

REGULAR MEETING
March 12, 2012

The Regular Meeting of the Annapolis City Council was held on March 12, 2012 in the Council Chamber. Mayor Cohen called the meeting to order at 7:41 p.m.

Present on Roll Call: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Silverman, Kirby, Pfeiffer

Absent on Roll Call: Alderman Arnett

Staff Present: City Attorney Hardwick, City Manager Mallinoff, Finance Director Miller

Approval of Agenda

- Alderwoman Finlayson moved to approve the Regular Meeting Agenda as submitted. Seconded. CARRIED on voice vote.

PETITIONS, REPORTS AND COMMUNICATIONS

State of the City Address

Mayor Cohen delivered his 3rd State of the City Address.

HONORARY MAYORAL CITATIONS

Martha Wood Leadership Award

Mayor Cohen invited Alderman Paone to present to Laura Collins and Janice Adams the Mayoral Citations in recognition of being honored by the Housing Authority of the City of Annapolis as the twenty first and the twenty second recipients of the prestigious Martha Wood Leadership Award.

PETITIONS, REPORTS AND COMMUNICATIONS

Approval of Journal of Proceedings

- Alderman Israel moved to approve the Journal of Proceedings for the Regular Meeting February 13, 2012 and the Special Meeting February 27, 2012. Seconded. CARRIED on voice vote.

Chesapeake Bay Local Government Advisory Committee

Alderwoman Finlayson representing the Local Government Advisory Council updated the Council on the watershed implementation plans and presented the Council with a copy of the Anne Arundel County Annual Report 2011 of the Watershed Stewards Academy.

Comments by the General Public

James "Joe Ghost" Taylor, 507 First Street, Annapolis, Maryland 21403 spoke in opposition to the outsourcing of refuse, recycling and yard waste
Reginald Harris, 5 Silverwood Circle, #4, Annapolis, Maryland 21403 spoke in opposition to the outsourcing
Sherod L. Earle, 3rd 1413 West Street, Annapolis, Maryland 21401 spoke in opposition to the outsourcing
Sandra L. Solomon, 123 Eastern Avenue, Annapolis, Maryland 21403 spoke in opposition to the outsourcing of refuse
Bill Kardash, 1 Action Place, Annapolis, Maryland 21401 spoke on to O-6-12 Issuance of Bonds and Notes
Jay Tucker, 1744 Wood Tree Circle, Annapolis, Maryland 21409 spoke in favor

of the Mayor's Budget related to outsourcing with only 6 employees being laid off or retiring

- Alderman Pfeiffer moved to amend the Regular Meeting Agenda to add R-8-12 on first reader, and to schedule R-8-12 on second reader for the Special Meeting Agenda of March 19, 2012. Seconded. CARRIED on voice vote.

PUBLIC HEARING

O-4-12 Expanding the Eligibility for Multiple-Day or Single-Day Parking Permits – For the purpose of expanding the eligibility for multiple-day or single-day parking permits to include those that render personal or child care to a resident in a special residential parking district.

Transportation Director Newell was present and answered questions from Council.

Spoke in opposition to the ordinance:

Juliet Thompson, 9 College Avenue, Annapolis, Maryland 21401

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

- Mayor Cohen declared the public hearing closed.

O-5-12 Re-Instituting a City Council Vote at the First Reader Introduction of Legislation – For the purpose of re-instituting a City Council vote at the first reader introduction of legislation.

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

- Mayor Cohen declared the public hearing closed.

LEGISLATIVE ACTION ORDINANCE – 2nd READER

O-6-12 Issuance of Bonds and Notes – For the purpose of authorize and empower the City of Annapolis (the “City”) to issue and sell, upon its full faith and credit, general obligation bonds in the aggregate principal amount not to exceed Twenty-One Million Five Hundred Thousand Dollars (\$21,500,000), pursuant to Sections 31 through 39, inclusive, of Article 23A of the Annotated Code of Maryland (2011 Replacement Volume), Section 24 of Article 31 of the Annotated Code of Maryland (2010 Replacement Volume and 2011 Supplement), and Article VII, Section 11 of the Charter of the City of Annapolis, as amended, to be designated as the “Public Improvements Refunding Bonds, 2012 Series”, and said bonds to be issued and sold for the public purpose of refunding all or a portion of certain outstanding general obligation bonds of the City, as provided in this Ordinance; authorizing the City to issue and sell, upon its full faith and credit, taxable general obligation notes in the aggregate principal amount not to exceed the maximum amount authorized to be issued under Article VII, Section 8 of the Charter of the City of Annapolis, as amended, to be designated as “Taxable General Obligation Notes, 2012 Series” and said notes to be issued and sold for the public purpose of financing working capital expenses of the City as provided in this Ordinance; prescribing the form and tenor of said bonds and notes; determining the method of sale of said bonds and notes and other matters relating to the issuance and sale thereof; providing for the disbursement of the proceeds of said bonds and notes; covenanting to levy and collect all

taxes necessary to provide for the payment of the principal of and interest on said bonds and notes; and generally providing for and determining various matters relating to the issuance, sale and delivery of all said bonds and notes.

- Alderman Pfeiffer moved to adopt O-6-12 on second reading. Seconded.

Finance Director Miller gave a brief presentation on the ordinance and answered questions from Council.

City Manager Mallinoff was present and answered questions from Council.

Paul D. Shelton, Esq., and William Taylor, Esq., representing McKennon, Shelton & Henn, LLP, 401 East Pratt Street, Suite 2315, Baltimore, Maryland 21202 were present and answered questions from Council.

The Finance Committee and the Financial Advisory Commission reported favorably on O-6-12.

- Alderman Paone moved to amend O-6-12 as follows:

To place a 2 year sunset provision on the authority to the short term lines of credit in the ordinance, this would make the authority null and void without further action of the Council on June 30, 2014. Seconded. DEFEATED on voice vote.

A ROLL CALL vote was taken:

YEAS: Aldermen Israel, Paone, Silverman

NAYS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Kirby, Pfeiffer

DEFEATED: 3/5

The main motion CARRIED on voice vote.

- Alderwoman Finlayson moved to adopt O-6-12 on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen, Kirby, Pfeiffer

NAYS: Aldermen Israel, Paone, Silverman

CARRIED: 5/3

ORDINANCES and RESOLUTIONS – 1ST READER

- O-8-12 Annual Operating Budget: FY 2013 – For the purposes of adopting an operating budget for the City of Annapolis for the Fiscal Year 2013; appropriating funds for expenditures for the Fiscal Year 2013; 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.**

Referred to the Finance Committee and the Financial Advisory Commission.

- R-7-12 FY 2013 Fees Schedule Effective July 1, 2012 – For the purpose of specifying fees that will be charged for the use of City services for FY 2013.**

Finance Director Miller was present and answered questions from Council.

- Mayor Cohen postponed R-7-12 on first reader until the Special Meeting of March 19, 2012.

- R-9-12 Capital Improvement Budget and Program: FY 2013 to FY 2018 – For the purposes of adopting a capital improvement budget for the Fiscal Year 2013, and a capital improvement program for the six-year period from July 1, 2012, to June 30, 2018.**

Referred to the Finance Committee and the Planning and Financial Advisory Commissions.

- O-10-12 Positions Added to the Exempt Service – For the purpose of adding the positions of Assistant City Attorney, Community Relations Specialist, Development/Events Specialist, Human Services Officer, Administrative Assistant, Assistant City Manager, and Public Information Officer and Quartermaster, to the exempt service and changing the position title from Public Information Officer to Communications Officer.**

Referred to the Rules and City Government and the Finance Committees

- R-11-12 Updated Job Descriptions – For the purpose of approving the new job descriptions for the GIS Coordinator (MIT), GIS Technician (MIT), MIT Administrative Support Analyst (MIT), Facilities Maintenance Engineer I and II (Public Works), Fleet Maintenance/Asset Forfeiture (Police), Mobility and Parking Specialist (Transportation), Facility Supervisor (Recreation and Parks), Front Desk Supervisor (Recreation and Parks), Marketing/Membership Coordinator (Recreation and Parks), Dance and Fitness Coordinator (Recreation and Parks), Harbormaster (Recreation and Parks), Fire Administrative Specialist (Fire), City Council Associate (City Clerk), Administrative Enforcement Associate (Police), and Facilities Maintenance Supervisor (Public Works).**

Referred to the Rules and City Government and the Finance Committees

- Mayor requested the Marketing Membership Coordinator position be added to R-11-12

- R-10-12 Submission of Proposed Union Agreements – For the purpose of postponing until after March 6, 2012, the submission to the Mayor of proposed memoranda of understanding between employee organizations and the City.**

Referred to the Rules and City Government and the Finance Committees

- Mayor Cohen requested R-10-12 on second reader to the Special Meeting Agenda for March 19, 2012.

- O-9-12 Exempting Members of the City Central Committees from Holding More Than One City or City-Connected Position – FOR the purpose of exempting members of the City Central Committees from holding more than one position as defined in Section 2.04.040 of the City Code.**

Referred to the Rules and City Government Committee

- R-3-12 First Sundays Festival 2012 – For the purpose of designating dates for the sale of arts-related merchandise in the Historic District at the First Sunday events and the reimbursement of full fees to the City for the cost associated with the events.**

Referred to the Finance and Economic Matters Committees

- R-4-12 Four Rivers Garden Club Flower Mart – For the purpose of designating dates for the sale of floral merchandise in the Historic**

District at the Four Rivers Garden Club Flower Mart on April 30 and the reimbursement of full fees to the City for the cost associated with the events.

Referred to the Finance and Economic Matters Committees

- R-5-12 Race Across America 2012 – For the purpose of designating dates for the sale of merchandise in the Historic District at the Race Across America event from June 21-25, 2012 and the reimbursement of full fees to the City for the cost associated with the event.**

Referred to the Finance and the Economic Matters Committees

- R-6-12 TriRock Annapolis 2012 – For the purpose of designating dates for the sale of merchandise in the Historic District at the TriRock Annapolis 2012 event and the reimbursement of full fees to the City for the cost associated with the events.**

Referred to the Finance and the Economic Matters Committees (Event Date May 19, 2012)

- R-8-12 Filing of Grant Application with the Mass Transit Administration - FOR the purpose of authorizing the filing of an application with the Mass Transit Administration of the Maryland Department of Transportation for a Sections 5303, 5304, 5307, 5309, 5310, 5311, 5316, and/or 5317 grants under the Federal Transit Act.**

Referred to the Finance Committee

- Mayor Cohen requested R-8-12 on second reader be added to the Special Meeting Agenda for March 19, 2012.

BUSINESS and MISCELLANEOUS

1. Proposed to be Withdrawn

- Mayor Cohen withdrew O-39-11 Repealing the Sidewalk Fund

2. Legislative Referrals

- Mayor Cohen referred O-4-12 Expanding the Eligibility for Multiple or Single-Day Parking Permits to the Parking Advisory Commission and Transportation Board.

3. Budget Revision Request

City Manager Mallinoff gave a brief presentation on the budget revision request and answered questions from Council.

Budget Revision Request Control Number **GT-47-12**, Department: Mayor's Office, Justification for Request: To budget for consultant analysis of the playground and parking evaluation.

- Alderwoman Finlayson moved to approve budget revision request GT-47-12. Seconded. CARRIED on voice vote.

4. Hiring Approval Request - No action taken.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:59 p.m.