



COUNCIL MEETING AGENDA

June 21, 2021

7:00 p.m.

Public Hearing for Ordinance 1055 concerning Amendment to Chapter 25 to Add Independence Day Commission

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HAVRE DE GRACE PURSUANT TO THE AUTHORITY PROVIDED BY THE MARYLAND CONSTITUTION ARTICLE XI-E, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND CITY CHARTER SECTIONS 33 AND 34 AMENDING THE CITY CODE CHAPTER 25: ADDING A NEW ARTICLE IX, SECTION 25-50 THROUGH SECTION 25-54, "INDEPENDENCE DAY COMMISSION"

Public Hearing for Ordinance 1056 concerning Amendment to Chapter 25 to Add Cultural Exchange Commission

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HAVRE DE GRACE PURSUANT TO THE AUTHORITY PROVIDED BY THE MARYLAND CONSTITUTION ARTICLE XI-E, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND CITY CHARTER SECTIONS 33 AND 34 AMENDING THE CITY CODE CHAPTER 25: ADDING A NEW ARTICLE XV, SECTION 25-90 THROUGH SECTION 25-94, "CULTURAL EXCHANGE COMMISSION"

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Opening Prayer: Evangelist Gene Proud, Proud Evangelistic Association
5. Approval of the Minutes:
 - A. City Council Minutes – June 7, 2021
 - B. Closed Session Minutes – June 7, 2021
 - C. Budget Public Hearing Minutes – June 14, 2021
 - D. Harford County Work Session Minutes – May 11, 2021
6. Comments from Citizens on Agenda Items
7. Appointments: None
8. Presentations:
 - A. Wage and Benefits Report (Fred Wills, Jr.)
 - B. Historic Preservation Beautification Awards (Kathleen Lee)
 - C. Ernest Burke Statue (Austin Bentley)
9. Recognitions: None
10. Proclamations:
 - A. Ernest Burke Day – June 26

11. Resolutions:

- A. **Calendar Resolution concerning License Agreement for Sign at 421 Congress Avenue (CM Ringsaker)**
A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, PURSUANT TO THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND AND SECTIONS 33 AND 34 OF THE CITY CHARTER FOR THE CONSTRUCTION AND INSTALLATION OF A SIGN OVER A PORTION OF THE CITY RIGHT OF WAY AT 421 CONGRESS AVENUE

12. Ordinances:

- A. **Ordinance 1054 concerning FY 2022 City Budget: Second Reading (CM Robertson)**
AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE BY THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND AND SECTION 37 OF THE HAVRE DE GRACE CITY CHARTER FOR THE PURPOSE OF ESTABLISHING THE CITY BUDGET FOR FISCAL YEAR 2022, BY DESIGNATING THE ANNUAL PROJECTION OF ANTICIPATED REVENUES AND PROPOSED AUTHORIZED EXPENSES FOR THE CITY OF HAVRE DE GRACE FOR FISCAL YEAR 2022

13. Old Business: None

14. New Business:

- A. Report on Geocache Policy – Resolution 2021-01 (Steve Gamatoria)
- B. Special Events (Steve Gamatoria)
- i. River Sweep 2021, September 18, 2021
8:30 a.m.-12:00 p.m., Tydings Memorial Park Gazebo (cleanup throughout the City)
 - ii. Pyrex & Vintage Fest, September 18, 2021
9:00 a.m.-4:00 p.m., Pennington Avenue at N. Washington Street
 - iii. Susquehanna River Running Festival, September 25, 2021
8 a.m.-4:00 p.m., Tydings Memorial Park, David Craig Park, Select Roads
 - iv. Havre de Grace Out of the Darkness Walk, October 2, 2021
8:30 a.m.-12:00 p.m., Tydings Memorial Park, Select Sidewalks

15. Directors Report:

- A. Mr. Steve Gamatoria – Director of Administration
- B. Mr. Shane Grimm – Director of Planning
- C. Mr. George DeHority – Director of Finance
- D. Mr. Tim Whittie – Director of Public Works
- E. Chief Teresa Walter – Chief of Police

16. Business from Mayor Martin

17. Business from Council:

- A. Council Member Zinner
- B. Council Member Robertson
- C. Council Member Martin
- D. Council Member Ringsaker
- E. Council Member Boyer
- F. Business from Council President Glenn

18. Comments from Citizens

19. Motion to move into Closed Session (CP Glenn)

- A. Personnel Matter – Discussion on contract for Director of Economic Development

20. Reconvene
21. Roll Call
22. Business of Council
23. Oath of Office
 - A. Director of Economic Development (Administered by Mayor Martin)
24. Adjournment

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1055

Introduced by _____ Council Member Zinner

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HAVRE DE GRACE PURSUANT TO THE AUTHORITY PROVIDED BY THE MARYLAND CONSTITUTION ARTICLE XI-E, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND CITY CHARTER SECTIONS 33 AND 34 AMENDING THE CITY CODE CHAPTER 25 TO ADD A NEW ARTICLE IX, SECTION 25-50 THROUGH SECTION 25-54, "INDEPENDENCE DAY COMMISSION"

On: June 7, 2021

at: 7:00 p.m.

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

PUBLIC HEARING

A Public Hearing is scheduled for June 21, 2021 at 7 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.

32
33

34 **WHEREAS**, the Independence Day 2017 Commission was created by Resolution No. 2016- 16
35 approved by the Mayor and City Council of Havre de Grace, Maryland, on September 6, 2016;
36 and

37
38 **WHEREAS**, the Independence Day 2017 Commission was reestablished in 2017, by Resolution
39 2017- 08 and approved by the Mayor and City Council of Havre de Grace, Maryland, on September
40 5, 2017, as the Independence Day 2018 Commission having the same purpose and duties as the
41 Independence Day 2017 Commission; and

42
43 **WHEREAS**, the Independence Day 2018 Commission continued its best efforts to become self-
44 funded, and that the Commission’s 8 members whose terms were to expire on September 6, 2018,
45 were reappointed by the Mayor and City Council of Havre de Grace, Maryland for three additional
46 years to include calendar years 2019, 2020 and 2021 which was passed on August 20, 2018 by
47 Resolution 2018 -16; and

48
49 **WHEREAS**, Resolution 2018-16 stated that six months prior to the expiration of their terms, the
50 Independence Day 2018 Commission shall advise the City of Commissions status, and whether
51 the Commission shall be extended, converted to a permanent City Commission, or replaced with
52 a new tax-exempt 501(c)(3) corporation; and

53
54 **WHEREAS**, the Independence Day 2018 Commission have determined and requested to maintain
55 continuity and continue to promote the Independence Day Celebration as a signature event in the
56 City of Havre de Grace that the Mayor and City Council of Havre de Grace create a permanent
57 Independence Day Commission.

58
59 **NOW THEREFORE**, it is determined, decided, and ordained by the City Council that it is in the
60 best interest of the citizens of Havre de Grace, that the Mayor and City Council of Havre de Grace
61 create a permanent Independence Day Commission, and will establish and include the same in
62 Section 25 of the City Code, New Article IX as follows:

63
64 **SECTION 25 – New ARTICLE IX**
65 **Independence Day Commission**

66 **The Independence Day Commission (hereafter referred to as the "Commission") is hereby**
67 **established.**

68
69 *§ 25-50 Purpose.*

70 The purpose of the Commission is to coordinate the planning, preparation, organization and
71 execution of an annual Fourth of July Celebration in the City of Havre de Grace.

72
73 **§ 25-51 Organization and members.**

74 A. The Commission shall consist of not less than seven (7) volunteer members, each shall serve
75 for a period of three (3) years from appointment.

76
77 B. Non- volunteer support members of the Commission shall include: the Council President or
78 the Council President’s designee, the Chief of Police or the Chief’s designee, the Manager of

Tourism, the Director of Administration or the Director of Administration’s designee, and the Director of DPW or the Director of DPW’s designee.

§ 25-52 Officers; proceedings; quorum.

- A. The Commission shall be chaired by a volunteer member, who shall be responsible for the convening of each meeting.
- B. The Commission shall adopt its own rules as necessary and keep an accurate record of the proceedings as consistent with the City of Havre de Grace’s Charter and Code, as well as the Maryland Open Meetings Act. The rules of procedure shall be kept by the Chairperson, and be made available at any time for public view.
- C. A quorum at any meeting shall be a minimum of any four of the volunteer members, including the Chair or the Chair’s designee and one representative of the City’s Staff.

§ 25-53 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. The initial appointment for these members shall include those currently serving as volunteer members of the Temporary Commission established by Resolution 2018-16 and are still serving as of May 1, 2021. Volunteer 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 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 as described in § 25-51B
- C. Council members. These members shall be appointed as described in § 25-51B and shall serve in accordance with their terms as members of the City Council.

§ 25-54 Scheduling of meetings; recommendations and reports.

- A. The Commission shall meet as needed to accomplish the purpose set forth in § 25-50 of this article and provide a detailed report with recommendations to the Mayor and City Council. These recommendations shall be delivered in the form of a formal presentation of the event application to the Mayor and City Council.
- B. The Commission shall provide to the Mayor and City Council, prior or at the second regularly scheduled City Council meeting in August of each year, a post event assessment.

ADOPTED by the City Council of Havre de Grace, Maryland this __ day of June, 2021.

SIGNED by the Mayor and attested by the Director of Administration this ____ day of June, 2021.

[Signatures to follow on the next page.]

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ATTEST:

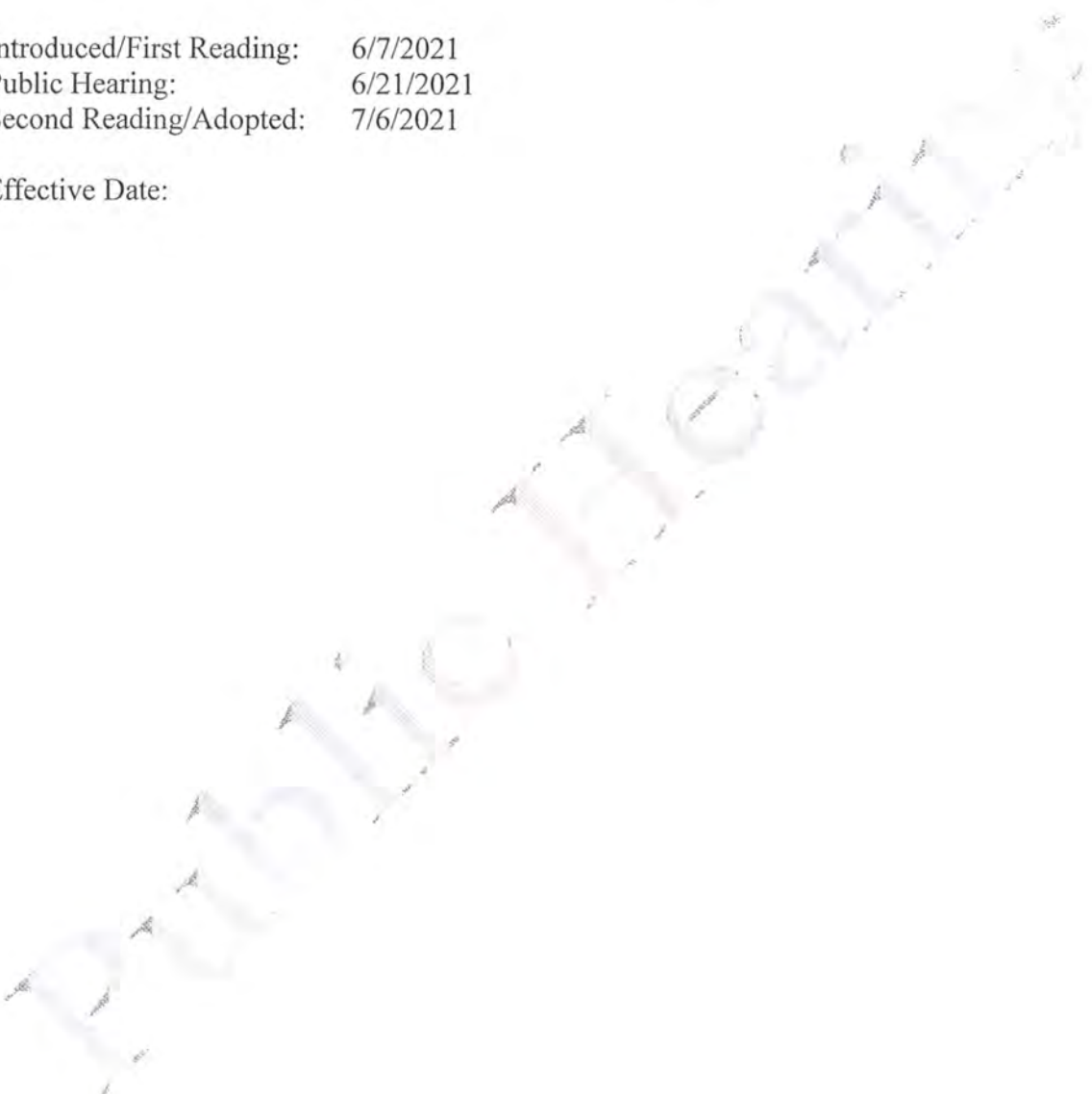
THE MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE, MARYLAND

Stephen J. Gamatoria
Director of Administration

William T. Martin
Mayor

Introduced/First Reading: 6/7/2021
Public Hearing: 6/21/2021
Second Reading/Adopted: 7/6/2021

Effective Date:



CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1056

Introduced by _____ Council Member Boyer _____

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HAVRE DE GRACE PURSUANT TO THE AUTHORITY PROVIDED BY THE MARYLAND CONSTITUTION ARTICLE XI-E, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND CITY CHARTER SECTIONS 33 AND 34 AMENDING THE CITY CODE CHAPTER 25: ADDING A NEW ARTICLE XV SECTION 25-90 THROUGH SECTION 25-94, "CULTURAL EXCHANGE COMMISSION"

On: June 7, 2021
at: 7:00 p.m.

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

PUBLIC HEARING

A Public Hearing is scheduled for June 21, 2021 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.

34 **WHEREAS**, on March 18, 2019, the Mayor and City Council of Havre de Grace, Maryland,
35 adopted Resolution 2019-02 supporting a Social Agreement "Twinning with Mumbles, Wales"
36 which established and developed international community links that foster friendship, commerce,
37 education, tourism, awareness and understanding between the City of Havre de Grace and
38 Mumbles, Wales; and

39
40 **WHEREAS**, on October 7, 2019 the Mayor and City Council of Havre de Grace, Maryland,
41 adopted Resolution 2019-10 creating the Cultural Exchange Commission ("The Commission") to
42 further support the social agreement between the City of Havre de Grace and Mumbles, Wales and
43 review and recommend any future requests; and

44
45 **WHEREAS**, the City of Havre de Grace made its inaugural visit to Mumbles and signed the
46 Official Twinning Charter on September 7th 2019, when a contingent of Havre de Grace Citizens,
47 including Mayor William T. Martin travelled to Wales to participate in the "Twinning" ceremony,
48 and

49
50 **WHEREAS**, as part of the "Twinning" agreement, the City of Havre de Grace was scheduled to
51 host a contingent of citizens in Havre de Grace from Mumbles in October 2020, however due to
52 the COVID-19 pandemic, the Commission hosted a virtual based visit, which included a week
53 long period in which citizens of Havre de Grace participated in live discussions as well as video
54 produced presentations; and

55
56 **WHEREAS**, Resolution 2019-10 stated that six months prior to the expiration of their terms, the
57 Commission shall advise the City of the Commissions status, and whether the Commission shall
58 be extended, converted to a permanent City Commission, or replaced with a new tax-exempt
59 501(c)(3) corporation, and

60
61 **WHEREAS**, on April 28, 2021 the Commission determined and requested that the Mayor and
62 City Council of Havre de Grace create a permanent Havre de Grace Cultural Exchange
63 Commission to continue to move the concept of Twinning forward.

64
65 **NOW THEREFORE**, be it determined, decided, and ordained by the City Council that it is in the
66 best interest of the citizens of Havre de Grace, that a permanent Havre de Grace Cultural Exchange
67 Commission be established and included in Section 25, as new ARTICLE XV of the Havre de
68 Grace City Code as follows:

69
70 **Article XV, NEW SECTION**
71 **Cultural Exchange Commission**

72 **The Cultural Exchange Commission (hereafter referred to as the "Commission") is hereby**
73 **established.**

74
75 **§ 25-90 Purpose.**

76 The purpose of the Commission is to establish, coordinate and develop international community
77 links that foster friendship, commerce, education, tourism, awareness and understanding with the
78 City of Havre de Grace.

80 **§ 25-91 Organization and members.**

- 81 A. The Commission shall be not less than five (5), and not more than eleven (11) members,
82 which members shall determine a Chair and Secretary
83
84 B. The Commission members shall serve for a period of two (2) years from appointment, and
85 may be reappointed at the discretion of the Mayor.
86
87 C. One member of the City Council to be part of the Commission.
88

89 **§ 25-92 Officers; proceedings; quorum.**

- 90 A. The Commission Chair shall be responsible for the convening of each meeting.
91
92 B. The Commission shall adopt its own rules as necessary and keep an accurate record of the
93 proceedings as consistent with the City of Havre de Grace's Charter and Code, as well as the
94 Maryland Open Meetings Act. The rules of procedure shall be kept by the Chairperson, and
95 be made available at any time for public view.
96
97 C. A quorum at any meeting shall be a minimum 75% of the appointed Commission Members
98

99 **§ 25-93 Appointment of members, terms and replacement.**

- 100 A. Citizen Members. The Mayor, with the advice and consent of the City Council, shall appoint
101 all citizen members. The initial appointment for these members shall include those currently
102 serving as members of the temporary Commission established by Resolution 2019-10 and are
103 still serving as of May 1, 2021. Volunteer members shall serve two-year terms, with the
104 capacity for reappointment. When a citizen member cannot complete his/her term or is
105 removed from membership by the Mayor with approval of the City Council whenever, in
106 their judgment, the best interests of the Commission will be served thereby, the Mayor shall,
107 with the advice and consent of the City Council, appoint a replacement to serve the remainder
108 of that member's term.
109
110 B. The Council member shall be appointed by the Council President and shall serve in
111 accordance with their terms as members of the City Council.
112

113 **§ 25-94 Scheduling of meetings; recommendations and reports.**

- 114 A. The Commission shall meet as needed to accomplish the purpose set forth in § 25-90 of
115 this article and provide a detailed report with recommendations to the Mayor and City
116 Council. Any recommendations shall be delivered in the form of a formal communication
117 to the Mayor and City Council.
118
119 B. The Commission reporting requirements to the Mayor and City Council are included in
120 ARTICLE I of the City Code.
121

122 [Signatures to follow on the next page.]
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126 ATTEST:

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130 _____
131 Stephen J. Gamatoria
132 Director of Administration

THE MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE, MARYLAND

William T. Martin
Mayor

132

133

134 Introduced/First Reading: 6/7/2021

135 Public Hearing: 6/21/2021

136 Second Reading/Adopted: 7/6/2021

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138 Effective Date:

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Public Hearing



June 7, 2021
Council Meeting Proceedings

The regular meeting of the Mayor and City Council was called to order on June 7, 2021, at 7:00 p.m. with Mayor Martin presiding. Council Members present CP Glenn, CM Robertson, CM Martin, CM Ringsaker, CM Boyer, and CM Zinner.

The Pledge of Allegiance was recited, and the opening prayer was given by Evangelist Gene Proud.

Approval of Minutes:

City Council Minutes – CM Zinner moved to approve the Council Meeting minutes of May 17, 2021. Second by CM Boyer. Motion carried 6-0.

City Council Closed Session Minutes – CM Zinner moved to approve the Closed Session Minutes of May 17, 2021. Second by CM Boyer. Motion carried 6-0.

Comments from Citizens on Agenda items:

Jeanne Weaver of 655 Alliance Street – Spoke in support of the Hymn Sing event to be approved.

Julie Runke of 311 D Red Head Way – Spoke in support of the Pirate Festival event to be approved.

Pat Cole - Spoke in support of the Arts, Wine & Jazz Festival.

Appointments: - Arts Commission Janet Carrick was re-appointed to the Arts Commission.

Motion to approve by CM Zinner. Second by CM Martin. Motion carried 6-0.

Tourism Advisory Board Rebecca Cole was appointed to the Tourism Advisory Board.

Motion to approve by CM Martin. Second by CM Robertson. Motion carried 6-0.

Oath of Office: - Mayor Martin administered the Oath of Office to Rebecca Cole.

Recognition: - Mayor Martin presented a recognition to newly retired school teacher Laurie Starkey for 33 years of service to the Harford County School System.

Resolutions:

Calendar Resolution 2021-10 concerning MOU with Havre de Grace Green Team (CM Boyer)

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, PURSUANT TO SECTION 33 AND 34 OF THE CITY CHARTER AND THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND TO AUTHORIZE THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE HAVRE DE GRACE GREEN TEAM LTD, AS IT RELATES TO COMPOSTING COLLECTION WITH GARRITY RENEWABLES, LLC. ON CITY PROPERTY

A motion to introduce on first reading was made by CM Boyer. Second by CM Martin. Motion carried 6-0. Motion to adopt on first reading was made by CM Boyer. Second by CM Ringsaker. After a roll call vote, the motion carried 6-0.

Ordinances:

Ordinance 1054 concerning FY 2022 City Budget: First Reading (CM Robertson)

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE BY THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND AND SECTION 37 OF THE HAVRE DE GRACE CITY CHARTER FOR THE PURPOSE OF ESTABLISHING THE CITY BUDGET FOR FISCAL YEAR 2022, BY DESIGNATING THE ANNUAL PROJECTION OF ANTICIPATED REVENUES AND PROPOSED AUTHORIZED EXPENSES FOR THE CITY OF HAVRE DE GRACE FOR FISCAL YEAR 2022

A motion to introduce on first reading was made by CM Robertson. Second by CP Glenn.
Motion carried 6-0.

A motion to adopt on first reading was made by CM Robertson. Second by CP Glenn.

After a roll call vote, the motion carried 6-0. A public hearing is scheduled for June 14, at 6:00 P.M.

Ordinance 1055 concerning Amendment to Chapter 25 to Add Independence Day Commission: First Reading (CM Zinner)

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HAVRE DE GRACE PURSUANT TO THE AUTHORITY PROVIDED BY THE MARYLAND CONSTITUTION ARTICLE XI-E, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND CITY CHARTER SECTIONS 33 AND 34 AMENDING THE CITY CODE CHAPTER 25: ADDING A NEW ARTICLE IX, SECTION 25-50 THROUGH SECTION 25-54, "INDEPENDENCE DAY COMMISSION"

A motion to introduce on first reading was made by CM Zinner. Second by CM Robertson. Motion carried 6-0.

A motion to adopt on second reading was made by CM Zinner. Second by CM Robertson. After a roll call vote, the motion carried 6-0. A public hearing is scheduled for June 21, at 7:00 P.M.

Ordinance 1056 concerning Amendment to Chapter 25 to Add Cultural Exchange Commission: First Reading (CM Boyer)

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HAVRE DE GRACE PURSUANT TO THE AUTHORITY PROVIDED BY THE MARYLAND CONSTITUTION ARTICLE XI-E, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND CITY CHARTER SECTIONS 33 AND 34 AMENDING THE CITY CODE CHAPTER 25: ADDING A NEW ARTICLE XV, SECTION 25-90 THROUGH SECTION 25-94, "CULTURAL EXCHANGE COMMISSION"

A motion to introduce on first reading was made by CM Boyer. Second by CM Ringsaker. Motion carried 6-0.

A motion to adopt on first reading was made by CM Boyer. Second by CM Zinner. After a roll call vote, the motion carried 6-0. A public hearing is scheduled for June 21, at 7:00 P.M.

Ordinance 1057 concerning Amendment to Chapter 25 for Youth Commission to Establish a Youth Scholarship Program & Amend Membership: First Reading (CM Robertson)

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE 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 CITY CHARTER, FOR THE PURPOSE OF AMENDING CITY CODE CHAPTER 25 ARTICLE VII TITLED "YOUTH COMMISSION"

A motion to introduce on first reading was made by CM Robertson. Second by CM Ringsaker. Motion carried 6-0. A motion to adopt on first reading was made by CM Robertson. Second by CM Zinner.

CM Robertson made friendly amendments to page 2 line 68 changing may to shall. Mayor Martin spoke addressing CM Robertson and said we will need to make this a formal motion. Motion by CM Robertson to change from a friendly motion to a formal motion was seconded by CP Glenn. Motion carried 6-0. CM Ringsaker spoke suggesting shall impacts or on page 67. Instead of or, it should read and. CM Robertson amended his amendment from may to shall and or to and. All in favor 6-0. CM Zinner made a few clerical error amendments. CM Martin made a motion to table. Second by CM Ringsaker. Roll call vote was taken. CM Boyer, no, CM Robertson, no, CM Zinner, no, CM Martin, yes, CM Ringsaker, yes, and CP Glenn, yes. After a tied roll call vote the motion to table failed. CM Ringsaker called the question. Roll call vote was taken, CM Boyer, no, CM Robertson, yes, CM Zinner, yes, CM Martin, no, CM Ringsaker, no, and CP Glenn, yes. After a tied roll call vote, Ordinance 1057 at first reading failed.

CP Glenn stated "This is a tough vote for me because I am still not convinced it is an appropriate use of public funds. However, I will vote yes to allow additional time for legal clarification (in the absence of the City Attorney) and public comment".

New Business:

Father's Day Waterfront Celebration Name Change to Summer Solstice Fest (CP Glenn)

A motion to approve was made by CP Glenn. Second by CM Ringsaker. Motion carried 6-0.

Special Events (Patrick Sypolt)

2nd Sunday Hymn Sing, June 13, July 11, August 8, September 12, 2021, 5:00 p.m.-6:00 p.m., Hutchins Memorial Park.

A motion to approve was made by CP Glenn. Second by CM Robertson. Motion carried 6-0.

Arts, Wine & Jazz Festival, August 7, 2021, 12:00 p.m.-6:00 p.m., Lock House Museum Grounds.

A motion to approve was made by CP Glenn. Second by CM Robertson. Motion carried 6-0.

Pirate Festival, August 21-22, 2021 2:00 p.m.-7:00 p.m. (8/21/21), 12:00 p.m.-5:00 p.m. (8/22/21), Lock House Museum Grounds.

A motion to approve was made by CM Martin. Second by CM Ringsaker. Motion carried 6-0.

Directors Report:

Mr. Patrick Sypolt, Director of Administration: Mr. Sypolt shared information on upcoming City events.

Shane Grimm, Director of Planning: Mr. Grimm was absent from this evening's meeting.

George DeHority, Director of Finance: The current financial condition of General Fund 1, Water/Sewer Fund 9, and Marina Fund 8 were presented. The General Fund 1 balance is \$3,839,100 which is \$2,500,600 ahead of budget. The Water/Sewer Fund 9 is deficient of \$515,200, which is a \$206,700 increase year-to-date. The Marina Fund 8 balance is \$979,300, which is a \$153,600 increase year-to-date.

Tim Whittie, Director of Public Works: Mr. Whittie shared updates on current City projects.

Chief Teresa Walter, Havre de Grace Police Department: Chief Walter shared a quick reminder regarding the Special Olympics Maryland Torch Run is tomorrow, Tuesday, June 8, 2021, at 8:00 a.m. starting at the Lock House and North Park. This is for our Special Olympic athletes so they too can continue to participate in athletic competitions throughout the year. She wished to thank the Susquehanna Hose Company, Ambulance Corp, our City Code Enforcement, Mayor and the elected officials, and City staff for their support with the incident that occurred in our lobby. We have seen tremendous support for our Police Department from our community. We even had school students surprise us with posters for the officers supporting "our police department" and wishing us well and safety. Those gestures mean a great deal to our personnel and speaks volumes about the people here in the City of Havre de Grace. Chief Walter went on to say, that it was a very busy weekend in the City with First Friday and the Blues/Jazz Festival. Again, I just want to remind people who are attending, to please be mindful of the way they drive and pay attention to any directions/instructions a police officer or Auxiliary member gives them. And do not move, go around, or take down any barricades or barriers. They are there for a very specific reason.

Business from Mayor Martin: Mayor Martin opened his comments this evening to let all know that the City of Havre de Grace is looking for Police Officers. We have well-trained Police Officers and it was apparent with the situation we just went through recently. When the officers were faced with the decision they acted accordingly and with the good judgment that only comes from the best training. It ended as well as it did because of our great officers. Mayor Martin shared that the matrix on COVID numbers is showing a decrease here which is a significant improvement. The numbers are coming down. He was happy to say that First Friday was a successful event and thanked all who volunteered at the Jazz and Blues Festival. Mayor Martin spoke on the upcoming dedication ceremony for Matilda O'Neill, a plaque will be placed at her gravesite in Green Mount Cemetery in Baltimore. Mayor Martin thanked Patrick Sypolt for his six years of service and dedication to the City of Havre de Grace as he filled the Director of Administration position.

Business from Council:

Council Member Boyer: CM Boyer thanked all for your support of the Green Team and the Cultural Exchange Commission. Thank you to all who came out for First Friday. Thanks to all who worked on the Jazz Festival.

Council Member Zinner: CM Zinner shared congratulations to the Arts Commission re-appointment. The Independence Day Committee is very busy preparing for the upcoming July festivities. The Independence Day Commission is looking for Parade Marshall Volunteers. If you would like to volunteer please feel free to contact CM Zinner. The Historic Preservation will not meet this month. The next meeting will be held at City Hall at 7:00 P.M. on July 13.

Council Member Robertson: CM Robertson expressed his disappointment with the failure to pass Ordinance 1057 on first reading at this evening's meeting. He wished everyone a great week in closing.

Council Member Martin: CM Martin announced that the Water & Sewer Commission will meet this Friday at 3:00 P.M. He thanked Mayor Martin for sharing his thoughts on the incident that took place at the Police Department. He also thanked all who came out to volunteer at the Jazz and Blues Festival this past weekend.

Council Member Ringsaker: CM Ringsaker announced that the Havre de Grace Youth Football program is available online to register now. If anyone is interested in signing up, please go to TEAM SNAP. It's available for all up to age 14.

Council President Glenn: CP Glenn shared news of the Havre de Grace Little League who are having a "virtual tag day" this year. In the past, the respective players went door to door to collect money to support league operations that are so important so that the kids get a chance to play.

He asked that we please give favorable consideration to making a contribution to help these kids finish the 2021 season on a high note. Go to <https://give.classy.org/HdGTagDay>

He said he had the distinct opportunity to attend the Havre de Grace High School Graduation this year at Ripken Stadium. He wished all the seniors nothing but the best. He said to hold true to the Havre de Grace Motto: "Enter to Learn; Leave to Serve."

CP Glenn offered his congratulations to the very first inductees to the Havre de Grace Junior Wrestlers Hall of Fame. The four inductees include: Coaches Tommy Lloyd and Mike Lambert both energized the program and Wrestlers Alex Lloyd and Gavin Lloyd both graduated from the program and had outstanding High School wrestling careers. These four individuals were instrumental in putting Havre de Grace Wrestling back on the map. CP Glenn congratulated CM Martin who was recently elected as our MML District Vice-President.

Comments from Citizens: No comments this evening.

Motion to move into Closed Session was made by CP Glenn to discuss the Contract for the Director of Administration. Second by CM Martin. Motion carried 6-0. Time 9:25 P.M.

Council reconvened at 9:42 P.M. and a roll call was taken with all Council Members present.

Business of Council: - Motion was made by CP Glenn to approve the Director of Administration contract for Stephen J. Gamatoria. Second by CM Ringsaker. Motion carried 6-0.

Oath of Office was administered to newly appointed Stephen J. Gamatoria our new Director of Administration for the City of Havre de Grace.

CP Glenn made a motion to adjourn at 9:48 p.m. Second by CM Ringsaker. Motion carried 6-0.

Video recording of the City Council Meeting may be viewed online through the City of Havre de Grace YouTube channel.

Respectfully submitted,

Resa Laird

PUBLIC VERSION – SUMMARY OF CLOSED SESSION

(attach to public meeting minutes)

MINUTES OF HAVRE DE GRACE CITY COUNCIL MEETING

Monday, June 7, 2021

City Hall
711 Pennington Avenue
Havre de Grace, MD 21078

Time of Closed Session: 9:26 PM

Place: City Hall, Mayor's office.

Purpose: To discuss contract for Director of Administration.

Persons Attending: Mayor Martin; CM Glenn; CM Boyer; CM Robertson; CM Ringsaker; CM Zinner; CM Martin; Absent: None.

Vote to go into Closed Session: CP Glenn, 2nd by CM Martin, with all CM voting in favor 6-0.

Authority under Section 3-305 for the closed session: General Provision Article 3-305(b)(1) to discuss appointment and contract for Director of Administration.

Topics actually discussed:

The Council members reviewed the contract for the Director of Administration position.

Action taken: Consensus was reached but no formal votes were taken. Vote would be taken in Open Session.

CM Ringsaker made a motion to adjourn the closed session, 2nd by CM Martin, and to resume open session. Motion carried 6-0.

Time of Adjournment of Closed Session: 9:40 PM

PRESIDING OFFICER'S ORAL STATEMENT

FOR CLOSING A MEETING

UNDER THE OPEN MEETINGS ACT (General Provision Article 3-305)

Motion to immediately recess to go into a closed session on **Monday, June 7, 2021** to consider the following matters:

1. Director of Administration Appointment pursuant to City Charter Section 24

The Council will reconvene in open session to record the vote and deliberations of Council on the above matters.

This meeting will be closed under General Provisions Article Section 3-305(b)(1)

(b)(1) x "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; any other personnel matter that affects one or more specific individuals";

The reasons for closing the meeting are:

The discussions surrounding the selection and appointment of the Director of Administration and competencies of personnel are sensitive and entitled to confidentiality.

THE CITY COUNCIL WILL RESUME OPEN SESSION AFTER THE CLOSED SESSION AND VOTES WILL BE RECORDED IN PUBLIC.

MOTION = DAVE

DAVE MARTIN (2M)

JIM

CASI

JASON

CHAROLYN

6-0
to enter into
closed session

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")
UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)**

This form has two sides. Complete items 1 – 4:

1. **Recorded vote to close the meeting:** Date: June 7, 2021; Time: 9:25 pm;
Location: City Hall Council Chambers, 711 Pennington Avenue, Havre de Grace, MD 21078;
Motion to close meeting made by: CP Glenn; Seconded by: DAVE MARTIN;
Members in favor: Carolyn Zinner, Jason Robertson, Dave Martin, Dave Glenn, Jim Ringsaker, Casi Boyer. Vote: Opposed: 0; Abstaining: 0; Absent: 0.

2. Statutory authority to close session (check all provisions that apply):

This meeting will be closed under General Provisions Art. § 3-305(b) only:

- (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; any other personnel matter that affects one or more specific individuals"; (2) "To protect the privacy or reputation of individuals concerning a matter not related to public business"; (3) "To consider the acquisition of real property for a public purpose and matters directly related thereto"; (4) "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; (5) "To consider the investment of public funds"; (6) "To consider the marketing of public securities"; (7) "To consult with counsel to obtain legal advice"; (8) "To consult with staff, consultants, or other individuals about pending or potential litigation"; (9) "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; (10) "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; (11) "To prepare, administer, or grade a scholastic, licensing, or qualifying examination"; (12) "To conduct or discuss an investigative proceeding on actual or possible criminal conduct"; (13) "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter"; (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."

Continued

3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

Citation (insert # from above)	Topic	Reason for closed-session
§3-305(b) (1)	Appointment of Director of Administration	Consideration of personnel matters involving specific individuals are sensitive and are entitled to confidentiality
§3-305(b) ()		
§3-305(b) ()		

4. This statement is made by CP Glenn, Presiding Officer. David W. Glenn

WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION THAT MUST BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN MEETING

Time of closed session: PM 9:25 PM

Place: Havre de Grace City Hall, Council Chambers 711 Pennington Avenue, Havre de Grace, MD

Purpose(s): to discuss election of council president

Members who voted to meet in closed session: Glenn, Ringsaker, Boyer, Zinner, Robertson, Martin

Persons attending closed session: Glenn, Ringsaker, Boyer, Zinner, Robertson, Martin, _____

Authority under § 3-305 for the closed session: (1) to discuss appointment of official.

Topics actually discussed: Discussion of appointment of Director of Administration

Actions taken: No formal action on the appointment but a consensus reached. Motion to adjourn closed meeting and to vote in open meeting on appointment of Director of Administration.

Each recorded vote: Glenn, Ringsaker, Boyer, Zinner, Robertson, Martin

For a meeting recessed to perform an administrative function (§ 3-104): Time: _____

Place: _____ Persons present _____

Subject matter discussed: _____



Public Meeting Notice: The Mayor and City Council will conduct a Public Hearing in the City Council Chambers, 711 Pennington Avenue, on Monday, June 14, 2021 at 6:00 p.m. The purpose of this session is to allow for the Council to receive public comment from the citizens concerning the proposed budget for fiscal year beginning July 1, 2021 through June 30, 2022.

PUBLIC HEARING AGENDA

June 14, 2021

6:00 p.m.

1. Call to Order
2. Roll Call
3. Public Hearing: Proposed budget for fiscal year beginning July 1, 2021 through June 30, 2022
4. Adjournment



**PUBLIC HEARING
City Budget FY22
June 14, 2021**

1. Call to Order
The Public Hearing on the FY 22 City Budget was called to order at 6:01 p.m. on June 14, 2021 with Mayor Martin presiding.
2. Roll Call
Council Members present: CP Glenn, CM Boyer, CM Martin, CM Ringsaker, CM Robertson, and CM Zinner.
3. Public Hearing
The purpose of the public hearing was to allow for the Council to receive public comment from the citizens concerning the proposed budget for fiscal year beginning July 1, 2021 through June 30, 2022.

ORDINANCE 1054 - AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE BY THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND AND SECTION 37 OF THE HAVRE DE GRACE CITY CHARTER FOR THE PURPOSE OF ESTABLISHING THE CITY BUDGET FOR FISCAL YEAR 2022, BY DESIGNATING THE ANNUAL PROJECTION OF ANTICIPATED REVENUES AND PROPOSED AUTHORIZED EXPENSES FOR THE CITY OF HAVRE DE GRACE FOR FISCAL YEAR 2022

There were no comments from citizens, Council members or Directors.

4. Adjournment
CP Glenn made a motion to adjourn at 6:04 p.m. with a second by CM Ringsaker. Motion carried 6-0.

Respectfully submitted by:
Stephen Gamatoria

**PROCEEDINGS OF HARFORD COUNTY COUNCIL, GOVERNMENT, AND MUNICIPAL
WORK SESSION- TOWN OF BEL AIR OF HARFORD COUNTY, MARYLAND**

May 11, 2021

COUNCIL CHAMBERS

6:00 PM

CALL TO ORDER – Municipal Work Session was called to order at 6:00 PM by Council President Patrick Vincenti. All Councilmembers were present with the exception of Councilman Beulah (Councilman Chad Shrodes joined at 6:07PM and Councilman Joe Woods joined at 6:22PM). Other attendees were William Martin, Mayor, David Glenn, Council President, Jason Robertson, Councilmember, Casi Boyer, Councilmember, Jim Ringsaker, Councilmember, Carolyn Zinner, Councilmember, Stephen Gamatoria, Chief of Staff, George DeHority, Director, Tim Whittie, Director, Shane Grimm, Director, Billy Boniface, Chief Advisor to County Executive, Dr. Sean Bulson, Superintendent, and Cornell Brown, HCPS.

OPENING REMARKS – Council President Vincenti welcomed the other attendees and discussed the history of the Municipal Meetings. Councilman Wagner followed with similar remarks. Brief introductions were made by all who were present. Council President Vincenti invited Mayor Martin, Council President Glenn, and Chief of Staff Stephen Gamatoria to the presentation table to start the discussion items.

CITY OF HAVRE DE GRACE –

HARFORD COUNTY PUBLIC SCHOOLS – Mayor Martin requested to start with Harford County Public Schools as Redistricting is their top priority. He requested an update on the redistricting process. Cornell Brown replied that the redistricting group is meeting the following day (May 12th) as well as web maps being used will be updated on the HCPS website to reflect beginning of secondary enrollment processes. Mr. Brown elaborated on the redistricting process and discussed the proposed plans for students who reside in the Greenway Farms and Bulle Rock developments. The redistricting advisory board will meet with Superintendent Bulson on June 2nd to discuss their most recent findings from there, the advisory board will gather more information from the public feedback to incorporate into their final proposal to present to Superintendent Bulson. Brown restated that this process will not be completed until February 2022 which is when the final redistricting plans will be presented to the Board of Education (BOE) for a vote. Two public input sessions will be held. Mr. Brown stated that the advisory board is still working on the project and has received a lot of feedback on the public proposals from the community.

Council President Glenn asked how counts of students would be considered for enrollment numbers as the past year has been virtual learning. He also asked about boundary exception students. Superintendent Bulson replied that virtual student counts will be taken into consideration by using multiple data points to get enrollment numbers. Council President Glenn also mentioned the bus routes and asked how those will be affected with the redistricting process. Councilmember Robertson commented on the redistricting of Havre de Grace students going to Roy Williams Elementary School with hopes that the students can return to Havre de Grace for middle and high school. Mr. Brown replied that he will take those thoughts to the redistricting advisory board for consideration and that the transportation department would be reviewing the bus routes. Councilman Robertson then asked a question regarding restricted bus routes preventing them from crossing train tracks. Mr. Brown answered that this was a safety measure.

Councilmember Zinner proposed moving all pre-kindergarten students through second grade to Roy Williams Elementary School and then back to Havre de Grace Elementary for third through fifth grade. Superintendent Bulson replied that this model would cause potential issues in the future. The group had some discussion on the pros and cons of this method.

Councilmember Boyer commented on the conditions of Roy Williams Elementary School and the participation in the Patriot Program by students in Havre de Grace schools. She stated that she is concerned that students would not get the same experience being Havre de Grace Residents and going to school at Roy Williams Elementary. Mr. Brown replied to Councilmember Boyer by providing an update on the recent upgrades Roy Williams Elementary has received to its plumbing and HVAC systems. Council President Vincenti echoed these remarks and stated he recently toured the school and can confirm the updates to the facilities. Mr. Brown commented that the BOE is working with the State for more funding for facility updates. Council President Vincenti made a comment about Roy Williams Elementary School being a split articular school. Mr. Brown said that the school does have some students attend that will move on to Havre de Grace for secondary schools, but the majority is Aberdeen at this time, and this is something that they could look at as a possibility in the future.

Mayor Martin asked for an update on the status of the former Havre de Grace High School auditorium. Mr. Brown informed the group that they are still awaiting an official approval letter from the State of Maryland and that once this have been received, they can work with the County to surplus the building to the City.

DISCUSSION OF MUNICIPAL MEETINGS – Chief of Staff Gamatoria reviewed his experience and history of the municipal and county meetings in the past and offered to have the City of Havre de Grace host one in the future. Asked for a longer timeframe of the meeting in the future to enter into more depths of discussion.

TARC FUNDING – The City of Havre de Grace is seeking some assistance/support from the Harford County on the TARC Funds and would like to continue to keep a stable relationship. Mr. Gamatoria stated the benefits of having a closer relationship between the City and County. Mr. Gamatoria stated that the City would like to have support on TARC funding with city organizations such as the Opera House. He stated this funding will continue to increase the quality of performances that this organization is able to bring to the area.

POTENTIAL COUNTY LEGISLATION – Mr. Gamatoria discussed working with the County on the City's Route 40 clean-up efforts. The City hopes to get the Route 40 Gateways cleaned up and Mr. Gamatoria stated that the city is working closely with non-profits and small business to aide in this process. He requested that the county help with providing some type of leverage to get this process done at a timely manner such as requiring properties within a certain square footage of City limits to comply. Council President Vincenti commented that he received a letter from the City (as well as the Executive side confirmed by Billy Boniface) on this process and will follow up.

ELECTION REDISTRICTING – Mr. Gamatoria commented on the need for good representation in the Councilmanic redistricting process. Mr. Gamatoria hopes that the group confirmed by the County Council will represent the citizens accordingly. Council Attorney Charles Kearney informed the group that the Redistricting Commission's first meeting is on May 19th.

HARFORD MEMORIAL HOSPITAL REPURPOSING – Mr. Gamatoria stated that the City has received documentation from the Cushman and Wakefield study but has not yet had a recent update on the plans. Director Shane Grimm confirmed that he met with representative of Cushman and Wakefield, David Baird within the last two weeks and there has been some interest on the project. Mr. Gamatoria commented that the City is working with the State of Maryland on incentivizing the project and would like to know if the County would be able to help with something similar.

FUTURE WATER NEEDS – Mr. Gamatoria mentioned the great relationship that the County DPW and the City have related to stormwater management. He also commented on the credits that have been achieved with various projects. Mr. Gamatoria discussed the living shoreline project that the City has upcoming.

Mr. Gamatoria stated that there is not a great relationship between the City and County on the water production side. He, along with Director Tim Whittie, provided an update to the group on the status of their project with the City of Aberdeen to build a 12-inch line and stated that a contractor, Allen Myers, has been selected. Mr. Gamatoria commented that the Rock Glenn community would be the first development serviced by this new project. Mr. Gamatoria informed the group that the County has asked that the City hold a supply reserve for their use in emergency situations. The City would like to pursue this with a formal contract with monetary compensation rather than a handshake agreement.

COUNTY COUNCIL SUPPORT –

Route 40 and Otsego Street Intersection- Mr. Gamatoria mentioned the current challenges with this intersection. Council President Vincenti replied that the County is aware of this project and has asked for State support for two years in a row in a presentation to the Harford County Delegation. Mr. Gamatoria asked for the County's continued support on this issue.

Admissions & Amusement Tax – Mr. Gamatoria expressed that the City is upset with the State for propositioning this funding be taken away. He furthered explained that this tax is important to Havre de Grace and explained the history of the Bulle Rock Golf Course at it related to the A&A Tax. Mr. Gamatoria informed the group that members of the Harford County Delegation have tried to place a moratorium on this tax two times.

Emergency Response Crossing for CSX Railroad at Bleheim Farm Lane – Mr. Gamatoria discussed the history of the railroad crossing bridge that existed on the property and stated how residents, the City and fire and EMS personnel would benefit greatly from having access. He also asked that the County provide assistance and support on this matter when the time comes.

ADDITIONAL DISCUSSION ITEMS – Mr. Gamatoria again offered to host a future meeting of this nature.

Council President Vincenti asked a question about the address of Roye Williams Elementary School and its assigned Student Resource Officer (SRO). Mr. Gamatoria replied that the school was not within the City limits of Havre de Grace.

Councilman Giangiordano asked for clarification on the CSX entrance into Blehiem Farm Lane. Mr. Gamatoria confirmed that no fire or EMS apparatus can get through there at this time.

Mr. Boniface discussed the County's excitement for the living shoreline project in Havre de Grace and provided the group with an update on the acquisition of Bell Vue Farms. Mr. Gamatoria stated that this project would offer some great opportunities to work with Eagle Scout projects.

CLOSING COMMENTS--- Council President Vincenti, Councilman Wagner, Mr. Gamatoria and Council President Glenn made closing comments. Council President Vincenti stated that the next meeting will be with the City of Aberdeen on June 8th.

Meeting adjourned at 7:00pm.

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

RESOLUTION NO. 2021-

Introduced by _____ Council Member Ringsaker

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, PURSUANT TO THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND AND SECTIONS 33 AND 34 OF THE CITY CHARTER FOR THE CONSTRUCTION AND INSTALLATION OF A SIGN OVER A PORTION OF THE CITY RIGHT OF WAY AT 421 CONGRESS AVENUE

WHEREAS, the owner of 421 Congress Avenue, Havre de Grace, Maryland desires to utilize the City right of way to construct and install a sign; and

WHEREAS, the installation of the sign will promote the health, safety, and welfare of the public and serve the City’s general purposes and is consistent with other signs in the City rights of way; and

WHEREAS, the License was listed on the agenda for this City Council meeting in accordance with Resolution No. 2020-21; and

WHEREAS, the License attached as Exhibit A conforms with the requirements of Resolution No. 2020-21 and the Department of Planning Memorandum dated June 14, 2021 attached as Exhibit B describes the location of the sign.

NOW THEREFORE, it is determined, decided, and resolved by the City Council that the Mayor is authorized to execute such License, which License will not become binding until it is signed by the Mayor and attested by the Director of Administration.

[Signatures to follow on the next page.]

36 ADOPTED by the City Council of Havre de Grace, Maryland this 21st day of June, 2021.

37

38 SIGNED by the Mayor and attested by the Director of Administration this 22nd day of June,
39 2021.

40

41

42 ATTEST:

THE MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE, MARYLAND

43

44

45

46 _____
47 Stephen J. Gamatoria
48 Director of Administration

William T. Martin
Mayor

49

50

50 Introduced: 06/21/2021

51 Passed/Adopted: 06/21/2021

52

53 Effective Date: 06/22/2021

54



City of Havre de Grace

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078
WWW.HAVREDEGRACEMD.COM

410-939-1800

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LICENSE AGREEMENT

This AGREEMENT (“LICENSE”) is made this __ day of _____, 2021, between the Mayor and City Council of Havre de Grace, Maryland (“City”), and Nayim Sadik (“LICENSEE”).

WHEREAS, the LICENSEE is the owner of the property located at 421 Congress Avenue in Havre de Grace, Maryland; and,

WHEREAS, the LICENSEE has completed a permit application and has obtained approval from the City to encroach on City right-of-way to construct a sign within the Congress Avenue right-of-way; and,

WHEREAS, the sign is in accordance with the description in the permit application, is not a permanent structure, and will not adversely impact the right-of-way; and

WHEREAS, the sign will promote the health, safety, and welfare of the public and serve the City’s general purposes; and

WHEREAS, the LICENSE was listed on the agenda at a City Council meeting and the City Council has approved the general terms of the LICENSE in accordance with Resolution No. 2020-21; and

WHEREAS, the Council has authorized the Mayor to execute such LICENSE, which LICENSE will not become binding until it is signed by the Mayor and attested by the Director of Administration.

NOW THEREFORE, in consideration of the promises contained herein, the parties agree as follows:

80 **1. Property.**

81 The City grants to the LICENSEE a LICENSE to encroach into the City’s right-of-way for
82 Congress Avenue at 421 Congress Avenue.

83 **2. Terms of Use.**

84 LICENSEE agrees:

- 85 a. Application for a LICENSE of City property shall be accompanied by a \$50.00
86 administrative fee.
- 87
- 88 b. The LICENSEE is required to pay all costs associated with the LICENSE and the
89 property, including but not limited to maintenance, repair, utilities, taxes, and
90 insurance.
- 91
- 92 c. The sign shall be maintained in good condition at all times.
- 93
- 94 d. The City reserves the right to require the owner to remove the sign at any time at
95 the owner’s sole expense.
- 96
- 97 e. The sign shall be removed upon the business ceasing operating at this location.
- 98

99 **3. Indemnity.**

100 The LICENSEE shall indemnify and save harmless the City and its employees and agents
101 from all claims and demands, suits, actions, loss, damages, recoveries, judgments, costs and
102 expenses in any manner arising out of or in connection with any injury, death, loss, or damage
103 related to the LICENSEE’s use of the right-of-way, the LICENSEE’s conduct, or the LICENSEE’s
104 breach of the LICENSE.

105 **4. Restoration.**

106 The LICENSEE shall be responsible for all costs or expenses to restore the City right-of-
107 way after termination of the permitted use. The City may undertake the restoration and all costs
108 and expenses shall be assessed against the LICENSEE and the property owner, and such costs will
109 become a lien on the property until fully paid.

110

111 **5. Maintenance.**

112 The LICENSEE shall maintain any facility or object in, above, or in the City right-of-way
113 and related to the use in a manner that is attractive, clean, safe, workmanlike, and in good repair.
114 The LICENSEE shall insure that the facility or object in, above, or in the City right-of-way related
115 to the use is in compliance with all applicable federal, State, County and City laws, rules,
116 ordinances, or regulation which are hereby incorporated into this Agreement.

117 **6. Term**

118 This Agreement shall remain in force for a period of not to exceed five (5) years, and shall
119 expire December 31, 2025, unless the City otherwise terminates or modifies this Agreement. In its
120 sole discretion, the City Council may renew or extend this Agreement upon the request of the
121 LICENSEE.

122 **7. Permitted Use.**

123 The temporary permitted use allowed by this Agreement is limited to the following: *use of*
124 *a portion of the Congress Avenue right-of-way for a sign to be mounted to an existing lamp post.*
125 Any disagreement between the parties about the type of use, the location of the use, or any special
126 conditions required, shall be resolved by the City in its sole discretion.

127 **8. Entire Agreement.**

128 The Parties agree that this document contains the entire Agreement.

129 **9. No Waiver**

130 The LICENSEE agrees that the City's failure to enforce any of the terms herein shall not
131 constitute a waiver.

132 **10. Venue/Choice of Law**

133 This is a Maryland contract and the parties hereto agree that the laws of Maryland shall
134 apply to any disputes arising under the LICENSE. Harford County is the sole venue for any
135 dispute.

136 **11. No Assignment**

137 This LICENSE may not be assigned by the LICENSEE without the express written consent
138 of the City Council in its sole discretion, which continuation may be permitted if the proposed
139 assignee continues the current use of the property for the remainder of the LICENSE term. Any
140 renewal of this LICENSE must in accordance with Resolution 2020-21 or any superseding
141 resolution or ordinance.

142 **12. Specific Enforcement/Breach of Contract/Attorneys' Fees**

143 In any legal action to enforce the terms of this LICENSE, for declaratory action, or to
144 recover damages for breach of the terms of this LICENSE filed by any party, the City shall be
145 entitled to recover reasonable attorneys' fees and costs from the LICENSEE or its successor or
146 assigns for its successful prosecution or defense of such claims.

147 WITNESS our hands and seals.

148
149

150 WITNESS/ATTEST:

LICENSEE:

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153 _____

154 Signature

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158 WITNESS/ATTEST:

MAYOR AND CITY COUNCIL OF
HAVRE DE GRACE, MARYLAND

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162 _____

163 Stephen J. Gamatoria
164 Director of Administration

William T. Martin
Mayor

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166

167 APPROVED AS TO LEGAL SUFFICIENCY:

168
169

170 _____
April C. Ishak, City Attorney

171

172 THIS LICENSE AGREEMENT RELATES TO
173 PERMIT #2021-0431.



City of Havre de Grace

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078
WWW.HAVREDEGRACEMD.COM

410-939-1800

DEPARTMENT OF PLANNING MEMORANDUM

June 14, 2021

TO: Tamara Brinkman
Administrative Assistant

FROM: Shane P. Grimm, AICP
Director of Planning

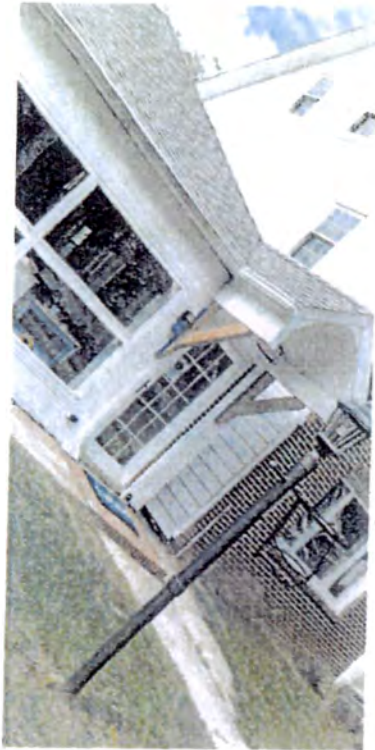
Re: **421 Congress Avenue - License Agreement**
Sign in Right-of-Way
Permit No. 20210431

The Department of Planning has received a permit application for a small sign (15" x 15") to be installed on an existing lamp post in front of 421 Congress Avenue. The sign meets Sign Code requirements for size and height if it were on the property and not in the right-of-way. A picture of the sign and lamp post are attached to this memo.

The Department recommends the following conditions be included should the Mayor and City Council approve the request:

1. The sign shall be maintained in good condition at all times.
2. The City reserves the right to require the owner to remove the sign at any time at the owner's sole expense.
3. The sign shall be removed upon the business ceasing operating at this location.

cc: Marisa Willis, CFM, Planning Technician
Colleen Critzer, Permits Clerk



POST IN CITY ROOF WAY
REQUIRES COUNCIL APPROVAL

Sign # 2 area of location
(on sign post in front
location)



"FOREVER
FARMHOUSE
FINDS"