

**City of Aberdeen Council Meeting
November 23, 2015**

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

Absent: None

Vacancy: One Council Seat

Also Present: Douglas Miller, City Manager
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
Doris Manner, Recording Secretary

Mayor McGrady called the meeting to order at 7:00 p.m. in the Council Chambers. The prayer was delivered by Reverend Catherine Hooker, New Beginnings Church of God, and the Pledge of Allegiance was led by Councilman Taylor.

Approval of Minutes:

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp to approve the minutes of the Special Post-Election Council Meeting, November 9, 2015.

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.

Rules of Procedure:

A motion was made by Councilwoman Landbeck and seconded by Councilman Taylor to adopt the Council Rules of Procedure until the December 7, 2015 Council Meeting/Work Session.

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. Gina Bantum, Chairperson for the Aberdeen Board of Elections: Ms. Bantum read the following letter from the Board of Elections to the Mayor and Council for the records. It had been delivered to the Mayor and County on November 19, 2015.

The Aberdeen Board of Elections (the "Board") respectfully requests the consideration of conducting a tie-breaking election as a remedy to the Council vacancy. There is a section of the Code which enables the Board to do so since the matter of tie votes is not specifically addressed by the Charter and Code. Please see the excerpt below:

§36-8 Proximity to polls on Election Day; additional rules and regulations.

B. The Board of Elections shall promulgate rules and regulations regarding the conduct of elections not otherwise provided herein.

Since all the votes were attained on Election Day, November 3, 2015, the Board feels that this issue remains under our purview and that, to act in any other manner, disenfranchises both the voters and candidates alike. For instance, if the tie had occurred between the third and fourth highest totals, there would be no vacancy. The will of the voters would have been clear with no resulting vacancy. But, because the tie occurred between the fourth and fifth highest totals, the vacancy was created. Therefore, the Board feels that this matter needs to be decided by the voters in a timely manner.

We request to continue to work in conjunction and with the assistance of the Harford County Board of Elections, which works with us on all elections. Together, we would be able to formulate a suitable strategy to accomplish a quick resolution.

We also request your approval to seek independent legal counsel, on this matter, from the Ethics Commission Special Counsel since we work closely with them during elections.

Due to the importance and timeliness of this matter, the Board respectfully asks for a response by Monday, November 23, 2015.

The Mayor noted that the matter would be discussed at the Monday, December 7, 2015 Council Meeting/Work Session and asked the Election Board to attend.

2. Mr. Robert Hartman, Paradise Road: Mr. Hartman commented on Ordinance No. 15-O-03, Exclusion from Public Parks.
3. Ms. Marla Posey-Moss, Aberdeen: Ms. Posey-Moss supported a run-off election for the council vacancy.

4. Mr. Michael Hiob, Graceford Drive: Mr. Hiob was in favor of a run-off election and discussed a request list.

LEGISLATIVE SESSION:

1. Resolution No. 15-R-10, Aberdeen Retirement Plan, Seventh Amendment (For Introduction and Adoption)
2. Ordinance No. 15-O-03, Exclusion from Public Parks (For Adoption, Deferral or Allow to Lapse)

A motion was made by Councilman Taylor and seconded by Councilwoman Landbeck to postpone action on Resolution No. 15-R-10, Aberdeen Retirement Plan, Seventh Amendment and defer Ordinance No. 15-O-03, Exclusion from Public Parks to a later date.

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.

BUSINESS OF THE CITY:

1. Unfinished Business – None.
2. New Business – None.
3. Business from Director of Planning & Community Development
 - a. Aberdeen Community Legacy Façade Improvement Program, Application from Wilson-Oliver Agency, Inc., 301 W. Bel Air Avenue

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp to approve the Aberdeen Community Legacy Façade Improvement Program Application from Wilson-Oliver Agency, Inc., 301 W. Bel Air Avenue.

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.

- b. Preliminary Site Plan for the Frito Lay, Inc. Expansion

A motion was made by Councilwoman Landbeck and seconded by Councilman Taylor to approve the Preliminary Site Plan for the Frito Lay, Inc. Expansion.

The motion was passed with a vote of 3 – yes, 0 – no, 1 – abstain, 1 – vacant.

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

4. Business from Chief of Police

a. Surplus Property (outdated, non-compatible):

- License Tag Reader Serial #83952, Remington ELSAG Model ADMU06 with two analog cameras, both model #ADMM/02
- Radar Unit, custom signal EE32083
- Radar Unit CC32235
- Radar Unit BB9133 with antenna CC9156.

A motion was made by Councilman Taylor and seconded by Councilwoman Landbeck to approve the disposal of the surplus property.

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. Business from Director of Finance – None.

6. Business from Director of Public Works

- a. Surplus Vehicle, 2003 Ford F-250, Extended Cab Pick-Up, Vin #1FTNX21P03ED2997, exceeded maintenance life, to be sold on website.

A motion was made by Councilman Lindecamp and seconded by Councilwoman Landbeck to approve the sale of the 2003 Ford F-250, Extended Cab Pick-Up.

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.

7. Business from City Manager

a. Surplus Property

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp to declare the City's Jet Sewer Truck located on Aberdeen Proving Ground as surplus. The Army gave the City permission to purchase a new truck.

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.

b. Council Meeting Schedule

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp to approve that Council Work Sessions convene at 7:00 p.m.

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.

BUSINESS OF COUNCIL:

1. Business from the City Council

The Council commented on civic events, acknowledged the work of the Aberdeen Board of Elections, noted that charter changes were needed on elections, and listed characteristics preferred in a Council member.

2. Business from the Mayor

The Mayor commented on the responsibilities of the Council. He encouraged the public to visit the Aberdeen Room Archives and Museum.

ANNOUNCEMENTS:

Ms. Caroline Curry reported on the "Christmas Street" activities and parade scheduled for December 5, 2015.

Next Council Meeting: Monday, December 21, 2015 at 7:00 p.m.

Planning Commission Meeting: Wednesday, December 9, 2015 at 7:00 p.m.

ADJOURNMENT:

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp to adjourn the meeting at 8:26 p.m. The motion carried.