

## REGULAR MEETING

March 12, 2007

The Regular Meeting of the Annapolis City Council was held on March 12, 2007 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, Christman, Cordle, Stankivic, Shropshire, Arnett

Staff Present: City Attorney Spencer, Public Works Director Patmore

### THE STATE OF THE CITY OF ANNAPOLIS

The City of Annapolis plays an important cultural and economic role in both the State of Maryland and Anne Arundel County. We are recognized as an international maritime center, an award-winning historic state capital, a city of extraordinary vitality, and a local, national, and international visitor destination. We are almost perfect. However, new issues in public works, transportation, environment, public safety, and community spirit challenge us. To meet these challenges, a budget of \$74.3 million with a property tax rate of 53 cents is proposed.

Generating revenues for public service gets tougher every year. Reaction to the “don’t-tread-on-my-pocketbook” cries of the last 30 years has resulted in significant changes in revenue sharing between government agencies. The federal government gives back fewer dollars in grants to the state. The state absorbs dollars that were once shared with local government. Revenue from sales tax, excise, and sin taxes that were once shared now go directly to the state coffers.

Some 4 million visitors come to Annapolis, the state capital, every year. Visitors and residents add approximately 150 million dollars to the state general fund. That is 1.1% of the State’s operating budget, quite a tidy sum for a 7 square mile jurisdiction with 36,000 residents representing only 1% of the Baltimore Metropolitan Area population.

The unintended consequences of the “don’t tax” mentality have been more dollars for the state and fewer dollars shared with cities and towns where the majority of us live and the demand for public services is the greatest. We are increasingly challenged to provide the highest standard of public service, with comparatively less to work with.

### Taxes: A Peek at the History

In 1887, 120 years ago, the Annapolis City Council-without squabble or debate- established a tax rate of \$.75 per \$100 of property assessed value. Property was assessed by frontage foot at approximately \$10 per foot. Therefore, a property owner with 100-foot wide lot would pay \$7.50 in property tax. In today's terms, that \$.75 would be equal to \$15.27; so, the comparable tax bill would have been \$1,527.00.

Even back then, the city public works department was facing new challenges: lighting the city streets and digging wells 220 feet deep to secure safe drinking water. The city was, as it is today, a full service municipality with a police and fire department, a market manager, a health officer, a law office, a public works department, a city clerk, parks and skating rinks, a library, a finance office and standing committees. The legislature met and the USNA was thriving as it continues to do today.

Twenty years ago, property owners paid \$3.49 per hundred dollars of assessed value (\$6.22 today). That sum included money to the City, County, and State. Today an Annapolis resident pays \$1.19: 53 cents to the City (picture two quarters, three pennies next to a \$100 bill), 54.8 cents to the County, principally for education, and 11.2 cents to the State. Comparatively, residents pay less today for public services than any time in the past.

### Advances in Public Works have Changed Our Lives

In the historic Public Works garage off Defense Highway, the City houses a man-powered, two-wheeled fire engine. Other fire memorabilia includes a leather bucket assigned to families for dipping water from the town well to be used by a brigade to douse fires. The City also has a wooden pipe, one of the first used for an underground water transport system. Such is the stuff of the recent past.

In a very short time - driven by a population explosion unprecedented in history - our needs and methods of providing public service has changed dramatically. We live in a world unimaginable to the lamp lighter that walked the streets turning on the lights, or, as a cost-saving measure, NOT lighting on cloudless, full-moon nights.

Today's world is unbelievably more complex; technology has made it possible to land on the moon, explore the terrain of Mars, and instantly communicate through the Internet with people thousands of miles away. Today, we fight fires and save lives in new ways. Water systems (sprinklers) in buildings would now douse fires at the first sign of trouble.

### Deferred Maintenance Takes its Toll

The cry 'don't tread on my pocketbook,' has reduced revenue and expenditures, and that has resulted in deferred maintenance of major infrastructures. In many instances, we do not have the capacity to provide water dousing; hundred-year-old pipes must be replaced and utility wires, an impediment to fire suppression, must be buried underground. The estimated cost to upgrade to 21<sup>st</sup> century standards over the next 10 years is \$150 million; about what the City contributes to the state in a single year. If we are to achieve this major public works upgrade there can be no tax rate decrease this year, or in the near future, as there has been in each of the last four years of this administration. In fact, without state and federal partnership in this fiscal undertaking, it will take far longer than 10 years to accomplish.

Deferred maintenance has also taken its toll on city buildings. City Hall, first built in 1767 with lottery funds, was renovated in 1867. The ballroom or chamber is failing; it must be restored before more plaster tumbles down, rendering us unconscious or worse.

Therefore, I am asking for additional staff support to repair our historic buildings - City Hall, the Maynard Burgess House, the Stanton Center and Public Works buildings. This work must be done, and has been put off for far too long. As any homeowner knows, the longer we wait to do these necessary repairs, the more expensive they will become.

### New Partnerships for Higher Standards

Let's Talk conversations with the people of this City reveal concerns about public safety, education, recreation, land-use, traffic, transportation, clean air, clean water, affordable housing... in other words, a higher standard of service that brings about that ever-elusive "quality of life." However, conversations did not reveal how to pay for these higher standards of service.

A city of 36,000 souls with 20% of its property non-taxable because it belongs to the Federal Government, or State Government, or County Government, or Board of Education, or Church, or one of Annapolis's very special nonprofit's, cannot depend on residence property tax dollars alone to meet new challenges for excellence. More than ever, we need funding partners. In stock market terms - we need to diversify our portfolio to increase our wealth.

Reconstruction of the city docks failing infrastructure is an example of a diverse and collaborative partnership between the City, the Federal Government, State agencies, the USNA, the Stadium Authority, Boat Shows USA, the National Sailing Hall of Fame and other businesses, individuals, and nonprofit groups. A revitalized city dock could not have been achieved without this cooperative partnership.

To expand new partnerships for our revitalization programs, I am proposing restructuring the Office of Economic Development into a Department. The new Department will have an Office of Minority and Small Business Development and an Office of Community Investment empowered to receive private contributions. This reorganization will help to secure the use of Community Reinvestment funds seldom used in the City. Private investment is critical to neighborhood revitalization programs such as Clay and Washington Streets, and outer West Street, the historic gateway to the Capital City. In the future, innovation and excellence will demand new ways of work and collaborative sharing of limited resources.

#### Out of the Car

Despite popular perception, Annapolis is not a “no parking” town. The City has been fortunate to increase parking opportunities. The State Garage on Bladen Street, Larkin Street and South Street surface lots are open for evening and weekend employee and resident parking. The NAAA stadium lot is organized, and Park Place will bring 600 new spaces online. Knighton garage will offer a hundred more opportunities for parking by permit. The West Street corridor is alive, well, and sustained by an active and dedicated Business Association. To serve the people using the new parking lots, this budget asks for additional money for high frequency shuttles essential to reducing traffic.

#### Meeting Energy Efficiency Goals

Last year the council passed a resolution establishing energy efficiency goals. New buildings with green roofs and lighting efficiencies are moving us toward LEED certification. Staff support in green technology is essential to meet the goals set by the council to reduce our dependence on foreign oil.

The environment is always high on the list of concerns of city residents. The upgrade of Back Creek Park Eco-education Center is testament to the power of volunteers and a lot of grant money. Park enhancement continues and includes the pursuit of acquisition of the Rodgers property -- 7 acres on the Bay adjoining Back Creek Park. The capital program also reinforces improving the city's watershed. To further this goal the administration is pursuing with DNR a new partnership as the state's first urban watershed tributary designation. This would bring new resources to achieve clean water, reduction of impervious surfaces and wetland protection.

#### Community Crime

After a 15-year low in crime statistics, the illegal drug business is challenging our public safety. An increase in neighborhood watch, new recreation programs, after- school programs, and community center openings, have not stopped a renewed tide of violence being experienced in cities across the nation. While last year's upsurge in crime was still lower than 12 other years since 1990, the combination of illegal drugs, illegal guns, and aggressive attitudes still threatens us. The Citizens Committee on Community Crime chaired by Reverend Callie Matthews will explore new programs for at-risk youth. City police will continue partnership with the County, the school system, Juvenile Services, and the Justice Department on a strategic short-term and long-term program to quell the sources of violence. The City must also bring new resources to this partnership and I am asking to reserve dollars for new programs being planned.

#### Continuing Issues

Old challenges continue: a citizens committee is meeting every two weeks to address State Law HB 1141 on growth; a Comprehensive Plan Committee is addressing land-use and a new 10-year vision focused on community character. Volunteer citizens are assessing actions that will sustain, improve, and inspire our community. Both groups are attempting to enhance the quality of life for ourselves and for the benefit of those who come after us. Their tasks will be completed by January 2008 in time for next year's budget.

Our City employees are dedicated and professional public servants, recognized by their peers

as being among the best in their areas of expertise. Our budget must reflect the salaries and benefits commensurate with this professional and dedicated workforce. We must be able to continue to recruit and retain excellent civil servants.

Collaboration with our unions has enabled us to reduce administrative health care costs from 18% four years ago to an all-time low of 1.6% this year. This represents significant, hard cash, savings.

Working cooperatively with our employees. Double over-time use in Public Works between July 1st and December 30<sup>th</sup> dropped from 2068 hours the previous year to 858 hours this year- another hard-cash savings.

### Celebrating Our Uniqueness

The year 2008 is the celebration of Annapolis, Maryland's Capital City, as the first municipality in Maryland in 1708 and the only city to receive a Royal charter from Queen Anne of England. As a city of firsts - the cultural center of the colonies, the Athens of America - we have much to brag about and share with our brothers and sisters around the globe. The completion of the Maynard Burgess House, historic walking trails on West and Washington Street, celebrating in print, art, music, and cultural exchange with our 15 Sister Cities are a few of the activities we will host. The Art in Public Places Commission has supported the Annapolis Symphony Orchestra for a special musical work created for the celebration. Over 100 applications from composers around the world hoping to create this historic piece have been received.

### Looking Towards the Future

We are fortunate to live in a community with an amazing heart. In partnership with the Anne Arundel Medical Center, a free medical and dental clinic, one of only five in the nation, is housed at the Stanton Center. Recognizing how important good health is to quality of life, City employees and their families will be able to assess their physical fitness at a Health Fair coming up on April 11<sup>th</sup>.

The Annapolis Community Foundation supports many City causes and non-profits. Our hearts and souls penny campaign encourages giving by students in City Schools. A new nonprofit organization, The Friends of the Stanton Center, with the support of the Premier Planning Group and Merrill Lynch, are raising money for programs at the Center.

These kinds of private/public partnerships targeting our teens and young people reveal the very best of who we are and what we can do together. When our neighborhoods, our businesses, and our public agencies work together, good things can happen. Our City website has an entire section called "Good Things are Happening" dedicated to the positive things that *are* going on in our schools and our City.

If goodwill prevails, a new partnership will result in our City becoming home to a new International Academy for Excellence in Local Government. The academy will provide to elected, governmental, and business leaders throughout the world, valuable educational experiences in all aspects of local governance. Our City's vibrant history, our historic buildings, our court chambers, will be an integral part of the learning experience. The entire city of Annapolis will be a living classroom.

We also hope to become the home of the Women's Heritage Center. The Center will provide a place to learn and teach about the contributions of Maryland women throughout our state's history. The Center is envisioned as a museum, learning and resource center, archives, showcase for Maryland women in the arts, and a place to gather and discuss women's issues.

The National Sailing Hall of Fame and an expanded Maritime Heritage Center will solidify Annapolis as a must-see visitor destination. Each will provide new job opportunities.

The City's AA+ bond rating, reinforced by a vibrant and diverse community offering a myriad of cultural, business and artistic opportunities, will guarantee that the future of Annapolis is

secure.

As your Mayor, I am blessed with the opportunity to see this amazing community from many different perspectives. When I sit down to talk with our citizens, or meet them at one of our many events and celebrations...I am proud and humbled by the diversity and quality of the people that call Annapolis home. We live in the greatest City in the world...and with vision, collaboration and strong partnerships with those that benefit so greatly from our vibrancy, we can make it even better.

This budget addresses new challenges that I believe we can solve, with the positive action that we are noted for – engaged citizens, engaged businesses, and engaged public agencies working together while still recognizing the value of celebration and finding the time for having fun along the way.

- Alderman Israel moved to approve the Journal of Proceedings for February 12, 2007 Regular Meeting and February 26, 2007 Special Meeting. Seconded. CARRIED on voice vote.

#### PETITIONS, REPORTS AND COMMUNICATIONS

Bronte Jones, 60 College Avenue, Annapolis, Maryland 21401 representing St. John's College spoke in favor of R-20-07

James Hildrew, 202 Prince George Street, Annapolis, Maryland 21401 representing Historic Downtown Residents Association spoke in favor of R-20-07

#### GRANT REQUEST:

- Mt Olive CDC  
Mary E. Wilson, 2 Hicks Avenue, Annapolis, Maryland 21401 was present and testified on behalf of the grant application.  
Reverend Johnny R. Calhoun, 410 Fox Hollow Lane, Annapolis, Maryland 21401 was present and testified on behalf of the grant application.
- Chesapeake Children's Museum  
Renee Spears, 55 East Joyce Lane, Arnold, Maryland 21012 was present and testified on behalf of the grant application.
- University of Maryland, College Park (Archaeology of Annapolis)  
Mark P. Leone, 1111 Woods Hall, College Park Maryland 20742 was present and testified on behalf of the grant application.
- Annapolis, London Town and South County Heritage Area, Inc.  
Matt Grubbs, 4420 Cobalt Drive, Harwood, Maryland 20776 was present and testified on behalf of the grant application.  
Donna Dodley, 4420 Cobalt Drive, Harwood, Maryland 20776 was present and testified on behalf of the grant application.
- Annapolis Maritime Museum  
Buck Buchanan, 723 Second Street, Annapolis, Maryland 21403 was present and testified on behalf of the grant application  
Jeff Holland, 723 Second Street, Annapolis, Maryland 21403 was present and

testified on behalf of the grant application

- Arts Council of Anne Arundel County

Carol Treiber, 21 Treiber Lane, Harwood, Maryland 20776 was present and testified on behalf of the grant application

- Volunteer Center for Anne Arundel County

Fay Mauro, 2666 Riva Road, Suite 130., Annapolis, Maryland 21401 was present and testified on behalf of the grant application

- Remember Inc. for - Pip & Zastrow: An American Friendship

Victoria Bruce, 3071 Riverview Road, Riva, Maryland 21140 was present and testified on behalf of the grant application

Karen Hayes, 1871 Luce Creek Drive, Suite A., Annapolis, Maryland 21140 was present and testified on behalf of the grant application

- Annapolis Symphony Orchestra, Inc.

Jean Moreau, 9 A-1 President Point Drive, Annapolis, Maryland 21403 was present and testified on behalf of the grant application

- First Night Annapolis, Inc.

Bob Keil, 1616 Forest Drive, Annapolis, Maryland 21403 was present and testified on behalf of the grant application

- Kunta Kinte Celebrations Inc.

David Arthur, 1136 Tyler Avenue, Annapolis, Maryland 21401 was present and testified on behalf of the grant application

- Restoration Community Development Corporation

Marsilla Haska, 21 Washing Drive, Annapolis, Maryland 21401 was present and testified on behalf of the grant application

- Anne Arundel County Bar Foundation (Courthouse Museum)

Ann Fligsten, 1337 Kinloch Circle, Arnold, Maryland 21012 was present and testified on behalf of the grant application

Phil Deters, 926 N. Forest Trail, Crownsville, Maryland 21032 was present and testified on behalf of the grant application

- Historic Annapolis Foundation

Patricia Blick, 108 Tucker Street, Annapolis, Maryland 21401 was present and testified on behalf of the grant application

- Saltaire of Annapolis Condominium

Michael Van Geertruy, 1230 Gemini Drive, Unit e, Annapolis, Maryland 21403 was present and testified on behalf of the grant application

- We Care and Friends

Rachel Griffin, 92 West Washington Street, Annapolis, Maryland 21401 was present

and testified on behalf of the grant application

Larry Beavers, Sr., 92 West Washington Street, Annapolis, Maryland 21401 was present and testified on behalf of the grant application

Julie Shay, 605 Red Oak Court, Severna Park, Maryland 21146 was present and testified on behalf of the grant application

- Clay Street Computer Learning Center

Mary Wolf, 49 Clay Street, Annapolis, Maryland 21409 was present and testified on behalf of the grant application

Mark Thomas, 49 Clay Street, Annapolis, Maryland 21409 was present and testified on behalf of the grant application

Tim Boston, 49 Clay Street, Annapolis, Maryland 21409 was present and testified on behalf of the grant application

- OIC of Anne Arundel County

Thomas R. Hunt, 1908 H Forest Drive, Annapolis, Maryland 21401 was present and testified on behalf of the grant application

- Maryland Maritime Heritage Festival

Michael Fox, 20 Windwhisper Lane, Annapolis, Maryland 21403 was present and testified on behalf of the grant application

- Children's Theatre of Annapolis, Inc.

Kathy Swekel, P.O. Box 1785, Annapolis, Maryland 21404 was present and testified on behalf of the grant application

Bill Smith, 431 Fourth Street, Annapolis, Maryland 21403 was present and testified on behalf of the grant application

- Leadership Anne Arundel

Griff Hall, 2024 West Street, Annapolis, Maryland 21401 was present and testified on behalf of the grant application

Patrick Lee, 2024 West Street, Annapolis, Maryland 21401 was present and testified on behalf of the grant application

Wayne Taylor, 1912 E Copeland Street, Annapolis, Maryland 21401 was present and testified on behalf of the grant application

Philip Coleman, 401 Glenwood Street, Apt 501., Annapolis, Maryland 21401 was present and testified on behalf of the grant application

- Annapolis Elementary Instrumental

Ryan Kolmus, 1106 Veranda Court, Curtis Bay, Maryland 21226-2210 was present and testified on behalf of the grant application

- Center for Help, Inc

Mary Schumaker, 1906 Forest Drive, Annapolis, Maryland 21401 was present and testified on behalf of the grant application

- Anne Arundel Community Action

Ann Mills-Bowie, 251 West Street, Annapolis, Maryland 21401 was present and testified on behalf of the grant application

- The Bay Theatre Company

Janet Luby, 1223 Brunswick Court, Arnold, Maryland 21012 was present and testified on behalf of the grant application

Tony Burr, P.O. Box 5201, Annapolis, Maryland 21403-5201 was present and testified on behalf of the grant application

#### LEGISLATIVE ACTION

- Alderman Cordle moved to suspension of the rules under Section 2.16.150 is requested in order to reschedule the regularly scheduled meeting from Veterans' Day, November 12, 2007, to November 19, 2007. Seconded. CARRIED on voice vote.

#### ORDINANCES

**O-46-06 For the purpose of establishing a program for billing healthcare insurers to help offset the cost to the City of providing emergency medical services (ambulance); and matters generally relating to billing for emergency medical services.**

- Alderman Cordle moved to postpone 0-46-06 until the next legislative session on April 9, 2007. Seconded.

A ROLL CALL vote was taken:

YEAS: Aldermen Israel, Christman, Cordle, Shropshire, Arnett

NAYS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Stankivic

CARRIED: 5/4

**O-55-06 For the purpose of deleting parking from the responsibilities of the Transportation Board; creating a Parking Advisory Commission to address parking issues; declaring principles concerning parking of motor vehicles; creating a parking fund to collect receipts from parking fines and fees and to limit proposed expenditures only for parking related items; specifying that the Parking Enforcement Division of the Police Department shall be sufficiently staffed to effectively enforce parking district laws; establishing a Parking Coordinator in the Office of the Mayor; increasing from three to four parking citations when an offending vehicle may be towed; redefining resident status and proof of residency for parking district purposes; and matters generally relating to said parking restrictions and enforcement.**

- Alderman Israel moved to adopt O-55-06 on second reading. Seconded.

The Public Safety Committee reported unfavorably on O-55-06.

- Alderman Israel moved to amend O-55-06 as follows:

Amendment #1

In line 16, on un-numbered page one of the proposed ordinance and in line 2, on page

six, strike the word "Division" and substitute the word "Section"; and in line 6, on the same page strike the word "division" and substitute the word "section" Seconded. CARRIED on voice vote.

Amendment #2

On page 9, in lines 15 and 16, following "effect" strike "from the date of its passage" and substitute "July 1, 2007" Seconded. CARRIED on voice vote.

- Alderman Christman moved to amend O-55-06 as follows:

Amendment #1

On page 6, in line 11, following "Within the" strike "Office of the Mayor" and substitute "Department of Central Services"

On page 6, in line 14, strike "Mayor" and substitute "Director of Central Services"

On page 6, in line 19, following "the" strike "Mayor" and substitute "Director of Central Services" and following "of the" strike "Mayor" and substitute "Director of Central Services." Seconded. CARRIED on voice vote.

- Alderman Stankivic moved to amend O-55-06 as follows:

On page 5, in line 8, strike "should" and substitute "shall" Seconded. CARRIED on voice vote.

- Alderman Israel moved to amend O-55-06 as follows:

On page 1, in line 19, change the word "four" to the word "five"; and on page 6, in line 39, change the word "four" to the word "five" Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Israel moved to adopt O-55-06 amended on third reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

**O-10-07 For the purpose of permitting the use of drive-through facilities in certain zoning districts subject to special exception use and/or subject to standards; establishing use standards for drive-through facilities;**

**permitting a menuboard for drive-through facilities; and matters generally relating to drive-through facilities.**

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

Referred to Rules and City Government Committee and Planning Commission

**O-11-07 For the purpose of establishing the Department of Economic Development and specifying its duties and responsibilities; establishing an Economic Development Advisory Commission; establishing an Economic Development Fund; and matters generally relating to Economic Development.**

- Alderman Stankivic moved to adopt O-11-07 on first reading. Seconded. CARRIED on voice vote.

Referred to Rules and City Government and Economic Matters Committees

**O-12-07 For the purpose of defining responsibilities for the construction, reconstruction, repair and maintenance of City-owned Sidewalks.**

- Alderman Shropshire moved to adopt O-12-07 on first reading. Seconded. CARRIED on voice vote.

Referred to Environmental Matters Committee

**O-13-07 For the purpose of enhancing the ability of the Annapolis Fire Department to prevent fires and/or mitigate its effects by revising the City of Annapolis Fire Prevention Code.**

- Alderman Stankivic moved to adopt O-13-07 on first reading. Seconded. CARRIED on voice vote.

Referred to Economic Matters, Environmental Matters and Public Safety Committees

**O-14-07 For the purpose of saving lives, reducing injuries and reducing property damage that could result from fires in the Historic District by adopting the National Fire Protection Association Code for Fire Protection of Historic Structures.**

- Alderman Stankivic moved to adopt O-14-07 on first reading. Seconded. CARRIED on voice vote.

Referred to Economic Matters, Environmental Matters and Public Safety Committees

**R-21-07 For the purpose of establishing fees for the inspection of sidewalks not built by the City; to fund the Sidewalk Fund for the construction, reconstruction and repair of sidewalks in the City; and matters generally relating to said fees.**

- Alderman Shropshire moved to adopt R-21-07 on first reading. Seconded. CARRIED on voice vote.

### RESOLUTIONS

**R-02-07 For the purpose of providing a parking option for late shift workers in downtown by reducing overnight parking fees at Knighton Garage from \$10 to \$2; and matters generally relating to said fees.**

- Alderman Israel moved to adopt R-02-07 on second reading. Seconded.
- Alderwoman Hoyle moved to amend R-02-07 as follows:

On page 2, in line 3, strike “3:30 p.m.” and substitute “4:00 p.m.” Seconded. CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

**R-03-07 For the purpose of removing the limitation on monthly parking passes at the Knighton Garage; and matters generally relating to limitation on monthly passes.**

- Alderman Stankivic moved to adopt R-03-07 on second reading. Seconded.
- Alderwoman Hoyle moved to amend R-03-07 as follows:

On page 1, in line 28, after “Garage.” insert “Should the Council choose to reduce the number at a future date, the newest monthly passes shall be utilized for cancellation or reduction of the total number of monthly passes for a particular fiscal year.” Seconded. CARRIED on voice vote.

- Alderman Israel moved to amend R-03-07 as follows:

Amendment #1

In lines 26 through 27, on un-numbered page one of the resolution, strike the words “there is no limitation on the” and substitute “The” and in line 28, on the same page after “Garage” insert “may exceed the limit of 75 established by R-5-05 but may not exceed sixty percent of the total number of parking spaces in that garage”

Amendment #2

In line 16, on un-numbered page one of the resolution, strike the word "Removal" and substitute the word "Revision" ; and in line 18, on the same page strike the word "removing" and substitute the word "revising".

Seconded. CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

**R-09-07 For the purpose of requesting that the Maryland General Assembly adopt legislation which further restricts or bans the smoking of tobacco products in all indoor areas open to the public; and all matters relating to said support of such legislation.**

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

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

**R-11-07 For the purpose of providing an exemption allowing the sale of arts related merchandise in the Historic District at the First Sunday events to be held the first Sunday of each month from May through October 2007, on West Street; waiving certain fees associated with City services in conjunction with these events; and all matters relating to said First Sunday events.**

- Alderman Israel moved to adopt R-11-07 on second reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

**R-12-07 For the purpose of waiving the fees for City services to be provided in connection with the Maryland Avenue Spring Fling to be held April 22, 2007, and the Maryland Avenue Annual Street Festival to be held on September 23, 2007, and all matters relating to the waiver of fees.**

- Alderman Israel moved to adopt R-12-07 on second reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

**R-13-07 For the purpose of approving the job description for the Horticulturist in the Department of Recreation and Parks; and all matters relating to said Horticulturist job description.**

- Alderman Stankivic moved to adopt R-13-07 on second reading. Seconded.
- Alderman Arnett moved to amend R-13-07 as follows:

Amendment #1

Strike the current job description for Horticulturist and substitute the following:

**Horticulturist**

**Job Class Code: 6007**

**Pay Grade: 12**

**FLSA: Exempt**

**Updated: 3/05**

**GENERAL STATEMENT OF DUTIES:** Responsible for the design, establishment, weekly maintenance and beautification of a wide range of gardens, public parks, open spaces and forested areas throughout the City; does related work as required.

**DISTINGUISHING FEATURES OF THE CLASS:** An employee in this class must be able to independently perform all horticultural tasks and duties in City parks, gardens, open spaces and forested areas of the City. Will be expected to train, supervise and work alongside others in environmentally-sound landscape design, construction and weekly maintenance using extensive knowledge in tree, shrub and plant identification, placement, establishment, pruning, and diagnosis and eradication of pests and diseases. Works with a variety of City Department personnel including Public Works, Planning and Zoning, Department of Neighborhood and Environmental Services, and the Mayor's Office. Works with communities and volunteers; team member for the City's annual GreenScape program.

**EXAMPLES OF WORK:** (Illustrative only)

- ▶ Design, construct and lead a team of laborers in the establishment and maintenance of four-season perennial shrub and flower beds.
- ▶ Work within an annual budget to design, implement and maintain all gardens, flower beds and open space planting areas.
- ▶ Conduct and evaluate soil tests and recommend fertilization of turf according to established procedures.

- ▶ Design and implement erosion control measures under state and federal guidelines.
- ▶ Prepare landscape and forestry designs and cost estimates.
- ▶ Identify and use Bay-friendly techniques in the eradication of woody pests, diseases and invasive species.
- ▶ Operate and utilize a variety of machinery and equipment including chain saws, pruners, weed eaters, mowers, sprayers, push and riding mowers.
- ▶ Establish and prioritize schedules for maintaining ornamental and native shrubs and trees.
- ▶ Participate as a team member in the City's annual GreenScape program.

**REQUIRED KNOWLEDGE, SKILLS AND ABILITIES:** Knowledge of community recreation programming for all ages; ability to effectively communicate to participants, co-workers, and other community groups. Ability to perform routine manual horticultural duties as well as train and lead others in those duties; excellent communication skills and administrative abilities. Good judgement, strong written and oral communication skills.

**ACCEPTABLE EXPERIENCE AND TRAINING:** Bachelors Degree in Horticulture or related field (or 5 years field experience). or any equivalent combination of experience and training which provides the required knowledge, skills and abilities.

**AMERICANS WITH DISABILITIES ACT:**

Physical ability: ability to work outside in all seasons; ability to operate a vehicle in traveling to parks and recreation centers; ability to operate standard office equipment including copier, computer, fax machine, etc.; ability to reach into file drawers in standard four-drawer filing cabinets. Ability to stand or sit for long periods of time while supervising recreational activities; ability to participate in a variety of physical activities which would require running, jumping, bending, stooping, reaching, etc.

Visual ability: sufficient to observe recreation activities, to effectively operate standard office equipment; ability to read and write reports, correspondence, instructions, etc.

Hearing ability: sufficient to hold conversation with other individuals both in person, over a telephone and/or radio.

Speaking ability: sufficient to communicate effectively with other individuals in person, over a telephone and/or radio.

Freedom from mental disorders which would interfere with performance of duties as described.” Seconded. CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

**R-14-07 For the purpose of dedicating two benches in the Acton Landing Park to the memory of Mary and Marion Warren; and matters generally relating to remembering the Warrens.**

- Alderman Stankivic moved to adopt R-14-07 on second reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

**R-17-07 For the purpose of expressing that the City hereby atones for its participation in the involuntary servitude of African men, women and children and calls for reconciliation among all citizens of Annapolis.**

- Alderman Shropshire moved to adopt R-17-07 on first reading. Seconded. CARRIED on voice vote.

**R-20-07 For the purpose of authorizing and providing for the issuance, sale and delivery by the City of Annapolis, Maryland (the "City") of its revenue bonds (the "Bonds") pursuant to the provisions of the Maryland Economic Development Revenue Bond Act or such other statutory authority as may be effective when such revenue bonds are issued, in order to lend or otherwise make available the proceeds thereof to St. John's College, a Maryland non-stock, non-profit corporation (the "Facility Applicant") for the purposes of (1) financing and refinancing (including, without limitation, the refinancing of an approximately \$2,100,000 loan from SunTrust Bank to the Facility Applicant) (a) the cost of design, acquisition, construction, renovation, equipping and development of the 2007 Facility (as defined below) located on the Facility Applicant's campus within the geographical borders of the City, (b) a debt service reserve fund and (c) costs of issuance of such Bonds and other costs related to the transactions; and (2) refunding all or a portion of the outstanding City of Annapolis, Maryland Economic Development Revenue and Revenue Refunding Bonds (St. John's College Facility) 1998 Series (the "1998 Bonds"); authorizing the acceptance of the letter of intent as evidence of the present intent of the City to issue such revenue bonds; providing that the principal amount of such revenue bonds and the interest thereon (1) shall be payable solely from the revenues to be received from the Facility Applicant in connection with the financing and refinancing of such facilities and from any other moneys made available to the City for such purpose and (2) shall never constitute an indebtedness or a charge against the full faith and credit or taxing powers of the City and shall never constitute or give rise to any pecuniary liability of the City; providing that the maximum aggregate principal amount of the revenue bonds that may be issued may not exceed \$14,000,000; and generally providing for and determining various matters in connection with the authorization, issuance, sale and delivery of such revenue bonds and the consummation of the transactions contemplated by this Resolution.**

- Alderman Arnett moved to adopt R-20-07 on first reading. Seconded. CARRIED on voice vote.

#### FY 2008 BUDGET

**O-15-07 For the purpose of adopting an operating budget for the City of Annapolis for the Fiscal Year 2008; appropriating funds for expenditures for the Fiscal Year 2008; 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; specifying a rate of interest to be charged upon overdue-property taxes; and all matters generally relating to said budget and property tax rate.**

- Alderman Shropshire moved to adopt O-15-07 on first reading. Seconded. CARRIED on voice vote.

Referred to Finance Committee

**R-18-07 For the purpose of adopting a capital improvement budget for the Fiscal Year 2008, and a capital improvement program for the six-year period from July 1, 2007, to June 30, 2013; and all matters relating to said budget and program.**

- Alderman Shropshire moved to adopt R-18-07 on first reading. Seconded. CARRIED on voice vote.

Referred to Finance Committee

**R-19-07 For the purpose of increasing fees for alcoholic beverage licenses, trash collection; and building permits; adding fees for sidewalk maintenance and inspections and emergency medical services; affirming without change other fees that will be charged for the use of City services for FY 2008; and matters generally relating to said fees.**

- Alderman Shropshire moved to adopt R-19-07 on first reading. Seconded. CARRIED on voice vote.

Referred to Finance Committee, Environmental Matters Committee, Economic Matters Committee, Housing and Human Welfare Committee

#### **PHIPPS ANNEXATION**

**R-15-07 For the purpose of annexing into the boundaries of the City of Annapolis the Phipps property which is contiguous to the existing boundary of the City and is generally located on the east side of Bywater Road and south of the open space at Child's Point Road and Bywater Road; and matters generally related to the Phipps annexation.**

- Alderman Arnett moved to adopt R-15-07 on first reading. Seconded. CARRIED on voice vote.

Referred to Rules and City Government Committee and Planning Commission

**O-08-07 For the purpose of establishing a zoning classification of R1-A, Single Family Residence District, for certain property which is contiguous to the existing boundary of the City and is generally located on the east side of Bywater Road and south of the open space at Child's Point Road and Bywater Road; and matters generally related to the zoning of the Phipps Property.**

- Alderman Arnett moved to adopt O-08-07 on first reading. Seconded. CARRIED on voice vote.

Referred to Rules and City Government Committee and Planning Commission

### BUSINESS AND MISCELLANEOUS

1. Appointments

- Alderman Shropshire moved to approve the Mayor's appointments & reappointments of the following individuals:

3/12/07 Building Board of Appeals ..... Norman D. Masterson  
3/12/07 Building board of Appeals ..... Jeffrey C. Henderson  
3/12/07 Recreation Advisory Board ..... C. Taney Hamill  
3/12/07 Recreation Advisory Board ..... Cheryl M. Starr  
Seconded. CARRIED on voice vote.

2. Consideration of budget amendments:

- a. GT-7-07
- b. GT-8-07

- Alderman Stankivic moved to approve budget amendment GT-7-07. Seconded. CARRIED on voice vote.

Public Works Director Patmore gave a brief presentation on the need for budget amendment GT-07-07.

- Alderwoman Hoyle moved to approve budget amendment GT-8-07. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:50 p.m.

Regina C. Watkins-Eldridge, CMC  
City Clerk