

REGULAR MEETING
January 9, 2012

The Regular Meeting of the Annapolis City Council was held on January 9, 2011 in the Council Chamber. Mayor Cohen called the meeting to order at 7:36 p.m.

Present on Roll Call: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Silverman, Kirby, Pfeiffer, Arnett

Staff Present: City Attorney Hardwick, Assistant City Attorney Elson, Planning and Zoning Director Arason, DNEP Director Broadbent, Personal Transportation & Parking Specialist Banks, Finance Director Miller, Environmental Programs Coordinator Beard, Public Works Director Jarrell, Civil Engineer Grieco

Approval of Agenda

- Alderman Paone moved to approve the Regular Meeting Agenda as submitted. Seconded. CARRIED on voice vote.

HONORARY MAYORAL CITATIONS

Martha Wood Leadership Award

Mayor Cohen invited Alderwoman Finlayson to present to Yevola Peters, 44 Calvert Street, Annapolis, Maryland 21401 the Mayoral Citation in recognition of being honored by the Housing Authority of the City of Annapolis as the nineteenth recipient of the prestigious Martha Wood Leadership Award.

PETITIONS, REPORTS AND COMMUNICATIONS

Approval of Journal of Proceedings

Alderman Arnett moved to approve the Journal of Proceedings for the Regular Meeting December 12, 2011, the Special Meetings of December 19, 2011. Seconded. CARRIED on voice vote.

Comments by the General Public

Robert H. Eades, 32 Pleasant Street, Annapolis, Maryland 21401 representing the Taxi Cab Drivers Association spoke in opposition to the privatizing city jobs and the expansion of the taxi cab industry in Annapolis.

- Mayor Cohen declared the petitions, reports and communications closed.

PUBLIC HEARINGS

O-31-11 Planning Commission and Board of Appeals Roles and Responsibilities Regarding Planned Developments and Special Exceptions – For the purpose of changing the roles and responsibilities of the Planning Commission and Board of Appeals as they relate to planned developments and special exceptions to maximize efficiencies in the public hearing process as allowed under Article 66B of the Annotated Code of Maryland.

Planning and Zoning Director Arason gave a brief presentation on the ordinance and answered questions from Council.

Assistance City Attorney Elson was present and answered questions from Council.

Spoke on the ordinance:

Denise Worthen, 65 Southgate Avenue, Annapolis, Maryland 21401
Kevin Sullivan, 7 Cumberland Court, Annapolis, Maryland 21401

Spoke in favor of the ordinance:

Chuck Walsh, 12 Southgate Avenue, Annapolis, Maryland 21401 representing the
Annapolis Economic Development Corporation
Joe Budge, 9 Randall Court, Annapolis, Maryland 21401
James Urban, 915 Creek Drive, Annapolis, Maryland 21403

Spoke in opposition to the ordinance:

Ray Sullivan, 119 Meade Drive, Annapolis, Maryland 21403 representing Save
Your Annapolis Neck

No one else from the general public spoke in favor of or in opposition to the
ordinance.

- Mayor Cohen accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 11/17/11, and Memoranda from Jon Arason, Director, to the Planning Commission dated 10/27/10.
- Mayor Cohen declared the public hearing closed.

R-53-11 Establishing a Fee for Appealing a Planning Commission Decision to the Board of Appeals – For the purpose of establishing a fee for appealing a Planning Commission decision to the Board of Appeals by amending the FY12 fee schedule for the City of Annapolis.

Planning and Zoning Director Arason gave a brief presentation on the resolution.

Spoke on the resolution:

Joe Budge, 9 Randall Court, Annapolis, Maryland 21401

Spoke in opposition to the ordinance:

Ray Sullivan, 119 Meade Drive, Annapolis, Maryland 21401

No one else from the general public spoke in favor of or in opposition to the
ordinance.

- Mayor Cohen accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 12/15/11, and Memoranda from Jon Arason, Director, to the Planning Commission dated 12/15/11.
- Mayor Cohen declared the public hearing closed.

O-32-11 Outdoor Dining in the B1 and B2 Zoning Districts – For the purpose of clarifying the contradiction in use standards related to outdoor dining in the B1 and B2 zoning districts in Chapters 21.64 and specific provisions in 21.42 of the Code of the City of Annapolis.

Planning and Zoning Director Arason gave a brief presentation on the ordinance.

Spoke on the ordinance:

Mathew Jones, 1115 1-A Lake Heron Drive, Annapolis, Maryland 21403
representing Annapolis Economic Development Corporation.

No one from the general public spoke in favor of or in opposition to the

ordinance.

- Mayor Cohen accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 11/17/11, and Memoranda from Jon Arason, Director, to the Planning Commission dated 10/19/11.
- Mayor Cohen declared the public hearing closed.

O-53-11 Keeping or Maintaining Chickens Within the City of Annapolis – For the purpose of allowing chickens, but not roosters, to be kept or maintained within the City of Annapolis.

DNEP Director Broadbent gave a brief presentation on the ordinance and answered questions from Council.

Environmental Program Coordinator Beard was also present and answered questions from Council.

Spoke on the ordinance:

Robin Smalls, 411 Maxwell Frye Road, Millersville, Maryland 21108-1551
representing Anne Arundel County Animal Control
Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401

Spoke in favor of the ordinance:

Kurt Riegel, 307 A Monterey Avenue, Annapolis, Maryland 21401
Jessica Pachler, 506 President Street, Annapolis, Maryland 21403
John Booth, 433 State Street, Annapolis, Maryland 21401
Sveinn Storm, 130 Dock Street, Annapolis, Maryland 21401
Sara Robinson, 521 Burnside Street, Annapolis, Maryland 21401

No one else from the general public spoke in favor of or in opposition to the ordinance.

- Mayor Cohen declared the public hearing closed.

At 9:34 p.m., Mayor Cohen requested Alderwoman Hoyle preside over the meeting during his absence.

R-45-11 Annexation Plan – Hayes Property – For the purpose of adopting an annexation plan for the Hayes Property, which property is contiguous to the existing boundary of the City and which property is generally located south of the City’s jurisdictional boundary and to the east of Old Solomons Island Road and Dorsey Drive.

Planning and Zoning Director gave a brief presentation on the resolution and answered questions from Council.

Assistance City Attorney Elson was also present and answered questions from Council.

At 9:48 p.m., Mayor Cohen resumed the duties of the Chair.

Spoke on the resolution:

Alan Hyatt, Esq., 200 West Gate Circle, Annapolis, Maryland 21401 representing
Hogan Holding Company
Suzanne Pogell, 137 Conduit Street, Annapolis, Maryland 21401
Ray Sullivan, 119 Meade Drive, Annapolis, Maryland 21401

No one else from the general public spoke in favor of or in opposition to the resolution.

- Mayor Cohen accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 12/15/11, and Memoranda from Jon Arason, Director, to the Planning Commission dated 11/17/11 and 11/23/11.
- Mayor Cohen continued the public hearing until January 23, 2012.

R-58-11 2011 Bicycle Master Plan – For the purpose of adopting the 2011 Bicycle Master Plan as an addendum to the 2009 Comprehensive Plan for the City of Annapolis.

Lucas Cruse, AICP, Senior Planner 6525 Belcrest Road, Suite 400 Hyattsville, Maryland 20782 representing Toole Design Group gave a brief presentation on the resolution and answered questions from Council.

Personal Transportation & Parking Specialist Banks was present and answered questions from Council.

Spoke on the resolution:

Sveinn Storm, 130 Dock Street, Annapolis, Maryland 21401
Robin Elliott, 48 Maryland Avenue, Annapolis, Maryland 21401 representing The Annapolis Business Association

Spoke in favor of the resolution:

Alex Pline, 305 Monterey Avenue, Annapolis, Maryland 21401
Alexander Meller, 820 Monroe Street, Apt 203, Annapolis, Maryland 21403
Joe Budge, 9 Randall Court, Annapolis, Maryland 21401 representing the Ward One Residents Association
James Urban, 915 Creek Drive, Annapolis, Maryland 21403

No one else from the general public spoke in favor of or in opposition to the resolution.

- Mayor Cohen accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 10/20/11.
- Mayor Cohen declared the public hearing closed.
- Alderwoman Hoyle left for the evening at 10:32 p.m.

R-64-11 A Parking Garage on Compromise Street – For the purpose of expressing the sense of the Annapolis City Council regarding a parking garage on Compromise Street.

Planning and Zoning Director gave a brief presentation on the resolution.

Spoke on the resolution:

Carolyn Kirby, 145 Compromise Street, Annapolis, Maryland 21401 representing Annapolis Summer Garden Theatre
Sharon Kennedy, 9 Randall Court, Annapolis, Maryland 21401 representing the Historic Preservation Commission
Sveinn Storm, 130 Dock Street, Annapolis, Maryland 21401
Orlando Ridout, 110 Duke of Gloucester Street, Annapolis, Maryland 21401

Spoke in favor of the resolution:

Ronald Jarashow, Esq., 295 Locust Avenue, Annapolis, Maryland 21401

representing Compromise Street, LLC
Sean O'Neil, 423 Halsey Road, Annapolis, Maryland 21401 representing the
Annapolis Business Association
Joe Budge, 9 Randall Court, Annapolis, Maryland 21401 representing City Dock
Advisory Committee and the Garage Sub Committee

- Alderman Arnett moved to continue the public hearing beyond 11:00 p.m.
Seconded. CARRIED on voice vote.

Midgett S. Parker, Jr, One Park Place, Suite 585, Annapolis, Maryland 21401
representing the Annapolis Economic Development Corporation

Spoke in opposition to the resolution:

Rick Struse, 120 Duke of Gloucester Street, Annapolis, Maryland 21401
Frederica Struse, 120 Duke of Gloucester Street, Annapolis, Maryland 21401

No one else from the general public spoke in favor of or in opposition to the
resolution.

- Mayor Cohen declared the public hearing closed.

LEGISLATIVE ACTION **RESOLUTIONS – 2nd READER**

R-49-11 Job Description for Accountant – For the purpose of approving the new job description for Accountant in the Finance Department.

- Alderman Arnett moved to adopt R-49-11 on second reading. Seconded.

Finance Director Miller was present and answered questions from Council.

A ROLL CALL vote was taken:

*YEAS: Mayor Cohen, Aldermen Silverman, Kirby, Pfeiffer, Arnett, Israel,
Paone Alderwoman Finlayson*

NAYS:

CARRIED: 8/0

R-64-11 A Parking Garage on Compromise Street – For the purpose of expressing the sense of the Annapolis City Council regarding a parking garage on Compromise Street.

- Alderman Arnett moved to adopt R-64-11 on second reading. Seconded.

A ROLL CALL vote was taken:

*YEAS: Mayor Cohen, Aldermen Silverman, Kirby, Pfeiffer, Arnett, Israel,
Paone Alderwoman Finlayson*

NAYS:

CARRIED: 8/0

ORDINANCE – 1st READER

O-1-12 Election Ward Boundaries – For the purpose of altering the eight election wards of the City of Annapolis; and all matters generally relating to said wards.

Referred to the Rules and City Government Committee

Mayor Cohen requested a public hearing with legislative action in February.

BUSINESS and MISCELLANEOUS

1. Budget Revision Requests

Finance Director Miller was present and gave a brief presentation on the budget revision request and answered questions from Council.

The Finance Committee voted favorable on the budget revision requests.

Harbormaster Walters was present and answered questions from Council.

GT-30-12 Department Recreation and Parks Division: Dock, justification for request: To post additional Federal MARAMA Funds approved for re-power conversion of Patrol Boats.

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GT-31-12 Department Recreation and Parks, justification for request: With the anticipation of the summer programs, the Department will need to adjust expense accounts for the plan for summer recreation camps and pool (aquatic) related supplies. There is a savings in the professional services accounts due to changes in programming.

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GT-32-12 Department Recreation and Parks, justification for request: As staff strives to maintain the PMRC to high degree of efficiency and cleanliness, additional funds are needed to repair and maintain the building structure. There is a savings in the professional services account due to changes in programming.

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GT-33-12 Department Police, justification for the request: The Police Department requests to reallocate funds from the FY09 Byrne Justice grant from overtime for police personnel for Gang Training for new software to supplies to purchase equipment for the patrol vehicles to include etix scanners and printers and mobile computers. The approved Grant Adjustment from the Department of Justice.

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GT-34-12 Department Public Works, justification for request: To establish working budget for grant awarded FY State Highway Administration for Safe Routes to School.

- Alderman Arnett moved to approve GT-30-12, GT-31-12, GT-32-12, GT-33-12 and GT-34-12. Seconded. CARRIED on voice vote.

2. Market House Update

Public Works Director Jarrell gave a brief update on the Market House and answered questions from Council.

Civil Engineer Grieco was also present and answered questions from Council.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 12:17 a.m.

Regina C. Watkins-Eldridge, MMC
City Clerk