

CITY OF ABERDEEN
Council Meeting
May 8, 2017

Council Present: Mayor Patrick McGrady
Councilwoman Sandra Landbeck
Councilman Steven Goodin
Councilman Timothy Lindecamp
Councilman Melvin Taylor

Also Present: Randy Robertson, City Manager
Phyllis Grover, Director of Planning and Community Development
Kyle Torster, Director of Public Works
Henry Trabert, Chief of Police
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 Councilman Melvin T. Taylor and the Pledge of Allegiance was led by Councilwoman Sandra J. Landbeck.

APPROVAL OF CONSENT AGENDA: None.

APPROVAL OF MINUTES:

A motion was made by Councilman Goodin and seconded by Councilman Lindecamp to approve the Council Meeting minutes of the March 27, 2017 Work Session and the March 27, 2017 Council Meeting.

The motion passed by a vote of 5 – yes; 0 – no.

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

Nays: None.

PRESENTATIONS:

1. Introduction of Major General Randy S. Taylor, Sr. Commander of Aberdeen Proving Ground (APG)
Major General Taylor stated that, as Sr. Commander at APG, he looks forward to a growing relationship with the City.
2. State House Update, The Honorable Robert G. Cassilly, Maryland State Senate, District 34
Senator Cassilly reported on the 2017 General Assembly Session Harford Delegation accomplishments.

3. Police Department Promotions: Lt. Dave Swain and Lt. Will Reiber by Chief Trabert
Chief Trabert announced the promotions of Dave Swain and Will Reiber, both to Lieutenant. The City Manager announced the hire of a new City Engineer, Mr. Arely Hess.
4. Recognition Cub Scout Pack 802 by Mayor McGrady
Mayor McGrady recognized scouts from Cub Scout Troop 802 for receiving the Arrow of Light award and wished them success with a proclamation.
5. Status and Way Forward of Route 22, State Highway Administration (SHA)

Ms. Frances Ward from the State Highway Administration gave an overview of the project scope of widening and upgrading Route 22 and answered questions from the public. Construction Engineers, Mr. Tom Briggs and Ms. Amy Andrews, were also present and answered questions.

- a. Mr. Robert Hartman, Paradise Road: Mr. Hartman asked for signage.
- b. Mr. Jerry Beatty, Hillcrest Road: Mr. Beatty asked about the barrier wall.
- c. Mr. Michael Klein, Colgate Investments: Mr. Klein expressed his concern about the duration of the job, lack of access to the property during business hours, and loss of business due to it. He asked for accommodations.
- d. Ms. Amy (no last name stated), Hillcrest: Commented on the wall construction.
- e. Mr. Lance Hersh, Saxon's Diamond Center: Mr. Hersh asked about relief for the business owners impacted by the construction and discussed traffic concerns.
- f. Mr. Jim Baxendell, Chaps Pit Beef: Mr. Baxendell noted the construction's impact to the traffic flow and to his business.
- g. Ms. Brenda Weber, Mamie's Café: Ms. Weber said that the construction project has adversely impacted her business.
- h. Ms. Linda Blake, Cranberry Run Apartments: Ms. Blake made signage suggestions.
- i. Mr. Randall Scott, Mt. Royal Avenue: Mr. Scott remarked on the need for turn signal indicators to ease the burden of traffic.
- j. Mr. Tom Fiddler, MacKenzie Realty: Mr. Fiddler observed that signal timing had not been adjusted for the volume of traffic during peak times to allow customers to make turns to the businesses. He asked that SHA provide information on the vendor hours of allocation based on scope of work (hours of work vs. actual completion to date ratio). Additional staff could expedite the process. He suggested that signs be posted that businesses are open during construction. The temporary berming on the south side of Route 22 from Beards Hill Road to Middleton Road could be transferred somewhere else to relieve traffic.
- k. Mr. Wayne Tapscoff, WCT & Sons: Mr. Tapscoff commented on the construction's impact on business and how difficult it was to attract new business because of it.
- l. Councilman Patrick Vincenti: Councilman Vincenti commented that any relief from SHA would be appreciated.
- m. Senator Cassilly: Senator Cassilly said that he would contact and work with SHA.
- n. Mr. Lance Hersh, Saxon's Diamond Center: Mr. Hersh asked about the project funding and completion numbers.

The State Highway explained that unknown utilities found underground during construction had impeded their progress. It was important that priorities be communicated to the Secretary of

Transportation for the Consolidated Transportation Program Process. SHA would provide practical day-to-day solutions and strategies when they returned for another meeting at the City.

PUBLIC HEARING:

1. Ordinance No. 17-O-10, Amendment of FY 2017 Budget (6)

There were no comments on Ordinance No. 17-O-10, Amendment of FY 2017 Budget (6).

PUBLIC COMMENTS:

There were no public comments.

LEGISLATIVE SESSION:

1. Ordinance No. 17-O-10, Amendment of FY 2017 Budget (6)

A motion was made by Councilman Lindecamp and seconded by Councilman Goodin to approved Ordinance No. 17-O-10, Amendment of FY 2017 Budget (6).

The motion passed by a vote of 5 – yes; 0 – no.

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

Nays: None.

2. Ordinance No. 17-O-11, Budget FY 2017-2018

The City Manager read the Executive Summary FY 2018 Budget:

The City of Aberdeen has just completed the Fiscal Year 2018 Operating and Capital budgets. While the City has and is expected to continue to do well overall, there were a few challenges to address in the budgets.

The General Fund continues to do very positive with estimated revenues of \$17 million, helping to fund capital projects of \$2.9 million. Most revenues came from property taxes even as the real property tax rate is proposed to be lowered from \$0.6566 to the Constant Yield Tax Rate of \$0.6502. Personal property tax rates remains unchanged at \$1.70. The City is proposed to fund several capital projects totaling approximately \$2.9 million from the General Fund. Among them are construction/surfacing of Middleton Road and a major revision to how we secure and maintain the Aberdeen Police Department's vehicle fleet. About \$848 thousand of the \$2.9 million to be spent on capital projects will come from the Fund Balance.

The Water Fund is able to sustain its operations before major capital projects. The Fund will tap into the environmental pollution class action suit settlement funds to implement

design of a new water tank and refurbish one of the existing water tanks. About \$1 million will be taken from the \$2.5 million reserve to implement these projects. Based upon longstanding agreements with Harford County resulting in annual higher consumer costs, Aberdeen's water rate will increase by 6.66% to \$19.09 for the first 3,500 gallons of usage, and \$5.77 per 1,000 gallons above 3,500 gallons.

The Sewer Fund continues to see challenges operating as an Enterprise Fund. Initial revenues estimates are unable to even the operating expenses before capital projects, and as city's elected leadership well know there is an immediate need to undertake fabricating and installing new Raw Influent Screens at the Waste Water Treatment Plant. To achieve this undertaking, a rate increase will be necessary, with the figures agreed by Council of \$23.65 for the first 3,500 gallons of water usage, and to \$6.74 per 1,000 gallons above 3,500 gallons. To achieve the capital initiative and recognizing the robust position of the General Fund and project growth, the Council will borrow approximately \$800 thousand from the General Fund and repay it back over time.

With over \$1 million in new hand rails and other repairs to Ripken Stadium in FY17, the Council believes it can sustain the facility in reasonable condition with approximately \$240 thousand budgeted in FY18. We continue to encourage our partners to expand use of the facility to generate revenue that will be directed right back into the repair and upgrades to the Stadium.

With recent improvement to Aberdeen's financial credit ratings, the foreseeable completion of SR22 construction in FY18, increases to the DOD budget that will positively affect Aberdeen Proving Ground, and continued economic development across the community, we see the overall financial future of the City as positive.

A motion was made by Mayor McGrady and seconded by Councilwoman Landbeck to introduce Ordinance No. 17-O-11, Budget FY 2017-2018.

The motion passed by a vote of 5 – yes; 0 – no.

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

Nays: None.

3. Resolution No. 17-R-03, Rezoning - 727 and 811 Old Philadelphia Road

A motion was made by Councilman Taylor and seconded by Councilman Lindecamp to introduce Resolution No. 17-R-03, Rezoning - 727 and 811 Old Philadelphia Road.

The motion passed by a vote of 5 – yes; 0 – no.

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

Nays: None.

A motion was made by Councilman Lindecamp and seconded by Councilman Goodin to adopt Resolution No. 17-R-03, Rezoning - 727 and 811 Old Philadelphia Road.

The motion passed by a vote of 5 – yes; 0 – no.

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

Nays: None.

4. Charter Amendment Resolution No. 17-CR-01, Revisions to City's Structure of Government

A motion was made by Councilwoman Landbeck and seconded by Councilman Taylor to adopt the proposed amendments to Charter Amendment Resolution No. 17-CR-01.

The motion passed by a vote of 5 – yes; 0 – no.

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

Nays: None.

Amendment No. 1

On page 2, line 26, of the proposed Charter Amendment Resolution, strike “((“; and in line 33 strike “))” and insert a period immediately following “City”.

Amendment No. 2

On page 2, line 29, of the proposed Charter Amendment Resolution, strike “Be the chief executive of the City and shall assure” and substitute “ASSURE”.

Amendment No. 3

On page 2, line 32, of the proposed Charter Amendment Resolution, strike “direct” and substitute “CONSULT WITH”.

Amendment No. 4

On page 2, line 33, of the proposed Charter Amendment Resolution, immediately preceding “BE” insert “THE MAYOR SHALL”.

Amendment No. 5

On page 3, line 4, of the proposed Charter Amendment Resolution, strike “((“; and in line 10 strike “)) D.”.

Amendment No. 6

On page 3, line 15, of the proposed Charter Amendment Resolution, strike “((“ and “)) E.”.

Amendment No. 7

On page 3, line 19, of the proposed Charter Amendment Resolution, strike “((“ and “)) F.”.

Amendment No. 8

On page 3, line 27, of the proposed Charter Amendment Resolution, insert a comma immediately following “Mayor”; and in that same line, strike “a majority of the” and substitute “AT LEAST TWO”.

Amendment No. 9

On page 3, line 35, of the proposed Charter Amendment Resolution, strike “((“; and in that same line, strike “approval))” and substitute “ADVICE AND”.

The Mayor presented additional amendments as shown below. A motion was made by Mayor McGrady and seconded by Councilman Goodin to approve the following amendments.

The motion failed by a vote of 2 – yes; 3 – no.

Ayes: Mayor McGrady and Councilman Goodin.

Nays: Councilwoman Landbeck, Councilman Lindecamp, and Councilman Taylor.

AMENDMENTS TO CHARTER AMENDMENT RESOLUTION NO. 2017-CR-01

By: Mayor McGrady

Amendment No. 1 - Title

On page 1, in line 9 of the title to Charter Amendment Resolution No. 2017-CR-01, immediately following the semicolon insert "providing that the amendments to the Charter of the City of Aberdeen adopted by this Charter Amendment Resolution do not become operative until the date that the Mayor takes office following the City's municipal election in November, 2019, and that the provisions of the Charter in effect prior to the adoption of this Charter Amendment Resolution remain operative until a certain date;".

Amendment No. 2

On page 2, immediately following line 7, of Charter Amendment Resolution No. 2017-CR-01, insert the following:

BY **adding**
 §X. General Provisions
 Section X.8
 Charter of the City of Aberdeen (as published by General Code Corporation)

Amendment No. 3

On page 3, immediately following line 13, of Charter Amendment Resolution No. 2017-CR-01, insert the following:

SECTION 2. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF ABERDEEN that that §X. General Provisions, Section X.8, is added to the Charter of the City of Aberdeen (as published by General Code Corporation), to follow immediately after Section X.7 and to read as follows:

§X. General Provisions

8. THE AMENDMENTS TO THIS CHARTER ADOPTED BY CHARTER AMENDMENT RESOLUTION NO. 2017-CR-01 SHALL NOT BE OPERATIVE UNTIL THE DATE THAT THE MAYOR TAKES OFFICE FOLLOWING THE CITY'S MUNICIPAL ELECTION IN NOVEMBER, 2019, AND, UNTIL THAT DATE, THE PROVISIONS OF THIS CHARTER AS THEY EXISTED PRIOR TO THE ADOPTION OF CHARTER AMENDMENT RESOLUTION NO. 2017-CR-01 SHALL REMAIN IN FULL FORCE AND EFFECT.

Amendment No. 4

On page 7, in lines 14, 24 and 33, of Charter Amendment Resolution No. 2017-CR-01, strike "2", "3" and "4", respectively and substitute "3", "4" and "5", respectively.

A motion was made by Councilwoman Landbeck and seconded by Councilman Lindecamp to approve Charter Amendment Resolution No. 17-CR-01, Revisions to City's Structure of Government as Amended.

The motion passed by a vote of 3 – yes; 2 – no.

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

Nays: Mayor McGrady and Councilman Goodin.

BUSINESS OF THE CITY:

1. Unfinished Business: None.

2. New Business:

a. Nomination to the Economic Development Commission

Mayor McGrady nominated Mr. Don Lewis, Aberdeen Proving Ground Federal Credit Union, to the Economic Development Commission

The nomination passed by a vote of 5 – yes; 0 – no.

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

Nays: None.

3. Updates from City Manager and Staff

a. Approval of the Community Legacy Façade Improvement Program – Application for Façade Improvements to 20 West Bel Air Avenue

b. Approval of the Community Legacy Façade Improvement Program – Application for Façade Improvements to 214 West Bel Air Avenue

A motion was made by Councilwoman Landbeck and seconded by Councilman Taylor to approve the Community Legacy Façade Improvement Program – Application for Façade Improvements to 20 West Bel Air Avenue and the Community Legacy Façade Improvement Program – Application for Façade Improvements to 214 West Bel Air Avenue.

The motion passed by a vote of 5 – yes; 0 – no.

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

Nays: None.

The City Manager updated the Council on the yard waste initiatives, city meetings, and activities.

PUBLIC COMMENT:

1. Ms. Linda Baines, Mt. Royal Avenue: Ms. Baines asked about tree leaves, containers, and pick up. She was opposed to Charter Amendment Resolution No. 17-CR-01.

BUSINESS OF THE COUNCIL:

1. Business from the Council Members: The Council commented on their activities and explained their reasons for the passage of Charter Amendment Resolution No. 17-CR-01 in order to eliminate inconsistencies and restore the balance of power.
2. Business from the Mayor: The Mayor made the announcements and discussed a rally at the Aberdeen Post Office in favor of a handicap ramp.

ANNOUNCEMENTS:

Council Work Session: Monday, May 15, 2017, 5:30 PM, 2nd Floor Conference Room

Council Work Session: Monday, May 22, 2017, 5:30 PM, 2nd Floor Conference Room

Council Meeting: Monday, May 22, 2017, 7 PM, Council Chambers

Planning Commission Meeting: Wednesday, June 14, 2017 at 7 PM, Council Chambers

Aberdeen Farmers Market, May 18, 2017, 4 -7 PM, Festival Park

APG Fallen Workers Memorial Dedication & Ceremony, May 31, 2017, 11 AM, Festival Park

CLOSED MEETING:

At approximately 9:13 p.m., a motion was made by Mayor McGrady and seconded by Councilwoman Landbeck to close the meeting pursuant to the Open Meetings Act, Statutory Authority Md. Code Annotated, General Provisions Article § 3-305(b): (1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals; (4) to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; (8) to consult with staff, consultants or other individuals about pending or potential litigation; and (14) before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process. The topic, under citation (1), was about a personnel matter involving a City employee. The topic, under citations (4) and (8), was an update on a contractual discussion. The topic, under citation (14), was about a contract presentation.

The motion passed by a vote of 5 – yes; 0 – no.

Ayes: Mayor McGrady, Councilman Goodin, Councilwoman Landbeck,

Councilman Lindecamp, and Councilman Taylor.
Nays: None.

The Mayor and Council proceeded to the second floor administrative conference room for the closed meeting and returned to the Council Chambers when finished.

REOPEN AND ADJOURNMENT:

The Mayor and Council reopened the meeting at 9:44 p.m. The Mayor announced that no action had been taken.

The Mayor said there was an offer to purchase 34 North Philadelphia Boulevard. It had not been marketed for sale and the will of the Council was not certain.

A motion was made by Mayor McGrady and seconded by Councilman Taylor to authorize the City Manager to list for sale the property at 34 North Philadelphia Boulevard with MacKenzie Realty, starting on May 9, 2017, for a period of 60 days. It was understood that the sale would not include Festival Park or the parking, the subdivision would continue, there was no obligation to sell, and that there would be no commissions on anyone who had already made an offer.

The motion passed by a vote of 4 – yes; 1 – no.

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

Being no further business, the meeting was adjourned at 9:51 p.m.