

**City of Aberdeen Council Meeting
May 7, 2012**

Present: Mayor Bennett, Councilwoman Elliott, Councilwoman Landbeck,
Councilwoman Young and Councilman Garner

Absent: None

Also Present: Douglas Miller, City Manager
Phyllis Grover, Director of Planning and Community Development
Matthew Lapinsky, Director of Public Works
Henry Trabert, Chief of Police
Monica Correll, City Clerk
Doris Manner, Recording Secretary

Mayor Bennett called the meeting to order at 7:00 p.m. in the Council Chambers. The prayer was led by Mayor Bennett and the Pledge of Allegiance was led by Councilman Garner.

A motion was made by Councilman Garner and seconded by Councilwoman Elliott to approve the minutes of the April 23, 2012 Council meeting as submitted.

The motion was passed with a vote of 5 – yes.

PRESENTATIONS:

1. Proclamation for the Second Annual National Kids to Parks Day on May 19, 2012

Mayor Bennett presented a proclamation which designated May 19, 2012 as the Second Annual National Kids to Parks Day in Aberdeen and urged everyone to visit neighborhood, state or national parks.

2. Proclamation Honoring Winifred “Wink” Jonas

Mayor Bennett, along with Councilwoman Young, presented a proclamation honoring Ms. Winifred "Wink" Jonas for her contributions and accomplishments at Aberdeen Proving Ground where she worked on the world's first electronic, digital computer proving influential toward victory during World War II.

3. Mayor’s State of the City and Budget Address

The following speech was delivered by Mayor Bennett:

"Thank you for being here this evening.

I like to do my State of the City Address in connection with the presentation of the annual budget because it is the budget that establishes the priorities of the City for the next 12 to 18 months.

That being said, the FY 13 Budget is the 5th budget that I've presented. In many ways this budget was the hardest that I've wrestled with. In FY 10, 11 and 12 we had to make cuts upon painful cuts to where there was nothing more to reduce. Now, at a time when we thought that we would be crawling out of the recession and at a time when we could get back to fully funding important municipal programs and projects, we were hit with a double whammy. First, the taxable property in Aberdeen was reassessed. Our total value went down by \$109 million; this obviously means lower tax revenue. Then, we saw further cuts in state shared revenue that we need for funding crucial projects such as street resurfacing. We had hoped to get some relief on our existing revenue sources by getting the ability to impose a hotel/tourism tax but those who represent us in Annapolis did not see the wisdom of having such authority.

Despite these stormy financial skies, Aberdeen is in solid shape. I am proud and pleased that the rating agencies in New York thought that we were most creditworthy and rated us as AA. That's excellent for a municipality our size and especially impressive the first time out of the gates. It also meant that we were able to lower our debt service costs and redirect those savings into other City projects.

Despite these lean times, we have been involved in some very exciting and impressive projects. Our police department is working to become CALEA certified. When we obtain this recognition, ours will be the only department in north east Maryland to have CALEA. Our wastewater plant is being upgraded to ENR technology. Once this upgrade is complete, we will pull even more nitrogen and phosphorus out of the wastewater that we put back into the Chesapeake Bay. We are working to enhance our communication with our citizens. This is a top priority of this Council. So now in addition to the Facebook page that we have, in addition to our webpage, in addition to having these meetings taped and rebroadcast by HCN, we will be sending out a bi-monthly newsletter. We want you all to know what your city government is doing for you and how YOUR money is being spent.

I am deeply humbled that the citizens of this city have reelected me and the council members sitting to my left and to my right to the first four-year terms in Aberdeen. I think that I can speak for each council member that we value your trust and will work diligently to make Aberdeen a better place to live, work, and shop. To that end, we did have a retreat two months ago to set the priorities for our remaining 3 ½ years in office. We have ambitious plans and we will need the support of the Aberdeen community to bring these plans to fruition. I also am pleased to report that your Mayor and Council work closely together. Not that we always agree, but we do make it a priority to meet in one-on-one sessions weekly. This is more time for each of us at City Hall and I know of no other Maryland municipality that gets to this level of interaction.

Aberdeen is home to a growing international event in which I see incredible potential. In August, we will again host the Cal Ripken World Series. Babe Ruth League baseball teams all over the world strive to get on that "Road to Aberdeen". We are their goal, we are their destination. I think that Aberdeen should do more as being the host for this great week of baseball and, as such, we will be having a welcoming parade for our national and international guests. We will be asking the greater Aberdeen community to come out and support the parade and the World Series.

In June, I end a grueling year and a half of being the President of the Maryland Municipal League. While a hard term, for me it has been a labor of love. For those who do not know what MML does; they advocate in the legislature for the 157 Maryland municipalities, they provide formal training for our elected and appointed officials and they create a framework for valuable networking. I treasure our membership in MML and think that we, as a city, are better served for being an active member in this great state association. Furthermore, I truly believe that I've been able to serve Aberdeen more effectively since I was MML President. I have to believe that being on a first-name basis with the leadership in Annapolis benefits us back home.

Aberdeen is a great community! I love living here and I think that her future is bright. It's our people that set us apart. I thank all of you that are involved in our fine city, whether it be in your church, whether it be in your child's school, whether it be with the scouts or a youth athletic team, whether it be in a service club or whether you are a member of our fire department. I especially wish to thank all of the volunteers who sit on a City board or commission. All of you help make Aberdeen home.

Thank you and God Bless!"

PUBLIC HEARINGS:

1. Resolution No. 12-R-05, Annexation Plan for 830 Gilbert Road, LLC

Ms. Grover stated that this resolution was introduced on March 26, 2012. The petition for annexation was received in October, 2012. An informational community meeting was held in November, 2012. The Planning Commission reviewed the petition and made a favorable recommendation in December, 2012. The parcel consists of more than 38 acres and is found on Harford County tax map 51, parcel 250. She submitted the annexation plan to Harford County Department of Planning and Zoning and the Maryland Department of Planning. The annexation plan calls for R-1 zoning for 50 single family dwellings.

Public Comment:

- a. Mr. Robert Price, Gilbert Road;

Mr. Price congratulated the Mayor on the State of the City Address. He requested that the Council review the Harford County Land Plan carefully.

- b. Ms. Bobbie Randles, Locksley Manor Drive;
Ms. Randles said that she is opposed to this annexation and that there should be consistency with the Harford County Land Plan.
- c. Ms. Karen Heavey, W. Bel Air Avenue;
Ms. Heavey said she is opposed to the annexation plan and would like the property to remain rural.

2. Ordinance No. 12-O-05, 2011-2012 Comprehensive Zoning Review

Ms. Grover stated that the comprehensive zoning review process began in November, 2011 and has been reviewed by the staff and the Planning Commission. She reviewed the following:

Application 1A

Property Owner – 1104 OPR, LLC
Property Location – 1104 Old Philadelphia Road
Tax Id 02 039249
Harford County Tax Map 58
Acreage 15.78
Parcel 561
Current Zoning – M-1 Light Industrial District
Recommended Zoning – B-3 Highway Commercial District

Application 1B

Property Owner – 1104 OPR, LLC
Property Location – MD Route 7
Tax Id 02 039257
Harford County Tax Map 58
Acreage 4.56
Parcel 562
Current Zoning – M-1 Light Industrial District
Recommended Zoning B-3 Highway Commercial District

Application 1C

Property Owner – 1104 OPR, LLC
Property Location – NW Old Post Road (MD Rt. 7)
Tax Id 02 039265
Harford County Tax Map 58
Acreage 0.115
Parcel 130
Current Zoning – M-1 Light Industrial District
Recommended Zoning – B-3 Highway Commercial District

Application 2

Property Owner – Colony at Beards Hill, LLC

Property Location – Beards Hill Road

Tax Id 02 107376

Aberdeen Tax Map 202

Acreage 17.9 (of which 15.993 acres requests zoning change)

Parcel 55, p/o 1

Current Zoning – R-1 Low Density Residential & B-3 Highway Commercial District

Recommended Zoning – R-3 High Density Residential & B-3 Highway Commercial District.

Public Comment:

- a. Ms. Jane Wright, Lums Road, North East;
Ms. Wright commented that Old Philadelphia Road property is zoned M-1 and she would like it to be rezoned B-3 to allow for retail.
 - b. Mr. Joseph Snee of Gessner, Snee, Mahoney, and Luche, Bel Air;
Mr. Snee, attorney for the developer for the Colony at Beards Hill, LLC, asked for rezoning of 15.993 acres of the 17.9 acres, to R-3 and the remainder would stay B-3. The zoning justification is for a 50 ft. easement from Beards Hill Road and a buffer from the B-3 to R-3 and R-1 areas. Transportation, recreation, and open space goals and objectives are being addressed. The preliminary concept plan shows high-end apartments being proposed similar to The Summit at Owings Mills.
3. Ordinance No. 12-O-07, Budget FY 2012-2013

Public Comment:

- a. Ms. Karen Heavey, W. Bel Air Avenue;
Ms. Heavey asked for clarification and information on the tipping fee increase, trash stickers, and the refinancing bonds.

PUBLIC COMMENT: None

LEGISLATIVE SESSION:

1. Ordinance No. 12-O-08, Fire Hydrant (For Introduction)
Ordinance No. 12-O-08, Fire Hydrants was introduced by Mayor Bennett.
2. Resolution No. 12-R-01, Aberdeen Transit Oriented Development (TOD) (For Introduction and Adoption)

Ms. Grover said that this resolution establishes City support of the Aberdeen Train Station Master Plan and for the designation of the one half mile radius around for the TOD to occur. In June 2010, the Governor designated the Aberdeen Train Station as a Transit Oriented Development for the City which allowed Aberdeen to be in a better position to receive state funding, state resources, tax incentives, and establish priority development in the on half mile radius around the area. The City has been working with the Maryland Department of Transportation and Harford County Office of Economic Development for a Master Plan. Council discussion followed.

A motion was made by Councilwoman Elliott and seconded by Councilwoman Young to approve Resolution No. 12-R-01, Aberdeen Transit Oriented Development.

The motion was passed with a vote of 5 – yes.

3. Resolution No. 12-R-06, Villages at Highland Commons Support

Ms. Grover said that the resolution shows support from the City so that the owners may receive financing from the Department of Housing and Community Development and housing tax credit allocations. No City funds would be involved. The development will be comprised of 22 townhomes. Council discussion followed.

A motion was made by Councilwoman Landbeck and seconded by Councilman Garner to approve Resolution No. 12-R-06, Villages at Highland Commons Support.

The motion was passed with a vote of 5 – yes.

4. Resolution No. 12-R-07, Health Plan Cooperative Membership (For Introduction and Adoption)

Mr. Miller explained that the 2012–2013 Budget was exceptionally difficult and was made worse by a projected health plan increase of 13%. A comparative analysis was made on a cooperative health plan offered by Local Government Insurance Trust (LGIT). This proved to be a similar plan and would save the City \$158,000 a year with the possibility of year-end savings returned to the City. The Council discussed other municipalities who use this plan.

A motion was made by Councilman Garner and seconded by Councilwoman Landbeck to approve Resolution No. 12-R-07, Health Plan Cooperative Membership.

The motion was passed with a vote of 5 – yes.

BUSINESS OF THE CITY:

1. Unfinished Business – None

2. New Business

Mayor Bennett nominated Mr. Daniel Augustiniak as a new member for the Parks and Recreation Board.

The motion was passed with a vote of 5 – yes.

3. Business from the Director of Planning & Community Development

Ms. Grover reported the Planning Commission meeting schedule.

a. Preliminary Site Plan for Highland Commons

Ms. Grover reported that there was a name change from Winston's Choice Addition to the Villages of Highland Commons located at New Polk Street for 22 proposed townhouses. The Planning Commission and the Board of Appeal recommended approval.

Mr. Dudley Campbell with Bay State Land Services stated that the site has approved stormwater management and construction plans. The funding has been established. The site is 2.86 acres, zoned R-3, and will help the City with its tax base.

Ms. Maria Miller of the Shelter Group, the developer, stated that they appreciated the City's support. She added that there were some site conditions which have been addressed.

A motion was made by Councilwoman Landbeck and seconded by Councilwoman Elliott to approve the Preliminary Site Plan for Highland Commons.

The motion was passed with a vote of 5 – yes.

4. Business from the Chief of Police

Chief Trabert reported on past and future community meetings and the schedule. The meetings are held for the police and citizens to discuss quality of life concerns.

5. Business from the Director of Finance

Mr. Jack reviewed the schedule of the year-to-date financial activities of the City for July 2011 through March 2012, comparing actual receipts and expenses to budgeted amounts for the various funds. A summary of the activities, by fund, is outlined below.

General Fund

Total receipts exceeded total expenses by \$2.9 million, with collections of \$16.7 million (including bond refunding proceeds of \$4.5 million), and expenses of \$13.7 million (including bond refunding expenses of \$4.5 million).

Total receipts were in line with budget. Property tax collection was \$308 thousand more than budgeted, and state shared revenues were \$156 thousand less than budgeted.

Expenses were better than budgeted by \$709 thousand. This was mostly due to: 1) savings from vacant positions, 2) savings from property insurance premium, and 3) delayed cash outlays in line items such as street signs and sidewalk repairs, IT, legal and motor vehicle expenses.

Capital Projects Fund

Total receipts exceeded total expenses by \$393 thousand, with collections of \$984 thousand (including transfer-in of \$781 thousand from the General Fund), and expenses of \$592 thousand.

Total receipts were less than budgeted by \$187 thousand. This was mostly because we have not incurred expenses on the major grant projects to allow us to draw down on the grant funds.

Expenses were lower than budgeted by \$427 thousand. This is partly due to delay in the implementation of certain projects.

Water Fund

Total receipts exceeded total expenses by \$2.7 million, with collections of \$5.2 million (including loan proceeds of \$955 thousand, and the MTBS settlement of \$2.6 million), and expenses of \$2.5 million.

Utility usage charges were less than budgeted by \$168 thousand.

Expenses were more than budgeted by \$83 thousand.

Sewer Fund

Total receipts exceeded total expenses by \$1 million, with collections of \$9 million (including grants of \$2.8 million, and loan proceeds of \$4 million), and expenses of \$7.9 million.

Utility usage charges were below budget by \$246 thousand. Grants and loan proceeds were \$6 million less than budgeted because of slower pace of capital projects construction. The City can only request for grant and loan proceeds after expenses have been incurred. Requests for \$984 thousand grant funds and \$634 thousand loan proceeds are pending for expenses already incurred.

Expenses were less than budgeted by \$7.4 million because of slower pace of capital projects construction.

Stadium Fund

Total receipts exceeded total expenses by \$416 thousand, with receipts of \$716 thousand (including transfer-in of \$388 thousand from the General Fund), and expenses of \$299 thousand.

All Funds

Overall, the City's total receipts exceeded expenses by \$7.5 million, with receipts and loan proceeds of \$32.6 million and expenses of \$25 million.

In response to a question from the Council, Mr. Jack answered that the funds from the MTBE Settlement had been received. He reported that the auditors will begin their preliminary field work for FY2012 soon and will return in August.

6. Business from the Director of Public Works

Mr. Lapinsky reported on a community meeting he attended and the schedule for bulk pickup and yard waste collection. He added that the City is fined when the landfill finds scrap lumber, so the City cannot remove this. Recycling bins are sold at City Hall. The street sweeper fills up with water from the water plant near APG Road and does not use the brushes en route.

7. Business from the City Manager

Mr. Miller thanked City employee, Bethany Shaffer, who organized the Farmers Market held on Fridays in Festival Park during the spring and summer. The first City newsletter will be mailed soon and every two months thereafter. He reported that the increase in tipping fees was absorbed in the budget. Sticker fees were not increased by a decision of the Mayor. The decrease in debt service, because of the refinancing, is reflected in the budget; there is one balloon payment due on a 2003 financing of the Swan Meadows water tower. The deadline for the adoption of the budget is June 9. He complimented the Chief and officers for the excellent upkeep of their vehicles.

BUSINESS OF THE COUNCIL:

1. Business from the City Council

Councilwoman Elliott expressed her happiness with the decrease in budget expenditures.

Councilwoman Landbeck acknowledged Mr. Lapinsky for his mentorship at the Science and Math Academy at Aberdeen High School (AHS). She also will revisit the Harford County Master Plan and will consider an annexation only if it is consistent

with our Master Plan, self-sustainable, an asset to the City, and fits the criteria of a sustainable community.

Councilwoman Young expressed her concerns with Ordinance No. 12-O-08, Fire Hydrants. Mr. Miller responded that this ordinance deals with the theft of water from a hydrant, danger of reverse or negative pressure, and the expense incurred if the hydrant must be replaced. Penalties for violation include misdemeanor, fines, and possible jail time. Councilwoman Young commented on the contributions of “Wink” Jonas.

Councilman Garner congratulated Mr. Augustiniak for becoming a volunteer. He also thanked a local business for providing dinner to the AHS Lady Eagles Basketball Team champions. AHS conducted a cleanup work day at the school which included representatives from Ripken Baseball and Ripken Outreach and Community Service volunteers (ROCS).

2. Business from the Mayor

Mayor Bennett commented on the positive outcome of the AHS cleanup. He attended a ribbon cutting and grand opening of First Nutrition located in Aberdeen, the NAACP Freedom Banquet, a meeting at the HEAT Center on transportation issues, and a meeting with the Cal Ripken, Sr. Foundation pertaining to the World Series events including a parade and festivities at Festival Park.

ANNOUNCEMENTS:

Next Council Work Session: Monday, May 14, 2012, at 4:00 p.m.
Next Council Meeting: Monday, May 21, 2012, at 7:00 p.m.

ADJOURNMENT:

A motion was made by Councilwoman Elliott and seconded by Councilman Garner to adjourn the meeting at 8:57 p.m. The motion carried unanimously.