

SPECIAL MEETING
April 25, 2011

The Special Meeting of the Annapolis City Council was held on April 25, 2011 in the Council Chamber. Mayor Cohen called the meeting to order at 7:12 p.m.

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

Staff Present: City Attorney Hardwick City Manager Mallinoff, Director of Services Smith, Deputy Chief Simmons, Finance Director Miller, Grants Coordinator Farrow, Department of Neighborhood and Environmental Programs Director Broadbent, Development and Events Specialist LeFurge, Planning and Zoning Director Arason

PRESENTATIONS AND AWARDS

Homeless Prevention Support

Mayor Cohen invited Director of Services Smith and Deputy Chief Simmons to present the Mayoral Citations in recognition of contributions to the broad efforts in Annapolis and Anne Arundel County to aid in the sheltering and support of the homelessness during the cold weather season. To the following participants:

Office of Emergency Management
Light House Shelter
Annapolis Police Department
We Care and Friends
Stanton Community Center
Annapolis Recreation and Parks Department
City of Annapolis Department of Planning and Zoning
Anne Arundel County Police Department
Anne Arundel County Department of Social Services
Arundel House of Hope Winter Relief Services
Anne Arundel & Annapolis Community Development Partnership to End Homelessness
Arundel Lodge Incorporated
Anne Arundel County Mental Health Agency
Sarah's House
Anne Arundel County Mobile Unit Crisis Team

- Alderwoman Hoyle moved to amend the order of the agenda to consider R-16-11 on second reader before petitions, reports and communication. Seconded. CARRIED on voice vote.

The order of the agenda was amended to allow for legislative action on R-16-11 on second reading.

LEGISLATIVE ACTION

RESOLUTION – 2ND READING

R-16-11 Dedicating the City of Annapolis Council Chambers as the "Mayor John T. Chambers, Jr. Council Chambers" – For the purpose of dedicating the City of Annapolis Council Chambers as the "Mayor John T. Chambers, Jr. Council Chambers."

Hannah Scott Chambers, 41 Hicks Avenue, Annapolis, Maryland 21401 representing John T. Chambers

- Alderwoman Hoyle moved to adopt R-16-11 on second reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS: Alderman Israel

CARRIED: 8/1

The order of the agenda was resumed.

- Alderman Paone moved amend the agenda to consider O-4-11, O-7-11 and O-9-11 on second reading after petitions, reports and communications. Seconded. CARRIED on voice vote.

PETITIONS, REPORTS AND COMMUNICATIONS

Comments by the General Public

Ann Younkens, 3131 Connecticut Avenue, NW, Washington, DC 20008 representing Fresh Farm Markets spoke in favor of O-9-11 with amendments, and invited the city council members to the markets opening

Samuel McLean Brice, 1811 Old Annapolis Blvd, Annapolis, Maryland 21409 spoke on pedestrians, bicyclist, cross walks, sales of rain barrow and compost bins, furlough days, 3 percent given back to the city from the city employees, budgets and governmental employees

Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401 spoke on the 1981 city's financial and moral crisis, John Apostle, John Chambers, Mayor Hillman, John Hammond and the police and fire pension fund

- Mayor Cohen declared petitions, reports and communications closed.

The order of the agenda was amended to allow for legislative actions on O-4-11, O-7-11 and O-9-11 on second reading.

LEGISLATIVE ACTIONS

ORDINANCES – 2ND READING

O-4-11 Lease of City Dock Space to Chesapeake Marine Tours – For the purpose of authorizing for fiscal year 2016 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-4-11 on second reading. Seconded.

The Economic Matters Committee reported favorably on O-4-11.

The main motion CARRIED on voice vote.

- Alderman Paone moved to adopt O-4-11 on third reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

O-7-11 Lease of City Property: Boat Shows in 2016 – For the purpose of authorizing a lease of certain municipal property located in the general harbor, Dock Street and Edgewood Road areas to United States Sailboat Shows, Inc. and United States Powerboat Shows, Inc., for a certain period of time in October 2016, to conduct boat shows.

- Alderman Arnett moved to adopt O-7-11 on second reading. Seconded.

The Economic Matters and the Environmental Matters Committees reported favorably on O-7-11.

The main motion CARRIED on voice vote.

- Alderman Arnett moved to adopt O-7-11 on third reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

O-9-11 Lease of Public Parking Lots to FRESHFARM Markets, Inc. – For the purpose of authorizing a lease of municipal property located at 110 Compromise Street from May 2, 2011, through November 20, 2011, to FRESHFARM Markets, Inc.

Department of Neighborhood and Environmental Programs Director Broadbent was present and answered questions from Council.

- Alderman Arnett moved to adopt O-9-11 on second reading. Seconded.

The Rules and City Government and Economic Matters Committees reported favorably on O-9-11.

- Alderman Arnett moved to amend O-9-11 as follows:

On page 1, of the ordinance, in line 13 and 34, after the word “May” strike “2” and insert “1”; and

On the first unnumbered page of the lease, in section 1. Premises and Term, after the word “May” insert “1” and after November insert “20” Seconded. CARRIED on voice vote.

- Alderman Arnett moved to amend O-9-11 as follows:

On the first unnumbered page of the lease, strike paragraph “2. 9 St. Mary’s Street, a. Lessee shall have access to the interior space of Lessor’s property located at 9 St. Mary’s Street.” Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Arnett moved to adopt O-9-11 amended on third reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

The order of the agenda was resumed.

PUBLIC HEARING

O-10-11 Annual Operating Budget: FY 2012 – For the purposes of adopting an operating budget for the City of Annapolis for the Fiscal Year 2012;

appropriating funds for expenditures for the Fiscal Year 2012; 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.

Spoke on the ordinance:

Joe Budge, 9 Randall Court, Annapolis, Maryland 21401 representing Ward One Residents Association

Lee Finney, 717 Warren Drive, Annapolis, Maryland 21403

Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401

Samuel McLean Brice, 1811 Old Annapolis, Blvd, Annapolis, Maryland 21409

Bill Kardash, 1 Acton Place, Annapolis, Maryland 21401

Debbie Yatsuk, 418 Fox Hollow Lane, Annapolis, Maryland 21403

Janet Norman, 787 Annapolis Neck Road, Annapolis, Maryland 21403

Spoke in favor of the ordinance:

Leslie Stanton, Chair, Board of Director of Community Action Agency, 251 West Street, Annapolis, Maryland 21401 representing Annapolis Youth Services Grant
John Guild, 1210 Bay Ridge Avenue, Annapolis, Maryland 21401 representing Historic Annapolis

Deborah Wood, 1332 Swan Drive, Annapolis, Maryland 21409 representing Chesapeake Children's Museum and all non-profits who benefits from funds received from the City

Sharon Kennedy, 9 Randall Court, Annapolis, Maryland 21401 representing Historic Preservation Commission, Four Rivers Heritage Area and Annapolis Economic Development Corporation

Matt Grubbs, 3 Decatur Avenue, Annapolis, Maryland 21403 representing Four Rivers Heritage Area

Carol A Benson, 2306 White Hall Road. White Hall, Maryland 21161 representing Four Rivers Heritage Area

Rachel Griffin, 920 West Washington Street, Annapolis, Maryland 21401 representing We Care and Friends

Ed Green, 1908 Forest Drive, Suite H, Annapolis, Maryland 21401 representing OIC

Mike Drummond, 2600 Solomons Island Road, Edgewater, Maryland 21037 representing Arundel Lodge, Robert E. Gambel, III, and Rusean Rene`

Spoke in opposition to the ordinance:

Bill Vining, 418 Park Place, Annapolis, Maryland 21401

Frank Bradley, 815 Parkwood Avenue, Annapolis, Maryland 21403

Meg Moffat, 203 Chesapeake Avenue, Annapolis, Maryland 21403

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

- Mayor Cohen declared the public hearing closed.

R-15-11 FY 2012 Fees Schedule Effective July 1, 2011 – For the purpose of specifying fees that will be charged for the use of City services for FY 2012.

Spoke on the resolution:

Janet Norman, 787 Annapolis Neck Road, Annapolis, Maryland 21403 representing her elderly and Hispanic neighbors

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

- Mayor Cohen declared the public hearing closed.

R-17-11 Capital Improvement Budget and Program: FY 2012 to FY 2017 – For the purposes of adopting a capital improvement budget for the Fiscal Year 2012, and a capital improvement program for the six-year period from July 1, 2011, to June 30, 2017.

David M. DiQuinzio, Chair of the Planning Commission gave a brief presentation on the Capital Improvement Plan for FY 2012-2017 and answered questions from Council.

Spoke on the resolution:

Doug Smith, 5 Revell Street, Annapolis, Maryland 21401
Samuel McLean Brice, 1811 Old Annapolis Blvd, Annapolis, Maryland 21409

Spoke in favor of the resolution:

Cindy Reiner, 1708 Smugglers Run, Annapolis, Maryland 21401 representing the Annapolis Business Association

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

- Mayor Cohen accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 4/22/11.
- Mayor Cohen declared the public hearing closed.

The meeting was recessed at 9:33 p.m. and reconvened at 9:47 p.m.

- Alderman Israel left for the evening at 9:33 p.m.

O-11-11 Water and Sewer Rates – For the purpose of increasing the metered use water and sewer rates in the City of Annapolis.

Spoke on the ordinance:

Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401

Spoke in opposition to the ordinance:

Meg Moffat, 203 Chesapeake Avenue, Annapolis, Maryland 21403
Cindy Reiner, 1708 Smugglers Run, Annapolis, Maryland 21401
James LoBosco, 126 West Street, Annapolis, Maryland 21401 representing the Loews Annapolis Hotel

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-12-11 The Reporting Structure for the Position of Harbor Master – For the purpose of amending the reporting structure for the position of Harbor Master.

City Manager Mallinoff 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 declared the public hearing closed.

O-14-11 Review and Award of Community Grants – For the purpose of amending the purpose and process by which the City reviews and awards community grants.

Grants Coordinator Farrow 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 declared the public hearing closed.

O-15-11 Modifications to Section 17.10.180B Regarding the Stormwater Utility Fund – For the purpose of authorizing the Director of Public Works to allow up to a fifty percent (50%) reduction in the stormwater utility fee for property owners who install certain stormwater management facilities.

City Manager Mallinoff gave a brief presentation on the ordinance and answered questions from Council.

Spoke in favor of the ordinance:

Susan Pogell, 137 Conduit Street, Annapolis, Maryland 21401
David Prosten, 3120 Munz Drive, Annapolis, Maryland 21403 representing Anne Arundel Sierra Club
Ted Webber, 1022 Park Avenue, Annapolis, Maryland 21403
Rick Kissel, 717 Warren Drive, Annapolis, Maryland 21403
Erik Michelson, 1221 Cove Drive, Churchton, Maryland 20733 representing South River Federation
Tony Evans, 3 Constitution Square, 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-18-11 Amendment to Police and Fire Retirement Commission – For the purpose of amending Section 3.36.280 to allow the Chair of Finance Committee to designate a qualified individual with investment knowledge and experience to serve in lieu of him or her on the Police and Fire Retirement Commission.

City Manager Mallinoff 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 declared the public hearing closed.

LEGISLATIVE ACTIONS

ORDINANCE AND RESOLUTIONS – 1st READING

O-23-11 Positions Added to the Exempt Service – For the purpose of adding the positions of Assistant City Attorney, Boards and Commissions/Council Associate, Community Relations Specialist, Development/Events Specialist, Grants Coordinator, Human Services

Officer, and Administrative Associate, 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-25-11 First Sundays Festival 2011 – For the purpose of waiving the license requirement 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.

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R-26-11 Annapolis Business Association May Madness Sale in 2011 – For the purpose of permitting the temporary sale of merchandise and non-alcoholic items in front of participating businesses on specified sidewalks in connection with the May Madness Sidewalk Sale organized by the Annapolis Business Association to be held on May 5, 6, and 7, 2011.

Development and Events Specialist LeFurge was present and answered questions from Council.

Mayor Cohen deferred action on R-25-11 and R-26-11 pursuant to City Code section 2.16.090 (E)

R-29-11 Renaming the Back Creek Nature Park as the "Ellen O. Moyer Nature Park at Back Creek" - For the purpose of renaming Back Creek Nature Park as the “Ellen O. Moyer Nature Park at Back Creek.”

Referred to the Environmental Matters Committee

R-30-11 Updated Job Descriptions – For the purpose of approving the new job descriptions for the GIS Coordinator (MIT), GIS Technician (MIT), MIT Support Analyst (MIT), Facilities Maintenance Engineer I and II (Public Works), Fleet Maintenance/Asset Forfeiture (Police), Mobility and Parking Specialist (Transportation), Community Health/Aquatics Supervisor (Recreation and Parks), 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 (Harbormaster), Harbormaster Administrative Coordinator (Harbormaster), Fire Administrative Specialist (Fire), Digital Media and Marketing Administrator (Mayor’s Office), and Executive Office Associate (Mayor’s Office).

Referred to the Rules and City Government and the Finance Committees

BUSINESS and MISCELLANEOUS

1. Appointments

- Alderman Arnett moved to approve the Mayor's appointment of the following individual:

4/25/11 Annapolis Environmental Commission.....Rick Kissel
 4/25/11 Civil Service Board.....Alan Pack, Jr
 4/25/11 Alcoholic Beverage Control Board.....Catherine Shultz
 Seconded. CARRIED on voice vote.

2. Housing and Community Development Committee Allocation of FY 2012 Community Development Block Grant funding for Capital and Public Service Projects

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

- Alderman Arnett moved to accept the Housing and Community Development Committee Allocation of FY 2012 Community Development Block Grant funding for Capital and Public Service Projects. Seconded. CARRIED on voice vote.

Fiscal Impact Notes for R-25-11 and R-26-11 were received pursuant to City Code Section 2.16.090 (E)

The order of the agenda was amended to allow for legislative action on R-25-11 and R-26-11.

LEGISLATIVE ACTIONS

RESOLUTIONS – 1ST READING

Request - Rules be suspended

- R-25-11 First Sundays Festival 2011 – For the purpose of waiving the license requirement 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.**

Development and Events Specialist LeFurge was present and answered questions from Council.

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

- Alderman Arnett moved to adopt R-25-11 on second reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 8/0

- R-26-11 Annapolis Business Association May Madness Sale in 2011 – For the purpose of permitting the temporary sale of merchandise and non-alcoholic items in front of participating businesses on specified sidewalks in connection with the May Madness Sidewalk Sale organized by the Annapolis Business Association to be held on May 5, 6, and 7, 2011.**

Development and Events Specialist LeFurge was present and answered questions from Council.

- Alderman Arnett moved to adopt R-26-11 on second reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 8/0

The order of the agenda was resumed.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:57 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk