

REGULAR MEETING  
May 12, 2008

The Regular Meeting of the Annapolis City Council was held on May 12, 2008 in the Council Chamber. Mayor Moyer called the meeting to order at 7:30 p.m.

Present on Roll Call: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Cordle, Stankivic, Shropshire, Arnett

Staff Present: City Attorney Spencer

- Alderman moved to approve the Journal of Proceedings for April 14, 2008 Regular Meeting and, April 28, 2008 Special Meeting. Seconded. CARRIED on voice vote.

**PETITIONS, REPORTS AND COMMUNICATIONS**

**Reports by Committees**

Finance Committee's recommendations on FY 2009 Budget

**Comments by the General Public**

- Alderman Cordle moved to amend the agenda to include R-26-08. Seconded. CARRIED on voice vote.

**CHARTER AMENDMENT**

**CA-02-07 For the purpose of amending the Charter of the City of Annapolis to specify that all members of the Board of Supervisors of Elections shall be appointed or reappointed for four year terms or remainders of four year terms that begin in March following each General City Election; to show the correct reference for the qualifications of candidates for elected office; and all matters generally related to the election section of the City Charter.**

- Alderman moved to adopt CA-02-07 on second reading. Seconded.

The Rules and City Government Committee reported favorably on CA-02-07.

- Alderman moved to amend CA-02-07 as follows:

Amendment #1

On page 1, in lines 16 and 17, strike "to show correct reference for the qualifications of candidates for elected office;"

On page 1, in line 20, strike "Amending Article II, Section 5 of the Charter"

On page 1, strike line 26 and all that follows through and including line 6 on Page 2

Seconded. CARRIED/DEFEATED on voice vote.

The main motion amended CARRIED on voice vote.

- Alderman moved to adopt CA-02-07 amended on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Cordle, Stankivic, Shropshire, Arnett

NAYS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Cordle, Stankivic, Shropshire, Arnett

CARRIED/DEFEATED:

**O-33-07 For the purpose of providing for provisional ballots; defining challengers and watchers; redefining principal party based on mayor rather than governor; clarifying who serves as Election Administrator; permitting County election judges to serve at City elections; having the Election Board rather than judges remove judges; making the Central Committees responsible for advising the City Clerk when changes are made to the membership; allowing election judges to work either partial or full days; deleting any responsibilities the City Clerk may have in maintaining and disseminating voter registration lists and vote registration cards; requiring that names of votes must be heard by challengers prior to voting; specifying that Election Board must adopt the same voting technology adopted by the State and County; making it mandatory to post election results at each precinct; eliminating specific procedures and other references based on technology and only addressing concepts in carrying out an election; allowing any voter to vote using an absentee ballot; specifically stating that the Board of Elections becomes the Board of Canvassers; deleting the prohibition of walk-around services; deleting the campaign finance requirement of a report seven weeks prior to the primary and substituting the requirement for a report on December 1st following the general election; clarifying that campaign contribution limitations are based on a four year election cycle; making a number of technical changes relating to definitions and code references; and matters generally relating to revisions to the Election Code.**

- Alderman moved to adopt O-33-07 on second reading. Seconded.

The Rules and City Government Committee reported on action on O-33-07.

- **Alderman moved to amend O-33-07 as follows:**

Amendment #1

4.20.090 Nomination by petition--Requirements.

A. A person seeking the office of Mayor or Alderman who is registered as ~~an independent unaffiliated~~ as defined in this title or who is not registered as a member of a political party ~~whose nominees must be nominated by means of primary elections~~ that is recognized by the Maryland State Board of Elections, may be nominated by petition, as provided in this section.

B. A candidate for public office seeking nomination by petition shall file a certificate of candidacy at the time and place and in the manner provided in this chapter and shall comply with all other applicable provisions of this title, in the same manner as candidates for nomination at a primary election.

C. In order to have the name of a proposed candidate placed on the ballot under this section, the candidate shall file with the board petitions signed by the number of voters specified in subsection C of this section. Petitions shall be filed as required by Section 4.20.100(A).

Amendment #2

On page 29, in line 11, after "election." insert "This report shall cover the balance of the preceding election cycle which ends on the day of the general election." Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman moved to adopt O-33-07 amended on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone,  
Cordle, Stankivic, Shropshire, Arnett  
NAYS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone,  
Cordle, Stankivic, Shropshire, Arnett  
CARRIED/DEFEATED:

**O-50-07 For the purpose of specifying that the Election Board must adopt the same voting technology adopted by the State and County or may authorize the use of paper ballots for certain special elections; and matters generally relating to revisions to the Election Code.**

- Alderman moved to adopt O-50-07 on second reading. Seconded.

The Rules and City Government Committee reported favorably on O-50-07.

The main motion CARRIED on voice vote.

- Alderman moved to adopt O- -08 on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone,  
Cordle, Stankivic, Shropshire, Arnett  
NAYS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone,  
Cordle, Stankivic, Shropshire, Arnett  
CARRIED/DEFEATED:

#### ORDINANCES

**O-43-07 For the purpose of allowing supermarkets as a permitted use on Prince George Street in the C2 Conservation Business.**

- Alderman Stankivic moved to withdraw O-43-07 on second reading. Seconded.

**O-51-07 For the purpose of requiring a building permit for construction projects that are non-structural like-kind replacement and/or repair of windows, doors and siding; and matters generally relating to said building permits.**

- Alderman moved to withdrawn / postponed O-51-07 on second reading. Seconded.  
CARRIED on voice vote.

**R-60-07 For the purpose of establishing the amount of a fee to be charged for quick building permits to be issued for construction projects that are non structural like-kind replacement and/or repair of windows, doors and siding; and all matters relating to said fee.**

- Alderman moved to adopt R-60-07 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone,  
Cordle, Stankivic, Shropshire, Arnett  
NAYS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone,  
Cordle, Stankivic, Shropshire, Arnett  
CARRIED/DEFEATED:

**O-13-08 For the purpose of establishing a Performance Parking Fund; requiring that parking fees collected within designated Performance Parking Zones are be deposited in the Performance Parking Fund; specifying that parking rates in designated Performance Parking Zones shall be established by the Parking**

**Advisory Commission; establishing a designated Performance Parking Zone; authorizing the Parking Advisory Commission to approve projects to be funded by the Performance Parking Fund consistent with livable streets concepts; establishing a two year sunset provision; and all other matters concerning performance parking.**

Alderman moved to postpone O-13-08 on first reading. Seconded. CARRIED on voice vote.

**Referred to Public Safety Committee and Parking Advisory Commission**

**O-14-08 For the purpose of specifying that in making its funding recommendations for Community Grants as part of annual budget process, the Mayor and the Finance Committee shall numerically rank projects according to specified factors; and all other matters concerning Community Grants funding.**

Alderman moved to adopt O-14-08 on first reading. Seconded. CARRIED on voice vote.

Referred to Finance Committee

**O-15-08 Leases of City Property – For the purpose of specifying that an ordinance proposing a new lease or the renewal of an existing lease of City property to any entity may not be introduced to the City Council unless accompanied by documentation containing profit and loss information for the last tax year and a budget plan for the year in which the lease is requested; and all other matters concerning leases of City property.**

Alderman moved to adopt O-15-08 on first reading. Seconded. CARRIED on voice vote.

Referred to Finance Committee

**O-16-08 For the purpose of requiring that labor negotiations affecting the City's budget must be negotiated and submitted to the Mayor by the first Monday in February to allow the Mayor adequate time to include the results of such negotiations in the proposed budget for the effective fiscal year or years; and all other matters concerning labor negotiations.**

Alderman moved to adopt O-16-08 on first reading. Seconded. CARRIED on voice vote.

Referred to Public Safety and Rules and City Government Committees

**O-17-08 For the purpose of establishing staff that reports directly to the Aldermen; and all other matters concerning staff to the City Council.**

Alderman moved to adopt O-17-08 on first reading. Seconded. CARRIED on voice vote.

Referred to Rules and City Government

## RESOLUTIONS

**R-42-07 For the purpose of increasing the various fees for private moorings, fees for the Stormwater Utility Fund, and connection charges for water and sewer connections; making the amount to be charged as the amount currently approved by Medicare; and matters generally relating to said fees.**

Alderman **Stankivic** moved to withdraw R-42-07. Seconded. CARRIED on voice vote.

**R-12-08**      **For the purpose of approving the reclassification of the Economic Development Director (Pay Grade 17) to Economic Affairs Director (Pay Grade 20) per O-11-07RevisedC.**

Alderman    moved to adopt R-12-08 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS:            Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Cordle, Stankivic, Shropshire, Arnett

NAYS:            Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Cordle, Stankivic, Shropshire, Arnett

CARRIED/DEFEATED:

**R-22-08**      **For the purpose of the City of Annapolis approving the development of housing in Annapolis, Maryland to be financed either directly by the Department of Housing and Community Development (the “Department”) of the State of Maryland or through the Department’s Community Development Administration (the “Administration”).**

Alderman    moved to adopt R-22-08 on first reading. Seconded. CARRIED on voice vote.

**R-25-08**      **For the purpose of waiving the fees charged to vendors and the West Annapolis Business Association for closing two blocks of Annapolis Street for an October 5, 2008, Octoberfest event. (Preparation of fiscal impact note is required due to the requested waiving of City fees)**

Alderman    moved to adopt R-25-08 on first reading. Seconded. CARRIED on voice vote.

Referred to Finance Committee

**R-26-08**      **For the purpose of immediately releasing the study recently conducted by the International City/County Managers Association (ICMA) on crime in the City of Annapolis.**

Alderman    Moved to adopt R-26-08 on first reading . Seconded. CARRIED on voice vote.

#### FY 2009 BUDGET

**O-09-08**      **Annual Operating Budget: FY 2009 - For the purpose of adopting an operating budget for the City of Annapolis for the Fiscal Year 2009; appropriating funds for expenditures for the Fiscal Year 2009; 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; specifying a rate of interest to be charged upon overdue property taxes; and all matters generally relating to said budget and property tax rate.**

Alderman **Arnett** moved to postpone O-09-08 until May 19, 2008 pending Planning Commission recommendations. Seconded. CARRIED on voice vote.

**R-13-08**      **For the purpose of adopting a capital improvement budget for the Fiscal Year 2009, and a capital improvement program for the six-year**

**period from July 1, 2008, to June 30, 2014; and all matters relating to said budget and program.**

Alderman **Arnett** moved to postpone R-13-08 until May 19, 2008 pending Planning Commission recommendations. Seconded. CARRIED on voice vote.

**R-16-08 For the purpose of affirming without change other fees that will be charged for the use of City services for FY 2009; and matters generally relating to said fees.**

Alderman **Arnett** moved to postpone R-16-08 until May 19, 2008 pending Planning Commission recommendations. Seconded. CARRIED on voice vote.

**BUSINESS AND MISCELLANEOUS**

**Appointments**

- Alderman **Arnett** moved to approve the Mayor's appointment of the following individuals:  
5/12/08 Environmental Commission ..... Christine Kamenoff  
5/12/08 Civil Service Board ..... Roberto L. Veloso  
Seconded. CARRIED on voice vote.

**Budget revision: GT-16-08**

- Alderman **Arnett** moved to approve budget amendment GT-16-08. Seconded. CARRIED on voice vote.

**Union agreements:**

- a. United Food and Commercial Workers Union, Local 400 (Police),
  - b. **American Federation of State, County and Municipal Employees (AFSCME), Local 3406 (Trades, Maintenance and Labor), and**
  - c. AFSCME, Local 3162 (Clerical and Technical).
- Alderman moved to accept the union agreements for the United Food and Commercial Workers Union, Local 400 (Police), and AFSCME, Local 3162 (Clerical and Technical). Seconded. CARRIED on voice vote.

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

Regina C. Watkins-Eldridge, CMC  
City Clerk