

REGULAR MEETING
April 12, 2010

The Regular Meeting of the Annapolis City Council was held on April 12, 2010 in the Council Chamber. Mayor Cohen called the meeting to order at 7:51 p.m.

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

Staff Present: City Attorney Hardwick, Finance Director Elliott, and Legislative and Policy Analyst Zirkle

PETITIONS, REPORTS AND COMMUNICATIONS

Approval of Journal of Proceedings

- Alderwoman Hoyle moved to approve the Journal of Proceedings for Regular Meeting of March 8, 2010 and the Special Meeting of March 22, 2010. Seconded. CARRIED on voice vote.

Comments by the General Public

Glenard Middleton, Sr, Executive Director, 1410 Bush Street, Baltimore, Maryland 21230 representing Local 3406 & 3162 of AFSCME Council 67 spoke in opposition personal budget cuts.

Jay Tucker, 913 Spa Road, Annapolis, Maryland 21401 representing AFSCME Local 3406 also spoke on city water plant, take home cars, overtime, health insurance and the city employees.

Arthur Kungle, Jr, 20 Gentry Court, Annapolis, Maryland 21401 spoke on the history of Annapolis, the French Monument, and William Shakespeare.

Andrew Petit, 519 Horn Point Drive, Annapolis, Maryland 21403 spoke on the need for parking signage, simplifying the city code, and permitting and inspection.

Julie Stankivic, 906 Primrose Road, Apt # 204, Annapolis, Maryland 21403 spoke on CA-06-10, tax increases, layoffs, overtime, union contracts, foreclosures and the budget process.

Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401 spoke on Robert H.Campbell, flags at half staff, money, parking rates down town, Bank of America, and the need for a city line of credit and a consultant to review the city bills.

Mary Jo Calhan, 66 Franklin Street, # 307, Annapolis, Maryland 21401 spoke on the budget, cleanliness, the unions and the tough economy.

PUBLIC HEARING

O-08-10 For the purpose of establishing the Transportation Committee, a standing committee responsible for reviewing all proposed amendments to Titles 12, 14, and 22 of the Annapolis City Code.

Spoke on the ordinance:

Arthur Kungle, Jr, 20 Gentry Court, 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.

CA-02-10 For the purpose of specifying that the City Council shall not meet during the month of August and during the month of November the year of a municipal general election.

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

- Mayor Cohen declared the public hearing closed.

Without objection the public hearings on CA-09-09, CA-03-10 and CA-04-10 were held jointly.

CA-09-09 For the purpose of establishing a city manager form of government by defining the appointment, powers and responsibilities of the city manager as chief executive of the City; reforming the office and duties of the Mayor; reforming the appointment and duties of the city attorney; and, clarifying the role of the City Council.

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CA-03-10 For the purposes of clarifying the role of the city manager as chief administrative officer; enhancing the supervisory powers of city manager with respect to departmental directors; and, providing that the mayor may remove the city manager from office with council approval.

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CA-04-10 For the purposes of clarifying the role of the chief administrative officer; enhancing the supervisory powers of chief administrative officer with respect to departmental directors; and, providing that the chief administrative officer shall be appointed by the mayor and confirmed by the City Council.

- Alderman Arnett gave a brief presentation on the CA-09-09.
- Alderwoman Finlayson gave a brief presentation on the CA-03-10.
- Mayor Moyer gave a brief presentation on the CA-04-10.

Spoke on the charter amendment:

Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401 spoke on CA-09-09, CA-03-10 and CA-04-10

Arthur Kungle, Jr, 20 Gentry Court, Annapolis, Maryland 21401 spoke on the charter amendments.

Spoke in favor of the charter amendment:

Julie Stankivic, 906 Primrose Road, Apt # 204, Annapolis, Maryland 21403 spoke in favor of CA-09-09

Gilbert Renault, 115 Monticello Avenue, Annapolis, Maryland 21401 spoke in favor of CA-09-09

Gregory Stiverson, 1303 Colony Drive, Annapolis, Maryland 21403 spoke in favor of CA-09-09

Scott Bowling, 1979 Fairfax Road, Annapolis, Maryland 21401 spoke in favor of CA-09-09

Bill Kardash, 1 Acton Place, Annapolis, Maryland 21401 representing Annapolitan for Better Community spoke in favor of CA-09-09

John Distelhorst, 824 Chester Avenue, Annapolis, Maryland 21403 spoke in favor of CA-09-09

Mary Jo Calhan, 66 Franklin Street, # 307, Annapolis, Maryland 21401 spoke in favor of CA-09-09

Kevin Sullivan, 7 Cumberland Court, Annapolis, Maryland 21401 spoke in favor of CA-04-10

Mary Jo Calhan, 66 Franklin Street, # 307, Annapolis, Maryland 21401 spoke in favor of CA-03-10

Paul Foer, 921 Boucher Avenue, Annapolis, Maryland 21403 spoke in favor of CA-09-09

Trudy Mc Fall, 205 Scott Drive, Annapolis, Maryland 21401 spoke in favor of CA-09-09

Lee Arby, 112 Archway Avenue, Annapolis, Maryland 21401 spoke in favor of CA-09-09

Marcia Marshall, 22 Severn Avenue, Annapolis, Maryland 21403 spoke in favor of CA-09-09

Spoke in opposition to the charter amendment:

Gilbert Renault, 115 Monticello Avenue, Annapolis, Maryland 21401 spoke in opposition to CA-03-10 and CA-04-10

John Distelhorst, 824 Chester Avenue, Annapolis, Maryland 21403 spoke in opposition to CA-03-10 and CA-04-10

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

- Mayor Cohen declared the public hearings closed.

CA-06-10 For the purpose of increasing the permissible aggregate principal amount of sums the City of Annapolis may borrow at any one time.

No action taken

**** CA-06-10 will be added to the special meeting agenda for a public hearing w/ legislative action on 4/26/10 ****

ORDINANCES & RESOLUTIONS – 2ND READING

O-35-09 For the purpose of establishing a stadium as an additional conforming use within the R2 Single-Family Residence Zoning District.

On the agenda due to the 180 day rule

O-45-09 For the purpose of permitting the subdivision of nonconforming properties.

On the agenda due to the 180 day rule

O-66-09 For the purpose of clarifying the licensure restriction on a mobile food service facility that prepares and sells food in a vehicle operated in a residential area.

Legislative and Policy Analyst Zirkle was present and answered questions from Council.

- Alderwoman Finlayson moved to postpone until O-66-09 on second reading until April 26, 2010. Seconded. CARRIED on voice vote.

O-01-10 For the purpose of specifying that residency in the City of Annapolis is a requirement solely for appointment to the Art in Public Places Commission.

- Alderman Israel moved to adopt O-01-10 on second reading. Seconded.

The Finance Committee reported favorably on O-01-10.

The main motion CARRIED on voice vote.

- Alderman Israel moved to adopt O-01-10 on third reading. Seconded. A ROLL CALL vote was taken:

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

NAYS: Aldermen Pfeiffer, Arnett, Paone

CARRIED: 5/3

- Alderman Silverman was out of the room during the roll call.

R-02-10 For the purpose of revising fees charged for the use of City services during FY 2010.

Finance Director Elliot was present and answered questions from Council.

- Alderman Arnett moved to adopt R-02-10 on second reading. Seconded.
- Alderwoman Hoyle moved to substitute R-02-10 Revised on second reading. Seconded. CARRIED on voice vote.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

- Alderman Silverman was out of the room during the roll call.

CHARTER AMENDMENTS, ORDINANCES & RESOLUTION – 1ST READING

CA-05-10 For the purpose of eliminating the Department of Central Services.

- Alderman Israel moved to adopt CA-05-10 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee

CA-06-10 For the purpose of increasing the permissible aggregate principal amount of sums the City of Annapolis may borrow at any one time.

Finance Director Elliott was present and Answered questions from Council.

- Alderman Israel moved to adopt CA-06-10 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government and Finance Committees.

****CA-06-10 will be added to work session for 4/15/10 w/public hearing and legislative action scheduled for 4/26/10 ****

O-11-10 For the purpose of eliminating the Department of Central Services.

- Alderman Israel moved to adopt O-11-10 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee.

O-13-10 For the purpose of authorizing a lease of municipal property located at 110 Compromise Street from May 2, 2010, through November 21, 2010, to FRESHFARM Markets, Inc.

- Alderman Israel moved to adopt O-13-10 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

****O-13-10 will be added to the special meeting agenda for a public hearing w/ legislative action on 4/26/10 ****

O-14-10 For the purpose of establishing a Clean Energy Loan Program to encourage energy efficiency improvements and renewable energy production equipment, pursuant to Ordinance O-33-08 and Maryland State law.

- Alderman Paone moved to adopt O-14-10 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

R-11-10 For the purpose of establishing the French Monument Committee which shall be responsible for the organization and execution of a centennial ceremony honoring the presentation of the French Monument.

- Alderman Israel moved to adopt R-11-10 on first reading. Seconded. CARRIED on voice vote.

R-12-10 For the purpose of approving an amendment to the Alcoholic Beverage Control Board's (ABC Board) Rules and Regulations.

Charles Grayston, Chair of the Alcoholic Beverage Control Board was present and answered questions from Council.

- Alderman Israel moved to adopt R-12-10 on first reading. Seconded. CARRIED on voice vote.

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

- Alderman Israel moved to adopt R-12-10 on second reading. Seconded. A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

R-14-10 **For the purpose authorizing and empowering the City of Annapolis to establish a line of credit, upon its full faith and credit, of up to the lesser of ten million dollars (\$10,000,000.00) or the amount specified in Article VII, Section 8(a) of the Charter of the City, to be issued for financing ongoing operating expenses of the City of Annapolis.**

- Alderwoman Hoyle moved to adopt R-14-10 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee

BUSINESS AND MISCELLANEOUS

1. Budget Amendment GT-17-10.

- Alderwoman Hoyle moved to accept budget amendment GT-17-10. Seconded. CARRIED on voice vote.
- Alderman Arnett moved to amend the agenda to include GT-18-10. Seconded. CARRIED voice vote.

The order of the agenda was amended to allow for Budget Amendment GT-18-10.

- Alderman Arnett moved to accept budget amendments GT-18-10. Seconded. CARRIED on voice vote.

The order of the agenda was resumed.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:41 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk