

**DRAFT**  
**SPECIAL MEETING**  
April 22, 2013

The Special Meeting of the Annapolis City Council was held on April 22, 2013 in the Council Chamber. Mayor Cohen called the meeting to order at 7:09 p.m.

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

Staff Present: City Manager Mallinoff, City Attorney Hardwick, Development and Special Projects Coordinator LeFurge, DNEP Director Broadbent, Planning and Zoning Director Arason, Harbor Master Walters, Finance Director Miller

- Alderman Paone moved to amend the agenda to have business and miscellaneous item # 1 before the public hearing items. Seconded. CARRIED on voice vote.

**CITY COUNCIL CITATIONS**

**St. Patrick's Day Parade**

Mayor Cohen invited Alderman Paone to present John O'Leary with a City Council Citation in recognition of his outstanding affords in organizing the 1<sup>st</sup> City of Annapolis St. Patrick's Day Parade.

**Citizen Service Award**

Mayor Cohen invited Alderman Littmann to present James Gregory with a City Council Citation in recognition of his many years of service to the Board of Appeals.

Planning and Zoning Director Arason was present and thanked Mr. Gregory for his service to the Board of Appeals.

**PETITIONS, REPORTS AND COMMUNICATIONS**

**Housing Authority of the City of Annapolis  
(HACA) Quarterly Report**

Chairman Snowden invited Chief of Staff & Security Johnson to present the Quarterly Report. Vice Chair Carter, Executive Director Leggett, Director of Pathways to Opportunity Health and Human Services Stansbury, Deputy Executive Director Wingate and Acting Finance Director Walton were present.

**Forest Conservation Act  
Working Group**

Hon. Joseph Manck, Chair representing the Forest Conservation Working Group presented the committes report and answered questions from Council.

**Comments by the General Public**

Frank Bradley, 815 Parkwood Avenue, Annapolis, Maryland 21403 spoke on the U.S. Constitution and the giving away of tax payer money to non-profit organizations.

- Mayor Cohen declared petitions, reports and communications closed.

The order of the agenda was amended to allow for business and miscellaneous item # 1.

BUSINESS and MISCELLANEOUS

• **Appointments**

- Alderwoman Hoyle moved approval of the Mayor's appointment of the following individual:

4/22/13 Civil Service Board.....Samuel P. Callahan, Jr.  
 Seconded. CARRIED on voice vote.

The Rules and City Government Committee reported favorably on the appointment.

The order of the agenda was resumed.

PUBLIC HEARING

**O-25-11 The Definition of a Two-family Dwelling – For the purpose of including “two-family dwelling” in the definition of “single-family attached dwelling.”**

Planning and Zoning Director Arason gave a brief presentation on the ordinance and answered questions from Council.

Spoke in favor of the ordinance:

Robert Eades, 32 Pleasant Street, Annapolis, Maryland 21403

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

- Mayor Cohen accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 3/7/13, and Memoranda from Jon Arason, Director, to the Planning Commission dated 2/27/13 and 1/3/13.
- Mayor Cohen declared the public hearing closed.

**O-47-11 Fence Permits - For the purpose of amending the Code of the City of Annapolis with respect to the issuance of fence permits.**

Planning and Zoning Director Arason gave a brief presentation on the ordinance and answered questions from Council.

Spoke on the ordinance:

Sharon Kennedy, 9 Randall Court, Annapolis, Maryland 21401 representing the Historic Preservation Commission.

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

- Mayor Cohen accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 3/7/13, and Memoranda from Jon Arason, Director, to the Planning Commission dated 2/28/13.
- Mayor Cohen declared the public hearing closed.

**O-3-13 Bulk Regulations for Governmental Uses in the C1-A Zoning District – For the purpose of specifying that lot size and width requirements for existing buildings with a governmental use in the C1-A zoning district shall be determined through the special exception process, pursuant to Chapter 21.26 of the City of Annapolis Code.**

Planning and Zoning Director Arason gave a brief presentation on the ordinance and answered questions from Council.

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

- Mayor Cohen accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 3/7/13, and Memoranda from Jon Arason, Director, to the Planning Commission dated 2/27/13.
- Mayor Cohen declared the public hearing closed.

CONTINUATION OF PUBLIC HEARING FROM April 8, 2013

*"For the purpose of receiving written findings from the Planning Commission"*

**R-7-13 Wayfinding and Signage Master Plan - For the purpose of adopting the Draft Wayfinding and Signage Master Plan as an addendum to the 2009 Annapolis Comprehensive Plan.**

- Mayor Cohen accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 2/7/13, and Memoranda from Jon Arason, Director, to the Planning Commission dated 12/18/12.
- Mayor Cohen declared the public hearing closed.

LEGISLATIVE ACTIONS

CHARTER AMENDMENT, ORDINANCES and RESOLUTIONS – 2<sup>ND</sup> READER

**CA-2-12 Municipal Elections Coinciding with State of Maryland Elections in 2018 and Onward – For the purpose of amending the Charter of the City of Annapolis to establish the dates of the primary and general elections to coincide with the State of Maryland in 2018 and extending the length of time in office for the incoming City Council in December 2013 an additional year to December 2018 in order to facilitate this transition period.**

- Alderman Arnett moved to postpone CA-2-12 on second reading until May 13, 2013. Seconded. CARRIED on voice vote.

**O-16-12 Distribution of Unsolicited Materials – For the purpose of establishing Section 11.36.025 of the Code of the City of Annapolis regarding the distribution of unsolicited materials.**

- Mayor Cohen moved to withdraw O-16-12 on second reader. Seconded. CARRIED on voice vote.

**R-34-12 Establishing a Fine for Violations of Distributing Unsolicited Materials – For the purpose of establishing a fine for violations of distributing unsolicited materials.**

- Alderman Arnett moved to withdraw R-34-12 on second reading. Seconded. CARRIED on voice vote.

**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.**

- Alderman Arnett moved to adopt O-2-13 on second reading. Seconded.

The Economic Matters and the Environmental Matters Committees reported

favorably on O-2-13.

- Alderman Littmann moved to amend O-2-13 as follows:

On page 1, in line 4, strike “Amended” Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Paone moved to adopt O-2-13 amended on third reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 8/0

**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.**

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

City Manager Mallinoff and William Taylor, 401 E. Pratt Street, Suite 2315, Baltimore, Maryland 21202 representing McKennon Shelton & Henn LLP, were present and answered questions from Council.

- Alderman Arnett moved to adopt O-17-13 on second reading. Seconded.

The Economic Matters Committee reported no action, the Finance Committee reported favorably and the Financial Advisory Commission reported comments w/ amendments on O-17-13.

- Mayor Cohen moved to amend O-17-13 as follows:

On page 2, and throughout the document, in the headers delete “O-16-13” and insert “O-17-13”. Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwoman Finlayson, Aldermen Kirby, Pfeiffer, Arnett, Alderwoman Hoyle  
 NAYS: Aldermen Littmann, Paone  
 CARRIED: 6/2

- Alderman Arnett moved to adopt O-17-13 amended on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwoman Finlayson, Aldermen Kirby, Pfeiffer, Arnett, Alderwoman Hoyle  
 NAYS: Aldermen Littmann, Paone  
 CARRIED: 6/2

**R-17-13 A Revision to the Capital Improvement Budget and Program (Parking Meter Upgrade): FY 2013 to FY 2018 – For the purposes of revising the capital improvement budget for the Fiscal Year 2013 and the capital improvement program (parking meter upgrade) for the six-year period from July 1, 2012, to June 30, 2018.**

City Mnager Mallinoff gave a brief presentation and answered questions from Council.

- Alderman Arnett moved to adopt R-17-13 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwoman Finlayson, Aldermen Littmann, Kirby, Pfeiffer, Arnett, Paone, Alderwoman Hoyle  
 NAYS:  
 CARRIED: 8/0

**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.**

- Alderwoman Finlayson moved to adopt R-21-13 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwoman Finlayson, Aldermen Littmann, Kirby, Pfeiffer, Arnett, Paone, Alderwoman Hoyle  
 NAYS:  
 CARRIED: 8/0

**ORDINANCES and RESOLUTION – 1<sup>st</sup> READER**

**O-10-13 Compensation of Mayor, Aldermen/Alderwomen, and City Manager – For the purpose of specifying compensation and allowances to be paid to the Mayor and Aldermen/Alderwomen for the term of office commencing on the first Monday in December, 2013; and for**

**specifying compensation and allowances to be paid to the City Manager.**

- Alderwoman Hoyle moved to adopt O-10-13 on first reader. Seconded. CARRIED on voice vote

Referred to the Rules and City Government and Finance Committees.

**O-18-13 The Conveyance of Certain Portions of 908 and 914 Bay Ridge Avenue – For the purpose of conveying by deed the right, title, and interest of the City of Annapolis in a certain part of the land at 914 Bay Ridge Avenue to Ana Cortes; accepting the conveyance by deed of Ana Cortes’ right, title, and interest in a certain part of the land at 908 Bay Ridge Avenue; and all matters relating to these conveyances.**

- Alderman Arnett moved to adopt O-18-13 on first reader. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee.

**O-20-13 Highly Compensated Employees in the Police and Fire Retirement Plan- For the purpose of establishing the definition of “highly compensated employee” within the Police and Fire Retirement Plan and authorizing such highly compensated employee participation in the Police and Fire Retirement Plan.**

- Alderman Arnett moved to adopt O-20-13 on first reader. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee.

**R-23-13 Special Event Applications – II – 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 docking fees for the Eastport Yacht Club Lights Parade; and the reimbursement of full fees to the City for the cost associated with the other approved events.**

- Alderman Arnett moved to adopt R-23-13 on first reader. Seconded. CARRIED on voice vote.

Referred to the Economic Matters and the Finance Committee.

## **2. Budget Revision Request**

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

- Alderman Arnett moved to approve the request to decrease the General Fund Contingency Account in the amount of \$2,500 and to increase the Human Resources Contract Services Account in the amount of \$2,500. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:15 p.m.

Regina C. Watkins-Eldridge, MMC  
City Clerk