

REGULAR MEETING
May 14, 2012

The Regular Meeting of the Annapolis City Council was held on, May 14, 2012 in the Council Chamber. Mayor Cohen called the meeting to order at 7:43 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, Finance Director Miller, Director Emergency Management Simmons, Planning and Zoning Director Arason, Human Resources Director Rensted, Development/Special Projects Coordinator LeFurge

Approval of Agenda

- Alderwoman Hoyle moved to approve the Regular Meeting Agenda as amended to include R-19-12 on 1st reader. Seconded. CARRIED on voice vote.

HONORARY MAYORAL CITATIONS

Martha Wood Leadership Award

Mayor Cohen invited Alderman Kirby to present to the Annapolis Optimist Club, Annapolis, Maryland 21401 the Mayoral Citation in recognition of being honored by the Housing Authority of the City of Annapolis as the twenty fourth recipient of the prestigious Martha Wood Leadership Award.

PRESENTATION of AWARD

Tim Ailsworth, Executive Director of Local Government Insurance Trust (LGIT) presented the Mayor and City Council with a LGIT training grant award in the amount \$2,490 for PRIMA's Annual Conference "Walking the Line of Risk" Director of Emergency Management Simmons accepted the award on behalf of the Mayor and City Council.

PETITIONS, REPORTS AND COMMUNICATIONS

Approval of Journal of Proceedings

- Alderman Silverman moved to approve the Journal of Proceedings for the Regular Meeting April 9, 2012, Emergency Meeting April 16, 2012, Special Meeting April 23, 2012 and the Special Meetings of April 30, 2012. Seconded. CARRIED on voice vote.

Comments by the General Public

Scott Bowling, 1979 Fairfax Road, Annapolis, Maryland 21401-4302 spoke in favor of O-9-12.

Peter Klein, 1104 Charing Cross Drive, Crofton, Maryland 21114 spoke in favor of Corvette Annapolis Car Club

Frank Bradley, 815 Parkwood Avenue, Annapolis, Maryland 21403 spoke in opposition to O-9-12 and in favor of Corvette Annapolis Car

James J. King, 2221 MT. Tabor Road, Gambrills, Maryland 21054 representing the Rock Fish Restaurant spoke on Roof Top Dinning

Chris Stelzig, 10 Monticello Avenue, Annapolis, Maryland 21401 representing Annapolitan for a Better Annapolis and the Annapolis Elementary School PTA spoke on City Dock Advisory Committee

- Chief Musician Jarrod Williams, United States Naval Academy Band 101 Buchanan Road Annapolis, MD 21402 spoke in favor of parking for service members during the special events.

CONTINUATION of PUBLIC HEARING

R-9-12 Capital Improvement Budget and Program: FY 2013 to FY 2018 – For the purposes of adopting a capital improvement budget for the Fiscal Year 2013, and a capital improvement program for the six-year period from July 1, 2012, to June 30, 2018.

David DiQuinzio, 541 Second Street, Annapolis, Maryland 21403 presented the Planning Commission finding on the resolution.

Spoke on the resolution:

Bill Kardash, 1 Acton Place, Annapolis, Maryland 21401

Spoke in opposition to the resolution:

John S. Simcox, 709 Harwood Lane, Annapolis, Maryland 21401 (Kings Port Park on page 22, of R-9-12)

Margaret Kaii-Ziegler, 743 Pearson Point Place, Annapolis, Maryland 21401 (Kings Port Park on page 22, of R-9-12)

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 05/03/12.
- Mayor Cohen declared the public hearing closed.

LEGISLATIVE ACTION

CHARTER AMENDMENT and ORDINANCES – 2nd READER

CA-01-10 Deputy Department Directors – For the purpose of requiring department directors, subject to mayoral approval, to designate a full-time employee as deputy director.

City Manager Mallinoff was present and gave a brief presentation on the charter amendment.

Human Resources Director Rensted was present and answered questions from Council.

- Alderman Arnett moved to adopt CA-01-10 on second reading. Seconded.

The Rules and City Government Committee reported favorably with amendments on CA-01-10.

- Alderman Israel moved to amend CA-01-10 as follows:

On page 2, in line 6, strike the word “Mayor” and insert “City Manager”. Seconded. CARRIED on voice vote.

- Alderman Arnett moved to amend CA-01-10 as follows:

On page 2, in line 8, after “director.” delete “During time of service as acting director, the deputy director shall receive the same compensation paid to the

director.” Seconded. CARRIED on voice vote.

The main motion as amended DEFEATED on voice vote.

O-32-11 Outdoor Dining in the B1 and B2 Zoning Districts – For the purpose of clarifying the contradiction in use standards related to outdoor dining in the B1 and B2 zoning districts in Chapters 21.64 and specific provisions in 21.42 of the Code of the City of Annapolis.

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

James J. King, 2221 MT. Tabor Road, Gambrills, Maryland 21054 representing the Rock Fish Restaurant answered questions from Council.

- Alderwoman Finlayson moved to amend O-32-11 as follows:

4. No portion of a rooftop dining area may be located any closer than 75 feet from a residential structure, measured horizontally at grade. Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Paone moved to adopt O-32-11 amended on third reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

O-9-12 Exempting Members of the City Central Committees from Holding More Than One City or City-Connected Position – For the purpose of exempting members of the City Central Committees from holding more than one position as defined in Section 2.04.040 of the City Code.

- Alderman Arnett moved to adopt O-9-12 on second reading. Seconded.

The Rules and City Government Committee reported favorably with amendment on O-9-12.

- Alderman Israel moved to amend O-9-12 as follows:

“Notwithstanding the prohibition of this section, a member of the central committee may hold one additional city or city connected position” Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Paone moved to adopt O-9-12 amended on third reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

ORDINANCES and RESOLUTIONS – 1st READER

- O-19-12 Assistance for Aldermen and Alderwomen – For the purpose of establishing the civil service position of City Council Associate reporting to the City Manager.**

Referred to the Rules and City Government Committee

- O-20-12 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 Seven Million Six Hundred Ninety Thousand Dollars (\$7,690,000), pursuant to Sections 31 through 39, inclusive, of Article 23A of the Annotated Code of Maryland (2011 Replacement Volume), as amended, and Article VII, Section 11 of the Charter of the City of Annapolis, as amended, to be designated as “Public Improvements Bonds, 2012 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; 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.**

Referred to the Economic Matters and Finance Committees and the Financial Advisory Commission.

- O-21-12 Tolling Approval and Permit Expiration Dates – For the purpose of temporarily tolling expiration dates of zoning approvals and permits granted by the Board of Appeals, the Department of Planning and Zoning, the Historic Preservation Commission, and the Department of Neighborhood and Environmental Programs until June 30, 2014 provided that the zoning approvals and permits are active and valid as of June 30, 2012.**

Referred to the Rules and City Government Committee and the Planning and Historic Preservation Commissions.

- Alderman Israel requested a public hearing at the next available City Council Meeting.

- R-20-12 Paint Annapolis 2012 – For the purpose of designating June 7-10, 2012 as dates for the sale of arts-related merchandise in the Historic District at the Paint Annapolis 2012 event; authorizing City Council approval of the event; and the reimbursement of full fees to the City for the cost associated with the event.**

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-20-12 on second reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

- R-21-12 Chesapeake Bay Yacht Racing Association (CBYRA) Race Week 2012 – For the purpose of designating September 1-3, 2012 as dates for the sale of merchandise in the Historic District at the Chesapeake Bay Yacht Racing Association (CBYRA) Race Week 2012 event; authorizing City Council approval of the event; and the reimbursement of full fees to the City for the cost associated with the event.**

Referred to the Finance and Economic Matters Committees

- R-22-12 Submission of Finance Committee Budget Report – For the purpose of postponing until after May 14, 2012, the submission to the Mayor and City Council of the Finance Committee’s recommendations on the FY2013 operating budget and related legislation.**

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-22-12 on second reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

The order of the agenda was amended to allow for R-19-12.

- R-19-12 Restoration of the Maynard-Burgess House - For the purpose of designating the signatory for any State of Maryland grants or easements for the restoration of the Maynard-Burgess House; and all matters relating to said restoration of the Maynard-Burgess House.**

Referred to the Finance and Rules and City Government Committees.

The order of the agenda was resumed.

BUSINESS and MISCELLANEOUS

1. Budget Revision Request

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

The Finance Committee reported favorably on GT-50-12.

Department, Planning and Zoning, Control Number GT-50-12 dated 2-May-2012 Justification for request: To provide funding for Match to \$100,000 grant from African American Heritage Preservation and additional funds to complete renovations to Maynard Burgess.

- Alderman Arnett moved to approve budget revision request GT-50-12. Seconded. CARRIED on voice vote.

2. Special Event Applications per R-14-12:

Development/Special Projects Coordinator LeFurge was present and answered questions from Council.

Event Name	Event Day(s)	Event Date(s)	Location; reason a "major event"
APD 1-Mile Challenge	Saturday	5/19/2012	Downtown/City Dock; road closure
Greek Festival	Sunday	5/27/2012	City Dock/Market Space; parking
ZOOMA	Saturday	6/2/2012	Marine-Naval Stadium; road closure
Corvettes on the Bay	Saturday	6/16/2012	Susan Campbell Park/City Dock; parking
USNA Band Concerts	Tuesday	7/4, 7/10, 7/17, 7/24, 7/31; 8/7, 8/14	Susan Campbell Park; parking

- Alderman Arnett moved to approve the APD 1-Mile Challenge on Saturday, May 19, 2012 location Downtown/City Dock. Seconded. CARRIED on voice vote.
- Alderman Paone moved to approve the Greek Festival on Sunday, May 27, 2012 location City Dock/ Market Place. Seconded. CARRIED on voice vote.
- Alderman Pfeiffer moved to approved ZOOMA on Saturday, June 2, 2012 location Marine-Naval Stadium for road closure. Seconded. CARRIED on voice vote.
- Mayor Cohen accepted into the record a letter from Debbie H. Gosselin representing Watermark Tours dated May 14, 2012.
- Alderman Kirby moved to approve the Corvettes on the Bay on Saturday, June 16, 2012 location Susan Campbell Park with City Dock Parking. Seconded. CARRIED on voice vote.
- Alderman Silverman moved to approve the USNA Band Concerts on July, 4, 10, 17 and 24, 2012 and August 7 and 14, 2012 location Susan Campbell Park with City Dock Parking. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:53 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk