

REGULAR MEETING
May 10, 2010

The Regular Meeting of the Annapolis City Council was held on May 10, 2010 in the Council Chamber. Mayor Cohen called the meeting to order at 7:37 p.m.

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

Staff Present: City Attorney Hardwick, Chief Administrative Officer Smith, Finance Director Elliott, Planning and Zoning Director Arason, Department of Neighborhood and Environmental Programs Director Mallinoff

Invocation: Rev. Louis J. Boston, Pastor, First Baptist Church of Annapolis, 31 West Washington Street, Annapolis, Maryland 21401

PRESENTATION

Presentation of HACA Leadership Award

Mayor Cohen along with Alderman Paone on behalf of the citizens of the City of Annapolis presented to Robert Platzke resident of Glenwood Street with the first Martha Wood Community Leadership Award in recognition of being honored by the Housing Authority of the City of Annapolis.

PETITIONS, REPORTS AND COMMUNICATIONS

Approval of Journal of Proceedings

- Alderman Israel moved to approve the Journal of Proceedings for Regular Meeting of April 12, 2010, Special Meeting of April 12, 2010, Special Meeting of April 15, 2010, Special Meeting of April 26, 2010 and Special Meeting of May 3, 2010. Seconded. CARRIED on voice vote.

Comments by the General Public

Rev. Louis J. Boston, Pastor, First Baptist Church of Annapolis, 31 West Washington Street, Annapolis, Maryland 21401 spoke in favor of maintaining the name of Rev. Leroy Bowman on Bowman Court
Trudy Mc Gowan, 970 Spa Road, Apt # 201, Annapolis, Maryland 21403 spoke in favor of R-16-10
Elizamae Robinson, 213 Janwall Street, Annapolis, Maryland 21403 spoke in favor of R-16-10
Robert Eades, 32 Pleasant Street, Annapolis, Maryland 21401 spoke in favor of R-16-10
Cynthia A. Carter, 1311 Colony Drive, Annapolis, Maryland 21403 spoke in favor of R-16-10, and keeping the original basketball court
Jacqueline Allsup, 7370 Anon Lane, Glen Burnie, Maryland 21060 representing Anne Arundel County Branch of the NAACP spoke in favor of R-16-10
Charles Butler, 13 Hicks Avenue, Annapolis, Maryland 21401 spoke in favor of R-16-10
Joseph (Zastro) Simms, 701 Glenwood Street, Annapolis, Maryland 21401 spoke in favor of R-16-10
Herb McMillan, 417 Fox Hollow Lane, Annapolis, Maryland 21401 spoke in opposition to a tax and spend government and being a credit card government
Samuel Brice, 1811 Old Annapolis Blvd, Annapolis, Maryland 21409 spoke on the perception of the public regarding city employees
Julie Stankivic, 906 Primrose Road Apt # 204, Annapolis, Maryland 21403 spoke in opposition to the Union Contracts
Clyde Carr, 110 Hole Claw Street, Annapolis, Maryland 21401 representing Reliable Cab Company spoke on the cab industry in Annapolis and the need for

regulations for new cab companies

Momodou Jawara, 622 Cutter Court, Annapolis, Maryland 21401 representing Bay Area Cab Company spoke on the cab industry and the need for rules and regulations for cab companies

Dan Tasikas, 235 A Farragut Court, Apt # 203, Annapolis, Maryland 21403 spoke in opposition to the ice cream truck vendors

Chris Trumbauer 5 Janwall Court, Annapolis, Maryland 21401 spoke in favor of R-16-10 and in opposition to raising taxes

Mike Mulligan, 3 Southgate Avenue, Annapolis, Maryland 21401 spoke in opposition to tax increases

Cindy Cole-Siemens, 514 Chesapeake Avenue, Annapolis, Maryland 21403 spoke in opposition to city employee salaries, work hours, the large number of city employees, and borrowing money to make payroll

Lyn Small, 702 Severn Avenue, Annapolis, Maryland 21403 spoke in favor of R-16-10 and having a history page on the city's website

Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401 spoke on city laws and enforcement, the police department, decibel meters, and ice cream trucks

- Alderwoman Hoyle moved to amend the agenda to include R-16-10 on first reader. Seconded. CARRIED on voice vote.

PUBLIC HEARING

Constant Yield Tax Rate

The City Council of the City of Annapolis proposes to increase real property taxes. For the tax year beginning July 1, 2010, the estimated real property assessable base will increase by 2.3% from \$6,140,433,802 to \$6,283,833,633. If the City of Annapolis maintains the current tax rate of \$0.53 per \$100 of assessment, real property tax revenues will increase by 2.3%, resulting in \$760,019 of new real property tax revenues. In order to fully offset the effect of increasing assessments, the real property tax rate should be reduced to \$0.5179, the constant yield tax rate. The City is considering not reducing its real property tax rate enough to fully offset increasing assessments. The City proposes to adopt a real property tax rate of \$0.53 per \$100 of assessment. This tax rate is 2.3% higher than the constant yield tax rate and will generate \$760,019 in additional property tax revenues.

Finance Director Elliott gave a brief presentation on the constant yield tax rate.

Spoke on the constant yield tax rate:

Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401

No one else from the general public spoke in favor of or in opposition to the constant yield tax rate.

- Mayor Cohen declared the public hearing closed.

Without objection the public hearing on CA-05-10 and O-11-10 were held jointly.

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

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

Chief Administrative Officer Smith was present and answered questions from Council.

Spoke in opposition to the charter amendment and ordinance:

Leeland Alland, 2 Cedarwood Road, Catonsville, Maryland 21223
Marcelle Lee, 767 Oak Grove Circle, Severna Park, Maryland 21146

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

- Mayor Cohen declared the public hearings closed.

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.

Department of Neighborhood and Environmental Programs Director Mallinoff gave a brief presentation on the ordinance.

Spoke on the ordinance:

Courtney Billups, 310 Will Smith Road, Henderson, Maryland 21607 representing Maryland Clean Energy Center
Don Lamb-Minor 107 Northwest Street, 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.

R-05-10 For the purposes of adopting a capital improvement budget for the Fiscal Year 2011, and a capital improvement program for the six-year period from July 1, 2010, to June 30, 2016.

- Mayor Cohen accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 5/6/10.

Spoke in favor of Barbud Lane Reconstruction Project:

Julie Stankivic, 906 Primrose Road Apt # 204, Annapolis, Maryland 21403

- Mayor Cohen declared the public hearing closed.

R-15-10 For the purposes of adopting a Five-Year Consolidated Housing and Community Development Strategic Plan for the period beginning July 1, 2010, through June 30, 2015.

Planning and Zoning Director Arason gave a brief presentation on the resolution.

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

- Mayor Cohen declared the public hearing closed.

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.

- Alderman Paone moved to postpone O-35-09 on second reading until May 24, 2010. Seconded. CARRIED on voice vote.

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

Planning and Zoning Director Arason was present and answered questions from Council.

- Alderman Israel moved to postpone indefinitely O-45-09 on second reading. Seconded. DEFEATED on voice vote.
- Alderman Arnett moved to adopt O-45-09 on second reading. Seconded.

The main motion DEFEATED on voice vote.

O-62-09 For the purpose of establishing “Liquor Store with Accessory Wine Bar” as a use in certain commercial and industrial zoning districts, subject to standards.

Planning and Zoning Director Arason was present and answered questions from Council.

*** On agenda due to 180 Day Rule***

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

- Alderman Israel moved to adopt R-11-10 on second reading. Seconded.
- Alderman Israel moved to amend R-11-10 as follows:

On page 1, in line 37, strike “American”

On page 2, in line 19, strike “American”

On page 2, in line 20, delete “Maggie Melson” and insert “Barbara Goyette”

On page 2, in line 20, delete “Barrett Mc Kown” and insert “Hall Worthington”

Seconded. CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

R-15-10 For the purposes of adopting a Five-Year Consolidated Housing and Community Development Strategic Plan for the period beginning July 1, 2010, through June 30, 2015.

- Alderman Arnett moved to adopt R-15-10 on second reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS: Alderman Paone

CARRIED: 8/1

- O-15-10** **For the purposes of enabling a Markethouse Authority, establishing the Markethouse Enterprise Fund, and designating a municipal employee as Market Manager.**

Referred to the Economic Matters Committee.

- O-16-10** **For the purpose of revising use standards applicable to coffee shops.**

Referred to the Rules and City Government Committee and the Planning Commission.

- O-18-10** **For the purpose of altering Special Residential Parking District Number 4 to include Bertina A. Nick Way.**

Referred to the Public Safety and the Transportation Committee and the Transportation Board.

- Alderman Arnett moved to amend the agenda to include R-16-10. Seconded. CARRIED on voice vote.

The order of the agenda was amended to allow for R-16-10

- R-16-10** **For the purpose of expressing the City of Annapolis' desire to retain the name "Bowen Court" in the redevelopment of the Bowman Court and Annapolis Gardens properties.**

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

- Alderwoman Hoyle moved to adopt R-16-10 on second reading. Seconded.
- Alderman Kirby moved to amend R-16-10 as follows:

Amendment #1

On first unnumbered page, at line 34, insert: "AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the City of Annapolis requests that the basketball court at the corner of Admiral Drive and Croll Road be retained and remain a part of the redeveloped communities." Seconded. CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderman Pfeiffer, Arnett, Israel, Paone,
 Alderwomen Hoyle, Finlayson, Alderman Silverman, Kirby
NAYS:
CARRIED: 9/0

The order of the agenda was resumed.

BUSINESS AND MISCELLANEOUS

1. Appointments

- Alderman Paone moved to approve the Mayor's appointment of the following individuals:

5/10/10 Housing Authority.....Jeffery Henderson
Seconded. CARRIED on voice vote.

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

6/14/10 Transportation Board.....David Arthur
6/14/10 Transportation Board.....Wanda Daniels
6/14/10 Transportation Board.....Mary H. Crowner
6/14/10 Transportation Board.....Robert H. Eades
Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 11:23 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk