

PUBLIC HEARING
April 21, 2008
7:00 P.M.

The Mayor called this Public Hearing to Order at 7:00 P.M.
Public Hearing on Resolution No. 267 (Charter Amendment – First 2008 Annexation)

A Resolution by the Mayor and City Council of Havre de Grace, Maryland, adopted pursuant to the authority of the Maryland Constitution, Article XI-E and the provisions of the Annotated Code of Maryland, Article 23A, Sections 13 and 19 which authorize the legislative body of a municipality to annex property and by amending the Charter of the City; and to amend Appendix A of the Havre de Grace Charter by adding “Subsection A.28 the first 2008 addition to the City Boundaries,” along with the legal description of the 5.706 acres of land which will enlarge the boundaries of the City of Havre de Grace by annexing the land of Jonathan M. Green, Montgomery C.M. Green, Elizabeth Watts Green and John Rodgers Meigs Green, the State Roads Commission, the Mayor and City Council of Havre de Grace, John W. Hardwicke, Substitute Trustee and MTBR Ventures, LLC consisting of 5.706 acres of land adjoining the existing corporate boundaries of the City of Havre de Grace.

Only comment was made by City Attorney Ishak stating there was a very minor request for change in language noting that the SHA is not opposed to this Annexation. That language will be changed and added as an Amendment on May 5, 2008.

There being no further comments from either the Council or the Public, the meeting was adjourned at 7:02 P.M.

PUBLIC HEARING
April 21, 2008
7:03 P.M.

The Mayor called this Public Hearing to Order at 7:03 P.M.

Water/Sewer Rate Ordinance Public Hearing
Ordinance No. 894

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. 894 establishing the City Water and Sewer Rates for the fiscal year July 1, 2008 to June 30, 2009.

Only comment was made by Councilmember Kochenderfer stating on the second page of the Ordinance – third paragraph – there is a blank space for the Ordinance number. This will be added. There being no further comments from Council or the Public, Hearing was adjourned at 7:04 P.M.

PROCEEDINGS OF CITY COUNCIL MEETING
April 21, 2008
CITY OF HAVRE DE GRACE, MARYLAND
COUNCIL CHAMBERS

The regular meeting of the Mayor and City Council was called to order on April 21, 2008, at 7:05 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 Father Gerald McLynn of Grace Reformed Episcopal Church.

Council President Gamatoria asked that a friendly amendment be made to the Agenda, removing Item # 6 – Presentation from Lock House Museum and take place at a later date.

On motion by Councilmember Lyttle, seconded by Councilmember Kochenderfer, and on six affirmative votes, the Minutes of April 7, 2008 were approved.

(Mary) Helen Cayer was listed on the Agenda to be appointed to the Landlord Tenant Commission – she was not present – this also will take place at a later Council meeting.

COMMENTS FROM CITIZENS ON AGENDA ITEMS: (None)

There being no comments from Citizens on Agenda Items, the Mayor noted that he was going to go a little out of order from the Agenda and allow Adam Rybecynski, representing the SADD Organization from Havre de Grace High School to make a brief presentation. Mr. Adam Rybczynski – resident of 417A Concord Street thanked the Mayor and Council for giving him the opportunity to publicly thank all those who supported the recent events by SADD (Students Against Destructive Decisions). There was a “mock” accident held on April 3rd, 2008 – on behalf of the administration, staff and SADD organization from Havre de Grace High School, he thanked the Havre de Grace Ambulance Corps, Havre de Grace Hose Company, Police Department, PHI Air Medical and Andrews Garage for making this possible. He announced that the recent Prom was a wonderful event and a safe one, believing that students remembering the “mock crash” made smart decisions.

Adam also announced on behalf of the Susquehanna Lock House Museum, they will be holding their annual War of 1812 Re-enactment, Invasion of Havre de Grace on May 3 thru 4, 2008.

RESOLUTIONS:

A. Charter Resolution # 268 “An Amendment of City Charter Section 75 creating a new Subsection J providing that funds received from the sale of City Property be held separate and apart from the general funds for the purpose to acquire or condemn land or an interest therein pursuant to City Charter Section 73.” Councilmember Craig made a motion to

introduce this Resolution, seconded by Councilmember Miller, voted on and passed 6-0. This Resolution was then assigned the number of 268.

B. Resolution No. 2008 - 12 Council President Gamatoria introduced “A Resolution of the Mayor and City Council of Havre de Grace, Maryland pursuant of the authority of the Havre de Grace Charter, Section 76 approving of a lease of city property by resolution to 309 North Union Avenue, LLC (which is located in front of Office Centre) for a period of two (2) years.” Councilmember Miller seconded this introduction; No. 2008-12 was assigned at this time – it was voted on and passed 6-0. The Resolution was read; Council President Gamatoria made a motion to adopt, seconded by Councilmember Miller, voted on and passed 6-0.

ORDINANCES:

A. Council President Gamatoria announced in the form of a motion that before you again is an Ordinance required by the Charter to introduce the tax rates for the upcoming fiscal year. “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.” This motion was seconded by Councilmember Kochenderfer. Ordinance Number 895 was assigned to this request; it was voted on and passed 6-0. The Introduction to Ordinance # 895 was read; motion to adopt on first reading was made by Council President Gamatoria, seconded by Councilmember Miller, voted on and passed 6-0. A Public Hearing will be held on this Ordinance on May 5, 2008 at 7:00 p.m.

NEW BUSINESS:

- A. Approval of Lease: Office Centre - 309 North Union Avenue: Council President Gamatoria made a motion to approve this lease, seconded by Councilmember Lyttle, voted on and approved 6-0 on a roll call vote Council President Gamatoria noted that typically leases have been for 3 to 5 years; this one is for two (2).**
- B. Approval of Special Events:**
- 1. May 2-4, 2008 – “War of 1812 Re-Enactment” – Sponsored by: Susquehanna Museum, Location – Lock House Grounds May 2nd 5:00 P.M. (Participants Arrive) May 4th 5:00 P.M. (Participants Depart) Councilmember Kochenderfer made a motion to approve; seconded by Councilmember Lyttle; passed 6-0 on a voice vote.**
 - 2. May 30, 2008 – Harford Hospice Regatta – Sponsored by: Upper Chesapeake Health Foundation - Location – At foot of Lafayette Street on Conquest Point adjacent to Concord Point Lighthouse and behind Maritime Museum. (5:30 p.m. to 10:30 p.m.) Councilmember Kochenderfer made a motion to approve; seconded by Councilmember Ferguson; passed 6-0 on a voice vote.**
 - 3. 4th Annual Havre de Grace High School Music Booster’s 5K Run/5K Walk Sponsored by: HdeG Music Boosters, The Aegis/Record Newspapers Saturday, May 17, 2008 – Location: 700 Congress Avenue 7:00 a.m. until 11:00 a.m. Councilmember Kochenderfer made a motion to approve; seconded by Councilmember Lyttle; passed 6-0 on a voice vote.**

4. Havre de Grace Main Street First Fridays: Sponsored by: Havre de Grace Main Street – 5/2, 6/6, 7/4/, 8/1, 9/5, 10/3, 11/7, 12/5, 2008 Location: Downtown Throughout – 4:00 p.m. until 9:00 p.m. Councilmember Kochenderfer made a motion to approve; seconded by Councilmember Ferguson; passed 6-0 on a voice vote.

5. First Fridays Sponsored by: Bahoukas/Coakley’s Pub 5/2, 6/6, 7/4, 8/1 and 9/5, 2008 Location: Bahoukas Parking Lot – Franklin and Union 5:00 p.m. – 9:00 p.m. Councilmember Kochenderfer presented this request – after some discussion, Councilmember Kochenderfer made the motion to approve this request “contingent upon them having complete and through approval by the Liquor Control Board and all proof of documents need to be in the City’s possession by noon on the day of each event or each First Friday” After further discussion, this motion was seconded by Council President Gamatoria, voted on and approved 6-0 by a roll call vote.

BUSINESS FROM THE MAYOR:

Mayor Dougherty announced he had the opportunity to spend a couple of hours recently at Citizens Care Center for the 100th Birthday of Margaret Mergler. The Mayor read a copy of the Proclamation he had presented her wherein the week of April 20th thru 26th was proclaimed Week of Margaret Mergler.

He then announced with great regret the passing of Mrs. Dorothy Lewis who had been a very dedicated volunteer from many years with the City of Havre de Grace. He passed along his deepest sympathy to the Lewis family.

BUSINESS FROM COUNCIL:

Council President Gamatoria: Mentioned about Harris Field stating he is sure that everyone has noticed the progress being made there and donations are still needed. He also expressed his condolences to the Lewis family. He wished his Aunt Rose Gamatoria a very happy 86th birthday.

Councilmember Craig: Congratulated Councilmember Miller for taking over the presidency of MML – Harford – Cecil Chapter. Regarding the Planning Commission meeting that had been held last Monday, he thanked Chairman Allen Phillipe for leading the Board through the many details of the Proposed MOE Zoning Ordinance. He continued that he thought this was a very healthy discussion and he was pleased to see it carried through in such an organized and thoughtful manner. At this time, the Mayor thanked City Attorney Ishak for the letter he had written regarding this matter.

Councilmember Ferguson: Also congratulated Jim Miller on his recent presidency.

Councilmember Kochenderfer: Also mentioned the sadness of the passing of Mrs. Dorothy Lewis. He gave an update on River Sweep and the excellent help that had been received from D.P.W. This coming Friday morning will be observation of Arbor Day at 10:00 a.m. in Tydings Park and invited the public to attend. He then mentioned information he had received from the Cecil-Harford Municipal League on “free bridge stickers” being available to use on the Hatem Bridge. He encouraged citizens to check on this promotion. Lastly, as far as the upcoming election, he reminded everyone to check their campaign signs and make certain they are where they should be or shouldn’t be.

Councilmember Lyttle: Stated he also had attended the MML Cecil-Harford Dinner – thought it was a very worthwhile meeting and he had received important information regarding the Hatem Bridge. He also congratulated Councilmember Miller on his appointment as President to this group.

Councilmember Miller: Offered his condolences to the Lewis family. Announced that on this coming Saturday during the Decoy Festival, the Susquehanna Hose Company will be holding their annual chicken barbeque.

Before going into comments from Citizens, the Mayor interjected that an Interim President has been chosen at the Young at Heart Club being Mr. Leo St. Amour – he will be taking charge until they get ready for their election cycle in the Fall. He announced several of their upcoming activities.

COMMENTS FROM CITIZENS:

1. Mr. Tom Schumpert – 104 Coventry Way, Havre de Grace, Md.

Spoke regarding the property next door to him (106 Coventry Way) as being a nuisance. He commented that between the time he dropped off his request this morning to speak on this issue, he had heard from the Mayor’s office and Council President. He thanked both for their quick responses and the reasonable solution he received in his discussions with Mr. Patrick Sypolt. He wanted to go on record as thanking the City for their response

2. Mr. Curtis Coon – 440 Majestic Price Circle, Havre de Grace, Md.

Announced that he has recently been appointed as the legislative liaison from the Havre de Grace Main Street, Inc. organization. He has been asked to attend meetings on a regular basis. Information from that group that Mr. Coon presented was: (a) Main Street has been honored as a National Accredited Program and Real Estate; (b) First Fridays – Main Street will be holding these events with the support and sponsoring of Bulle Rock residents; (c) Expressed the hope that the Beer Garden request will be filled, noting that May is a time for renewal; (d) A&E District – at the last Main Street Committee meeting it was announced that Main Street has expanded its boundaries to include the newly formed A&E District.

At this time, Council President Gamatoria made a motion to adjourn into Closed Session pursuant to the Annotated Code of the State of Maryland – Article 10-508A. The reason for the closed meet is to discuss contracts for the Director of D.P.W., the Director of Administration, the Chief of Police, and the Director of Planning. Those in attendance at this Closed Session will be: Mayor, Director of Administration, Council Members, City Attorney, Mayor’s Administrative Assistant for purpose of taking notes. This motion was seconded by Councilmember Lytle, voted on and passed 6-0, adjourning at 7:58 p.m.