

REGULAR MEETING
March 9, 2009

The Regular Meeting of the Annapolis City Council was held on March 9, 2009 in the Council Chamber. Mayor Moyer called the meeting to order at 7:30 p.m.

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

Staff Present: Acting City Attorney Kling, Finance Director Elliott

- Alderman Arnett moved to approve the Journal of Proceedings for the February 9, 2009 Regular Meeting and February 23, 2009 Special Meeting. Seconded. CARRIED on voice vote.

State of the City Address
by Mayor Ellen O. Moyer

The city of Annapolis is on solid financial footing. Our AA+ Bond Rating, low debt burden ratio averaging .9 of debt to assessed valuation, and a fair amount of liquidity averaging 26% of the general fund during the term of this administration are clear indications of the strength of the cities financial base.

This Administration has been financially prudent, while at the same time moving forward to meet the public needs of a new century.

To quote a financial consultant reviewing City operations, "from a financial perspective, the City of Annapolis is an incredibly stable environment with the ability to make needed investments.

The 2010 fiscal operating budget is \$500,000 less than the 2009 operating budget. The proposed operating budget is \$81,044, 030.

The proposed tax rate tracks the constant yield rate at 53 cents per one hundred dollars of assessed value.

While the city is not faced with the same degree of financial upheavals as government jurisdictions around us and in other states, the city is not without challenges. The City's pension funds, both the Police and Fire Pension Fund and the one maintained by the State for all other employees have suffered significant losses in valuations. In the future, this could mean that both the city and employees would need to contribute more in order to keep the pension system fully funded.

Still we are in a significantly better position than a majority of other government pension plans. In the private market investments that individuals have depended on are shattered. Consumer spending is down. Businesses, large and small are struggling to meet their obligations.

Though the city does not receive any sales tax revenue, other city income as grants, are affected by down-turns in revenues. This budget therefore attempts to avoid actions that would add to economic decline and provide public service with cost and energy efficiencies.

The budget also recommends changes consistent with new 21st century demands. Jobs and cash flow are the lifeblood of our economy. I have, and will continue to make the employee workforce my priority, ensuring Annapolitans will have jobs!

With very little in the way of enhancements, this budget requires departments to continue the same quality service with less. With a thrust of improved technology and more efficiency, and aggressive grant funding, this goal can be met.

Support for Businesses

An international plumbers union - The United Association of Journeymen and Apprentices moved its national headquarters to Annapolis, bringing 300 new jobs and generating additional income for the City. Despite the down-turn in the economy and the closing of some doors for business, the City has issued 96 Occupancy and Use permits for business in this fiscal year.

The Department of Economic Affairs has worked hard to strengthen our economic base, and the recent Union move is proof of their efforts. This year the City was awarded a Main Street program and an Art and Entertainment District by the state. The Annapolis Downtown Partnership is underway. An initial 12-thousand dollar state grant for facade improvements has already generated more than \$200,000 in private investments on commercial buildings.

A task force reviewing the economic impact of the arts will report this spring offering critical information for planning in the Arts and Entertainment district.

Much of the economic vitality of Annapolis is based on a visitor population. Tourism, among the top 3 industries internationally, is a very competitive industry. This city welcomes millions of visitors a year. Combined with resident spending Annapolis sends \$65,683,000 in sales tax to the state coffers. For a city of less than 1% of the states population this amount represents 2% of the sales tax collected state wide.

It is in the States interest as well as those in business to continue to attract visitors to the capital city.

Because of the potential dollars that will be available for businesses through marketing this visitor population, I have brought together business leaders and downtown merchants and Council members to discuss with my staff, concerns as well as public relations actions to reinforce the economic vitality of Annapolis. It is critical that we act on the positive National media exposure we have already received this fiscal year. Annapolis has been identified as a special place to visit by:

The National Geographic who selected the City for its sailing, Forbes for its beauty, and American Style for its art.

While standing at the top of Main Street, few can argue with the American Planning Association award for Main Street as a 'great street.'

Unique archeology discoveries on Fleet and Cornhill Streets have been broadcast internationally through the New York Times and Archeology magazines.

Identifying the city as the Sailing Capital of America helped to secure the Sailing Hall of Fame, a future premier visitor attraction.

And Benny, the Fire departments hazardous chemical trained top- of-the-class #1 award winning dog, achieved some fame for the city too.

These awards provide a strong marketing base for the business community.

Living History Together continues to be a strong impetus for visitors who just like to wander downtown, walking in the footsteps of George Washington in today's National Historic Landmark and Capital City. The City staff is working actively with staff in our nation's capital to promote transportation to Annapolis with hopes of capturing some of the 20,000,000 visitors to DC.

Public and private partnerships brought Mayors and visitors from sister cities in Ireland, England, Nova Scotia and China. The state department brought many more

delegations from foreign countries to explore local government at work under-scoring the importance of international connections to the city.

This summer young students from sister city Rochefort, France, where Lafayette's ship that sailed to America to join our revolution, is being built, will visit Annapolis to sail on the Chesapeake Bay.

Public Information: Essential To City Vitality

Understanding the value of public information and its value to marketing the city, through the dedicated public access fund the City has expanded its COA-TV programming with Comcast and Verizon this year. Hotels in Annapolis will soon be linked to the city's television station, promoting downtown Annapolis as part of a major marketing campaign. Our TV station, along with our website, is undergoing a community friendly re-design to be unveiled this spring. Video streaming of events, emphasizing a new approach to community out-reach has been added to the Annapolis.gov website. Annapolis.gov also won a 6th place award for design this year.

The City Magazine provides critical information on the work of the city. It has proved to be a valuable marketing tool for people exploring the city for business opportunities. It is popular with visitors. Distributed to each resident it enables citizens to be an advocate for the place they call home.

This budget continues funding for the community outreach and marketing tools that under-pin our non-manufacturing economy. Each of us, elected leader, business owner and resident has a stake in maintaining our visitor attraction and economic vitality. Each of us can be an ambassador for the city. An attitude that emphasizes the good things that happen is the strongest sales tool.

Annapolis Youth- Our Future

Young people are our future. The Office of Youth and Community Action launched a scholarship program called Rock-for-Youth. The program invites all city residents to contribute to build a million dollar fund to help send Annapolis High School graduates who otherwise would not have the opportunity to go to college. Five students have been selected and will begin studies at the Anne Arundel Community College this fall.

Over the last 6 months the office has provided training to at risk youth through the Sherwin Williams home maintenance program and a wooden window repair program. A \$100,000 grant on lead paint removal offers a training program to certify workers in the process. Working with our federal partners requests for funds for skill building in green technology, particularly for certified energy auditors is underway.

A base of skilled energy auditors is crucial to the work of Annapolis EZ, the innovative public-private partnership loan program to help residents transform homes and business buildings into energy efficiency. This program while privately funded (and used as a model by Congressman Chris Van Hollen for a federal funding program) joins other city loan initiatives as the Sprinkler fund and the historic district building façade program.

Volunteers – An Exceptional City Asset

The commitment of people to make a difference in the world they live in locally keeps Annapolis strong. Like the United Way, the city has created a variety of volunteer choices for pocket-book contributions. If education is an interest Rock for Youth may be your choice. If reduction of emissions and carbon off-sets is your interest, than DNEPS program, similar to terra pass will help the city meet its carbon reduction goals by 25% over 2006 levels by 2012 may be your choice. If celebrating our nations birthday on July 4 is an interest than contribution to that fund with Recreation and Parks may be your choice. Greenscape, the cities landscaping and earth day program, also accepts contributions.

In addition to opportunities for gifting, citizens are involved in contributing time and skills to a variety of boards and commissions. Following the Lets Talk Conversations which engaged 900 citizens, 32 residents volunteered for the Citizens Advisory Commission that has recommended the comprehensive plan that will guide the cities land use for the next 10 years. This year over 250 people volunteered for, and serve on, city boards as the Historic Preservation Commission, Art in Public Places Commission, Planning commission, Board of Appeals, Maritime Advisory Board, Liquor Board, Port Wardens Commission, Environmental Commission, Conservancy Board, Recreation and Parks Advisory Board, Blue Ribbon Task Force on Revenue, Task force on Arts and Humanities, Downtown Partnership Board, Arts and Entertainment Board, West Street Vision Team, Economic Development Strategy Team, Parking Advisory Board, Bicycle Task Force, Compensation Commission, Safe Street Commission, Rock for Youth Board, Lincoln Walk Committee and more, illustrating the open and participatory nature of government in Annapolis. Another 1000 people and midshipmen volunteer time with Greenscape and creek clean-up and restoration efforts. The city leaders need to be mindful and protective of the processes of openness in government that nurtures willingness of citizens to contribute time and money to keep their city and quality of life strong.

Annapolis, the Emerald City- All Things Green

Annapolis has always been ahead of other jurisdictions on environmental initiatives. The City was twenty-nine years ahead on tree canopy protection. It is a leader in urban localities in the State with a 42% tree canopy. The City's agreement with DNR to reach a 50% goal means planting 1000 trees a year, a goal we continue to meet.

For more than 30 years we have led the way in urban open space with 19 street-end parks and 200 acres preserved through our public land trust. Our laws on the environment are the strongest in the state embodying best management practices and are used by other agencies as examples of what local government can do to make a difference.

The cities new sustainable community action plan challenges us in new ways to make a difference. Looking to reduce our carbon foot print the administration is moving on efforts to convert our bus fleet to natural gas.(a cost reduction) Meetings are being held with the staff of T-bone Pickens for grant support for this conversion. Meetings are underway on partnership with the state for use of its underutilized CNG station.

Legislation introduced tonight will launch a clean-air auto program. I am also asking for a committee to explore the feasibility of a carbon tax with dividends (a revenue enhancement) for the city of Annapolis. When all is said and done under the current green band wagon Annapolis, the state capital, should be dubbed the emerald city of Maryland, because Annapolis IS "Green."

Another City Environmental First - Leading By Example

This year Annapolis became the first municipality to complete an urban watershed action plan. Programs identified that are 'shovel ready' are being pursued with our congressional leadership and the states economic recovery program. Included are two innovative programs on nitrogen reduction in our creeks and storm drain retrofits. If these studies prove positive we will be able to save thousands of dollars in the future for cleaning up our waterways and meeting goals soon to be imposed by the EPA.

A goal to reduce the cities impervious surfaces from 42% to 26% is recommended. Leading by example the city introduced rain gardens in the dock area with its reconstruction of the deteriorating bulkheads. Rain gardens at the stadium site and surface change on several acres of land also reduced our impervious surfaces but we have much more to do and this is reflected in the budget.

In March, Back Creek Nature Park opens to provide an 11 acre national model environmental education center. Street-end parks are being converted to meet new environmental standards for capturing and filtering rainwater.

And finally through the tireless and sometimes frustrating efforts of the city's leadership in Recreation and Parks, a new recreation center is underway. The budget reflects an anticipated new income for a "Pay to Play", when the facility opens this autumn. It too is state of the art with green roofs, capture of rainwater for use on athletic fields, rain gardens and pervious surface parking lots. An RFQ is underway for proposals for the use of the recreation center on St. Mary's street, built as a USO center in the 1940s, that should bring additional revenue to the city.

Keeping Up With Capital Improvements

Short term gains at the expense of long term gains left this city facing infrastructure stress in 2001 with Council approved capital programs stalled for 15 years. This administration has been aggressive in completing the approved CIP program. West street improvements, bringing more than \$219,000,000 in new assessments has breathed new life into the cities economic vitality fostering business friendly programs like First Sundays.

The long over-due bricking of streets and sidewalks, has added to the warm and historical feel of our capital district. It also fosters the impression that we care about ourselves. Major roadways along Forest Drive in Parole and on Edgewood road improved neighborhood stability and pedestrian safety. Long awaited undergrounding of utilities is underway in the historic district. New updated office space has been created serving city staff and the public we serve.

New times demand new improvements. Our historic city hall needs major mending. Energy demands and innovations require new vision. Space needs to meet public demand for services are not yet resolved. New capital programs reflect recognition of needs to reduce the carbon footprint, harness energy in new ways, reduce impervious surface, acquire space to complete the cities community outreach efforts, advances in transportation and transit, restore the 80 year old water plant and upgrade outer west street improvements anticipated as an outcome of the volunteer citizen committee. Downtown revitalization recommended for Clay and Washington Street and Compromise Street as proposed by the Office of Planning and Zoning is also included as new programs for the future.

The Past Is Prologue.

Walking down memory lane for a moment Police Chief Joe Johnson came into the city to rescue a department torn by personnel conflicts and low morale. Morale improved however by 2001 newly trained officers were leaving the city for territories with better pay. 11 officers were leaving for every 3 hired. Stopping that hemorrhage was a top priority. Today APD is at the tops in the state for pay and benefits. The lowest crime rates since 1990 have occurred during the last seven years.

This year under Chief Michael Pristoop the crime rate may be the lowest yet as we wage a new war on the use of illegal drugs and guns. The addition of 2 drug trained dogs, recommended by a volunteer public safety team has benefited this effort.

The Annapolis model of a safe street initiative involving coordination with state agencies has proved successful and is likely to be replicated in another local government. A new \$562,000 grant for a 911 center has been received. With our Emergency Operations program the city is a partner on a federally funded radio communications system that covers five counties and Baltimore City.

Grant Funding - Essential To City Public Service

The city is aggressively pursuing federal, state and private grant funds. Approximately 20 programs have been filed with the state for economic recovery dollars

on shovel ready programs addressing the priorities identified by congress. This year 25 staff members were trained through a program at the Anne Arundel Community College in grant writing.

Since the property tax only covers 54% of the City budget aggressive pursuit of other revenues is essential to providing quality public service. Over the last decade income from intergovernmental sources has increased by 94.9% from seven million dollars to fourteen million dollars. Other grant sources have increased by 364.8% from \$1,036,900 to \$4,819,760. Miscellaneous revenues have increased from \$186,000 to \$1,965,000.

This year we will begin to see the first new income from insurance agencies on medical emergencies. An anticipated annexation on West Street will push up our assessable base to provide additional revenue next year. With very little in the way of enhancements, this budget requires departments to continue the same quality service with less. With a thrust of improved technology and more efficiency, this goal can be met.

We have also worked to reduce costs. Moving to a "self-funding" model for health benefits from a "fully insured" model has provided an annual 10% cost saving. Self insuring for workers' compensation has produced an annual savings of more than \$650,000 since 2003. Other department savings from consortium purchases of fuel and electricity equate to more than \$100,000 annually.

Sustainable efforts through DNEP have also reduced costs. The "Track-It" software increased efficiency and reduced time in the permitting process and the IVR-Interactive Voice Response allows contractors to call for permit status 24-7, making it more contractor friendly. Purchasing smart cars and scooters when feasible in our vehicle replacement fund continues to provide cost savings.

New Challenges - New Changes

Transportation and transit related issues, technology, the environment and the economy dominate 21st century issues. To meet these challenges I am recommending the following initiatives.

In transportation and transit:

The transportation planner in Planning and Zoning has been moved to the Department of Transportation to better deal with issues related to moving people from Parole Centers, DC and Baltimore.

A new emphasis has been placed on issues related to alternative transportation, bicycle initiatives and parking enforcement. A staff person will create the positive energy needed to promote and implement these programs citywide.

Parking enforcement staff will be moved from the police department to the transportation department. A license scanner will be purchased to enhance parking enforcement.

The Washington D.C. and BWI transportation routes will be bid in the private market. The city has worked cooperatively with Dillon's bus service to continue the 921 service. This will be renamed the Capital to Capital line, expanded to the week-end and marketed in D.C. and Baltimore to draw visitors in those cities to Annapolis consistent with our tourism strategy. Service to BWI and New Carrollton opens up opportunities for people to travel to any place on the globe and reduces dependence on auto and parking capacity. Grant money is being pursued for residents who commute to Annapolis, DC and BWI for work.

After reviewing the success of dock Pay and Display parking, the city will shift to a pay and display program in the city dock, Main Street, Prince George and other residential streets. This is anticipated to enhance revenue for parking by 10%. The Knighton garage, which loses money, will serve as a garage model for pay and display. Savings secured will outfit the garage for hybrid vehicles to re-charge. The free city

shuttle passes Knighton garage 90 times a day. A marketing plan for this best kept secret is being developed.

A dedicated funding source from assets of the pay and display off-street parking areas to enhance frequency and extended hours for the transit system. Bus maintenance will be out-sourced. (An expected cost saving) City ordinances will be revised to reflect these changes.

In technology the following changes are proposed:

The MIT Department serves a community outreach function which through the external web site is under going improvements to meet new demands for public services. The MIT department began primarily as a support service to city agencies moving into the computer age. Today however the infrastructure is out dated. The email system is not integrated into the system platform. No overall plan to update the existing infrastructure, replace legacy systems or increase automation exists.

The department is understaffed. Consultants reviewing MIT operations recommend in the long term that MIT become a separate department with a Chief Information Officer reporting directly to the Mayor. More advance systems are needed to meet automation, efficiency and disaster recovery.

Outsourcing of infrastructure could provide lower costs at a higher level of service. Leasing city fiber optic space should be explored as a new revenue stream. These changes are necessary and expensive. And will have to be the focus of another administration.

However, to jumpstart these changes I am requesting money for support to develop a strategic plan that documents business requirements city wide and map needed functionality to support citizen services and regular operations. This effort would be the foundation for selection of new systems in line with advanced technological tools in today's world to be considered in 2010.

To keep staff up to date on the use of technology money for training staff in each department is recommended in the Human Resources budget to improve user access to information and reports necessary for data via the web. Redesigning the annual performance employee review process is also needed.

The last issue in need of remedy is the Market House. While our lawyers prepare for a June 9 trial date, the Market House sits vacant through the abuse and misuse of the privately contracted managers retained by the city, in good faith, to provide an important service to those who visit this city and to those who live and work here.

By failing to meet its obligations outlined in the lease over an extended period of time, Market House Ventures LLC has defaulted on its lease. We have formally notified Market House Ventures that they are in default of their lease for both failure to pay rent AND for failure to make meaningful and good faith efforts to fill the empty stalls in the Market House.

Additionally, I have directed our lawyers to aggressively explore whether the City should exercise eminent domain and condemn the Market House lease and quickly return the Market House to City control. I expect to have their conclusion and any recommendations no later than our regular April meeting.

One of our greatest challenges this city faces comes at a high cost, but has no dollar amount attached to it. Our ability to be civil with one another and interact with out accusing or pointing fingers is a challenge I have tried to address since my first year as mayor. The "Let's Talk Annapolis" forums and luncheons, the Civility panel and discussions, were all part of an attempt to open a dialog and make the city better through the ideas of its own residents.

During this election year, we need to keep discussions open with a civil approach to problem solving involving city officials, the public and the media.

As a courtesy to the next mayor and council, here is a little fact that has been lost through the years, but once ruled the harsh tongues in the new colony of Maryland.

A law against spreading false news and information was proposed by Proprietor Lord Baltimore. The law declared: "Spreading false news to make discord is punishable by common law, with fines and imprisonment."

An attempt to create a civil environment has been the focus of leaders dating back to Lord Baltimore. In 1651, commenting on rumor and intentional false statements in a letter, he stated, "... A government divided in itself brings confusion and much misery upon all the people under it, within the creators of such division, the fomenters of discord must justly expect sad calamities from the same if they do not in time see and rectify the same, for the public peace and welfare of the people under the government,"...

The focus of Lord Baltimore's comments of law, were part of the new colony's formation and success. The spread of intentional falsehoods could not be tolerated. These same principals are used today regarding slander and libel. 358 years later.... the fight for civility continues!

This budget recommends some bold new steps for change, suggests potential revenue enhancements and cost savings, addresses the challenges ahead of us and maintains public service demands at the constant yield tax rate that citizens deserve.

In closing, this budget speaks to the republicans and the democrats, the business leaders, civic leaders and faith-based leaders. This budget takes into account the great expectations of a great city and responsibly maintains a balanced budget for the next Mayor and Council to work with.

This is my last State of the City address. As I leave you with this budget to work with, I also leave you with this thought. I ran as Mayor 7 years ago, hoping to leave this city better than I found it. I believe I have accomplished that, and I hope this budget represents some of my efforts.

Attachments:

The budget;

Legislation; 1.Clean Air Initiative O-12-09

PETITIONS, REPORTS AND COMMUNICATIONS

David Hanson, 721 Genessee Street, Annapolis, Maryland 21401 spoke in favor of O-47-08

Tony Evans, 3 Constitutional Square, Annapolis, Maryland 21401 spoke on Arthur Greenbaum, Republican Candidates, Market House, 2009 Municipal Elections and the budget

Trudy McFall, 205 Scott Drive, Annapolis, Maryland 21401 spoke in opposition to the proposed increase in the Mayor's salary

Arthur Kungle, Jr., P.O. Box 365, Annapolis, Maryland 21401-0365 spoke on various subjects

CHARTER AMENDMENTS

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

- Alderman Israel moved to adopt CA-01-09 on second reading. Seconded.

The Rules and City Government Committee reported favorable with amendments on CA-01-09.

- Alderman Israel moved to amend CA-01-09 as follows:

Amendment # 1

On unnumbered first page, line 12, strike “deleting” thorough “to” and substitute “restoring”.

Amendment #2

On unnumbered first page, line 26, unstrike “5” and strike “3”.

Amendment #3

On unnumbered first page, line 31, unstrike “Article II, Section 5 of this Charter” and strike “Annapolis City Code, Title 4”.

Amendment #4

On page 2, after line 3, insert:

“Article II, Section 5. Primary election dates; municipal election dates; term dates.

Nomination for a mayor and for one (1) alderman from each ward in the city shall be made by direct vote of the respective political parties at primary elections to be held in the city for the several candidates for mayor and, in each ward of the city, for the several candidates for aldermen, on the third Tuesday of September in each year in which municipal elections in the city are to be held. Municipal elections shall be held on the first Tuesday after the first Monday in November in every fourth year, beginning with the year 1985. However, in the event an election will occur on the same day as the public observance of a religious holiday, or in case of severe weather, the board of supervisors of elections shall have the authority to reschedule the election to a day within one week of the day prescribed by this section. The mayor and aldermen elected at each municipal election shall qualify in the manner prescribed by Article II, Section 3 of this Charter, and shall take office on the first Monday in December of the year in which they are elected and shall hold office until the first Monday in December in the fourth year following, or until their successors are elected and qualify.”

Amendment #5

On unnumbered first page, after line 17, insert “**BY** reenacting the following portion of the City Charter: Article II, Section 5.”

Seconded. CARRIED on voice vote.

The main motion CARRIED on voice vote.

- Alderman Stankivic moved to adopt CA-01-09 on third 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 amended to allow for O-02-09

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.

- Alderman Israel moved to withdraw O-02-09 on second reader. Seconded. CARRIED on voice vote.

The order of the agenda was resumed.

ORDINANCES & RESOLUTIONS – 2ND READING

O-25-08 For the purpose of permitting limited additions to existing non-conforming duplexes in the R2 District.

- Alderman Israel moved to adopt O-25-08 on second reading. Seconded.

The Rules and City Government Committee and Planning Commission reported favorable with amendments on O-25-08.

- Alderman Israel moved to amend O-25-08 as follows:

Amendment #1

On page 3, in the “Dwellings, two-family” cell, strike superscript “1” and insert in R2 column on same row.

Amendment #2

On page 3, insert superscript “2” in C1A column.

Amendment #3

On page 5, immediately beneath footnote 1, insert: “2. Attached units existing on August 10, 1970, may be altered or enlarged provided that the alteration or enlargement otherwise meets the provisions of the C1A zoning district except that the shared lot line between attached units will have no setback requirement, and subject to minor site design plan approval and review by the Historic Preservation Commission under Section 21.56 of this Code.” Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

A ROLL CALL vote was taken:

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

NAYS: Stankivic, Shropshire, Arnett

CARRIED: 6/3

- Alderman Israel moved to adopt O-25-08 amended on third reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS: Stankivic, Arnett

CARRIED: 7/2

O-45-08 For the purpose of expanding the exempt service of the City of Annapolis by the incorporation of the paralegal position into the exempt service.

- Alderman Israel moved to withdraw O-45-08 on second reading. Seconded. CARRIED on voice.

The order of the agenda was amended to allow for R-20-09

R-20-09 For the purpose of approving the new job description for the Paralegal position.

- Alderman Arnett moved to adopt R-20-09 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee

The order of the agenda was resumed.

O-46-08 For the purpose of authorizing a lease of certain municipal property located at 110 Compromise Street aka The Donner Lot and the Public Parking Lot between Fleet Reserve and Fawcett Boat Supplies from June 7, 2009 to June 6, 2010 subject to certain terms, provisions, and conditions, for the purpose of conducting a open-air farmers market.

- Alderman Arnett moved to adopt O-46-08 on second reading. Seconded.

The Economic Matters Committee reported favorable with amendments on O-46-08.

- Alderman Arnett moved to amend O-46-08 as follows:

Amendment #1

On the unnumbered first page, line 15, strike “June 7” and substitute “May 3”.

On page 2, line 3, strike “June 7” and substitute “May 3”.

On page 1 of the lease, in the table after line 30, strike “June 7” and substitute “May 3”.

On page 3 of the lease, in the table after line 4, strike “June 7” and substitute “May 3”.

Amendment #2

On page 1 of the lease, line 3, strike “2007” and substitute “2009”.

Amendment #3

On page 1 of the lease, in the table after line 30, insert “With the exception of October 11 and October 18, 2009” in an additional cell under the “From” and “To” cells.

On page 3 of the lease, in the table after line 4, insert “, with the exception of October 11 and October 18, 2009” in the “Dates” cell immediately following “2009”.

Amendment #4

On page 5 of the lease, line 20, strike “2008” and substitute “2009”.

Amendment #5

On page 11 of the lease, line 9, strike “2008” and substitute “2009”.

Amendment #6

On page 11 of the lease, after line 33, insert signature and date line for City Attorney's review. Under signature and date line, insert "Reviewed for legal sufficiency, Steve Kling, Acting City Attorney". Seconded. CARRIED on voice vote.

- Alderman Paone moved to amend O-46-08 as follows:

In the lease, on page 1, in line 32 delete "\$1.00" and add "\$400.00" Seconded. DEFEATED on voice vote.

A ROLL CALL vote was taken:

YEAS: Aldermen Paone, Cordle, Stankivic

NAYS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Shropshire, Arnett

DEFEATED: 3/6

The main motion as amended CARRIED on voice vote.

- Alderwoman Finlayson moved to adopt O-46-08 amended on third reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS: Aldermen Paone, Stankivic

CARRIED: 7/2

O-47-08 For the purpose of authorizing a lease of certain municipal property located in the harbor and Dock Street areas to the Maryland Maritime Heritage Festival, Inc., a body corporate, from April 29 to May 4, 2009, subject to certain terms, provisions, and conditions, for the purpose of conducting a maritime festival.

- Alderman Shropshire moved to adopt O-47-08 on second reading. Seconded.

The Economic Matters Committee reported favorable with amendments on O-47-08.

- Alderman Shropshire moved to amend O-47-08 as follows:

Amendment #1

On page 4, immediately following the table, insert: "Section 1.15. FRESHFARM MARKETS, INC. Access and Free Use: Lessee and its assigns shall permit FRESHFARM MARKETS, INC. access to and free use of the Donner Parking Lot and the Public Parking Lot between Fleet Reserve and Fawcett Boat Supplies as reflected in "Area C" on Exhibit A during Sunday, May 3, 2009, between the hours of 6 a.m. and 2 p.m."

Amendment #2

On page 6, following line 6 in the table, strike "5:00 p.m." and substitute "7:00 p.m."

Amendment #3

On page 8, line 20, strike "March 1" and substitute "April 1".

Amendment #4

On page 15, after line 25, insert signature and date line for City Attorney's review. Under signature and date line, insert "Reviewed for legal sufficiency, Steve Kling, Acting City Attorney." Seconded. CARRIED on voice vote.

- Alderman Paone moved to amend O-47-08 as follows:

In the lease, on page 4, in line 2 delete "\$1.00" and add "\$200.00" Seconded. DEFEATED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderwoman Hoyle moved to adopt O-47-08 amended on third reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS: Alderman Stankivic

CARRIED: 8/1

R-06-09 For the purpose of amending the boundaries of the Annapolis/West Street Target Investment Zone designated in the State approved Management Plan in order to extend Target Investment Zone benefits, including eligibility for capital grants, loans and Heritage Preservation Tax Credits from the Maryland Heritage Areas Authority Program to properties in the expanded area including Maryland Hall and the Wiley H. Bates Legacy Center.

- Alderman Arnett moved to adopt R-06-09 on second reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS: Aldermen Paone, Stankivic

CARRIED: 7/2

R-07-09 For the purpose of approving the new job description for the Storm Water Management Engineer position.

- Alderman Arnett moved to adopt R-07-09 on second reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS: Aldermen Paone, Stankivic

CARRIED: 7/2

R-08-09 For the purpose of approving the new job description for the Public Works Maintenance Worker II position.

- Alderwoman Hoyle moved to adopt R-08-09 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Cordle,

Shropshire, Arnett
NAYS: Aldermen Paone, Stankivic
CARRIED: 7/2

R-12-09 For the purpose of permitting the temporary sale of merchandise and non-alcoholic items in front of participating businesses on specified sidewalks in connection with the March Madness Sidewalk Sale organized by the Annapolis Business Association to be held on March 27, 28, and 29, 2009.

- Alderman Shropshire moved to adopt R-12-09 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

ORDINANCES & RESOLUTIONS – 1ST READING

O-09-09 For the purpose of authorizing for fiscal year 2015 the lease of certain municipal property located at the City Dock to Chesapeake Marine Tours, Inc., for the docking and mooring of certain boats.

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

Referred to the Economic Matters Committee.

O-10-09 For the purpose of authorizing a lease of certain municipal property located in the Susan Campbell Park and City Dock areas to the Race Across America (RAAM) for the period of June 25 to June 29, 2009, subject to certain terms, provisions, and conditions.

- Alderwoman Hoyle moved to adopt O-10-09 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee.

O-11-09 For the purpose of adopting an operating budget for the City of Annapolis for the Fiscal Year 2010; appropriating funds for expenditures for the Fiscal Year 2010; defraying all expenses and liabilities of the City of Annapolis and levying same for the purposes specified; specifying certain duties of the Director of Finance; and, specifying a rate of interest to be charged upon overdue property taxes.

- Alderwoman Hoyle moved to adopt O-11-09 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

R-15-09 For the purpose of expressing the City's gratitude for the University of Maryland's "City of Annapolis Archeology Fellowship"; joining the interests of the University of Maryland in creating an off-campus archeology classroom; and, integrating the University's program into the Annapolis Public Works Administration's street and under grounding utilities initiative.

- Alderman Shropshire moved to adopt R-15-09 on first reading. Seconded. CARRIED on voice vote.

R-16-09 For the purpose of supporting the Chesapeake Bay Foundation (CBF) in its effort to enforce the Clean Water Act and the Chesapeake 2000 Agreement and reiterate the City of Annapolis' commitment to reduce pollution in the Chesapeake Bay.

- Alderman Arnett moved to adopt R-16-09 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 Shropshire moved to adopt R-16-09 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

R-17-09 For the purpose of adopting a capital improvement budget for the Fiscal Year 2010, and a capital improvement program for the six-year period from July 1, 2009, to June 30, 2015.

- Alderwoman Hoyle moved to adopt R-17-09 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee

R-18-09 For the purpose of specific fees that will be charged for the use of City services for FY 2010.

- Alderman Arnett moved to adopt R-18-09 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee

R-19-09 For the purpose of waiving fees for City services to be provided in connection with the Maryland Avenue Spring Fling on April 26, 2009, the Maryland Avenue Irish Festival on June 21, 2009, the Maryland Avenue Annual Street Festival on September 20, 2009, and the Halloween Festival on October 25, 2009.

- Alderman Israel moved to adopt R-19-09 on first reading. Seconded. Carried on voice vote.

Referred to the Finance Committee

O-12-09 For the purpose of requiring vehicles owned or licensed by City of Annapolis to operate clean air vehicles over a four-year period; specifying what vehicle types satisfy the requirement; and, providing exceptions for certain special purpose vehicles.

- Alderman Arnett moved to adopt O-12-09 on first reading. Seconded. CARRIED on voice vote.

Referred to the Public Safety and Economic Matters Committees.

BUSINESS AND MISCELLANEOUS

1. Appointments

- Alderman Arnett moved the approval the Mayor's appointment of the following individuals:

3/9/09 Board of Supervisors of Elections.....Michael R. Parmele

Seconded. CARRIED on voice vote.

2. Budget Amendments GT-12-09, GT-15-09, GT-16-09, GT-17-09, GT-18- 09, and GT-19-09

- Alderwoman Hoyle moved to accept budget amendments GT-12-09, GT-15-09, GT-16-09, GT-17-09, GT-18-09, and GT-19-09. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:24 p.m.

Regina C. Watkins-Eldridge, CMC
City Clerk

Note: R-48-08 failed by operation of law.