

**City of Aberdeen Council Meeting  
March 28, 2016**

**Council Present:** Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor

**Absent:** None

**Vacancy:** One Council Seat

**Also Present:** Phyllis Grover, Director of Planning and Community Development  
Kyle Torster, Director of Public Works  
Chief Henry Trabert, Aberdeen Police Department  
Opiribo Jack, Director of Finance  
Monica Correll, City Clerk

Mayor McGrady called the meeting to order at 7:00 p.m. in the Council Chambers. The prayer was delivered by Mr. Dennis Funk, St. Paul's Lutheran Church, Church Council President, and the Pledge of Allegiance was led by Councilwoman Landbeck.

**Approval of Minutes:**

A motion was made by Councilman Lindecamp and seconded by Councilwoman Landbeck to approve the minutes of the March 14, 2016 Council Meeting.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

**Ayes:** Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.

**Nays:** None.

**Vacancy:** One seat.

**PRESENTATIONS:** None.

**PUBLIC HEARINGS:** None.

**PUBLIC COMMENT:**

1. Ms. Mark Schlottman, Aberdeen Board of Elections Member: Mr. Schlottman spoke on behalf of the Aberdeen Board of Elections and its other members, Gina Bantum (Chair), and Angela Johnson. He asked that the Board have input on the charter resolution pertaining to tie elections. The Mayor agreed to meet with the Board for discussion purposes. Mr. Schlottman also announced activities hosted by the Aberdeen Lions Club.
2. Ms. Barbara Osborn Kreamer, Beards Hill Road: Ms. Kreamer commented on the Trees and Vegetation Ordinance amendments.

3. Former Councilwoman Ruth Ann Young, Doris Circle: Councilwoman Young expressed her support for the ordinances on adequate public facilities, trees and vegetation, and floodplain management.

### **LEGISLATIVE SESSION:**

1. Ordinance No. 16-O-01, Adequate Public Facilities (For Adoption)

A motion was made by Councilman Taylor and seconded by Councilman Landbeck to adopt Ordinance No. 16-O-01, Adequate Public Facilities.

#### **Amendment No. 1**

On page 8 of the proposed Ordinance, line 34, strike “**selected**” and insert “AGREED UPON”.

On page 8 of the proposed Ordinance, line 35, insert “AND THE DEVELOPER”.

*(b) The TIA shall be conducted by a traffic engineering firm that is ~~selected~~ AGREED UPON by the City AND THE DEVELOPER to include specific requirements as established by the City Department of Public Works. All costs for this TIA shall be borne by the developer.*

A motion was made by Councilman Lindecamp and seconded by Councilwoman Landbeck to Approve Amendment No. 1.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.

Nays: None.

Vacancy: One seat.

#### **Amendment No. 2**

On page 9 of the proposed Ordinance, line 29-31, strike “*If the projected date of completion is changed significantly, the preliminary plat may be subject to a new TIA, to be determined by the City.*”

*[2] Design year. The design year shall be the projected date of completion of the project as outlined in the public works agreement for that project. ~~If the projected date of completion is changed significantly, the preliminary plat may be subject to a new TIA, to be determined by the City.~~*

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp to approve Amendment No. 2.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.  
Nays: None.  
Vacancy: One seat.

**Amendment No. 3**

On page 18 of the proposed Ordinance, line 1, strike “**selected**” and insert “AGREED UPON”.

On page 18 of the proposed Ordinance, line 2, insert “AND THE DEVELOPER”.

***(b) The TIA shall be conducted by a traffic engineering firm that is ~~selected~~ AGREED UPON by the City AND THE DEVELOPER to include specific requirements as established by the Department of Public Works. All costs for this TIA shall be borne by the developer.***

A motion was made by Councilwoman Landbeck and seconded by Councilman Taylor to approve Amendment No. 3.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.  
Nays: None.  
Vacancy: One seat.

**Amendment No. 4**

On page 18 of the proposed Ordinance, line 38-40, strike “**If the projected date of completion is changed significantly, the preliminary plat or site plan may be subject to a new TIA, to be determined by the City.**”

***[2] Design year. The design year shall be the projected date of completion of the project as outlined in the public works agreement for that project. ~~If the projected date of completion is changed significantly, the preliminary plat or site plan may be subject to a new TIA, to be determined by the City.~~***

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp to approve Amendment No. 4.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.  
Nays: None.  
Vacancy: One seat.

A motion was made by Councilman Taylor and seconded by Councilman Landbeck to adopt Ordinance No. 16-O-01, Adequate Public Facilities as amended.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.

Nays: None.

Vacancy: One seat.

2. Ordinance No. 16-O-02, Trees and Vegetation (For Adoption)

A motion was made by Councilman Lindecamp and seconded by Councilman Landbeck to adopt Ordinance No. 16-O-02, Trees and Vegetation.

**Amendment No. 1**

On page 3, of the proposed Ordinance, line 37, strike “DIRECTOR OF PUBLIC WORKS.”

*C. THE CITY ~~DIRECTOR OF PUBLIC WORKS~~ SHALL PROVIDE WRITTEN NOTICE TO AN OWNER OF LAND THAT HAS A TREE, BUSH OR OTHER VEGETATION THAT VIOLATES SUBSECTIONS A. OR B. OF THIS SECTION.*

A motion was made by Councilwoman Landbeck and seconded by Councilman Taylor to approve Amendment No. 1.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.

Nays: None.

Vacancy: One seat.

**Amendment No. 2**

On page 3, of the proposed Ordinance, line 45, strike “DIRECTOR” and insert “CITY.”

A. THE ~~DIRECTOR~~ CITY SHALL PROVIDE FOR DELIVERY OF THIS WRITTEN NOTICE BY HAND DELIVERY TO THE OWNER OR BY FIRST CLASS MAIL,..

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp to approve Amendment No. 2.

**Amendment No. 3**

On page 4, of the proposed Ordinance, line 2, strike “POSTAGE PREPAID” and insert “AND CERTIFIED MAIL WITH RETURN RECEIPT REQUESTED,”

C. ...TO THE OWNER OR BY FIRST CLASS MAIL, ~~POSTAGE PREPAID~~ AND CERTIFIED MAIL WITH RETURN RECEIPT REQUESTED,” ADDRESSED...

A motion was made by Councilman Lindecamp and seconded by Councilwoman Landbeck to approve Amendment No. 3 .

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.

Nays: None.

Vacancy: One seat.

**Amendment No. 4** Found redundant and not used.

**Amendment No. 5**

On page 4, of the proposed Ordinance, line 4, insert “AND TO THE ADDRESS WHERE THE CITY SENDS WATER/SEWR UTILITY BILLS.”

C. ...ADDRESS TO WHICH THE CITY SENDS TAX BILLS FOR THE LAND AND TO THE ADDRESS WHERE THE CITY SENDS WATER/SEWER UTILITY BILLS.

A motion was made by Councilwoman Landbeck and seconded by Councilman Taylor to approve Amendment No. 5.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.

Nays: None.

Vacancy: One seat.

**Amendment No. 6**

On page 4, of the proposed Ordinance, line 33, strike “BEAR THE SAME INTEREST, .”

F. ...BE A LIEN ON THE OWNER’S LAND, ~~BEAR THE SAME INTEREST,~~ HAVE THE ...

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp to approve Amendment No. 6.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.  
Nays: None.  
Vacancy: One seat.

**Amendment No. 7**

On page 4, of the proposed Ordinance, line 35, insert “EXCEPT THE LAND MAY NOT BE SOLD AT TAX SALE TO SATISFY THE LIEN.”

F. ...MANNER AS CITY REAL PROPERTY TAXES, EXCEPT THE LAND MAY NOT BE SOLD AT TAX SALE TO SATISFY THE LIEN.

A motion was made by Councilwoman Landbeck and seconded by Councilman Taylor to approve Amendment No. 7.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.  
Nays: None.  
Vacancy: One seat.

**Amendment No. 8**

On page 5, of the proposed Ordinance, line 17, strike “POSTAGE PREPAID” and insert “CERTIFIED RETURN-RECEIPT MAIL,”

C. ...BY HAND DELIVERY TO THE OWNER OR BY FIRST CLASS MAIL, ~~POSTAGE PREPAID,~~ AND BY CERTIFIED RETURN-RECEIPT MAIL, ADDRESSED TO THE OWNER AT THE ADDRESS TO WHICH THE CITY SENDS TAX BILLS FOR THE LAND.

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp to approve Amendment No. 8.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.  
Nays: None.  
Vacancy: One seat.

**Amendment No. 9**

On page 5, of the proposed Ordinance, line 26, strike “TEN” and insert “THIRTY.”

D. ...~~TEN~~ THIRTY DAYS AFTER THE DATE OF THE DIRECTOR’S NOTICE.

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp to approve Amendment No. 9.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.

Nays: None.

Vacancy: One seat.

**Amendment No. 10**

On page 6, of the proposed Ordinance, line 11, strike “BEAR THE SAME INTEREST, .”

F. ...SHALL BE A LIEN ON THE OWNER’S LAND, ~~BEAR THE SAME INTEREST,~~

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp to approve Amendment No. 10.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.

Nays: None.

Vacancy: One seat.

**Amendment No. 11**

On page 6, of the proposed Ordinance, line 13, insert “. EXCEPT THE LAND MAY NOT BE SOLD AT TAX SALE TO SATISFY THE LIEN.”

F. ...THE SAME MANNER AS CITY REAL PROPERTY TAXES, EXCEPT THE LAND MAY NOT BE SOLD AT TAX SALE TO SATISFY THE LIEN.

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp to approve Amendment No. 11.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.

Nays: None.  
Vacancy: One seat.

**Amendment No. 12**

On page 4, of the proposed Ordinance, line 8, strike “TEN” and insert “THIRTY”.

D. ...~~TEN~~ THIRTY DAYS AFTER THE DATE OF THE DIRECTOR’S NOTICE.

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp to approve Amendment No. 12.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.  
Nays: None.  
Vacancy: One seat.

A motion was made by Councilman Lindecamp and seconded by Councilman Landbeck to adopt Ordinance No. 16-O-02, Trees and Vegetation as amended.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.  
Nays: None.  
Vacancy: One seat.

**3. Ordinance No. 16-O-03, Floodplain Management (For Adoption)**

A motion was made by Councilman Lindecamp and seconded by Councilwoman Landbeck to approve Ordinance No. 16-O-01, Adequate Public Facilities.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.  
Nays: None.  
Vacancy: One seat.

**4. Ordinance No. 16-O-05, Amendment to FY 2016 Budget (For Adoption)**

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp Taylor to approve Ordinance No. 16-O-05, Amendment to FY 2016 Budget.



**Amendment No. 1**

On page 2, line 2 of the proposed Ordinance, number 6, at the end of the sentence, strike the sixth digit, number “2”, in the amount \$226,6921. This will delete the last number “2” in this amount.

6. Increase Capital Projects Fund “State Grant” Revenue No. 40315 from \$0 to \$226,6921.

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp to approve Amendment No. 1.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.

Nays: None.

Vacancy: One seat.

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp Taylor to approve Ordinance No. 16-O-05, Amendment to FY 2016 Budget as amended.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.

Nays: None.

Vacancy: One seat.

5. Ordinance No. 16-O-06, Amendment to FY 2016 Budget (2) (For Introduction)

The Mayor introduced Ordinance No. 16-O-06, Amendment to FY 2016 Budget (2). Mr. Jack and Mr. Torster provided explanation. An amendment to the Budget Fiscal Year 2015-2016 was requested for the following:

- 1) Increase the Police, Dept. No. 110, appropriation for “Seized Funds – Department of Treasury” from \$0 to \$10,000.
- 2) Increase the Transfers, Dept. No. 800, appropriation for “Transfer to Stadium Fund” from \$490,206 to \$525,206.
- 3) Increase General Fund “Seized Funds – Dept. of Treasury” Revenue No. 40524 from \$0 to \$10,000
- 4) Increase “Appropriation of Fund Balance” Revenue No. 40998 from \$473,193 to \$508,193.
- 5) Increase Total General Fund appropriation from \$14,833,863 to \$14,878,863.
- 6) Increase the Total Revenues General Fund from \$14,833,863 to \$14,878,863.

6. Ordinance No. 16-O-10, Police Memorandum of Understanding (For Introduction)

The Mayor introduced Ordinance No. 16-O-10, Police Memorandum of Understanding.

Chief Trabert explained that this ordinance would provide mutual law enforcement support between the Maryland Transportation Authority, Harford County, the Sheriff of Harford County, the City of Havre de Grace, the Town of Bel Air, and the City of Aberdeen.

## **BUSINESS OF THE CITY:**

### **1. Unfinished Business**

- a. Council Rules of Procedure – Deferred.
- b. Nomination for Council Vacancy - Deferred.

### **2. New Business.**

- a. Board Appointments

The Mayor nominated Ms. Rosalie Cross as a new member of the Aberdeen Ethics Commission. **The nomination passed unanimously.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.

Nays: None.

Vacancy: One seat.

The Mayor announced his intent to nominate Jason Kolligs for Board of Appeals; Zeb Bertsch for Heritage Trust; Matthew O'Neill for Heritage Trust; and James Baxendell for Planning Commission.

### **3. Business from Director of Planning & Community Development**

Ms. Grover said that the invitation to bid for landscaping maintenance #16-07 was released, was placed on the City's website, and was due back April 11, 2016 by 3:00 p.m.

### **4. Business from Chief of Police – None.**

### **5. Business from Director of Finance – None.**

### **6. Business from Director of Public Works**

- a) Surplus Vehicle

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp to approve the surplus of a 2008 Ford Ranger Pickup, VIN #1FTZR15E98PA13212, Old Unit #99, to be placed on an auction website.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.

Nays: None.

Vacancy: One seat.

Mr. Torster provided an update on the developer's default on the public works agreement for Winston's Choice, LLP and the formal legal process that the City was required to follow. The bond company had acknowledged responsibility and the City was working with the bond company. Council discussion followed.

7. Business from City Manager

a. Refinancing of Bonds

Mr. Torster informed the Council that three bonds would be refinanced for better interest rates.

b. Proposed Council Meeting Schedule

Mr. Torster also provided a proposed Council Meeting Schedule for June – December 2016.

**Council Chambers, 7 PM**

**Mondays unless otherwise indicated.**

June 6	Council Meeting
June 20	Council Meeting
July 11	Council Meeting
July 25	Council Meeting
August 8	Council Meeting
August 22	Council Meeting
September 12	Council Meeting
September 26	Council Meeting
October 10	Council Meeting
October 24	Council Meeting
November 7	Council Meeting
November 21	Council Meeting
December 5	Council Meeting
December 19	Council Meeting

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp to approve the Council Meeting Schedule for June – December 2016.

**The motion was passed with a vote of 4 – yes, 0 – no, 1 – vacant.**

Ayes: Mayor McGrady, Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.

Nays: None.

Vacancy: One seat.

**PUBLIC COMMENT:**

1. Ms. Cindy Sharretts, Holly Drive: Ms. Sharretts commented on possible amendment inconsistencies in the Trees and Vegetation Ordinance.
2. Ms. Barbara Osborn Kreamer, Beards Hill Road: Mr. Kreamer expressed her concerns about the Trees and Vegetation Ordinance. She also commented on her active court case with the State of Maryland.
3. Mr. Steve Johnson, Economic Development Commission Director: Mr. Johnson commented on the trash sticker fees.
4. Mr. Matthew O'Neill, Holly Drive: Mr. O'Neill asked about the Trees and Vegetation amendments.
5. Former Councilwoman Ruth Ann Young: Councilwoman Ruth Ann Young commented on the City's working relationship history with Aberdeen Proving Ground and meetings held by the Chesapeake Science and Security Corridor (CSSC). She requested an update on the transition team.
6. Mr. Don Ewing, Aberdeen Parks & Recreation President: Mr. Ewing updated the Council on the Parks & Recreation activities.

**BUSINESS OF COUNCIL:**

1. Business from the City Council

Councilman Lindecamp reported on his council vacancy work.

2. Business from the Mayor

The Mayor provided an update on the City Manager Commission's progress. He also reported that plans are being made for the Aberdeen Municipal 125<sup>th</sup> Anniversary and the Aberdeen Proving Ground 100<sup>th</sup> Year Anniversary. A community events meeting was recently held to organize events in Aberdeen. He announced that there will be a Third Fridays in Festival Park.

**ANNOUNCEMENTS:**

Next Council Meeting: Monday, April 11, 2016, 7:00 p.m.

Planning Commission Meeting: Wednesday, April 13, 2016, 7:00 p.m.

Harford County Earth Day, Festival Park, April, 23, 2016, 11:00 a.m. – 4:00 p.m.

(rain date: April 24)

**ADJOURNMENT:**

Being no further business, the meeting was adjourned at 8:45p.m.