

City of Aberdeen
Business Meeting, Work Session
April 14, 2014

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

Absent: None

Also Present: Douglas Miller, City Manager
Phyllis Grover, Director of Planning and Community Development
Monica Correll, City Clerk
Doris Manner, Recording Secretary

The meeting was called to order at 4:00 p.m. in the Council Chambers by Mayor Bennett.

Business Meeting: Matters of Immediate and Urgent Business

1. Ord. No. 14-O-09, Prohibition Against Parking Unregistered Vehicles (For Introduction)

Mayor Bennett introduced Ordinance No. 14-O-09, Prohibition Against Parking Unregistered Vehicles.

2. Ord. No. 14-O-04, Grading and Sediment Control, Chapter 297 (For Adoption)

Mr. Miller explained that this ordinance serves to bring the City's stormwater management regulations up to State standards.

A motion was made by Councilwoman Elliott and seconded by Councilwoman Landbeck to approved Ordinance No. 14-O-04, Grading and Sediment Control, Chapter 297. **The motion was passed with a vote of 5 – yes, 0 – no.**

3. Proclamation in Recognition of Autism Awareness Month, April 2014

Mayor Bennett presented a proclamation in observance of 2014 World Autism Awareness Month to Ms. Megg Andrade, Maryland Advocacy Chair, Autism Votes.

A motion was made by Councilman Garner and seconded by Councilwoman Young to adjourn the business meeting and go into work session. **The motion was passed with a vote of 5 – yes, 0 – no.**

Work Session (4:05 p.m.)

1. Planning Commission Primer - Ms. Grover recapped the Planning Commission activities for the Mayor and Council. She stated that during the Planning Commission Meeting held on April 2, 2014, they had reviewed draft amendments to the Aberdeen

Development Code, Integrated Business District, and draft amendments to the Aberdeen Development Code, Accessory Uses and Other Restrictions. She added that minor changes were made to these documents and provided copies to the Council. She announced that an additional Planning Commission Work Session was scheduled on April 23, 2014 at 6:00 p.m.

The Planning Commission also recommended for approval the final subdivision plat for the Lands of E. Roy James (Hinder property) located off of US 40 and the final subdivision plant for Habitat for Humanity Susquehanna, Inc. at First Street. The Planning Commission requested Council Retreat minutes upon completion.

2. IBD Uses - The Mayor and Council indicated that they would discuss the proposed IBD changes to the Code at the next meeting.
3. Annexation Agreement; Presbyterian Homes/Bosworth Annexation

Mr. Miller explained that the Presbyterian Home annexation process had been delayed by the Presbyterian Home title search but is now active. The City Attorney has finished the Agreement and an Executive Summary of the Long Drive Annexation, Presbyterian Home of Maryland (PHM) Agreement was reviewed:

- Annexation Agreement entered into between the City of Aberdeen and Presbyterian Home of Maryland.
- Land size is 9.062 acres.
- Long Drive is owned and maintained by Harford County, and PHM agrees that it will not request that the City annex all or any portion of Long Drive into the City or that the City otherwise accept responsibility for maintenance of Long Drive. However, the City, upon its own initiative may annex in Long Drive or otherwise accept responsibility for maintenance of Long Drive.
- PHM shall undertake, at its expense, a traffic impact analysis before issuance of any permit for development.
- PHM shall complete all road improvements that Harford County requires based on results of traffic impact analysis before the City issues any permit for development or construction.
- PHM shall modify development plans to create a hiker/biker trail, dedicated to the City.
- PHM shall design storm water management plans prior to issuance of permits.
- PHM understands that the City does not have adequate water storage capacity to serve the water pressure, fire flows and consumption for this property and holds the City harmless of any claims arising from the City's failure to provide sufficient water storage capacity.
- PHM understands that the City will not issue any permits or approvals for development or construction until adequate water storage capacity exists sufficient to serve the water pressure, fire flows and consumption requirements.

- PHM may develop and construct a water storage tower in lieu of waiting for the City to increase storage. Tower shall be constructed at a location determined by the City, and upon completion, PHM shall dedicate and convey to the City, free and clear of liens and encumbrances, the water tower and the site upon where the tower is located.
- If PHM decides to construct a water tower, they may seek recoupment of a portion of the eligible costs from other properties that will benefit from the tower.
- PHM, at its own expense, shall update the City's sewer collection computer model to reflect sewage flows anticipated.
- PHM shall pay the City all costs associated with annexation including, but not limited to, attorney fees and expenses, publication costs, recording fees, and costs and expenses, including any attorney fees, associated with any referendum election required to be conducted on the annexation and any litigation arising out of or related to the annexation, agreement, or development of the tract.
- PHM shall pay the City before the Council takes action on a resolution to annex the property, all costs and expenses incurred by the City in connection with this annexation.
- If any condition of Agreement is not satisfied within the timeframe specified, the City may refuse to accept or process applications requested by PHM and may refuse to issue permits.
- Any fees not paid to the City by PHM within thirty (30) days after demanded, shall collect interest at the rate of ten percent (10%).
- The Annexation Agreement shall be constructed and enforced in accordance with the laws of the State of Maryland.
- Modifications to the agreement shall be made in writing, executed with the same formality as original agreement, refer to the date of public hearing, and is recorded among the Land Records of Harford County.
- Modifications to the agreement shall not be effective, unless approved by the Mayor and Council, after a public hearing which shall be published at least once a week for two (2) successive weeks, with last publication not being less than five (5) and no more than ten (10) days before the public hearing.
- If PHM breaches the agreement, PHM shall pay attorney fees, court costs, cost of suit, and expenses incurred by the City in enforcing provisions of this agreement.
- The City shall record this agreement at the expense of PHM, with the Land Records of Harford County.

It was determined that the agreement did not reflect the City as the client of the company performing the traffic study. Mr. Miller said that this would be added.

4. FY 15 Budget Highlights

Mr. Miller said that all four budgets will be balanced and that there will be no increase in the tax rate or water/sewer rates. There will be no change in the level of employees and services. He noted that the assessable base in the City experienced a small decrease. In addition, there was a 10.1% health plan increase and \$25,000 must be contributed to the

Affordable Care Act. Also, post-employment benefits would need to be addressed since proper handling of this affects the City's bond rating.

5. Retreat Comment Review - The Council was asked to review the March retreat notes prepared by Novak Consultants.
6. Other Business

AV Instructions - The Mayor said that visual and sound system upgrades were being performed in the Council Chambers to correct deficiencies.

Announcements - The Mayor made the following announcements: April 15, Chamber of Commerce Lunch; April 17, MML Cecil-Harford Chapter Meeting; April 21, Work Session, 4 p.m.; April 26, Earth Day, Festival Park; April 28, Council Meeting, 7 p.m. The unveiling of the 9/11 Memorial would be scheduled to take place in Festival Park during May. This event would coincide with the 125th Fire Department Anniversary celebrations.

Adjournment: Being no further business, the meeting was adjourned by unanimous consent at 4:37 p.m.