

REGULAR MEETING

June 9, 2008

The Regular Meeting of the Annapolis City Council was held on June 9, 2008 in the Council Chamber. Mayor Moyer called the meeting to order at 7:33 p.m.

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

Staff Present: City Attorney Spencer, Finance Director Elliott

- Alderman Cordle moved to postpone the balance of tonight's agenda until June 16, 2008 with the exception of the following items:

Approval of Journal of Proceedings

Business and Miscellaneous Items

Petitions, Reports and Communications

FY 2009 Budget Items

R-27-08 and R-28-08. Seconded CARRIED on voice vote.

- Alderman Arnett moved to approve the Journal of Proceedings for May 12, 2008 Regular Meeting and May 19, 2008 Special Meeting. Seconded. CARRIED on voice vote.

PETITIONS, REPORTS AND COMMUNICATIONS

McShane Glover, 124 ½ Archwood Avenue, Annapolis, Maryland 21401 representing Art in Public Places spoke in opposition to Finance Committee Recommendations

John Guild, 18 Pinkney Street, Annapolis, Maryland 21401 representing Historic Annapolis Foundation spoke on the \$250,000 pledge from the City to History Quest

Charles Walsh, 12 Southgate Avenue, Annapolis, Maryland 21401 spoke in favor of funding for Art in Public Places

Barry Jackson 18 Pinkney Street, Annapolis, Maryland 21401 spoke in favor of the funding for Historic Annapolis Foundation

Arthur Kungle, P. O. Box 365, Annapolis, Maryland 21404 spoke on making a personal donation to the City for signage

Tony Evans, 3 Constitutional Square, Annapolis, Maryland 21401 spoke on property taxes, and the possibility of having quarterly budget meeting

Trudy McFall, 205 Scott Drive, Annapolis, Maryland 21401 spoke on the budget

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.

Postponed until June 16, 2008

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.

Postponed until June 16, 2008

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.

Postponed until June 16, 2008

CA-01-08 For the purpose of clarifying the role of the Mayor as chief executive officer and the City Administrator as chief administrative officer; enhancing the supervisory powers of City Administrator with respect to departmental directors; barring the Mayor and Aldermen from directing the work of departmental directors; providing that the dismissal of the City Administrator must be approved by the mayor and four or more aldermen; requiring the Mayor to include funding in the annual operating budget to provide professional and administrative assistance to the aldermen; and generally relating to the powers and duties of the elected and appointed officials.

Postponed until June 16, 2008

CA-02-08 For the purpose of deleting the requirement that the Director of Public Works have an engineering degree and be a registered engineer in the State of Maryland in recognition that the position evolved into one with a greater emphasis on managerial and community outreach knowledge and skills.

Postponed until June 16, 2008

FY 2009 BUDGET

O-09-08 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 adopt O-09-08 on second reading. Seconded.

The Finance Committee reported favorable with amendments on O-09-08.

- Alderman Israel moved to adjust the across the board departmental reductions, with amount to be determined by Finance Director, and to vote on certain budget items separately:

The purposed reduction in the Art in Public Places allocation from \$68,000 to \$35,000

And; the Intern Program which would be eliminated under the Finance Committee Final Amendments with attached memo dated June 2, 2008 from Finance Director Elliott for the FY 2009 Budget. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Shropshire
NAYS: Aldermen Paone, Cordle, Stankivic, Arnett
CARRIED: 5/4

- Alderwoman Hoyle moved to collectively approve the Finance Committee Final Amendments to the Operating Budget with attached memo dated June 2, 2008 from Finance Director Elliott for the FY 2009 Budget with the exception of the purposed reduction in the Art in Public Places allocation from \$68,000 to \$35,000 and the Intern Program which would be eliminated under the Finance Committee Final Amendments with attached memo dated June 2, 2008 from Finance Director Elliott for the FY 2009 Budget. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Shropshire
NAYS: Aldermen Paone, Cordle, Stankivic, Arnett
CARRIED: 5/4

- Alderman Israel moved to restore \$68,000 to Art in Public Places. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Shropshire
NAYS: Aldermen Paone, Cordle, Stankivic, Arnett
CARRIED: 5/4

Finance Director Elliott was present and answered questions from Council.

- Alderman Israel moved to restore funding in the amount of \$30,000 for the Intern Program. Seconded. CARRIED on voice vote.
- Alderman Paone moved to cut \$84,000 from FY 2009 Budget for the City of Annapolis Magazine. Seconded. DEFEATED on voice vote.

- Mayor Moyer moved to have the funding for the City Of Annapolis Magazine be reviewed over the summer by the Finance Committee. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen, Shropshire, Arnett
NAYS: Aldermen Israel, Paone, Cordle, Stankivic
CARRIED: 5/4

The main motion as amended CARRIED on voice vote.

- Mayor Moyer moved to adopt O-09-08 amended on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Shropshire
NAYS: Aldermen Paone, Cordle, Stankivic, Arnett
CARRIED: 5/4

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.

- Alderwoman Hoyle moved to adopt R-13-08 on second reading. Seconded.
- Alderman Israel moved to have a separate vote on the Capital Improvement Budget item for the Historic Annapolis Foundation under project #521. Seconded. CARRIED on voice vote.
- Alderwoman Hoyle moved to collectively approve the Finance Committee Final Amendments to the Capital Budget with attached memo dated June 2, 2008 from Finance Director Elliott for the FY 2009 Budget with the exception of the Capital Improvement Budget item for the Historic Annapolis Foundation under project #521. Seconded. CARRIED on voice vote.

Finance Director Elliott was present and answered questions from Council.

- Alderman Israel moved to reject the shift in funding for the Capital Improvement Budget item for the Historic Annapolis Foundation under project #521 back 1 year. Seconded. CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Cordle, Shropshire, Arnett
NAYS: Aldermen Stankivic
CARRIED: 8/1

R-16-08 For the purpose of specifying 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 adopt R-16-08 on second reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:
CARRIED: 9/0

- 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.

The passage of R-16-08 renders R-42-07 moot.

ORDINANCES

- 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.

Postponed until June 16, 2008

- 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.

Postponed until June 16, 2008

- O-06-08** For the purpose of temporarily limiting parking on Cornhill Street to residents of Cornhill and Fleet Streets during scheduled reconstruction of the street and sidewalks; and all other matters concerning Special Residential Parking District 1.

Postponed until June 16, 2008

- O-08-08** For the purpose of requiring that work crews installing or working on underground utilities have at least one member on-site that is fluent in English so that worker may communicate safety information to company supervisors, other utility companies, firefighters, police, EMS personnel and residents adjoining the work site such as when gas, electrical, and telephone cables are unintentionally severed; and all other matters concerning safely undergrounding utilities.

Postponed until June 16, 2008

- R-06-08** For the purpose of establishing a fine for violating the new requirement that any entity installing or working on any type of underground utility shall be responsible for assuring that at least one on-site member of a work crew is fluent in English.

Postponed until June 16, 2008

- O-02-08** For the purpose of requiring retailers to notify customers if a product's container contains bisphenol-A (BPA) through the use of certain signage; assigning the responsibility for implementing and enforcing this ordinance to the Director of Neighborhood and Environmental Programs; establishing penalties for violations; and matters generally relating to said notification of bisphenol-A.

Postponed until June 16, 2008

- R-01-08** For the purpose of establishing fines for the failure of retailers to post signs notifying customers that a food or beverage container contains bisphenol-A (BPA); and all matters relating to penalties for failure to post BPA notification signs.

Postponed until June 16, 2008

- O-03-08** For the purpose of authorizing for fiscal year 2014 the lease of certain municipal property located at the City Dock to Chesapeake Marine Tours, Inc. for the docking and mooring of certain boats at the City Dock; and all matters relating to said lease.

Postponed until June 16, 2008

- O-18-08** For the purpose of relocating the provisions related to signs in the Eastport Gateway Conservation Overlay district to Chapter 21.70; discontinuing the Planning and Zoning Director's administrative authority in 21.18.030 to adjust sign standards and instead giving the authority to the Board of Appeals; allowing the Board of Appeals to allow adjustments of more than 20 percent in sign standards and to allow approval of more than one additional sign; adding new standards and conditions for the Board of Appeals to grant variances; and all matters related to variances to sign standards and conditions.

Postponed until June 16, 2008

RESOLUTIONS

- 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").

Postponed until June 16, 2008

- R-27-08** For the purpose of approving and applying for the designation of Annapolis Main Street Maryland by application and to receive Main Street Maryland designation by the Department of Housing and Community Development (the "Department") of the State of Maryland.

- Alderman Arnett moved to adopt R-27 -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:

CARRIED: 9/0

R-28-08 For the purpose of expanding the existing designated neighborhood of the City of Annapolis which includes inner West Street and the Clay Street commercial districts and the surrounding community at large for participation of additional citizens, property owners and businesses in the Neighborhood Business Development Program (“NBDP”) of the Department of Housing and Community Development of the State of Maryland (“DHCD”).

- Alderman Arnett moved to adopt R-28-08 on second reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

R-29-08 For the purpose of recognizing the City of Niterói, State of Rio de Janeiro, Brazil as a sister city for the City of Annapolis; and all matters relating to said sister city designation.

Postponed until June 16, 2008

R-30-08 For the purpose of the City of Annapolis approving the financing of the rehabilitation of Admiral Oaks Apartments 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).

Postponed until June 16, 2008

BUSINESS AND MISCELLANEOUS

1. Appointments

- Alderman Israel moved to postpone the approval the Mayor’s appointment of the following individuals until June 16, 2008:

6/9/08 Civil Service Board Anthony F. Christhlf

6/9/08 Police and Fire Retirement Plan Mary Kathleen Sulick

6/9/08 Environmental Commission Marie Rinaldi Gough

6/9/08 Police and Fire Retirement Plan Joseph Semo

Seconded. CARRIED on voice vote.

2. Budget revisions – GT-17-08; GT-18-08; GT-19-08 w/ memorandum

Finance Director Elliott answered questions from Council.

- Alderwoman Hoyle moved to approve budget revisions GT-17-08; GT-18-08; GT-19-08 w/ memorandum. Seconded. CARRIED on voice vote.

3. Approval of towing license for Mason's Towing Service

- Alderman Arnett moved the approval of the towing license application for Mason's Towing Service for FY08. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:23 p.m.

Regina C. Watkins-Eldridge, CMC

City Clerk

**** Approved Finance Committee Final Amendments w/ memo - Finance Director attached****