

REGULAR MEETING
July 9, 2001

The Regular Meeting of the Annapolis City Council was held on July 9, 2001 in the Council Chamber. Acting Mayor Sachs called the meeting to order at 7:30 p.m.

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

Mayor Johnson arrived at 9:05 p.m.

Staff Present: City Attorney Goetzke

Alderman Hammond moved to adopt the agenda as presented. Seconded. CARRIED on voice vote.

Alderman Gilmer moved to approve the Minutes of June 11, 2001 and June 19, 2001. Seconded. CARRIED on voice vote.

PETITIONS, REPORTS AND COMMUNICATIONS

1. Joy Bramble
61-63 W. Washington Street
Annapolis, MD 21401

Spoke in favor of R-16-01

2. Arthur Kungle, Jr.
Friends of Liberty
P. O. Box 365
Annapolis, MD 21404

Spoke regarding Council Chamber Murals

3. Joan Leanos
West Annapolis Civic Community
120 Giddings Avenue
Annapolis, MD 21401

Spoke against proposed Rowe Blvd. Visitors Center (R-18-01)

4. Cindy Faith
West Annapolis Civic Association
601 Monterey Avenue
Annapolis, MD 21401

Spoke against proposed Rowe Blvd. Visitors Center (R-18-01)

5. Michael P. Parker
Presidents Hill Community Association
28 Madison Place
Annapolis, MD 21401

Spoke in favor of R-21-01

6. Debbie Rosen McKerrow
Ward Two Citizens Coalition
450 Schley Road
Annapolis, MD 21401

Spoke against proposed Rowe Blvd. Visitors Center (R-18-01)

7. Louise Beauregard Meyers
P. O. Box 604
Annapolis, MD 21404

Spoke regarding redistricting and preservation of the Annapolis community

8. Nancy Rea
Admiral Heights Civic Association
413 Schley Road
Annapolis, MD 21401

Spoke against proposed Rowe Blvd. Visitors Center (R-18-01)

9. Lewis Boston
31 W. Washington Street
Annapolis, MD 21401

Spoke in favor of R-16-01

10. Bertina Nick
Greater Clay Street Community Development Corp.
42 W. Washington Street
Annapolis, MD 21401

Spoke in favor of R-16-01

11. Julie Stankivic
906 Primrose Road, Apt. 204
Annapolis, MD 21403

Spoke regarding R-23-01

LEGISLATIVE ACTION

ORDINANCES

- O-12-01** For the purpose of apportioning among adjacent property owners, all city taxpayers and the State, obligations associated with installing, maintaining and replacing sidewalks; and all matters relating to said sidewalks.

Without objection O-12-01 was postponed.

- O-22-01** For the purpose of amending the residential parking permit application process; and matters generally relating to said residential parking permits.

Alderman Hammond moved to adopt O-22-01 on second reading. Seconded. CARRIED on voice vote.

- O-24-01** For the purpose of conveying, by deed, the City's rights, title, and interest in the property known as 161, 167, 169, 175, 177, 179 and 181 West Street in the City of Annapolis, to West Village Corporation, subject to certain terms and conditions; providing for the property to be sold at private sale; and all matters generally relating to said conveyance.

Alderman Hammond moved to adopt O-24-01 on second reading. Seconded.

Alderman Hammond moved to amend the contract of sale as follows:

No. 1

strike page 2 in its entirety; and, add:

“(5) 179 West Street, more particularly described in a deed dated June 2, 1999

and recorded among the land records of Anne Arundel County in liber **9268**, page 683;

(6) 181 West Street, more particularly described in a deed dated June 2, 1999 and recorded among the land records of Anne Arundel County in liber 9268, page 688.

b) This sale and purchase shall be of the fee simple interest in each property (hereafter collectively "Property") and includes all improvements located on the Property and all rights, waters, ways, appurtenances and privileges thereto belonging.

2. Purchase Price

(a) The purchase price for the Property is \$300,000.00.

(b) Upon execution of this Agreement, the Buyer shall pay to the Seller the amount of \$10,000.00, which shall constitute a deposit toward the purchase price ("Deposit"). The Seller shall place the Deposit in an escrow account until settlement or until release is otherwise authorized pursuant to this Agreement of Sale.

(c) The Buyer shall pay the balance of the purchase price, by certified check or wire transfer, at settlement.

(d) If the Buyer fails to go to settlement within 90 days after the execution of this Agreement of Sale, the Buyer shall pay an additional deposit of \$5,000.00 to the Seller, making the total Deposit in the amount of \$15,000.00, and the Seller shall place the additional \$5,000.00 in an escrow account and apply the full \$15,000.00 towards the purchase price at settlement.

3. Financing

(a) This Agreement of Sale is contingent upon the Buyer obtaining a written commitment for a line of credit or other financing secured by the Property in an amount not to exceed \$290,000.00 at an interest rate not to exceed 10%,

(b) The Buyer shall make a written application for a line of credit or financing within 14 days after the date of this Agreement of Sale,

(c) The Buyer shall pay to the lender any points, loan origination and loan discount fees, survey fees, and any other lender's fees due as a result of financing, and the Seller shall not be responsible for any portion thereof, The Buyer shall receive the benefit of any reduction for any such points and fees."

No. 2

on page 7, item 20. Zoning and Permitted Uses (b), strike "Anne Arundel County" and add "City of Annapolis"

No. 3

A metes and bounds description will be developed and attached to the Contract of Sale.

Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

Alderman Hammond moved to adopt O-24-01 Amended on third reading. Seconded. CARRIED on voice vote.

process; and matters generally relating to said residential parking permits.

Alderman Fox moved to reconsider O-22-01. Seconded. CARRIED on voice vote.

Alderman Fox moved to amend O-22-01 as follows:

No. 1

On Page 1, line 33

strike “at the Police Station or the Finance Department Cashier’s window”;

add “at any City office designated by the Police Chief”,

No. 2

On Page 2, line 30

strike “permit area”;

add “district”,

No. 3

On Page 3, line 21

strike “All renewals shall be sent to the City of Annapolis Police Department, 199 Taylor Avenue, Annapolis, Maryland 21401.”.

Seconded. CARRIED on voice vote.

Alderman McMillan moved to adopt O-22-01 as amended on second reading. Seconded. CARRIED on voice vote.

Alderman Hammond moved to adopt O-22-01 Amended on third reading. Seconded. CARRIED on voice vote.

O-25-01 For the purpose of amending City Code Title 15; and matters generally relating to said Title.

Alderman Gilmer moved to adopt O-25-01 on first reading. Seconded. CARRIED on voice vote.

Referred to Environmental Matters Committee, Planning Commission and the Maritime Advisory Board.

O-31-01 For the purpose of requiring persons to obtain a permit for any tree trimming; requiring notification to all adjacent property owners; designating a fee for all such permits; and matters generally relating to said tree trimming.

Alderman Hammond moved to adopt O-31-01 on first reading. Seconded. CARRIED on voice vote.

Referred to Environmental Matters Committee

O-32-01 For the purpose of amending the City Code, Section 21.70.060 to permit the reconstruction and relocation of buildings and structures with nonconforming uses; and all matters related to such buildings and structures.

Alderman Hammond moved to adopt O-32-01 on first reading. Seconded.
CARRIED on voice vote.

Referred to Rules and City Government Committee and Planning Commission

O-33-01 For the purpose of amending the special residential parking district No. 3 to include Stehle Street and an additional portion of Amos Garrett Boulevard; and matters generally relating to said parking district.

Alderman Hammond moved to adopt O-33-01 on first reading. Seconded.
CARRIED on voice vote.

O-34-01 For the purpose of repealing and adding new City Code Chapter 2.08, Public Ethics and Financial Disclosure; and matters generally relating to said chapter.

Alderman Hammond moved to adopt O-34-01 on first reading. Seconded.
CARRIED on voice vote.

Referred to Rules and City Government Committee

O-35-01 For the purpose of precluding amendments to a proposed annual operating budget after that day which is fourteen (14) days prior to the public hearing on the budget; and all matters generally relating to said amendments.

Alderman Fox moved to adopt O-35-01 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee and the Rules and City Government Committee.

RESOLUTIONS

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 adopt R-8-99 on second reading. Seconded.

Alderman Gilmer moved to amend R-8-99 as follows:

No. 1

On Page 2, line 3

strike "Edgewood Road and its related infrastructures";

add "the City of Annapolis Police Department, by adding a second story to its present building".

Seconded.

Alderman Hammond moved to substitute the following amendment:

On page 2, strike lines 1-4 and add:

"AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL, that all such funds shall be credited to the City of Annapolis Capital Improvement Fund, except for those funds needed to fund a comprehensive space needs study of all City departments."

Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

Alderman Hammond moved that the study mentioned in R-8-99 shall also propose options to meet the space needs identified by the comprehensive study to include additions to present City buildings, including City Hall and an additional story to the Police Station, constructing new buildings, or leasing space. The study shall be conducted by an ad hoc committee appointed by the City Council, which shall include at least one member of the City Council, and be completed in time for its utilization in of the formulation of the City's FY03 Capital Budget and Improvement Plan. Seconded. CARRIED on voice vote.

R-16-01 For the purpose of approving the designation of a Community Legacy Area and application and receipt of financing for Community Legacy Plans and Community Legacy Projects 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 other departments or agencies of the State of Maryland.

Alderman Gilmer moved to adopt R-16-01 on second reading. Seconded. CARRIED on voice vote.

R-18-01 For the purpose of adding the Management Plan of the Annapolis, London Town and South County Heritage Area to the documents comprising the Annapolis Comprehensive Plan, and all matters relating to said Heritage Area.

Alderman Tolliver moved to adopt R-18-01 on second reading. Seconded.

Alderman Tolliver moved to amend R-18-01 as follows:

No. 1

On page 1, line 16, after "adding" insert , with certain exceptions.

No. 2

On page 2, line 23, after "Plan" insert except those proposals related to locating a visitors' center on Rowe Boulevard

No. 3

On page 2, line 27, after "Committee" insert except those proposals related to locating a visitors' center on Rowe Boulevard

Seconded. CARRIED on voice vote.

Wilford Scott, Chair Planning Commission presented Planning Commission recommendations on R-18-01 to the City Council.

The main motion as amended CARRIED on voice vote.

R-19-01 For the purpose of waiving the fees for the City services to be provided in connection with the Kunta Kinte Heritage Festival to be held on August 11th and 12th, 2001; and all matters relating to said waiver of fees.

Alderman Gilmer moved to adopt R-19 -01 on first reading. Seconded. CARRIED on voice vote.

Alderman Gilmer moved to suspend the rules to allow passage of the resolution at the meeting of its introduction. Seconded. CARRIED on voice vote.

Alderman Tolliver moved to adopt R-19-01 on second reading. Seconded. CARRIED on voice vote.

R-21-01 For the purpose of receiving the Presidents Hill neighborhood plan for review and adoption as an amendment to the City of Annapolis Comprehensive Plan; and all matters relating to said plan.

Alderman Moyer moved to adopt R-21-01 on first reading. Seconded. CARRIED on voice vote.

Referred to the Planning Commission

R-22-01 For the purpose of increasing towing and storage rates for towing companies licensed by the City of Annapolis; and all matters relating to said increases.

Alderman Carter moved to adopt R-22 -01 on first reading. Seconded. CARRIED on voice vote.

Mayor Johnson arrived at 9:05 p.m. and assumed the chair.

R-23-01 For the purpose of amending an existing sewerage service contract with the Federal Government to adjust the rate provided thereunder; and all matters relating to said sewerage service.

Alderman Moyer moved to adopt R-23 -01 on first reading. Seconded. CARRIED on voice vote.

A fiscal impact note was requested by Council in session.

Alderman McMillan requested the record reflect his vote in opposition to R-23-01.

BUSINESS AND MISCELLANEOUS

1. Finance Committee Recommendations for Action dated June 21, 2001

Alderman Sachs moved to adopt the Finance Committee Recommendations for Action dated June 21, 2001. Seconded. CARRIED on voice vote.

2. Joint Use and Operating Agreement (Annapolis Wastewater Treatment Plant) - Draft #1 - No action taken.

3. Payment of Monthly Bills

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

4. Appointments

Alderman Sachs moved to approve the Mayor's (re)appointments of the following individuals:

7/3/01 Environmental Commission	Evan H. Belaga
7/3/01 Severn River Commission	Evan H. Belaga
7/3/01 Transportation Board	Andrew Chase

Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:30 p.m.

Deborah Heinbuch, CMC/AE
City Clerk