

SPECIAL MEETING
March 18, 2013

The Special Meeting of the Annapolis City Council was held on March 18, 2013 in the Council Chamber. Mayor Cohen called the meeting to order at 7:06 p.m.

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

Staff Present: City Manager Mallinoff, City Attorney Hardwick, DNEP Director Broadbent, Human Resources Director Rensted, Finance Director Miller, Development & Special Projects Coordinator LeFurge, Transportation Specialist Spencer

- Alderman Paone moved to amend the agenda to strike O-10-13 on 1st Reader, and to move up on the agenda R-18-13 on 1st Reader as well as the public hearing and vote on 2nd Reader for R-4-13. Seconded. CARRIED on voice vote.

The order of the agenda was amended to allow for R-18-13 on 1st Reader.

RESOLUTIONS – 1st READER

R-18-13 Honoring Jacob Landis – For the purpose of honoring Jacob Landis by designating him a goodwill ambassador from the City of Annapolis as he embarks on his “Home Run for Hearing” cross country charity bicycle tour to raise funds for those in need of cochlear implants.

- Alderman Arnett moved to adopt R-18-13 on first reader. 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 Paone moved to adopt R-18-13 on second reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

- Mayor Cohen invited Alderman Paone to present Jacob Landis with the City Council Citation in recognition of being designated an official goodwill ambassador to the City of Annapolis.

PUBLIC HEARING

R-4-13 Peggy Kimbo Way – For the purpose of declaring that Maryland Avenue shall bear the honorary designation of “Peggy Kimbo Way” to celebrate the contributions of Ethelda “Peggy” Kimbo to the City of Annapolis.

Spoke in favor of the resolution:

Tony Watson, Rear Admiral (USNA Retired) 2335 S. Rolfe Street, Arlington, VA 22202

Major General Leo Williams, (USMC, Retired) 801 Key Hwy, Unit T33, Baltimore, Maryland 21230 representing the family of Peggy Kimbo

Rodell R. Wright, 13208 St. James Sanctuary Drive, Bowie, Maryland 20720
Son-in-Law of Mrs. Kimbo

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

- Mayor Cohen declared the public hearing closed.

RESOLUTION – 2ND READER

R-4-13 Peggy Kimbo Way – For the purpose of declaring that Maryland Avenue shall bear the honorary designation of “Peggy Kimbo Way” to celebrate the contributions of Ethelda “Peggy” Kimbo to the City of Annapolis.

- Alderman Finlayson moved to adopt R-4-13 on second reading. Seconded.
- Alderman Israel moved to amend R-4-13 as follows:

On page 2, in line 17, add “AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that appropriate street signs shall be erected at the City’s expense. Seconded. CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

- Alderman Israel requested his name be added as a sponsor to the legislation.

The order of the agenda was resumed.

PETITIONS, REPORTS AND COMMUNICATIONS

Comments by the General Public

Marshall Breines, 90 Post Road West, Westport, Connecticut 06880 representing Crystal Spring Development spoke on the project.

Jim Eagan, 90 Post Road West, Westport, Connecticut 06880 representing Crystal Spring Development spoke on the project.

Bernadine Prince, 945 G Street, NW., Washington, DC 20001 representing Fresh Farm Markets spoke in favor of the lease for Freshfarm Markets Annapolis for 2013.

- Mayor Cohen declared petitions, reports and communications closed.

PUBLIC HEARING

O-2-13 Lease of City Dock Space to Chesapeake Marine Tours – For the purpose of authorizing for fiscal year 2019 the lease of certain municipal property located at the City Dock to Chesapeake Marine Tours, Inc. for the docking and mooring of certain boats.

Spoke in favor of the ordinance:

Debbie Gosselin, 980 Awald Road, Annapolis, Maryland 21403 representing Chesapeake Marine Tours, Inc dba Watermark

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

- Mayor Cohen declared the public hearing closed.

LEGISLATIVE ACTIONS

ORDINANCES – 2ND READER

O-43-12 Lease of Public Parking to FRESHFARM Markets, Inc. - For the purpose of authorizing a lease of municipal property located at 110 Compromise Street from May 2013 through November 2013 to FRESHFARM Markets, Inc.

DNEP Director Broadbent was present and answered questions from Council.

- Alderman Arnett moved to adopt O-43-12 on second reading. Seconded.

The Rules and City Government and Economic Matters Committees reported favorably with amendments on O-43-12.

- Mayor Cohen moved to amend O-43-12 as follows:

Amendment #1

Page 10, Line 23: strike “2012” and insert “2013” Seconded. CARRIED on voice vote.

- Alderman Paone moved to amend O-43-12 as follows:

Amendment #1

On page 1, in line 37, after the second reference of 2013 add “; subject to prior leases already approved by the City Council” Seconded. CARRIED on voice vote.

Amendment # 2

On page 3, in line 35, delete “except September 29th and October 13th, 2012” and replace with “except September 29th though October 13th, 2013. Seconded. CARRIED on voice vote.

- Alderman Israel moved to amend O-43-12 as follows:

On page 2, of the lease, in line 46, after “Harbormaster,” strike “Department of Central Services,” Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Arnett moved to adopt O-43-12 amended on third reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS: Alderman Paone, Littmann

CARRIED: 7/2

O-1-13 Technical Corrections to the Annapolis City Code - Exempt Service – For the purpose of making certain technical corrections to the Annapolis City Code in regards to the exempt service.

Human Resources Director Rensted gave a brief presentation and answered questions from Council.

- Alderman Arnett moved to adopt O-1-13 on second reading. Seconded.

The Rules and City Government and the Finance Committees reported favorably on O-1-13.

- Alderman Israel moved to amend O-1-13 as follows:

Amendment # 1

On page 3, in line 15, correct the spelling error to read ASSOCIATE. Seconded. CARRIED on voice vote.

Amendment #2

On page 2, starting in line 21, and Sec. 3.08.030 – Salary (in the chart) delete “Director of Planning” and insert “Director of Planning and Zoning”. Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Finlayson moved to adopt O-13-13 amended on third reading. Seconded.

A ROLL CALL vote was taken:

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

ORDINANCES and RESOLUTIONS – 1ST READER

R-21-13 Recommendations of the Council Compensation Commission – For the purpose of providing for consideration, and the City Charter’s required public hearing, of the recommendations of the Council Compensation Commission.

- Alderman Finlayson moved to adopt R-21-13 on first reader. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

O-17-13 Issuance of Bonds – For the purpose of authorizing and empowering 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 Fifteen Million Three Hundred Seventy Thousand Dollars (\$15,370,000), pursuant to Sections 31 through 39, inclusive, of Article 23A of the Annotated Code of Maryland (2011 Replacement Volume and 2012 Supplement), as amended, and Article VII, Section 11 of the Charter of the City of Annapolis, as amended, to be designated as “Public Improvements Bonds, 2013 Series” and said bonds to be issued and sold for the public purpose of financing and refinancing certain capital projects of the City as provided in this Ordinance; authorizing and empowering the City to issue and sell, upon its full faith and credit, general obligation bonds in the aggregate principal amount not to exceed Five Million One Hundred Thousand Dollars (5,100,000) pursuant to Sections 31 through 39, inclusive, of Article 23A of the Annotated Code of Maryland (2011 Replacement Volume and 2012 Supplement), as amended, Section 24 of Article 31 of the Annotated Code of Maryland (2010 Replacement Volume and 2012 Supplement), and Article VII, Section 11 of the

Charter of the City of Annapolis, as amended, to be designated as “Public Improvements Refunding Bonds, 2013 Series”, for the public purpose of refunding all or a portion of certain outstanding general obligation bonds as provided in this Ordinance; prescribing the form and tenor of said bonds; determining the method of sale of said bonds and other matters relating to the issuance and sale thereof; providing for the disbursement of the proceeds of said bonds; covenanting to levy and collect all taxes necessary to provide for the payment of the principal of and interest on said bonds; and generally providing for and determining various matters relating to the issuance, sale and delivery of all said bonds.

- Alderman Pfeiffer moved to adopt O-17-13 on first reader. Seconded. CARRIED on voice vote

Referred to the Economic matters and Finance Committees and the Financial Advisory Commission.

R-19-13 Special Event Applications – For the purpose of authorizing City Council approval of selected special events per R-14-12, implementing a moratorium on administrative approvals for events at City Dock; designating specific dates for the sale of merchandise in the Historic District in conjunction with only the approved special events; waiving City fees for the USNA Band Concert Series; and the reimbursement of full fees to the City for the cost associated with the other approved events.

Development & Special Projects Coordinator LeFurge was present and answered questions from Council.

- Alderman Arnett moved to adopt R-19-13 on first reader. Seconded. CARRIED on voice vote.

Referred to the Economic Matters and the Finance Committees.

BUSINESS and MISCELLANEOUS

1. Budget Revision Requests

Finance Director Miller was present and answered questions from Council.

The Finance Committee reported favorably on the budget revision requests GT-15-13 and GT-16-13.

Control Number GT-15-13, Department City Council, and Dated 1-Mar-13 Justification for request: To sponsor attendance at Youth Services Conference.

Transportation Specialist Spencer was present and answered questions from Council.

- Alderman Finyalson moved to approve budget revision request control number GT-15-13. Seconded.

A ROLL CALL vote was taken:

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

NAYS: Alderman Paone, Littmann, Arnett

CARRIED: 6/3

Control Number GT-16-13, Department Public Works, and Dated 8-Mar-2013 Justification for request: To provide funding for emergency repairs to Culvert under Bywater Road that needs immediate attention.

- Alderman Arnett moved to approve budget revision request control number GT-16-13. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 8:58 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk