

**PROCEEDINGS OF CITY COUNCIL MEETING**  
**May 18, 2009**  
**CITY OF HAVRE DE GRACE, MARYLAND**

The regular meeting of the Mayor and City Council was called to order on May 18, 2009 at 7:00 p.m. with Mayor Wayne H. Dougherty presiding and the following members present: Council President Fred Cullum, Councilmembers Joe Kochenderfer, Randolph Craig, William Martin, Barbara Ferguson and James Miller.

The Pledge of Allegiance was led by Mayor Dougherty and the opening prayer by Pastor Ron Smith of First Baptist Church.

**On motion by Council President Cullum seconded by Councilmember Kochenderfer and on six affirmative votes, the minutes of May 4, 2009 were approved.**

**PRESENTATIONS/RECOGNITIONS:**

**A. Proclamation Acknowledging EMS Week (By: Mayor Dougherty and Councilmember Craig)**

Presented Chief Jeremy Mothershed of the HdG Ambulance Corps accompanied by five (5) members (top responders) a Proclamation proclaiming the Week of May 17 through May 23, 2009 as EMS week. Both the Mayor and Councilmember Craig commented on the superb job the Ambulance Corps does. Chief Mothershed thanked the Mayor and Council for the support they receive from the City as well as from Harford County.

**B. Presentation of Arbor Day Banner to City (By: Ron Hendrickson and Joe Conaway)**

Councilmember Kochenderfer noted this is the 8<sup>th</sup> Consecutive Year that Havre de Grace has won this award. He explained the requirements that need to be met to qualify for this; the City has fulfilled all requirements as set forth by Tree City USA. Mayor Dougherty thanked Ron and all members of the Tree Commission for the work they do. Councilmember Kochenderfer explained how the Tree Commission is made up and noted the process that is followed is taken very seriously.

**C. Election Results (Presented by: Ms. Sally Daigle, Chairperson – Board of Elections)**

Report presented was as follows:

**Mayoral Candidate Wayne H. Dougherty:(Unopposed) Received: 659 Votes/11 Absentee – Total = 670**

**City Council Candidate Randolph Craig: Received: 620 Votes/12 Absentee - Total = 632**

**City Council Candidate Barbara Ferguson: Received: 310 Votes/4 Absentee- Total = 314**

**City Council Candidate Brenda Guldenzopf: Received: 555 Votes/10 Absentee- Total = 565**

**City Council Candidate Mitch Shank: Received: 520 Votes/9 Absentee - Total = 529**

**Ballot Question A:**

**FOR Sale of Surplus Property to Harford Habitat for Humanity, Inc. Received: 631 Votes/14 Absentee- Total = 645**

**AGAINST Sale of Surplus Property to Harford Habitat for Humanity, Inc. Received: 132 Votes/2 Absentee - Total = 134**

**D. Presentation on Status of Economic Development (By: Meghan McDonough)**

Ms. McDonough gave a detailed Status Report on the City's Economic Development. Her report was well received and she was thanked for the preparation of the report.

**Comments from Citizens on Agenda Items:**

Mr. Mike Hiob, Council President from the City of Aberdeen, offered congratulations to Mayor Dougherty and Councilmember Craig for their second term as well as congratulations to the two (2) newly elected Councilmembers Guldenzopf and Shank. He offered best wishes and good luck from the City of Aberdeen and noted he is ready, willing and looking forward to working with the "Sister City of Havre de Grace".

## **Resolutions:**

### **A. Resolution for Chesapeake Cycle: (Presented by: Council President Cullum)**

“A Resolution of the Mayor and City Council of Havre de Grace, Maryland pursuant to the authority of the Havre de Grace City Charter, Section 76 approving of a Lease of City Property by Resolution to Ed Sheets, T/A Chesapeake Cycle and Sports for a Period of two (2) years.” **A motion to introduce this Resolution was made by Council President Cullum, seconded by Councilmember Kochenderfer, voted on and passed 6-0 by voice. The Resolution was read into the record and assigned the number of 2009-06. Council President Cullum made a motion to adopt, seconded by Councilmember Ferguson, voted on and passed 6-0 by roll call.**

### **B. Resolution for Andrew Doria: (Presented by: Council President Cullum)**

“A Resolution of the Mayor and City Council of Havre de Grace, Maryland pursuant to the authority of the Havre de Grace City Charter, Section 76 approving of a Lease of City Property by Resolution to Andrew Doria – the First Salute, Inc., for a period of two (2) years.” **A motion to introduce this Resolution was made by Council President Cullum, seconded by Councilmember Kochenderfer, voted on and passed 6-0 by voice. The Resolution was read into the record and assigned the number of 2009-07. Council President Cullum made a motion to adopt, seconded by Councilmember Miller, voted on and passed 6-0 by roll call.**

## **Ordinances:**

**A. Second Reading and Adoption of Ordinance # 905 (Concerning Water and Sewer Rates) Presented by: Councilmember Miller** “An Ordinance by the Mayor and City Council of Havre de Grace adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and Article 23A of the Annotated Code of Maryland, and Section 37 of the City Charter and City Code Chapter 196 Water and Sewer Rates, for the purposes of enacting this Ordinance #905 establishing the City Water and Sewer Rates for the Fiscal Year July 1, 2009 to June 30, 2010 as appear in City Code Chapter 196 and Exhibit A thereto.” **A motion to introduce Ordinance #905 for Second Reading was made by Councilmember Miller, seconded by Councilmember Kochenderfer, voted on and passed 6-0 by voice. Motion to adopt Ordinance #905 was made by Councilmember Miller, seconded by Councilmember Ferguson, voted on and passed 6-0 by roll call.**

**B. Second Reading and Adoption of Ordinance # 906 (Concerning Property Tax Rates) Presented by: Council President Cullum** “An Ordinance by the Mayor and City Council of Havre de Grace, Maryland, pursuant to the authority provided by the Annotated Code of Maryland Tax-Property Article Title 6 and the Annotated Code of Maryland Article 23A and City Charter Section 37, fixing the tax rate for the Fiscal Year July 1, 2009 to June 30, 2010 on each one hundred dollars (\$100.00) of assessable real property, personal property, and providing an additional special tax levied within the Critical Area Special Taxing District.” **A motion to introduce Ordinance #906 for Second Reading was made by Council President Cullum, seconded by Councilmember Martin, voted on and passed 6-0 by voice. At this time, Councilmember Kochenderfer made a motion to modify Ordinance #906 by changing the proposed real property tax rate at Sixty-One Cents (\$0.61) on each One Hundred Dollars (\$100.00) to Sixty-Two Cents (\$0.62) on each One Hundred Dollars. Councilmember Miller seconded this proposed amendment. Discussion followed with Councilmember Kochenderfer explaining his reasoning for this amendment. Council President Cullum commented he had originally agreed with the \$0.62 modification, however, the fact that the Mayor has presented a workable budget using the \$0.61 figure and believes that we can still give the employees a COLA, he has decided that the \$0.61 figure should remain. A vote was then taken on the Proposed Amended Ordinance #906; it failed 4-2 with Council President Cullum, Councilmembers Craig,**

**Ferguson and Martin voting against the change and Councilmembers Kochenderfer and Miller voting for the change. A motion was then made to adopt Ordinance #906 on second reading by Council President Cullum, seconded by Councilmember Martin, voted on and passed 6-0 by roll call.**

#### **Unfinished Business/Old Business (None)**

#### **New Business:**

**A.** “Approval of Lease between The Mayor and City Council of Havre de Grace, a Maryland Municipal Corporation (“City”) and Ed Sheets, t/a Chesapeake Cycle and Sports (“Lessee”).”

(Presented by: Council President Cullum) **Council President Cullum made a motion to approve this lease as presented, seconded by Councilmember Kochenderfer, voted on and approved 6-0 by roll call.** Following the vote, Council President Cullum noted this lease will be for the minimum amount of \$100.00 per year.

**B.** “Approval of Lease between The Mayor and City Council of Havre de Grace, a Maryland Municipal Corporation (“City”) and Andrew Doria – The First Salute, Inc. (“Lessee”).”(Presented by: Council President Cullum) **Council President Cullum made a motion to approve this lease as presented, seconded by Councilmember Ferguson, voted on and approved 6-0 by roll call.** Council President Cullum noted at this time that this matter had been discussed a couple of meetings ago; a presentation was made on the Andrew Doria and their wish to build a replica of the Andrew Doria on this property which again was noted this lease will be for the minimum amount of \$100.00 per year.

#### **Business from the Council:**

**Council President Cullum:** Thanked the Council for allowing him to serve as President this past year. Thanked all the Councilmembers for their hard work on the various committees; also thanked the City Staff – noted they consist of some fantastic directors and employees. It is a pleasure to always have staff and the City Attorney ready to assist. He further thanked the Mayor for a year of a good working relationship. He is looking forward to this next year of accomplishing even more. He noted how much Councilmember Kochenderfer will be missed, noting there are not enough words to express that and we certainly hope that we will still see him in City Hall. He also thanked Mrs. Ferguson for the relationship they had this time around, noting he feels at some point in time she will be back because she truly “cares”. Mayor Dougherty added his thanks to Council President Cullum for the communication they have shared this past year.

**Councilmember Craig:** Thanked the Council President for serving – noted Council tackled some long overdue Ordinances and appreciated his hard work in doing this. Councilmember Craig told Councilmember Ferguson he will miss her and always looked forward to seeing her. As far as Councilmember Kochenderfer is concerned, he believes it could be in order to make him a meritorious Councilmember and certainly added his thanks for the many things he has accomplished.

**Councilmember Ferguson:** Agreed with Council President Cullum that they had a good working relationship – thanked him for that as well as support of all the Council.

**Councilmember Kochenderfer:** Noted he has done this before! He has been on Council off and on since 1990 – he thanked everyone for giving him the opportunity to serve, also thanking the Mayor, Council and MML, the members of the various Boards and Commissions he has served on, and certainly last but not least, the staff that is sitting here as well as staff that is not present. He especially thanked his wife Sarah for her support over the years and ended by saying “Good Bye Council – Hello Life”!

**Councilmember Martin:** Noted he doesn’t believe there is anything he could add regarding the value that Joe Kochenderfer has had with him over the past year starting with the “Joe K. Tour”. As a history teacher, he especially enjoyed meeting with him feeling at that time he was like the student and Mr. K. was the teacher –

he will miss that. He also thanked Barbara Ferguson for her hard work and noted although they didn't serve on committees together, he will miss working with her.

**Councilmember Miller:** Commented it has been a great two (2) years he has spent together with Councilmembers Kochenderfer and Ferguson – he believes a lot has been accomplished in the last two (2) years and he will miss both of them very much. He also is looking forward to more accomplishments next year.

**At this time, County Councilmember Mary Ann Lisanti (District F representative) presented outgoing Councilmembers Kochenderfer and Ferguson with recognitions from the County for their service.**

**Presentation and Comments from Mayor Wayne Dougherty:** Thanked each and everyone of the Councilmembers, noting that each one of them had brought with them a vision when he became Mayor. It was a “shared vision” – the priority of each of them is what is good for the citizens of Havre de Grace. The Council has worked hard; without the Council, we could never have accomplished what we have done – he thanked everyone for that working relationship. The Mayor thanked Barbara for the many years they worked together, he noted he believes they have both had an opportunity to “mature” and thanked her for her support and dedication. As far as Councilmember Kochenderfer, he noted he doesn't know what else to say – everyone has already said it. He thanked Joe K. for his candidness, the brutal truth at times and the many, many hours he dedicated to the citizens. He went on to assure each and everyone right now that over the past two (2) years, it has been “we” rather than “I” and he looks forward to working together over the next year.

At this time, Mayor Dougherty presented Joe Kochenderfer with a Havre de Grace hat and jacket; Joe noted he will always wear it with pride. Barbara Ferguson was presented with a crystal cookie jar engraved with her name and years of service.

**A motion was made at 8:45 P.M. to Adjourn Sine Die by Councilmember Jim Miller, seconded by Councilmember Ferguson, voted on and passed 6-0.**

**At this time the Oath of Office was Administered by Judge Emory Plitt to Wayne H. Dougherty as Mayor and Randolph E. Craig, Brenda D. Guldenzopf and Mitch Shank as City Councilmembers.**

Following Oath of Office, the City Council Meeting of May 18, 2009 reconvened with Mayor Wayne H. Dougherty presiding and the following members present: Councilmembers Fred Cullum, Randolph Craig, William Martin, James Miller, Brenda Guldenzopf and Mitch Shank.

**A Motion was made by Councilmember Cullum, seconded by Councilmember Shank to move to Closed Session for the purpose of selecting a Council President. This was voted on and passed 6-0 by roll call.**

The Council Meeting of May 18, 2009 reconvened once again at 9:35 P.M, again with Mayor Wayne H. Dougherty presiding and the following members present: Councilmembers Fred Cullum, Randolph Craig, William Martin, James Miller, Brenda Guldenzopf and Mitch Shank.

**A motion was made by Councilmember Shank, seconded by Councilmember Miller to nominate Councilmember Craig as Council President. This was voted on and passed 6-0 by roll call.** Council President Craig was congratulated on his appointment; he noted he had promised the Council to be as transparent as possible and whenever necessary, to challenge the Mayor but he felt that would be few and far between.

**Ordinances: (None)**

**Resolutions: (None)**

**New Business**

**A. Approval of Special Events: (Presented by: Carol Mathis)**

- a. **Flea Market – Sponsored by: HdG Ambulance Corps – Saturday, July 25, 2009 – Millard E. Tydings Park** Quite a lengthy discussion followed on this event, noting the wish of Council would be to move as many events as possible from Tydings Park to Hutchins Park. After discussion, Council President Craig noted that although he agrees as many events as possible should be moved, he felt at this late date the place should not be changed. However, he expressed the opinion that he wondered if perhaps Parks and Harbor Committee could develop some guidelines that would assist in moving more of these events to Hutchins Park. **At this time, Councilmember Shank made a motion to approve this request as it stands, seconded by Council President Craig, voted on and passed 4-2 with Councilmembers Miller and Shank voting against.**
- b. **Praise in the Park – Sponsored by: Evangelistic Church of Deliverance – Saturday, September 5, 2009 – Millard E. Tydings Park** Councilmember Shank made a motion to approve this event, seconded by Councilmember Miller, voted on and passed 6-0 by voice.
- c. **Sail-Abration – Sponsored by: Winds of Leadership – Thursday, June 18, 2009 – 5:00 to 7:00 p.m. – Millard E. Tydings Park** Councilmember Miller made a motion to approve this event, seconded by Councilmember Shank. Before voting, Councilmember Miller suggested this event should be moved over towards the lighthouse; he made a motion to amend this request by moving it to the Conquest Point property. This was seconded by Councilmember Martin, voted on and passed 6-0. The original request was then voted on with the above Amendment, and passed 6-0.
- d. **34<sup>th</sup> Army Band, Iowa National Guard – Sponsored by: HdG Arts Commission - Wednesday, July 22, 2009 – 7:00 to 8:30 p.m. – Millard E. Tydings Park** Carol Mathis noted this is in addition to the other concerts that were approved for the Arts Commission. This will be held on a Wednesday evening and in Tydings Park. A motion was made by Councilmember Cullum, seconded by Councilmember Shank and voted on and passed 6-0.

**Business from the Mayor:** Mayor noted his comments would be very brief. He told the new Council President that he looks forward to working with him and that he will be contacting him in the morning to set up a calendar for pre-agenda meetings, etc. He welcomed the two (2) new Councilmembers and noted if at anytime they should have any questions, to please feel free to contact him.

**Business from Council:**

**Council President Craig:** Thanked the Mayor for providing the hospitality tent on Election Day. He also asked that his colleagues let him know in the near future their interests and desires for various committee assignments. He thanked again all of his supporters, particularly his wife and children.

**Councilmember Guldenzopf:** Stated she looks forward to serving Havre de Grace and once again, thanked her family and her supporters. She noted this will be a large learning curve but she looks forward to working with each of the Councilmembers, Mayor and staff.

**Councilmember Shank:** Thanked his family and especially his son Drew who served as his Campaign Manager. He announced the first Arts Crawl is to be held on Sunday, May 31<sup>st</sup> from 12:00 noon to 5:00 p.m. He also announced that HdG has a new Beer Museum, which was opened by George and Barbara Wagoner located at Bahoukas Antique Mall at 408 North Union Avenue. He noted that

starting this Thursday, he will be at Java By The Bay from 8:00 a.m. to 10:00 a.m. – he invited any citizens to meet him there and he will be glad to speak with them.

**Councilmember Cullum:** Congratulated Council President Craig on his appointment. He also welcomed the two (2) new Councilmembers and is looking forward to working with them. He further noted because of the fact he has been on Council several times, he is always willing to share knowledge should they be interested.

**Councilmember Martin:** Stated he is also looking forward to a good year. He particularly is looking forward to sharing his passion of history with Brenda. He also is very excited for Mitch Shank to be able on Council once again. Noted that back to the subject of Special Events, he also believes we really need to come up with some type of parameters; Council does not want to micromanage but does believe it is important to come up with some guidelines.

**Councilmember Miller:** Congratulated Council President Craig on his election; also extended a welcome to Councilmembers Guldenzopf and Shank

**Comments from Citizens (None)**

**A motion was made by Councilmember Shank to adjourn the meeting, seconded by Councilmember Miller, voted on and passed 6-0. Meeting was adjourned at 10:05 p.m.**