig, Joe Kochenderfer, Fred Cullum and Bill Martin.

MOTION FOR ELECTION OF COUNCIL PRESIDENT:

Councilmember Miller noted that at this time it was his pleasure to nominate Fred Cullum for Council President; this was seconded by Councilmember Craig, voted on and passed 6-0 by roll call. Mayor Dougherty congratulated Council President Cullum on his presidency and went on to comments by the new Council President.

COUNCIL PRESIDENT COMMENTS:

Council President Cullum thanked everyone for the opportunity to serve as President and noted that it is without a doubt that Steve Gamatoria did an excellent job as President and he hopes to continue in that same mode. He did ask the Councilmembers to please let him know as soon as possible which committees they would prefer to serve on and he will attempt to assign based on that information.

At this time, Council President Cullum noted that the Special Events Committee will be done away with but he will be creating a Budget and Finance Committee to work with the Finance Department on budget transfers and those types of issues in order to keep the Council informed. Special Events will be Parks when a park is involved and all others will be handled administratively. There will still be six (6) committees, each one chaired by a Councilmember and two other Councilmembers serving on each committee.

ORDINANCES: (None)

RESOLUTIONS: (None)

NEW BUSINESS:

A. Motion to Recognize Boundary Expansion for Main Street, Inc.

A motion was made by Councilmember Miller, seconded by Councilmember Craig to approve this recognition. Before voting, Councilmember Kochenderfer expressed the opinion that the attached map does not match the verbiage in the recognition. It was decided, by friendly amendment, to merely delete the reference to A&E District on the map. The motion was then voted on and passed 6-0.

B. Approval of Special Events: a. Shakespeare in the Park, b. Concerts in the Park, c. Seafood Festival, and d. Law Enforcement Torch Run

Councilmember Kochenderfer presented all of the above special events and asked for one motion to approve the group. Council President Cullum made that motion, seconded by Councilmember Kochenderfer, voted on and approved 6-0.

BUSINESS FROM THE MAYOR:

Mayor Dougherty was extremely brief because of the late hour. He looks forward to a productive year and knows that he will enjoy working with the new Council.

BUSINESS FROM COUNCIL:

Council President Cullum: Expressed that he is happy and eager to be back and work with the new Council. He thanked Steve Gamatoria and Garrett Lyttle for their service and wished them well. He further noted that it will be his pleasure to work with the new members as well as the Mayor and his staff.

Each Councilmember expressed their congratulations to the new members and their eagerness to work together and achieve many accomplishments.

COMMENTS FROM CITIZENS: (None)

ADJOURNMENT: Motion to Adjourn was made by Councilmember Miller, seconded by Councilmember Ferguson; Mayor Dougherty adjourned the meeting at 10:56 p.m.