

SPECIAL MEETING  
February 22, 2010

The Special Meeting of the Annapolis City Council was held on February 22, 2010 in the Council Chamber. Mayor Cohen called the meeting to order at 7:07 p.m.

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

Absent on Roll Call: Alderwoman Hoyle arrived at 7:11 p.m.

Staff Present: City Attorney Hardwick, Chief Administrative Officer Smith, Finance Director Elliott, Legislative Policy Analyst Zirkle

*Closed Session Statement:*

*Pursuant to the requirement of Maryland Annotated Code, State Government Article Section 10-508(a) (7) (9) this statement is included in these minutes:*

*A closed session of the City Council was held at 3:24 p.m., Thursday, February 18, 2010 in the City Council Chamber.*

*Present: Mayor Cohen, Alderwomen Hoyle, and Finlayson, Aldermen Israel, Paone, Silverman, Kirby, Pfeiffer, and Arnett*

*Staff Present: City Attorney Hardwick, Human Resources Director Milburn, City Clerk Watkins-Eldridge, Chief Administrative Office Smith*

*A voice vote was taken, seconded and carried by the members present, and the session was closed. The authority under which the session was closed was Maryland Annotated Code, State Government Article, Section 10-508(a) (7) (9). The purpose of the meeting to consult with counsel to obtain legal advice on a legal matter: and to conduct collective bargaining negotiations or consider matters that relate to the negotiations.*

*Topics of Discussion:*

*Collective Bargaining Negotiations and the Energy Park*

*No actions were taken in closed session.*

*Upon motion duly made, seconded and adopted, the closed session was adjourned at 5:39 p.m.*

- Mayor Cohen moved to amend the agenda to allow for comments by the general public at the beginning of the meeting, to remove the report from the Committee on Contractual Employment and to add an update on the 2010 and 2011 budgets. Seconded. CARRIED on voice vote.
- Alderwoman Hoyle moved to place O-27-09 on the Special Meeting Agenda of March 22, 2010 for a public hearing. Seconded. CARRIED on voice vote.

PETITIONS, REPORTS AND COMMUNICATIONS

Journal of Proceedings

- Alderman Paone moved to approve the Journal of Proceedings for Special Meeting of January 11, 2010, Regular Meeting of January 11, 2010, Special Meeting of January 25, 2010 and the Special Meeting of February 1, 2010. Seconded. DEFEATED on voice vote.

(The minutes from the above meetings will be distributed with the packet for the March 8, 2010 Regular Meeting for approval)

Comments by the General Public

There were no comments from the general public.

Energy Park

City Attorney Hardwick and Chief Administrative Officer Smith gave a joint presentation to the City Council on their research regarding the energy park.

The order of the agenda was amended to allow for 2010 and 2011 budget status.

2010 & 2011 Budgets

Mayor Cohen gave a brief presentation on the status of his administrations 2010 and 2011 budget preparations.

The order of the agenda was resumed.

PUBLIC HEARING

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

Chief Administrative Officer Smith was present and answered questions from Council.

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

- Mayor Cohen declared the public hearing closed.

**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.**

Chief Administrative Officer Smith was present and answered questions from Council.

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

- Mayor Cohen declared the public hearing closed.

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

Spoke on the ordinance:

Sharon Kennedy, 9 Randall Court, Annapolis, Maryland 21403 representing the Historic Preservation Commission.

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-03-10 For the purpose of redefining the powers of the Art in Public Places Commission to include placement of additional signage and recognition of landscape art.**

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

- Mayor Cohen declared the public hearing closed.

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

Spoke in favor of the resolution:

Vince Leggett, 3436 Cohasset Avenue, Annapolis, Maryland 21403 representing Blacks of the Chesapeake  
Wanda Stansbury, 2211 Mulberry Hill Road, Annapolis, Maryland 21409  
Arlene Rankin, 3370 Arundel on the Bay Road, Annapolis, Maryland 21403  
Donna Maria Tuyman, 3454 Cohasset Avenue, Annapolis, Maryland 21403  
Sheryl Menendez, 1418 Regent Street, Annapolis, Maryland 21403  
Christol D. Medley, 466 Mainview Court, Glen Burnie, Maryland 21061 representing The Nick Family

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

- Mayor Cohen declared the public hearing closed.

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

Finance Director Elliott was present and Answered questions from Council.

Spoke in favor of the commercial recycling fee:

David Prosten, 3120 Munz Drive, Annapolis, Maryland 21403 representing the Seirra Club

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 – 2<sup>ND</sup> READING**

- Alderman Paone moved to amend the agenda to allow for R-01-10 on second reading. Seconded. CARRIED on voice vote.

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

- Alderman Paone moved to adopt R-01-10 on second reading. Seconded. A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

The order of the agenda was resumed.

**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.**

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

- Alderman Arnett moved to adopt O-52-09 on second reading. Seconded.

The Economic Matters Committee reported favorably on O-52-09.

The main motion CARRIED on voice vote.

- Alderman Arnett moved to adopt O-52-09 on third reading. Seconded. A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

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

- Alderman Arnett moved to adopt R-56-09 on second reading. Seconded. A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

**O-65-09 For the purpose of adding “two-family dwelling” to the list of uses deemed to be conforming in the R2-NC District, provided they were legally existing on November 19, 1990.**

- Alderman Arnett moved to adopt O-65-09 on second reading. Seconded.

The Rules & City Government Committee and the Planning Commission reported favorably with amendments on O-65-09.

- Alderman Arnett moved to amend O-65-09 as follows:

Amendment #1

On page 4, in line 18, remove strikeout of “and detached”.

Amendment #2

On page 4, in line 28, remove strikeout of “detached”.

Amendment #3

On page 4, in line 31, strike sentence beginning with “In”, and substitute: “In the case of any alteration, expansion, or modification to a two-family dwelling, the front setback and elements of the front façade, including any single plane, with respect to each dwelling unit shall be retained or match those of the other unit.”  
Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Arnett moved to adopt O-65-09 amended on third reading. Seconded. A ROLL CALL vote was taken:

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

NAYS:  
CARRIED: 9/0

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

- Alderman Paone moved to adopt O-70-09 on second reading. Seconded.

The Rules and City Government Committee reported favorably with amendments on O-70-09.

- Alderman Hoyle moved to amend O-70-10 as follows:
- Alderwoman Hoyle move to have the Mayor included as part of the rotation. Seconded. DEFEATED on voice vote.

A ROLL CALL vote was taken:

YEAS: Alderwomen Hoyle, Finlayson, Aldermen Israel, Silverman, Kirby  
NAYS: Mayor Cohen, Aldermen Paone, Pfeiffer  
ABSTAIN: Alderman Arnett  
CARRIED: 5/3/1

The main motion as amended CARRIED on voice vote.

- Alderman Paone moved to adopt O-70-10 amended on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Silverman, Kirby, Pfeiffer  
NAYS:  
ABSTAIN: Alderman Arnett  
CARRIED: 8/0/1

ORDINANCES & RESOLUTIONS – 1<sup>ST</sup> READING

**O-05-10 For the purpose of deeming conforming those single-family attached dwellings lawfully existing on June 20, 1994, in the C1A Special Conservation Residence District.**

- Alderman Arnett moved to adopt O-05-10 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules & City Government Committee and the Planning Commission.

**O-07-10 For the purpose of establishing rules governing the application for, receipt, deposit, and expenditure of grants by the City of Annapolis.**

- Alderman Arnett moved to adopt O-07-10 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

BUSINESS AND MISCELLANEOUS

1. Budget Revisions GT-15-10 and GT-16-10

Finance Director Elliott was present and answered questions from Council.

- Alderman Hoyle moved to approve budget revision request control numbers GT-15-10 and GT-16-10. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:01 p.m.

Regina C. Watkins-Eldridge, MMC  
City Clerk