

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance 1234 concerning Amending Chapter 25**
Water & Sewer Commission

(Public Hearing)

Date: **9/22/2026**

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

Purpose:

☐

FYI

☒

Read and Comment as Needed

☒

Action Required by October 5, 2026

☐

In Confidential File Drawer

Approve:

Johnny Boker
Comment: _____

☐ Yes

☐ No

☐ No Comment

Casi Boyer
Comment: _____

☐ Yes

☐ No

☐ No Comment

Lizz Clarke
Comment: _____

☐ Yes

☐ No

☐ No Comment

Matthew Ellis
Comment: _____

☐ Yes

☐ No

☐ No Comment

David Glenn
Comment: _____

☐ Yes

☐ No

☐ No Comment

Vicki Jones
Comment: _____

☐ Yes

☐ No

☐ No Comment

Note: Legislative summary attached.



CITY OF HAVRE DE GRACE

OFFICE OF THE MAYOR

William T. Martin

MEMORANDUM

TO: The Honorable Council President Casi Boyer and
The Honorable Members of the City Council

FROM: Adam Rybczynski, Chief of Policy and Intergovernmental Affairs

DATE: September 17, 2026

SUBJECT: Introduction of Ordinance - Chapter 25 Article XI Water/Sewer Commission

1. Administrative and Legal Review

The attached ordinance was written by Council Member Clarke and has been reviewed by the City Attorney for legal sufficiency.

2. Executive Summary

On behalf of Mayor Martin, the administration requests the introduction and passage of the attached ordinance amending Chapter 25 (Water & Sewer Commission) of the Havre de Grace City Code.

The purpose of this ordinance is to establish that a citizen member of the commission who is also serving as the chair may be continued towards the quorum requirement. Additionally, this ordinance updates the operational, procedural, and other guidelines for the Water & Sewer Commission.

3. Proposed Changes to the City Code

- **Formatting Consistency (Proposed Code § 25-64 & § 25-67):** Replaces the slash in "Water [/] Sewer Commission" with an ampersand ("&") across section titles and text.
- **Leadership, Tie-Breaking, and Quorum Rules (Proposed Code § 25-67):**
 - Establishes that if a citizen member is elected Chairperson, they retain their voting privileges.
 - Clarifies that when the Director of Administration (or designee) acts as Chairperson in the Chairperson's absence, they remain a non-voting member but are granted the right, though not the requirement, to cast a vote specifically to break a tie.
 - Explicitly specifies that the presence of a non-voting Chairperson does not count toward establishing a quorum.

Legislative Summary

Introduction of Ordinance - Chapter 25 Article XI Water/Sewer Commission

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- **Removal of Obsolete Initial Appointment Language (Proposed Code § 25-68):**
Strikes the historical language governing the initial staggered term setup, confirming that citizen members serve standard three-year terms with eligibility for reappointment.
- **Meeting Schedules and Modernized Recordkeeping (Proposed Code § 25-69(A)):**
 - Mandates that the Commission meet bi-monthly at a minimum.
 - Replaces the requirement to store physical paper copies of approved minutes in a designated City Council office book with a modernized process requiring approved minutes to be delivered to the Director of Administration for retention in official City files.

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1234

Introduced by _____ Council Member Clarke

**AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF
HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE
AUTHORITY OF ARTICLE XI-E OF THE MARYLAND
CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE
ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34
OF THE HAVRE DE GRACE CITY CHARTER TO AMEND
CHAPTER 25 WATER & SEWER COMMISSION**

On: September 21, 2026
at: 7:00 p.m.

Ordinance introduced, read first time, ordered posted and public hearing scheduled.

PUBLIC HEARING

A Public Hearing is scheduled for October 5, 2026 at 7:00 p.m.

EXPLANATION

Underlining indicates matter added to existing law.
[Bold Brackets] indicate matter deleted from existing law.
Amendments proposed prior to final adoption will be noted on a separate page with line references or by handwritten changes on the draft legislation.

BE IT ORDAINED, that Chapter 25, Article XI Water/Sewer Commission is hereby amended as follows:

Article XI Water & [/] Sewer Commission

§ 25-64. Creation.

The Water & [/] Sewer Commission (hereinafter referred to as the "Commission") is hereby established.

§ 25-65. Purpose.

The purpose of the Commission is to provide the Mayor and City Council with recommendations regarding:

- A. Strategic direction of this enterprise fund;
- B. Capital project and rate structure coordination;
- C. Budgeting considerations and timing of implementation;
- D. Establishing and monitoring operational goals and objectives; and
- E. Rates and charges related to ordinances which apply to users and potential users of the public water/sewer system.
- F. Review all requests made to the City for reduction or waiver of any capital cost recovery fees and make a recommendation to the Mayor and City Council concerning same.

§ 25-66. Organization and members.

- A. The Commission shall consist of 10 members, of whom eight shall be voting members and two shall be nonvoting members (all of whom, hereinafter, may be referred to as a "member" or the "members").
- B. The Commission shall include:
 - (1) Five members of the public who are customers of the water and sewer system, at least four of whom shall be citizens of the City of Havre de Grace (hereinafter referred to as the "City"). These members shall each have voting privileges and shall possess or have demonstrated specific knowledge, or professional or academic training in fields such as engineering, water/sewer system operations, management, business or other related fields. At least two of the citizen members should have professional or academic credentials in one or more of the above-listed fields.
 - (2) Two members of the City staff, one being the Director of the Department of Public Works or the Director's designee and one being the Director of the Department of Finance or the Director's designee. These members shall have voting privileges.
 - (3) One member of the City Council who shall have voting privileges and shall be a member of the City Council's Department of Public Works Committee.
 - (4) Two non-voting members, one being the Director of Administration or the Director's designee, and one additional City Councilperson. These members shall have no voting privileges, except as described below, but may, otherwise, participate fully in the business of the Commission.

C. Reports from other City departments.

(1) The Director of the Department of Planning shall provide to the Commission a quarterly report on the number of building permits issued that required a new connection to the water and/or sewer service and at any time provide information at the request of the Commission that could assist the Commission's efforts to project any increase or decrease in the demand on the water/sewer service.

(2) The Director of the Department of Economic Development shall provide to the Commission a quarterly report concerning any current or prospective business or other use that could increase or decrease the demand on the water and/or sewer service.

§ 25-67. Officers; proceedings; quorum.

A. In June of each year, the Commission shall elect a Chairperson from its members for one year, who shall be eligible for re-election and who shall be responsible for the convening of each meeting. If a citizen member is elected, they do not forfeit their voting privileges. In the absence of the Commission Chairperson, the Director of Administration or his/her designee shall act as the Chairperson, but remains a non-voting member and is not eligible to vote. In the event of a tie vote on issues before the Commission, the **[Chairperson]** Director of Administration shall have the right, but not the requirement, to cast a vote.

B. The Commission shall adopt its own rules of procedure and keep a record of the proceedings.

C. A quorum at any meeting shall be a minimum of five voting members, at least three of whom shall be citizen members. The presence of the Chairperson does not count in the determination of a quorum, if that Chairperson is a nonvoting member.

§ 25-68. Appointment of members; terms and replacement.

A. Citizen members. The Mayor, with the advice and consent of the City Council, shall appoint all citizen members pursuant to the qualifications listed for such members. **[The initial appointment for these members shall be in the form of staggered terms in that one shall be appointed to a term of three years, one appointed for a term of two years and one appointed for a term of one year. After the initial appointment of the Commission, m]** Members shall serve three-year terms, with the capacity for reappointment. When a citizen member cannot complete his term or is removed from membership by the Mayor with the approval of the City Council whenever, in their judgment, the best interests of the Commission will be served thereby, the Mayor shall, with the advice and consent of the City Council, appoint a replacement to serve the remainder of that member's term.

B. Staff members. These members shall be appointed by the Mayor as described in § 25-66 and shall serve until a replacement member is selected by the Mayor.

C. Council members. These members shall be appointed by the Mayor and shall serve in accordance with their terms as members of the City Council or until a replacement member is selected by the Mayor.

§ 25-69. Meeting and report schedule.

- A. The Commission shall establish a regular meeting schedule and shall meet bimonthly at a minimum. **[Additional meetings shall be held as needed.]** A secretary shall be appointed each calendar year by the Commission membership. All minutes of the meetings shall be maintained by the Commission Secretary, and once approved and adopted by the Commission membership, a copy shall be provided to the Director of Administration for retention in the City files. **[, and a copy shall also be placed in a designated book in the City Council office.]**
- B. At the first regularly scheduled City Council meeting held in February of each year, the Commission shall deliver to the Mayor and City Council a written and oral report on the state of the Water and Sewer Fund, following a review of the final audit of the previous fiscal year. This report shall also provide the Commission's recommendations for the next fiscal year concerning the following items:
- (1) Recommended changes to the City water and sewer rate and/or fee schedule.
 - (2) Capital projects both new and ongoing.
 - (3) Other recommended operational changes that could improve the overall operation and cost effectiveness of the water and/or sewer plants and systems.
- C. As deemed necessary to accomplish the stated purpose of this article, meetings beyond those specified above may be called.

NOW, THEREFORE, it is determined, decided, and ordained by the City Council that the foregoing amendments to the City Code are hereby approved.

ADOPTED by the City Council of Havre de Grace, Maryland this ___ day of ____, 2026.

SIGNED by the Mayor and attested by the Director of Administration this ___ day of ____, 2026.

ATTEST:

MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE

Christopher Ricci
Director of Administration

William T. Martin
Mayor

Introduced/First Reading: 9/21/2026

Public Hearing:

Second Reading/Adopted:

Effective Date: