

**City of Aberdeen Council Meeting
May 23, 2011**

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

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
Opiribo Jack, Director of Finance
Monica Correll, City Clerk
Doris Manner, Recording Secretary

Mayor Bennett called the meeting to order at 7:00 p.m. in the Council Chambers. He observed the loss of Maryland State Trooper First Class Shaft Hunter, an eleven-year veteran. The prayer was led by Apostle Dianne Welsh of Breath of God Christian Fellowship Church and the Pledge of Allegiance was led by Councilwoman Landbeck.

A motion was made by Councilwoman Elliott and seconded by Councilwoman Young to approve the minutes of the May 9, 2011 meeting as submitted.

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

PRESENTATIONS:

1. Proclamation & Awards by Aberdeen Heritage Trust Poster Contest – Nancy Backus

Mayor Bennett read a proclamation in recognition of National Preservation Month sponsored by Aberdeen Heritage Trust. Dr. Backus, a Heritage Trust member, announced that Miss Mackenzie Dean, St. Joan of Arc 4th grade student, won the poster contest with a sketching of an Aberdeen home.

2. Proclamation in Recognition of Christian Slattery, Sr., Harford County Teacher of the Year

Mayor Bennett read a proclamation recognizing Mr. Christian Slattery, Sr. as Harford County Public School Teacher of the Year. Mr. Slattery has been a teacher in Harford County for nine years.

3. MD Rural Water Association Employee and Wastewater System of the Year Awards

Mayor Bennett recognized the Department of Public Works (DPW) employees for receiving the following Maryland Rural Water Association Awards:

- Rookie Waste Water Operator of the Year: Greg Dudok (not present)
- Waste Water Operator of the Year: Rob Kraus
- Waste Water System of the Year for the City of Aberdeen: Paul Visser, George Skinner, Rob Kraus, and Josh Quensenbery
- William F. Eckman Decision Maker of the Year: Matthew Lapinsky.

4. The City of Aberdeen Comprehensive Plan 2011 Update – Phyllis Grover

Ms. Grover reported that the Planning Commission officially approved the 2011 Comprehensive Plan at their meeting April, 2011. During a PowerPoint presentation, Ms. Grover stated that the Comprehensive Plan is reviewed every six years, is the basic planning document for the City of Aberdeen, and becomes the official guide for development in the City.

Ms. Grover discussed the following in her presentation: Maryland's 2009 planning visions, the chapters of the Comprehensive Plan, and future land use planning areas recommendations. She said that planning tools are reviewed and updated periodically by the Planning Commission, water and sewer capacities for growth were being addressed, and State data requirements are included.

PUBLIC HEARINGS:

1. Ordinance No. 11-O-05, LEED Office Park Tax Subclass

Mr. Miller stated that this ordinance has been introduced and its purpose is to attract BRAC-related LEED certified development under a different tax rate scheduled to sunset in 2019.

- 1) Ms. Karen Heavey, W. Bel Air Avenue;
Ms. Heavey asked for tax rate clarification and more information on the LEED tax rate relative to the Enterprise Zone.
- 2) Mr. Patrick McGrady, Holly Drive;
Mr. McGrady questioned the benefits of LEED tax breaks.

2. Ordinance No. 11-O—06. City of Aberdeen Comprehensive Plan 2011

- 1) Mr. Patrick McGrady, Holly Drive;
Mr. McGrady asked how Area 14, Beechtree Development, would be considered in the Comprehensive Plan. He also asked about the Council powers pertaining to changes to the Plan.

PUBLIC COMMENT:

- 1) Mr. John Landbeck, Crestmont Drive;
Mr. Landbeck commended the Mayor and Council, and the City Manager on the steps taken in the selection of a new Chief of Police.
- 2) Ms. Julia Evering, Carter Street;
Ms. Evering stated her complaints regarding the Carter Street alley. She also is opposed to pay increases to City employees; she has not received a raise in four years as a State employee.
- 3) Mr. Dick French, Oxford Avenue;
Mr. French stated his complaints regarding his water bill and also customer service issues at payment time.
- 4) Mr. James Kane, Park Street;
Mr. Kane stated his complaints regarding water quality and snow removal.
- 5) Mr. Jerry Belsky, LaRouche Political Action Committee, Baltimore;
Mr. Belsky urged the Council to support Glass-Steagall Act legislation, the Return to Prudent Banking Act.
- 6) Ms. Pat McGrady, Holly Circle Townhouses;
Ms. McGrady was concerned over the state of the economy and the impact of increasing water and sewer bills.
- 7) Mr. Paul Kertis, Windemere;
Mr. Kertis discussed the minimal feedback from the legislators to his e-mails regarding the Hotel Tax.
- 8) Mr. Austin Harriman, Law Street;
Mr. Harriman is opposed to any tax increases.
- 9) Mr. Joe Orem, Harford Street;
Mr. Orem is opposed to any increases on water bills.
- 10) Mr. Patrick McGrady, Holly Drive;
Mr. McGrady said that this year's budget is larger than last year's budget and increases water rates. He asked the Mayor and Council to stand up to the Governor, Senators, EPA, etc. He discussed his path to prosperity illustrated by a large poster.
- 11) Mr. Art Koszura, Doris Circle;
Mr. Koszura said the City has lost a large portion of State and Federal funds and cannot just stop spending which would affect services, roads, etc. He said the

bigger problem is that trillions of corporation tax-free dollars are sent to offshore banking even though they receive money back for operating expenses; a problem which has not been addressed adequately by the federal administration.

LEGISLATIVE SESSION:

1. Setting the Tax Rate for Fiscal Year 2011-2012 and the Operating and Capital Budget for Fiscal Year 2011-2012, Budget Ordinance No. 11-O-04, (For Adoption)

Mr. Miller stated that this ordinance has been introduced and the public hearing has been held. He asked that the Council consider two amendments from the staff. The first is that if LEED Office Building Tax Subclass Ordinance No. 11-O-05 passes, the tax rate must be set as part of Budget Ordinance No. 11-O-04 creating Section 3: The former Section 3 would become Section 4 and Section 4 would become Section 5. The second amendment would be to substitute page 16 with a more detailed, comprehensive list of capital projects to the budget. This would not change any numbers.

A motion was made by Councilwoman Landbeck and seconded by Councilman Garner to approve Budget Ordinance No. 11-O-04, Budget FY 2011-2012.

The City Manager explained the amendment to the Budget Ordinance:

Section 3. "BE IT FURTHER ENACTED THAT the annual real property tax rate for properties that qualify under the City of Aberdeen LEED Office Building Tax Subclass, after enactment of Ordinance No. 11-O-05, shall be \$0.1700 per \$100 of assessed value".

A motion was made by Councilwoman Landbeck and seconded by Councilman Garner to amend the Budget to add the new Section 3 language for LEED Office Building Subclass.

The motion was passed with a vote of 4 – yes and 1 – no.

Ayes: Mayor Bennett, Councilwoman Landbeck, Councilman Garner, and Councilwoman Young

Nays: Councilwoman Elliott

The motion passed with a vote of 4 – yes and 1 – no.

A motion was made jointly by Councilwoman Landbeck and Councilman Garner then seconded by Councilwoman Elliott to approve the new List of Capital Projects. (See Attachment A).

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

The Mayor asked for the vote on the main motion made by Councilwoman Landbeck and seconded by Councilman Garner to approve Budget Ordinance No. 11-O-04 FY 2011-2012 Fiscal Year Budget as amended.

Ayes: Mayor Bennett, Councilwoman Landbeck, Councilman Garner, and Councilwoman Young

Nays: Councilwoman Elliott

The motion was passed with a vote of 4 – yes and 1 – no.

BUSINESS OF THE CITY:

1. Unfinished Business – None
2. New Business – None
3. Business from the Director of Planning & Community Development – None
4. Business from the Chief of Police – None
5. Business from the Director of Finance

Mr. Jack reported the Year-to-Date Financial Activities of the City, July 2010 through March 2011, comparing actual receipts and expenditures to budgeted amounts for the various funds. The following is his summary

General Fund

Total receipts exceeded total expenditures by \$2.4 million, with collections of \$11.3 million, and expenditures of \$8.9 million.

Property tax collection was more than budgeted by \$275 thousand. The increase was from real estate tax. State shared revenues were \$38 thousand less than budgeted, mostly due to lower income tax receipts. County shared revenues were \$49 thousand more than budgeted due to higher than expected police differential allocation.

Expenditures were better than budgeted by \$580 thousand. This was mostly due to unfilled vacant positions, and savings from property and workers compensation insurance premiums.

Capital Projects Fund

Total receipts (including transfer-in from General Fund) exceeded total expenditures by \$201 thousand, with receipts of \$418 thousand, and expenditures of \$217 thousand.

Total receipts were less than budgeted by \$77 thousand. This was mostly because we have not incurred expenditures on the major grant projects to allow us to draw down on the grant funds.

Expenditures were lower than budgeted by \$212 thousand. This is partly due to delay in the implementation of certain projects.

Water Fund

Total receipts, including loan proceeds, exceeded total expenses by \$388 thousand, with receipts of \$7 million and expenses of \$6.6 million.

Utility usage charges were \$95 thousand less than budgeted.

Expenses were less than budgeted by \$906 thousand. This was due to savings from energy and lab costs and slower pace in the implementation of some capital projects.

Sewer Fund

Total expenses exceeded total receipts, including grants and loan proceeds, by \$849 thousand, with expenses of \$6.3 million and receipts of \$5.5 million.

Utility usage charges were below the budgeted amount by \$334 thousand. This was mostly because the ENR fee was just implemented in February. Grants and loan proceeds were \$826 thousand less than budgeted; however, a draw-down request of \$670 thousand is pending.

Expenses were in line with budget.

Stadium Fund

Total receipts (including transfer-in from General Fund) exceeded total expenses by \$400 thousand, with receipts of \$609 thousand, and expenses of \$209 thousand.

Revenues and expenses were in line with budget.

Citywide

Overall, the City's total receipts exceeded expenditures by \$2.57 million, with revenues and loan proceeds of \$24.83 million and expenditures of \$22.26 million.

6. Director of Public Works – None

7. Business from the City Manager

1) Nomination of Police Chief

Mr. Miller reported that the City conducted a nationwide search, with the help of the Novak Consulting Company, for the position of Chief of Police and received 50 applicants. Five applicants were selected for the interview; two voluntarily fell out. The interview process was as follows: the Mayor showed each candidate the City, the five-person panel interviewed each candidate, and then the City Manager conducted a one-on-one interview.

The 5-person panel was comprised of: a citizen at-large, a member of the Aberdeen Police Department (APD), a member of the business community, a City employee, and a chief from another police department. Three of the five members are Aberdeen residents. Mr. Miller said he met with the Mayor and the panel members to receive their impressions of the three candidates and everyone was in agreement.

Mr. Miller asked the Mayor and City Council for their approval in his nomination of Henry G. Trabert as Chief of Police for the City of Aberdeen. There were no questions from the Council.

A vote was taken to confirm the nomination of Henry G. Trabert as Chief of Police for the City of Aberdeen.

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

Chief Trabert was congratulated and welcomed to the community.

BUSINESS OF THE COUNCIL:

1. Business from the City Council

Councilwoman Elliott promoted fundraising activities which benefited the Aberdeen Museum.

Councilwoman Landbeck supported the cost-of-living raise for City employees to ensure that qualified people will remain in their positions. Because of her observations of new advancements during tours through the Aberdeen High School Science and Math Academy and Aberdeen Proving Grounds, she realized that the City of Aberdeen is situated in the middle of the cutting edge of technology. She also noted that the Mayor and Council understand the Budget concerns expressed by citizens since the Council members themselves are also retired and on fixed incomes.

Councilwoman Landbeck continued saying that the two robo calls from Patrick McGrady to local residents concerned two issues: a cry to reduce taxes and stop all

the spending. They may have been misinterpreted by some listeners and felt that Mr. McGrady was referring to the Constant Yield Tax Rate. She clarified that the real property taxes were actually reduced and that the spending practices of the City are performed responsibly. To stop spending entirely would be very damaging to many services and public protection.

Councilwoman Young attended the following events along with other members of the Council: Armed Forces Day, Military Appreciation Luncheon, a meeting at the Maryland State House regarding the, "If I were Mayor" essay contest, graduation at the Aberdeen High School Science and Math Academy.

Councilman Garner clarified that the water rate was not raised. The sewer rates were raised by a cost of living index per the agreement entered into with the Maryland Department of the Environment. He attended Armed Forces Day followed by the Poole Lighthouse Cruise. The lighthouse was relit after 74 years.

2. Business from the Mayor

The Mayor attended an Economic Development meeting at City Hall, Southern Maryland Chapter of the Maryland Municipal League (MML) meeting, and as president of the MML, he presided at the , "If I were a Mayor" awards.

Mayor Bennett thanked Mr. Miller for his expertise in conducting the search for the new police chief. He congratulated Chief Trabert on his appointment.

Mayor Bennett noted that three of the four past budgets contained property tax decreases and one year remained the same. All the budgets were balanced. The Mayor said that every item on the Budget receives serious consideration and that no one on the Council takes the budget lightly. The City is in good financial condition.

ANNOUNCEMENTS:

Next Council Meeting: Monday, June 6, 2011 at 7:00 p.m.

Next Council Work Session: Monday, June 13, 2011 at 4:00 p.m.

ADJOURNMENT:

A motion was made by Councilman Garner and seconded by Councilwoman Elliott to adjourn the meeting. The meeting was unanimously adjourned at 9:02 p.m.

ATTACHMENT A**List of Capital Projects****General Fund**

| <i>Description</i> | <i>Amount</i> |
|--|----------------|
| Street and Sidewalk Repairs (PW) | 363,160 |
| HUR Funded Projects (PW) | 191,040 |
| Environmental building; Open bay conversion (PW) | 43,000 |
| One ton dump truck bed replacement with crane and utility bed (PW) | 30,000 |
| Zero turn mower (PW) | 25,000 |
| Shop equipment (PW) | 45,000 |
| Police Cars (APD) | 88,000 |
| CDBG Projects (Planning and Community Development) | 108,300 |
| BRAC Zone Improvements (Planning and Community Development) | 55,000 |
| Permitting Software | 6,000 |
| Total General Fund | 954,500 |

Water Fund

| <i>Description</i> | <i>Amount</i> |
|---------------------------------|------------------|
| Water infrastructure projects | 1,095,193 |
| One tone pick-up truck | 45,000 |
| Water line replacements | 87,000 |
| Water meter replacements | 55,721 |
| SCADA | 14,000 |
| Water Plant Exterior Renovation | 25,000 |
| Valve Exercise Machine | 59,981 |
| Tower Maintenance Fund | 55,500 |
| Water Pure | 8,000 |
| Total Water Fund | 1,445,395 |

Sewer Fund

| <i>Description</i> | <i>Amount</i> |
|----------------------------------|-------------------|
| ENR Upgrade | 17,383,642 |
| I&I Diagnosis and Rehabilitation | 30,000 |
| One ton truck replacement | 45,000 |
| Roof repair, wastewater plant | 18,490 |
| Total Sewer Fund | 17,477,132 |