

REGULAR MEETING

June 14, 1999

The Regular Meeting of the Annapolis City Council was held on June 14, 1999 in the Council Chamber. Mayor Johnson called the meeting to order at 7:35 p.m.

Present on Roll Call: Mayor Johnson, Aldermen Hammond, Tolliver, Gilmer, Sachs, McMillan, Carter, Fox, Moyer

Staff Present: City Attorney Goetzke, Human Resources Director Milburn, Public Works Director Smith

Alderman Hammond moved to approve the Minutes of March 22, May 3, May 10 and May 24, 1999. Seconded. CARRIED on voice vote.

Alderman Sachs moved to open the Closed Minutes of March 22, 1999 to the public. Seconded. CARRIED on voice vote.

Mayor Johnson, Public Works Director Smith and Human Resources Director Milburn presented "Years of Service Awards" the following City employees:

Reuben Smith	25 years of service	Department of Public Works
Joseph J. Johnson	25 years of service	Department of Public Works

PETITIONS, REPORTS AND COMMUNICATIONS

1. Louise Beauregard
Christian Services, USA
2 Maryland Avenue
Annapolis, Md. 21401

Spoke regarding the Anne Arundel General Hospital property and R-3-99.

2. Sara Arthur, Esquire
representing Chesapeake Harbour Community Association
1919 West Street
Annapolis, Md. 21401

Spoke in opposition to R-8-99.

3. Katherine Jackson
No address given.

Submitted a petition requesting that the work boats be allowed to remain at the City dock to preserve maritime history.

4. Steve Johnson
20 Tucker Street
Anapolis, Md. 21401

Spoke regarding school redistricting issues.

LEGISLATIVE ACTION

ORDINANCES

- O-36-98** For the purpose of requiring applicants for City building and grading permits to pay or to demonstrate exemption from Anne Arundel County school impact fees under certain conditions; and all matters relating to said impact fees.

There being no voiced objection, action on O-36-98 was postponed.

- O-40-98** For the purpose of exempting certain nonprofit, community and/or neighborhood functions from certain fees under certain conditions; and all matters relating to said exemption.

The Public Safety Committee reported favorably on O-40-98 with amendments.
The Economic Matters Committee reported unfavorably on O-49-98.
The Finance Committee had no recommendation on O-40-98.

Alderman Moyer moved to amend O-40-98 as follows:

Amendment No. 1:

On Page 1, amend lines 40 through 43 as follows:

B. ~~Nonprofit organizations, community~~ Community associations, neighborhood watch groups, and other neighborhood-related organizations that promote neighborhood pride consistent with the goals of the comprehensive plan shall not be charged fees for services provided by the city.

Seconded.

Alderman McMillan moved to amend Amendment No. 1 as follows:

On Page 1, amend lines 40 through 43 as follows:

B. ~~Nonprofit organizations, and~~ Annapolis community associations; and neighborhood watch groups; ~~and other neighborhood-related organizations~~ that promote neighborhood pride consistent with the goals of the comprehensive plan shall not be charged fees for services provided by the city.

Seconded. CARRIED on voice vote.

The main motion, as amended, CARRIED on voice vote.

Alderman Tolliver moved to amend O-40-98 as follows:

Amendment No. 2:

Define "community association" as follows:

A community association is a non-profit organization comprised of residents of an Annapolis community and led by volunteers which operate under by-laws.

Seconded. DEFEATED on voice vote.

Alderman Fox moved to amend O-40-98 as follows:

Amendment No. 3:

On Page 1, amend lines 40 through 43 as follows:

B. Annapolis community associations and neighborhood watch groups that promote neighborhood pride consistent with the goals of the comprehensive plan shall not be charged fees for the first three hundred dollars of services provided by the city.

Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Johnson, Aldermen Hammond, Tolliver, McMillan, Fox

NAYS: Aldermen Gilmer, Sachs, Carter, Moyer

CARRIED: 5-4

Alderman Moyer moved to adopt O-40-98 as amended on second reading. Seconded. CARRIED on voice vote.

Alderman Tolliver moved to adopt O-40-98 as amended on third reading. Seconded. CARRIED on voice vote.

- O-1-99** For the purpose of clarifying and establishing certain violations of Title 11, Public Peace, Morals and Welfare, including those relating to disturbing the peace; repealing certain sections of Title 11 which are outdated or for which there are state laws governing the issues addressed therein; clarifying that violations of Title 11 shall be deemed misdemeanors subject to a fine not to exceed \$1,000 and/or imprisonment not to exceed 90 days; and all matters relating to said public peace, morals and welfare.

There being no voiced objection, action on O-1-99 was postponed.

- O-10-99** For the purpose of providing that licensees holding a State-issued Class E Steamboat License may serve alcoholic beverages to paying passengers of a bona fide regularly scheduled or chartered tour while on a vessel made fast to a wharf or pier; and all matters relating to said service of alcoholic beverages.

Alderman Hammond moved to adopt O-10-99 on second reading. Seconded.

The Economic Matters Committee reported favorably on O-10-99.

The main motion CARRIED on voice vote.

Alderman Hammond moved to adopt O-10-99 on third reading. Seconded. CARRIED on voice vote.

- O-18-99** For the purpose of authorizing Addenda to Lease Agreements between the United States Yacht Shows, Inc. and Annapolis Boat Shows, Inc. and the City of Annapolis for the previously approved 1999, 2000 and 2001 boat shows for the purpose of allowing the United States Yacht Shows, Inc. and Annapolis Boat Shows, Inc., at its option and subject to availability, to use the City's Edgewood Road property as a staging area; and all matters relating to said Addenda to Lease Agreements.

Alderman Hammond moved to adopt O-18-99 on second reading. Seconded.

The Economic Matters Committee and Finance Committee reported favorably on O-18-99.

The main motion CARRIED on voice vote.

Alderman Hammond moved to adopt O-18-99 on third reading. Seconded. CARRIED on voice vote.

- O-6-99** For the purpose of clarifying that the powers of the Board of Appeals includes appeals where it is alleged there is an error in the enforcement of a zoning ordinance; and all matters relating to said powers.

Alderman Hammond moved to adopt O-6-99 on first reading. Seconded.

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

- O-32-99** For the purpose of clarifying a proposed Deed of Easement and Agreement related to the South Cherry Grove Stream Crossing in the City of Annapolis; and all matters relating to said Deed of Easement and Agreement.

Alderman Sachs moved to adopt O-32-99 on first reading. Seconded. CARRIED on voice vote.

Alderman Sachs moved to suspend the rules to dispense with the second reading and fiscal impact note on O-32-99. Seconded. CARRIED on voice vote.

Alderman Sachs moved to adopt O-32-99 on third reading. Seconded. CARRIED on voice vote.

RESOLUTIONS

- R-3-99** For the purpose of calling upon the Governor and the General Assembly to provide direct and full monetary payment for municipal costs solely attributable to the State's presence in Annapolis, in the FY 2000 supplemental budget and subsequent budgets; and all matters relating to said payment.

Alderman McMillan moved to postpone consideration of R-3-99 until July 12, 1999. Seconded. CARRIED on voice vote.

- R-8-99** For the purpose of exercising the City's right to receive monies paid into escrow under the terms of the 1984 Water Agreement between the City of Annapolis and Chesapeake Harbour, Inc.; and all matters relating to said monies.

Alderman Gilmer moved to postpone consideration of R-8-99 pending a response from the Attorney General's Office regarding constitutionality issues.

- R-9-99** For the purpose of providing that the City of Annapolis shall participate in the benefits improvement to the State Employees' Pension System of Maryland as adopted by Chapter 176, Laws of Maryland 1999; and all matters relating to said State Retirement and Pension System of Maryland.

Alderman Sachs moved to adopt R-9-99. Seconded. CARRIED on voice vote.

BUSINESS AND MISCELLANEOUS

1. Towing License Renewal:
 - a. Darden's Towing
 - b. Lowry's Forest Drive Services
 - c. Mason's Towing

Alderman Sachs moved to approve the renewal of the towing licenses for Darden's Towing, Lowry's Forest Drive Services and Mason's Towing. Seconded. CARRIED on voice vote.

2. Ratification of Collective Bargaining Agreements

Alderman Sachs moved to ratify the following Collective Bargaining Agreements:

- a. United Food and Commercial Workers Union, Local 400
- b. Local 1926, International Association of Firefighters AFL-CIO
- c. Annapolis Clerical & Technical Employees, Local 3162
- d. Annapolis Trades, Maintenance & Labor Force Employees, Local 3406

Seconded. CARRIED on voice vote.

3. Finance Committee Recommendations for Action dated May 20, 1999.

Alderman Sachs moved to approve the Finance Committee Recommendations for Action dated May 20, 1999. Seconded. CARRIED on voice vote.

4. Payment of Monthly Bills

Alderman Sachs moved to pay the monthly bills. Seconded. CARRIED on voice vote.

5. Appointments

Alderman Sachs moved to confirm the Mayor's appointments and reappointments of the following named person as set forth in a Memoranda from Mayor Dean L. Johnson dated June 3, June 7, June 8, June 9 and June 10, 1999:

Alcoholic Beverage Control Board	Valerie Miller
Annapolis Conservancy Board	James F. Baldwin
Environmental Commission	Robert P. Schnabel
Environmental Commission	Steuart H. Chaney
Ethics Commission	L. Robert Marchand
Human Relations Commission	Michael J. Keller
Human Relations Commission	Mahmoud T. Baptiste
Human Relations Commission	Ida Mae Sims
Recreation Advisory Board	Nancy Lowry
Transportation Board	Michael Duplechain

Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:00 p.m.

Patricia L. Bembe, CMC/AE
City Clerk