

REGULAR MEETING

January 12, 1998

The Regular Meeting of the Annapolis City Council was held on January 12, 1998 in the Council Chamber. Larry L. Griffin, We Care and Friends, rang the bell to denote the 7:00 p.m. start time for the meeting. Mayor Johnson called the meeting to order at 7:00 p.m.

Present on Roll Call: Mayor Johnson, Aldermen Hammond, Tolliver, Gilmer, Sachs, McMillan, Carter, Fox, Moyer

Staff Present: City Attorney Goetzke, Public Works Director Patmore, Finance Director Sulick, Personnel Director Davis, Police Chief Johnson, Planning and Zoning Director Arason, Central Services Officer Harrison

Alderman Gilmer moved to approve the Minutes of December 8, 1997, December 15, 1997 and December 30, 1997. Seconded. CARRIED on voice vote.

Alderman Sachs moved to approve the Closed Minutes of December 30, 1997 and to open the Minutes to the public. Seconded. CARRIED on voice vote.

Seconded. CARRIED on voice vote.

Pursuant to the requirement of Maryland Annotated Code, State Government Article Section 10-509(c)(2), this statement is included in these minutes:

A closed session of the City Council was held at 6:02 p.m., Tuesday, December 30, 1997 in the City Council Chamber.

Present: Mayor Johnson, Aldermen Hammond, Tolliver, Gilmer, Sachs, McMillan, Carter, Fox, Moyer, City Attorney Goetzke, Walter N. Chitwood, III and City Clerk Bembe.

By unanimous consent of the members present, the session was closed. The authority under which the session was closed was Maryland Annotated Code, State Government Article, Section 10-508(a)(1)(i). The purpose of the meeting was the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction.

(1) *Confirmation of appointment of City Administrator*

No action taken in the closed meeting.

Mayor Johnson and Police Chief Johnson presented a Certificate of Distinguished Citizenship to retired USNA Police Chief Norman Johnson. Anne Arundel County Sheriff George Johnson also presented a Citation to retired Chief Johnson.

Mayor Johnson presented the Police Department's Distinguished Citation of Merit to Darrin E. Way.

Mayor Johnson and Personnel Director Davis presented the City of Annapolis 1997 Employee of the Year Award to Jerome L. Tucker.

John Livingston, Chair, Maryland State Fire Prevention Committee, presented the Life Safety Achievement Award to City of Annapolis Fire Chief Sherlock and USNA Fire Chief Nichols.

PETITIONS, REPORTS AND COMMUNICATIONS

1. Patricia H. Croslan, Executive Director
Annapolis Housing Authority

Spoke regarding the future goals and objectives of the Annapolis Housing Authority.
2. Larry L. Griffin
We Care and Friends
1202 Bay Highlands Drive
Annapolis, Md. 21403

Spoke on behalf of the "We Care and Friends" organization.
3. Arthur Greenbaum
7 Constitution Square
Annapolis, Md. 21401

Spoke in support of Resolution R-4-98.
4. Louise Beauregard
Christian Services, USA
2 Maryland Avenue
Annapolis, Md. 21401

Spoke regarding housing and community issues.
5. Mary Ann Elder
130 Spa View Avenue
Annapolis, Md. 21401

Spoke in support of Resolution R-4-98.
6. Joan Kaplan
41 Water Street
Annapolis, Md. 21401

Spoke in support of Resolution R-4-98.
7. Kathleen Knower
21 Madison Place
Annapolis, Md. 21401

Spoke in support of Resolution R-4-98.
8. Vicky Aube
187 Prince George Street
Annapolis, Md. 21401

Spoke in support of Resolution R-4-98.
9. Ted Levitt
Chick and Ruth's
165 Main Street
Annapolis, Md. 21401

Spoke in support of Resolution R-4-98 and read a letter on behalf of Steve Samaras, President, Annapolis Business Association.

10. Valerie Miller
114 Market Street
Annapolis, Md. 21401

Spoke in support of Resolution R-4-98.

11. Michael Wiley
1180 Ramblewood Drive
Annapolis, Md. 21401

Spoke in support of Resolution R-4-98.

12. Tom Davies
16 College Avenue
Annapolis, Md. 21401

Spoke in support of Resolution R-4-98 and read a letter on behalf of Dan Masterson.

13. Ted Grier
16 Fleet Street
Annapolis, Md. 21401

Spoke in support of Resolution R-4-98.

14. Gil Renaut
115 Monticello Avenue
Annapolis, Md. 21401

Spoke in support of Resolution R-4-98.

15. Brian Miller
114 Market Street
Annapolis, Md. 21401

Spoke in support of Resolution R-4-98.

16. Hans Froelicher
110 Market Street
Annapolis, Md. 21401

Spoke in support of Resolution R-4-98.

17. Tony Evans
3 Constitution Square
Annapolis, Md. 21401

Spoke in support of Resolution R-4-98.

18. Mike Ashford
Prince George Street
Annapolis, Md. 21401

Spoke in opposition to Resolution R-1-98.

LEGISLATIVE ACTION

ORDINANCES

- O-39-97** For the purpose of changing the term "conditional use" to "special exception" to be consistent with the practice throughout Maryland and to emphasize that this process is intended for exceptions to uses allowed in a zoning district and not for routine matters; and all matters relating to said special exceptions.

Alderman Sachs moved to adopt O-39-97 on second reading. Seconded.

Alderman Moyer moved to amend O-39-97 as follows:

Amendment No. 1:

On Page 1, line 24 add the following:

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the change in the terminology in the City Code from "conditional use" to "special exception", made pursuant to this ordinance, is intended only to achieve consistency with the terminology in Maryland Article 66B, and shall not constitute a substantive change in City laws or in any zoning use established by the City Code or by any instrument of the City.

On that same page, line 25 immediately following "SECTION" strike "II" and substitute "III".

Seconded. CARRIED on voice vote.

The main motion, as amended, CARRIED on voice vote.

Alderman Gilmer moved to adopt O-39-97 Amended on third reading. Seconded. CARRIED on voice vote.

- O-2-98** For the purpose of making a technical correction to the City Code so as to provide that before finally placing the name of a candidate on the ballot at the succeeding primary election, the board shall determine that the candidate meets the registration and affiliation requirements of this code, the Charter and Maryland law; and all matters relating to said technical correction.

Alderman McMillan moved to adopt O-2-98 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee.

- O-3-98** For the purpose of establishing that a violation of the City Code prohibition against providing or selling alcoholic beverages to minors shall be a municipal infraction subject to a fine of not more than \$500, enforced by the Annapolis police officers; and all matters relating to said violation.

Alderman Hammond moved to adopt O-3-98 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters and Public Safety Committees.

- O-7-98** For the purpose of amending the configuration of the Annapolis harbor line outboard of 519 Chester Avenue on Back Creek; and all matters relating to said harbor line.

Alderman Tolliver moved to adopt O-7-98 on first reading. Seconded. CARRIED on voice vote.

Referred to the Environmental Matters Committee and the Port Wardens.

- O-10-98** For the purpose of correcting references to section numbers related to parking and loading requirements; and all matters relating to said corrections.

Alderman Hammond moved to adopt O-10-98 on first reading. Seconded. CARRIED on voice vote.

Referred to the Environmental Matters Committee.

RESOLUTIONS

- R-1-98** For the purpose of expressing the Annapolis City Council's support for proposed legislation before the Maryland General Assembly to amend Annotated Code of Maryland, Article 2B, Section 16-507(c)(2) so as to revise the City of Annapolis' alcoholic beverage license enforcement powers; and all matters relating to said legislation.

Alderman McMillan moved to adopt R-1-98. Seconded.

Following discussion, Alderman Moyer moved to refer R-1-98 to the Economic Matters and Public Safety Committees. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Johnson, Aldermen Gilmer, Sachs, Carter, Fox, Moyer
NAYS: Aldermen Hammond, Tolliver, McMillan
CARRIED: 6-3

- R-2-98** For the purpose of naming a designee to submit a letter of support on behalf of the City of Annapolis to the Department of Housing and Community Development of the State of Maryland for Neighborhood Business Development Program Projects; and all matters relating to said designee.

Alderman Tolliver moved to adopt R-2-98. Seconded.

Alderman Tolliver moved to amend R-2-98 as follows:

Amendment No. 1:

On page 1, line 26, strike "Dean L. Johnson" and immediately preceding "Mayor" insert "the"; and on line 31, strike "Dean L. Johnson" and immediately preceding "Mayor" insert "the".

Seconded. CARRIED on voice vote.

Amendment No. 2:

On page 1, line 38, add the following:

AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the Mayor shall provide the City Council with a list of all approved NPP projects.

Seconded. CARRIED on voice vote.

The main motion, as amended, CARRIED on voice vote.

- R-3-98** For the purpose of naming a designee to submit a letter of support on behalf of the City of Annapolis to the Department of Housing and Community Development of the State of Maryland for Neighborhood Partnership Program Projects; and all matters relating to said designee.

Alderman Hammond moved to adopt R-3-98. Seconded.

Alderman Sachs moved to amend R-3-98 as follows:

Amendment No. 1:

On page 1, line 27, strike "Dean L. Johnson" and immediately preceding "Mayor" insert "the"; and on line 32, strike "Dean L. Johnson" and immediately preceding "Mayor" insert "the".

Seconded. CARRIED on voice vote.

Amendment No. 2:

On page 1, line 39, add the following:

AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the Mayor shall provide the City Council with a list of all approved NPP projects.

Seconded. CARRIED on voice vote.

The main motion, as amended, CARRIED on voice vote.

- R-4-98** For the purpose of creating a commission to study fire safety in historic buildings and commercial buildings and to make recommendations to the City Council on such matters; and all matters relating to said commission.

Alderman Hammond moved to adopt R-4-98. Seconded. CARRIED on voice vote.

- R-5-98** For the purpose of providing written consent by the City of Annapolis to the proposed assignment to The Big Cheese, Inc. by Millicent Bell Hughes, trading as Market House International Deli, of its lease with the City of Annapolis for certain space in the Markethouse as required by said lease; and all matters relating to said assignment of lease.

Alderman Hammond moved to adopt R-5-98. Seconded.

Alderman Sachs moved to amend R-5-98 as follows:

Amendment No. 1:

On page 1, line 32 strike "Assignment of"; and on line 38 strike "Assignment of"; and remove the attached "Agreement for Purchase and Sale of Market House International Deli" from Resolution R-5-98.

Seconded. CARRIED on voice vote.

The main motion, as amended, CARRIED on voice vote.

BUSINESS AND MISCELLANEOUS

1. Standing Committee Nominations

Alderman McMillan moved to approve the Standing Committee Nominations as submitted. Seconded. CARRIED on voice vote.

2. Payment of Monthly Bills

Alderman Sachs moved to pay the monthly bills. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:50 p.m.

Patricia L. Bembe, CMC/AE
City Clerk