

SPECIAL MEETING

February 23, 2009

The Special Meeting of the Annapolis City Council was held on February 23, 2009 in the Council Chamber. Mayor Moyer called the meeting to order at 7:00 p.m.

Present on Roll Call: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Cordle, Stankivic, Shropshire, Arnett

Staff Present: Acting City Attorney Kling, Planning and Zoning Director Arason, Finance Director Elliott

PUBLIC HEARING

CA-01-09 For the purpose of deleting a reference to a previously repealed section of the Annapolis City Charter.

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

- Mayor Moyer declared the public hearing closed.

O-02-09 For the purpose of correcting a reference in the City's Election Code; and, providing a definition and date for "primary election" in the City's Election Code.

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

- Mayor Moyer declared the public hearing closed.

O-43-08 For the purpose of specifying that business community identification signs are permitted in the B2, B3-CD, BCE, I1, B3, BR, and PM2 non-residential zoning districts.

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

Spoke on the ordinance:

Wilford Scott, 308 Carriage Run Road, Annapolis, Maryland 21401
C. Christopher Ledoux, 215 Severn Avenue, Annapolis, Maryland 21403
Doug Smith, 5 Revell Street, Annapolis, Maryland 21401

Spoke in favor of the ordinance:

Currie Mebane, 87 Conduit Street, Annapolis, Maryland 21401 representing Annapolis Design District

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

- Mayor Moyer accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 01/15/08; and Memoranda from Jacquelyn Rouse, Planning Administrator, to the Planning Commission dated 12/18/09 and an e-mail from C. Christopher Ledoux dated 2/23/08 titled Public Hearing on O-43-08 (sign) Tonight.
- Mayor Moyer declared the public hearing closed.

O-01-09 For the purpose of requiring retailers to notify customers if a product's container contains bisphenol-A (BPA) through the use of certain signage; and, assigning the responsibility for implementing

and enforcing this ordinance to the Director of Neighborhood and Environmental Programs.

Spoke on the ordinance

Dr. Steven Hentges, 1300 Wilson Blvd, Arlington, VA 22209 representing American Chemistry Council

Spoke in opposition of the ordinance:

Jeff Zellmer, 171 Conduit Street, Annapolis, Maryland 21401 representing Maryland Retail Association

Lynn L. Bergeson, 1203 Nineteenth Street, N.W., Suite 300, Washington DC 20036 representing North American Metal Packaging Alliance

Paul Foer, 921 Boucher Avenue, Annapolis, Maryland 21403

Bruce C. Bererno, 191 Duke of Gloucester Street, Annapolis, Maryland 21401 representing Safeway Food and Pharmacy

Ellen Valentino, 30 Pinkney Street, Annapolis, Maryland 21401 representing small business owners across the state, the NFIB and 7-11

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

- Mayor Moyer declared the public hearing closed.

At 8:03 p.m., Mayor Moyer requested Alderman Arnett preside over the meeting during her absence.

At 8:27 p.m., Mayor Moyer resumed the duties of the Chair.

O-07-09 For the purpose of specifying compensation and allowances to be paid to the Mayor and Aldermen/Alderwomen for the terms of office commencing on the first Monday in December, 2009.

Members present on behalf of the commission recommendations:

Faye B. Currie, 204 Victor Parkway, Unit C, Annapolis, Maryland 21403
Norman T. Sharps, 17 Bausum Drive, Annapolis, Maryland 21401

Chairperson, Beth Garraway, 904 Creek Drive, Annapolis, Maryland 21403 gave a brief presentation on the ordinance.

Spoke in favor of the ordinance:

Minor Carter, 39 Southgate Avenue, Annapolis, Maryland 21401

Carroll Hynson, 95 West Street, Annapolis, Maryland 21401

Wilford Scott, 308 Carriage Run Road, Annapolis, Maryland 21401

Spoke in opposition to the ordinance:

Scott Bowling, 1979 Fairfax Road, Annapolis, Maryland 21401

Paul Foer, 921 Boucher Avenue, Annapolis, Maryland 21403

Greg Stiverson, 1303 Colony Drive, Annapolis, Maryland 21403

Dennis Conti, 141 E. Bay View Drive, Annapolis, Maryland 21403

Trudy McFall, 205 Scott Drive, Annapolis, Maryland 21401

Michael Pantelides, 1609 Virginia Street, Annapolis, Maryland 21401

Dan Layhe, 10 Highland Road, Annapolis, Maryland 21403

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

- Mayor Moyer accepted into the record the report of the Commission on

Compensation of Elected Officials, Annapolis, MD, dated 2/23/09; and an e-mail from Sean O’Neil, President of the Admiral Heights Improvement Association dated 2/22/09 titled Compensation of the Mayor

- Mayor Moyer declared the public hearing closed.

LEGISLATIVE ACTION

- Alderman Israel moved to amend the agenda to include R-14-09 Seconded. CARRIED on voice vote.

RESOLUTIONS – 2ND READING

R-60-08 For the purpose of the City of Annapolis waiving building and grading permit fees, water/sewer connection fees and charges and capital facility charges for the development of the Light House Homeless Prevention Support Center on Hudson Street in Annapolis, Maryland.

- Alderwoman Hoyle moved to adopt R-60-08 on second reading. Seconded.

Finance Director Elliott was present and answered questions from Council.

- Alderman Israel moved to amend R-60-09 as follows:

On page 2, at line 2 add the following sentence after the language “...hereby waived.” *However, the capital facility assessment charge for this property is not waived.* Seconded. CARRIED on voice vote.

- Alderman Paone moved to amend R-60-09 as follows:

To reduce the waived fees by \$6,150.00. Seconded. DEFEATED on voice vote.

A ROLL CALL vote was taken:

YEAS: Aldermen, Paone, Cordle, Stankivic, Arnett
 NAYS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Shropshire
 DEFEATED: 4/5

- Alderman Stankivic moved to amend R-60-09 as follows:

To reduce the waived by \$6,960.00. Seconded. DEFEATED on voice vote.

A ROLL CALL vote was taken:

YEAS: Aldermen Cordle, Stankivic
 NAYS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Shropshire, Arnett
 DEFEATED: 2/7

The main motion amended A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Shropshire, Arnett
 NAYS: Aldermen Cordle, Stankivic
 CARRIED: 7/2

ORDINANCES & RESOLUTIONS – 1ST READING

O-08-09 For the purpose of approving the lease of certain city-owned property to Cricket Communications, Inc.

- Alderman Arnett moved to adopt O-08-09 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters and Environmental Matters Committees.

The order of the agenda was amended to allow for R-14-09

R-14-09 For the purpose of requesting that public school authorities allow schools which are used for polling places by the County Board of Elections to be used for polling places by the City's Board of Supervisors of Elections in conducting this year's municipal election; and asking state legislators to review this matter to determine if state law concerning the use of schools for civic purposes needs to be clarified.

- Alderman Arnett moved to adopt R-14-09 on first reading. Seconded. CARRIED on voice vote.

There being no voiced objection, the rules were suspended to allow passage of the resolution at the meeting of its introduction.

- Alderman Israel moved to adopt R-14-09 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Cordle, Stankivic, Shropshire, Arnett

NAYS:

CARRIED: 9/0

The order of the agenda was resumed.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:34 p.m.

Regina C. Watkins-Eldridge, CMC
City Clerk