

SPECIAL MEETING
May 24, 2010

The Special Meeting of the Annapolis City Council was held on May 21, 2010 in the Council Chamber. Mayor Cohen called the meeting to order at 7:17 p.m.

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

Staff Present: City Attorney Hardwick, Planning and Zoning Director Arason, Project Manager Burkhardt, Grants Coordinator Farrow

Closed Session Statement:

Pursuant to the requirement of Maryland Annotated Code, State Government Article Section 10-508 (a) this statement is included in these minutes:

A closed session of the City Council was held at 6:37 p.m., Monday, May 10, 2010 in the City Council Chamber.

Present: Mayor Cohen, Alderwoman Finlayson, Aldermen Israel, Paone, Kirby, Arnett, Alderwoman Hoyle arrived at 6:42 p.m., Alderman Silverman arrived at 6:45 p.m., and Alderman Pfeiffer arrived at 7:23 p.m.

Staff Present: City Attorney Hardwick, Chief administrative Officer Smith, Human Resources Director Milburn, City Clerk Watkins-Eldridge, Eric Paltell, Esq., Legal Council

By unanimous consent the members present the session was closed. The authority under which the session was closed was Maryland Annotated Code, State Government Article, Section 10-508 (a)(1)(i)(ii),(7) and (9): To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or any other personnel matter that affects one or more specific individuals; and to consult with counsel to obtain legal advice on a legal matter; and to conduct collective bargaining negotiations or consider matters that relate to the negotiations.

Topic of Discussion:

Personnel Issues & Collective Bargaining Negotiations Update

Actions taken in Closed Session - None

Upon motion duly made, seconded and adopted, the closed session was adjourned at 7:43 p.m.

PETITIONS, REPORTS AND COMMUNICATIONS

Comments by the General Public

John Collard, 522 Horn Point Drive, Annapolis, Maryland 21403 spoke in opposition to the increase in property taxes and spoke on the number of city employees and the services they provide and outside contractor for snow removal
Jim Mandarin, 1 Shipwright Street, Annapolis, Maryland 21401 spoke on having to layoff 60 percent of his employees, taking 10 percent pay cuts and excessive spending

Reza Jafari, 10 Little Harbor Way, Annapolis, Maryland 21403 spoke in favor of the actions of the Mayor and City Council and in opposition to tax increase

Bevin Buchheister, 5 Wagner Street, Annapolis, Maryland 21401 representing Ward One Residents Association spoke in opposition to tax increases

Cary Miles, 6 Chesapeake Landing, Annapolis, Maryland 21403 spoke on the hiring of the elected official during the elections in September and November and the Mayors conduct as a leader

Robert Williamson, 30 Eastern Avenue, Annapolis, Maryland 21403 representing everyone in the social and economic scale who has a fixed budget or fixed income spoke in opposition to a tax increase

Jeff Gerald, 3 Eastern Avenue, Annapolis, Maryland 21403 spoke in opposition to tax increase and spoke on the future expenses, making cuts in the Transportation Department and giving control of the Recreation Center to a non-profit

Alyssa Henry, 4 Chester Avenue, Annapolis, Maryland 21403 spoke in opposition to property taxes and spoke on foreclosures, and cutting expenses

Mary Jo Calhan, 66 Franklin Street, Annapolis, Maryland 21401 spoke in opposition to raising property taxes, 10 million dollar line of credit and the CASA 2.6 million dollars that could have been used to balance the budget and on the yellow tax flyer

Bill Kardash, 1 Acton Place, Annapolis, Maryland 21401 representing Annapolitans for a Better Community spoke in opposition to property tax increase and spoke in favor of reducing the size of city government and eliminating mid and upper level staff

Bob Burdon, 49 Old Solomons Island Road, Annapolis, Maryland 21401 representing Annapolis & Anne Arundel County Chamber of Commerce spoke on the FY11 Budget

Jane Lawrence, 519 Burnside Street, Annapolis, Maryland 21403 spoke on the government's obligation to its citizens, email from council auditor Robert J. Pellicoro, the city's cash reserves, cuts, hearing nothing on the status of layoffs and the Mayor's lack of willingness to put his plan for action before the people and non-profits

Herb Mc Millan, 417 Fox Hollow Drive, Annapolis, Maryland 21403 representing Maryland Tax Payers Association spoke in opposition to a property tax increase, and spoke on furloughs, cuts in pay, layoffs and the Mayors ability to lead his party

Jean Mc Coy, 521 Sixth Street, Annapolis, Maryland 21403 spoke on the cash flow forecast provided by Finance Director Elliott and Chief Administrative Officer Smith, the need for 8 million dollar expense cut, tax revenues, 10 million dollar loan, the CPA advised to review the budget, the banks willingness to lend the city money in the future and the citizens demand for information

Orlando Rideout, 110 duke of Gloucester Street, Annapolis, Maryland 21401 spoke in opposition to a property tax increase and on the taxes for his rental properties, having to use 40 of the rents received to pay taxes

Chris Wilson, 50 Cornhill Street, Annapolis, Maryland 21403 spoke in opposition to a tax increase

PUBLIC HEARING

O-04-10 For the purpose of authorizing for fiscal year 2016 the lease of municipal property located at the City Dock to Chesapeake Marine Tours, Inc., for the docking and mooring of boats.

Spoke in favor of the ordinance:

Debbie Gosselin, 980 Awald Road, Suite # 202, Annapolis, Maryland 21403 representing Chesapeake Marine Tours t/a Watermark

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-10-10 For the purpose of prohibiting the assignment of overtime work except in matters directly affecting public health or public safety.

- Alderman Israel gave a brief presentation on the ordinance.

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

- Mayor Cohen declared the public hearing closed.

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

- Alderman Israel gave a brief presentation on the ordinance.

Spoke on the ordinance:

Cindy Reiner, 1708 Smugglers Run, Annapolis, Maryland 21401 representing Annapolis Business Association
Bevin Buchheister, 5 Wagner Street, Annapolis, Maryland 21401 representing Ward One Residents Association

Spoke in favor of the ordinance:

Suzanne Pogell, 137 Conduit Street, Annapolis, Maryland 21401

Spoke in opposition to the ordinance:

Brian Miller, 114 Market 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.

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

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

- 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.

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

- Alderman Arnett moved to adopt O-35-09 on second reading. Seconded.

The Rules and City Government Committee and the Planning Commission reported favorably on O-35-09.

The main motion CARRIED on voice vote.

- Mayor Cohen accepted into the record a letter from the Naval Academy athletic Association dated April 9, 2010 from Chet

Gladchuck, Director of Athletics to Mr. Jon Arson, Director of Planning and Zoning

- Alderman Arnett moved to adopt O-35-09 on third reading. Seconded.

A ROLL CALL vote was taken:

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

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

- Alderman Arnett moved to adopt O-62-09 on second reading. Seconded.

The Rules and City Government Committee reported no action and the Planning Commission reported unfavorably on O-62-09.

The main motion DEFEATED on voice vote.

O-67-09 For the purpose of rezoning a portion of parcel 725 on Tax Map 4Z, also known as 214 Duke of Gloucester Street, to C2 - Conservation Business District.

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

- Alderman Arnett moved to adopt O-67-09 on second reading. Seconded.

The Rules and City Government Committee and the Planning Commission reported favorably on O-67-09.

The main motion CARRIED on voice vote.

- Alderman Arnett moved to adopt O-67-09 on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderman Arnett, Israel, Alderwomen Hoyle,
Finlayson, Silverman, Kirby, Pfeiffer
NAYS: Alderman Paone
CARRIED: 8/1

O-02-10 For the purpose of establishing Council committee rules governing the conduct, notice, venue, and time of committee meetings.

- Alderman Paone moved to postpone O-02-10 on second reading until the Regular meeting of June 14, 2010. Seconded. CARRIED on voice vote.

O-03-10 For the purpose of redefining the powers of the Art in Public Places Commission to include recognition of landscape art and placement of additional signage.

- Alderman Arnett moved to adopt O-03-10 on second reading. Seconded.

The Rules and City Government Committee reported favorably on O-03-10.

The main motion CARRIED on voice vote.

- Alderman Arnett moved to adopt O-03-10 on third reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 8/0

- Alderman Silverman was out of the room during to vote.

ORDINANCES & RESOLUTIONS – 1ST READING

O-17-10 For the purposes of abandoning the interest, if any, of the City of Annapolis in a portion of a platted, unimproved right of way containing Sanford Street, north of Spa Road, adjacent to Lots 36 and 37, in the Capital Hill Manor subdivision in the City of Annapolis, and conveying the interest, if any, of the City of Annapolis in that area to Charles Fleming by quitclaim deed.

Referred to the Economic Matters Committee

R-17-10 For the purpose of authorizing the filing of an application with the Mass Transit Administration of the Maryland Department of Transportation for a Sections 5303, 5304, 5307, 5309, 5310, 5311, 5316, and/or 5317 grants under the Federal Transit Act.

Chief Administrative Officer Smith and Grants Coordinator Farrow were 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-17-10 on second reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 8/0

- Alderman Silverman was out of the room during the vote.

R-18-10 For the purpose of authorizing a memorandum of understanding between the City of Annapolis and Anne Arundel County governing the reciprocal use of sewer collection systems.

Project Manager Burkhardt 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-18-10 on second reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:37 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk