

REGULAR MEETING
January 11, 2010

The Regular Meeting of the Annapolis City Council was held on January 11, 2010 in the Council Chamber. Mayor Cohen called the meeting to order at 7: 43 p.m.

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

Staff Present: City Attorney Hardwick, Chief Administrative Office Smith, Department of Neighborhood and Environmental Programs Director Mallinoff, Planning and Zoning Director Arason, Legislative Policy Analyst Zirkle

PRESENTATIONS

Local Government Insurance
Trust of Maryland

Timothy S. Ailsworth, Executive Director of Local Government Insurance Trust of Maryland and Scott A, Hancock, Executive Director of the Maryland Municipal League presented the City of Annapolis with an award in recognition of 20 years of membership in the trust.

Citation of Merit

Mayor Cohen and Alderman Israel presented Jimmy Frisco, 13 Boxwood Road, Annapolis, Maryland 21403 with a Citation of Merit for his exemplary conduct during the December snowstorm.

Overtime Reduction Task Force

Chief Administrative Officer Smith presented findings which identified practices from previous administrations that contributed to the overspending.

Snow Removal Policy Update

Chief Administrative Officer Smith presented a report on the process for clearing city roads during the snowstorm. He also explained what measures were taken by the city departments to monitor the storm, and the coordination of resources used to handle the heavy snow.

PETITIONS, REPORTS AND COMMUNICATIONS

Approval of Journal of Proceedings

- Alderman Paone moved to approve the Journal of Proceedings for Special Meeting of December 14, 2009, Regular Meeting of December 14, 2009 and, Special Meeting of December 21, 2009. Seconded. CARRIED on voice vote.

Comments by the General Public

Vincent O. Leggett, 3436 Cohasset Avenue, Annapolis, Maryland 21403 representing Blacks of the Chesapeake Foundation spoke in favor of R-01-10
Samuel M. Brice, 1811 Old Annapolis Blvd, Annapolis, Maryland 21409 spoke on services, snow removal, city employees, the budget, ethic commission and unneeded city programs.

Delegate Herbert McMillan, 417 Fox Hollow Lane, Annapolis, Maryland 21403 spoke on the combination of public hearings with legislative action, budget, contract employees, overtime, city tax payers, 20 percent increase in contract employees and unneeded programs.

William Small, 702 Severn Avenue, Annapolis, Maryland 21403 spoke in opposition to police overtime, taxes, and civil judicial proceedings and in favor of more bicycle lanes.

Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401 spoke on police snow removal.

CONTINUENCE OF PUBLIC HEARING FROM 12/21/09

CA-09-09 For the purpose of establishing a city manager form of government by defining the appointment, powers and responsibilities of the city manager as chief executive of the City; reforming the office and duties of the Mayor; reforming the appointment and duties of the city attorney; and, clarifying the role of the City Council.

Spoke on the charter amendment:

James R. Martin, 1906 Baltimore Annapolis Blvd, Annapolis, Maryland 21409

Spoke in favor of the charter amendment:

Jane Lawrence, 519 Burnside Street, Annapolis, Maryland 21403

David H. Cordle, Sr, 421 Fox Hollow Lane, Annapolis, Maryland 21403

Lee Finney, 717 Warren Drive, Annapolis, Maryland 21403

Bill Kardash, 1 Acton Place, Annapolis, Maryland 21401 representing Annapolitians for Better Community

Trudy McFall, 205 Scott Drive, Annapolis, Maryland 21401

Marcia Marshall, 22 Severn Avenue, Annapolis, Maryland 21403

William Small, 702 Severn Avenue, Annapolis, Maryland 21403

Gilbert Renaut, 115 Monticello Avenue, Annapolis, Maryland 21401

Spoke in opposition to the charter amendment:

Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401

Bob Burdon, 49 Old Solomons Island Road, Suite 204, Annapolis, Maryland

21401 representing Annapolis and Anne Arundel County Chamber of Commerce, Inc

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

- Mayor Cohen declared the public hearing closed.

PUBLIC HEARINGS

CA-10-09 For the purpose of limiting annual property tax revenue increases collected by the City of Annapolis to the lesser of the Consumer Price Index or 4.5 percent.

Spoke on the charter amendment:

Samuel M. Brice, 1811 Old Annapolis Blvd, Annapolis, Maryland 21409

Spoke in favor of the charter amendment:

Delegate Herbert McMillan, 417 Fox Hollow Lane, Annapolis, Maryland 21403 representing the three thousand citizens who signed the Tax Cap Petition.

Spoke in opposition to the charter amendment:

Bob Burdon, 49 Old Solomons Island Road, Suite 204, Annapolis, Maryland 21401 representing Annapolis and Anne Arundel County Chamber of Commerce,

Inc

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

- Mayor Cohen declared the public hearing closed.

Without objection the public hearing on O-52-09 and R-56-09 were held jointly.

O-52-09 For the purposes of requiring the registration of residential properties subject to foreclosure with the Department of Neighborhood and Environmental Programs and providing civil penalties for failure to register.

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R-56-09 For the purpose of specifying the fine for failure to register properties subject to foreclosure.

Department of Neighborhood and Environmental Programs Director Mallinoff gave a brief presentation on the ordinance and resolution.

- At 9:44 p.m., Mayor Cohen requested Alderman Arnett preside over the meeting during his absence. At 9:48 p.m., Mayor Cohen resumed his duties as Chair.

Spoke in favor of the ordinance and resolution:

Denise Worthen, 65 Southgate Avenue, Annapolis, Maryland 21401

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

- Mayor Cohen declared the public hearings closed.

O-66-09 For the purpose of clarifying the licensure restriction on a mobile food service facility that prepares and sells food in a vehicle operated in a residential area.

Department of Neighborhood and Environmental Programs Director Mallinoff gave a brief presentation on the ordinance .

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

- Mayor Cohen declared the public hearing closed.

O-68-09 For the purposes of requiring that all laws be enacted by ordinance; removing the requirement of a vote on first reading; requiring all readings of legislation occur during the same term; and, excepting emergency legislation, prohibiting the passage of legislation following a general election until the commencement of a new term.

Spoke on the ordinance:

Bob Burdon, 49 Old Solomons Island Road, Suite 204, Annapolis, Maryland 21401 representing Annapolis and Anne Arundel County Chamber of Commerce, Inc

Spoke in favor of the ordinance:

Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401
Bevin Ann Buchheister, 5 Wagner Street, Annapolis, Maryland 21401
representing Ward One Residents Association

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

- Mayor Cohen declared the public hearing closed.

O-69-09 For the purpose of establishing the Financial Advisory Committee.

Spoke in favor of the ordinance:

Bob Burdon, 49 Old Solomons Island Road, Suite 204, Annapolis, Maryland 21401 representing Annapolis and Anne Arundel County Chamber of Commerce, Inc

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

- Mayor Cohen declared the public hearing closed.

O-70-09 For the purpose of ordering City Council voting by rotating sequence, with the Mayor voting last.

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

- Mayor Cohen declared the public hearing closed.

R-73-09 For the purpose of establishing a citizens committee to review the City of Annapolis' alcoholic beverage laws.

Spoke on the resolution:

Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401

Spoke in favor of the resolution:

Denise Worthen, 65 Southgate Avenue, Annapolis, Maryland 21401 representing Murray Hill Residents Association
Bob Burdon, 49 Old Solomons Island Road, Suite 204, Annapolis, Maryland 21401 representing Annapolis and Anne Arundel County Chamber of Commerce, Inc
Bevin Ann Buchheister, 5 Wagner Street, Annapolis, Maryland 21401 representing Ward One Residents Association

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

- Mayor Cohen declared the public hearing closed.

ORDANCES & RESOLUTIONS – 2ND READING

O-35-09 For the purpose of establishing a stadium as an additional conforming use within the R2 Single-Family Residence Zoning District.

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

Legislative Policy Analyst Zirkle was present and answered questions from Council.

No action taken

O-45-09 For the purpose of permitting the subdivision of nonconforming properties.

No action taken

O-47-09 For the purposes of prohibiting the use of a taxicab's horn to announce its arrival or departure and specifying taxicab permitting standards.

- Alderman Arnett moved to adopt O-47-09 on second reading. DEFEATED for lack of a second.

R-50-09 For the purpose of revising the fine for taxicab violations.

Finance Committee reported unfavorably on R-50-09.

- Alderwoman Hoyle moved to adopt R-50-09 on second reading. DEFEATED for lack of a second.

R-73-09 For the purpose of establishing a citizens committee to review the City of Annapolis' alcoholic beverage laws.

- Alderman Israel moved to adopt R-73-09 on second reading. Seconded.
- Alderwoman Hoyle moved to extend the meeting beyond 11:00 p.m. Seconded. CARRIED on voice vote.
- Alderman Israel moved to amend R-73-09 as follows:

Amendment # 1

On page 2, in line 2, strike "12" through "owners" in line 3, and substitute "15 persons confirmed by the City Council. Each alderperson shall appoint one member and the Mayor shall appoint seven members, including representatives of bar owners and residents." Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Silverman, Kirby, Pfeiffer, Arnett

NAYS:

CARRIED: 9/0

- Alderman Arnett moved to postpone R-73-09 amended on second reading until January 25, 2010. Seconded. CARRIED on voice vote.
- Alderwoman Hoyle moved to extend the meeting beyond 11:00 p.m. to consider additional business items. Seconded. CARRIED on voice vote.

CHARTER AMENDMENTS, ORDANCES & RESOLUTIONS – 1ST READING

CA-01-10 For the purpose of requiring department directors, subject to mayoral approval, to designate a full-time employee as deputy director.

- Alderman Arnett moved to adopt CA-01-10 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee and the Civil Service Board

O-01-10 For the purpose of specifying that residency in the City of Annapolis is a requirement solely for appointment to the Art in Public Places Commission.

- Alderman Israel moved to adopt O-01-10 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance and the Rules and City Government Committees.

O-02-10 For the purpose of establishing Council committee rules governing the conduct, notice, venue, and time of committee meetings.

- Alderman Israel moved to adopt O-02-10 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee.

R-01-10 For the purpose of declaring that Obery Street shall be renamed "Bertina A. Nick Way."

- Alderman Kirby moved to adopt R-01-10 on first reading. Seconded. CARRIED on voice vote.

Referred to the Public Safety Committee.

R-02-10 For the purpose of revising fees charged for the use of City services during FY 2010.

- Alderman Arnett moved to adopt R-02-10 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committees.

BUSINESS AND MISCELLANEOUS

1.) Appointment

- Alderman Arnett moved to approve the Mayor's reappointment of the following individual:

1/11/10 Police and Fire Retirement Commission.....Joseph Semo

Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 11:42 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk