

SPECIAL MEETING  
July 25, 2011

The Special Meeting of the Annapolis City Council was held on July 25, 2011 in the Council Chamber. Mayor Cohen called the meeting to order at 7:06 p.m.

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

Staff Present: City Attorney Hardwick, DNEP Director Broadbent, Planning and Zoning Director Arason, Acting Human Resources Director Rensted, Finance Director Miller, Recreation and Parks Director Plumber

HONORARY MAYORAL CITATION

Jane Wilson McWilliams

Mayor Cohen presented to Jane Wilson McWilliams, 15 Mayo Avenue, Annapolis, Maryland 21403 with a Mayoral Citation in recognition of her new book Annapolis "City on the Severn" A history from its settlement in 1650 to its historic preservation campaign of the late twentieth century.

Certified Environmental Stewardship Awards

Mayor Cohen invited Alderman Paone and DNEP Director Broadbent to present the Certified Environment Stewardship Awards to the following businesses:

Metropolitan Kitchen & Lounge, 169 West Street, Annapolis, Maryland 21401  
Vin 909 Wine café, 909 Bay Ridge Avenue, Annapolis, Maryland 21403  
Azure Restaurant, 100 West Gate Circle, Annapolis, Maryland 21401

PETITIONS, REPORTS AND COMMUNICATIONS

Maryland "Buy Local Challenge" Proclamation July 25-30

Mayor Cohen declared July 25-30th "Buy Local Challenge Week" in the City of Annapolis, and encourages local restaurants to utilize the City's Green Plate Special Program to highlight dishes with local ingredients.

Comments by the General Public

Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401 spoke on Don Riddle founder of Davidsonville's Homestead Gardens, Greenfield Street Development Project and the Caraway Company, the Alcoholic Beverage Control Board, local peaches and trained medical personal from the City of Annapolis  
Robyn Elliott, 48 Maryland Avenue, Suite 304, Annapolis, Maryland 21401 representing the Annapolis Business Association spoke on O-20-11

PUBLIC HEARINGS

Without objection the public hearing on R-37-11, R-38-11 and R-44-11 were held jointly.

**R-37-11 Summer at City Dock 2011 – For the purpose of designating May 29, 2011; June 5, 2011; June 12, 2011; June 19, 2011; June 26, 2011; July 3, 2011; July 10, 2011; July 17, 2011; July 24, 2011; July 31, 2011; August 7, 2011; August 14, 2011; August 21, 2011; August 28, 2011 and September 4, 2011 as days when peddlers, hawkers, and itinerant merchants may sell in the historic district or a non-residential area in connection with the Summer at City Dock 2011 festivals.**

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**R-38-11 Kunta Kinte Festival 2011 - For the purpose of designating September 24, 2011 as a day when peddlers, hawkers, and itinerant merchants may sell in the historic district or a non-residential area in connection with the Kunta Kinte Festival and the reimbursement of full fees to the City for the cost associated with the event.**

&

**R-44-11 Chesapeake Bay Yacht Racing Association (CBYRA) Race Week 2011 – For the purpose of designating September 3, 4 and 5 as days when peddlers, hawkers, and itinerant merchants may sell in the historic district or a non-residential area in connection with the CBYRA Race Week 2011 post-race sailboat regatta at Susan Campbell Park.**

Spoke on the resolutions:

Judy Buddensick, 211 Severn Avenue, Annapolis, Maryland 21403 representing Annapolis Business Association  
Greg Guzzi, 110 Dock Street, Annapolis, Maryland 21401 representing Harbor Square Mall  
Ronald Cohen, 4 Alden Lane, Annapolis, Maryland 21401  
Sean O'Neill, 423 Halsey Road, Annapolis, Maryland 21401 representing Annapolis Business Association  
Matt Grubbs, 31 Decatur Avenue, Annapolis, Maryland 21403  
Loni Moyer, 1019 Forest Hills Avenue, Annapolis, Maryland 21403  
Ann Widener, 76 Maryland Avenue, Annapolis, Maryland 21401  
Pam Stevens, 115 West Street, Annapolis, Maryland 21401 representing First Sunday's Arts Festival  
Jim Martin, 1906 Baltimore Annapolis Blvd, Annapolis, Maryland 21409  
Joseph Danek, 51 West Street, Annapolis, Maryland 21401  
Brian Cahalan, 49 West Street, Annapolis, Maryland 21401  
Mary Koenigshoff, 92 East Street, Annapolis, Maryland 21401  
Jeff Schaub, 110 Dock Street, Annapolis, Maryland 21401 representing Annapolis Marine Art Gallery  
Zia Boccaccho, 206 Main Street, Annapolis, Maryland 21401 representing Alpaca International  
Gilbert Renault, 115 Monticello Avenue, Annapolis, Maryland 21401

Spoke in favor of the resolutions:

Karin Masci, 1009 Poplar Avenue, Annapolis, Maryland 21401 representing CBYRA  
David Arthur, 1136 Tyler Avenue, Annapolis, Maryland 21403 representing the Kunta Kinte Celebrations, Inc  
Curtis Patton, 5917 Stream Valley Lane, Elkridge, Maryland 21075  
Rob Rowlands, 105 Eastern Avenue, Annapolis, Maryland 21403  
Bobby Frey, 1151 August Drive, Annapolis, Maryland 21403  
Paul Murphy, 105 Northwest Street, Annapolis, Maryland 21401  
Ed Franz, 1208 Sterling Circle, Annapolis, Maryland 21403  
Jessica Pachler, 506 President Street, Annapolis, Maryland 21403  
Suzie Galler, 1345 Washington Drive, Annapolis, Maryland 21403 representing summer at city dock festivals  
Denise W. Mileski, 3325 Strawberry Run, Davidsonville Maryland 21035  
Arlie Schardt, 1224 Boucher Avenue, Annapolis, Maryland 21403 representing friends and neighbors  
Crystal Brown, 989 Highpoint Drive, Annapolis, Maryland 21403 representing the Kunta Kinte Heritage Festival

At 8:38 p.m., Mayor Cohen requested Alderman Arnett preside over the meeting during his absence.

At 8:46 p.m., Mayor Cohen resumed the duties of the Chair.  
No one else from the general public spoke in favor of or in opposition to the

resolutions.

- Mayor Cohen declared the public hearings closed.

**O-28-11 Licensing Short-Term Rental of Dwelling Units – For the purpose of establishing certain standards for licensing the short term rental of dwelling units in the City of Annapolis.**

DNEP Director Broadbent was present and answered questions from Council.

Spoke on the ordinance:

Mary Koenigshoff, 92 East Street, Annapolis, Maryland 21401

Spoke in favor of the ordinance:

Ann Berger, 170 Duke of Gloucester Street, Annapolis, Maryland 21401  
representing Georgian House Bed and Breakfast and the Annapolis Bed and  
Breakfast Association

Pat Zenon, 57 Cornhill Street, Annapolis, Maryland 21401

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

- Mayor Cohen declared the public hearing closed.

#### LEGISLATIVE ACTIONS

#### ORDINANCES AND RESOLUTIONS – 2<sup>ND</sup> READING

**O-20-11 First Floor Retail in the MX Mixed Use District – For the purpose of amending the requirements in the MX Mixed Use District regarding retail commercial uses on the first floor of building façades which abut West Street.**

Planning and Zoning Director Arason was present and gave a brief presentation on the ordinance.

- Alderman Arnett moved to adopt O-20-11 on second reading. Seconded.

The Rules and City Government and the Economic Matters Committee and the Planning Commission reported favorably with amendments on O-20-11.

- Alderman Arnett moved to amend O-20-11 as follows:

Amendment #2

Pages 1, Line 38 add:

“Ground floor retail commercial uses are not required for town house or single-family residential dwelling units having entrances abutting West Street nor shall such use be prohibited by any applicable law, rule or regulation.” Seconded.  
CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Arnett moved to adopt O-20-11 amended on third reading.  
Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

**R-36-11 Sale of City Radio Tower and Ground Lease – For the purpose of expressing the sense of the City Council to sell the City owned radio tower located at 25 Silopanna Road and currently leased to Bay Broadcasting Corporation and to enter into a ground lease for a certain portion of the property located at 25 Silopanna Road.**

Finance Director Miller was present and answered questions from Council.

- Alderman Arnett moved to adopt R-36-11 on second reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

**R-37-11 Summer at City Dock 2011 – For the purpose of designating May 29, 2011; June 5, 2011; June 12, 2011; June 19, 2011; June 26, 2011; July 3, 2011; July 10, 2011; July 17, 2011; July 24, 2011; July 31, 2011; August 7, 2011; August 14, 2011; August 21, 2011; August 28, 2011 and September 4, 2011 as days when peddlers, hawkers, and itinerant merchants may sell in the historic district or a non-residential area in connection with the Summer at City Dock 2011 festivals.**

- Alderman Arnett moved to adopt R-37-11 on second reading. Seconded.
- Alderman Israel moved to amend R-37-11 as follows:

Amendment #1

After the last “RESOLVE” statement, add:

If sales tax returns show that an established business within three blocks of the City Dock experienced a loss of business on a previous special event day, the City’s special event coordinator may prohibit vendors at special events from competing directly with established businesses. Seconded. DEFEATED on voice vote.

Amendment #2

After the last “RESOLVE” statement, add:

The City’s special event coordinator shall be responsible for making sure that a special event at City Dock does not interfere with access to established businesses and lessees of the City. DEFEATED for lack of a second.

- Alderwoman Finlayson moved to amend R-37-11 as follows:

Amendment #1

After the last “RESOLVE” statement, add:

A representative of the City will be present to resolve matters relating to this special event and his/her cell phone number shall be posted on the City’s website during the hours the event is open to the public. Seconded. CARRIED on voice vote.

- Alderman Paone moved to amend R-37-11 as follows:

On first page, in line 11 thru 12, delete “May 29, 2011; June 5, 2011; June 12, 2011; June 19, 2011; June 26, 2011; July 3, 2011; July 10, 2011; July 17, 2011”  
Seconded. DEFEATED on voice vote.

A ROLL CALL vote was taken:

YEAS: Aldermen Paone, Silverman, Kirby,  
NAYS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen  
Pfeiffer, Arnett, Israel  
DEFEATED: 3/6

The main motion amended A ROLL CALL vote was taken:

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

**R-38-11 Kunta Kinte Festival 2011 - For the purpose of designating September 24, 2011 as a day when peddlers, hawkers, and itinerant merchants may sell in the historic district or a non-residential area in connection with the Kunta Kinte Festival and the reimbursement of full fees to the City for the cost associated with the event.**

- Alderman Arnett moved to adopt R-38-11 on second reading. Seconded.
- Alderman Israel moved to amend R-37-11 as follows:

Amendment #1

After the last "RESOLVE" statement, add:

A representative of the City will be present to resolve matters relating to this special event and his/her cell phone number shall be posted on the City's website during the hours the event is open to the public. Seconded. CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

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

**R-44-11 Chesapeake Bay Yacht Racing Association (CBYRA) Race Week 2011 – For the purpose of designating September 3, 4 and 5 as days when peddlers, hawkers, and itinerant merchants may sell in the historic district or a non-residential area in connection with the CBYRA Race Week 2011 post-race sailboat regatta at Susan Campbell Park.**

- Alderman Arnett moved to adopt R-36-11 on second reading. Seconded.
- Alderman Israel moved to amend R-37-11 as follows:

Amendment #1

After the last "RESOLVE" statement, add:

A representative of the City will be present to resolve matters relating to this special event and his/her cell phone number shall be posted on the City's website during the hours the event is open to the public. Seconded. CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 8/0

**\*\*Alderman Silverman was out of the room during the vote\*\***

- Alderman Arnett moved to reconsider R-37-11. Seconded. CARRIED on voice vote.

The order of the agenda was amended to allow for the reconsideration of R-37-11 amended.

**R-37-11 Summer at City Dock 2011 – For the purpose of designating May 29, 2011; June 5, 2011; June 12, 2011; June 19, 2011; June 26, 2011; July 3, 2011; July 10, 2011; July 17, 2011; July 24, 2011; July 31, 2011; August 7, 2011; August 14, 2011; August 21, 2011; August 28, 2011 and September 4, 2011 as days when peddlers, hawkers, and itinerant merchants may sell in the historic district or a non-residential area in connection with the Summer at City Dock 2011 festivals.**

Without objection, the motion to reconsider was withdrawn.

The order of the agenda was resumed.

Without objection, the vote on R-39-11, R-40-11, R-41-11, R-42-11 and R-43-11 were held jointly.

**R-39-11 Honoring Leron Michael Fisher - For the purpose of honoring Leron Michael Fisher, for his service to the City of Annapolis and the residents of the Housing Authority of the City of Annapolis, and endorsing that the Harbour House Community Swimming Pool be re-named the Leron Michael Fisher Community Swimming Pool at the expense of the Housing Authority for the City of Annapolis.**

&

**R-40-11 Honoring Betty Ann Weekly - For the purpose of honoring Betty Ann Weekly, for her service to the City of Annapolis and the residents of the Robinwood community, and endorsing that the computer room in the Robinwood Community Center be rededicated in her honor at the expense of the Housing Authority of the City of Annapolis.**

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**R-41-11 Honoring David J. Harris – For the purpose of honoring David J. Harris, for his service to the City of Annapolis and the residents of the Robinwood community, and endorsing that the Robinwood Community Center be re-named the David J. Harris Community Center at the expense of the Housing Authority for the City of Annapolis.**

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**R-42-11 Honoring the Late Rosalie E. Mitchell – For the purpose of honoring the late Rosalie E. Mitchell, for her tireless advocacy on behalf of public housing residents and their children, and endorsing that a suitable plaque be installed on the site of the Harbour House/Eastport Terrace Community Center to be re-named the Rosalie E. Mitchell Community Center at the expense of the Housing Authority of the City of Annapolis.**

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**R-43-11 Honoring the Late Sheridan D. Chase – For the purpose of honoring the late Sheridan D. Chase, for her service to the City of Annapolis**

**and the residents of the Harbour House and Eastport Terrace community, and endorsing that an activity room in the Community Center be rededicated in her honor at the expense of the Housing Authority of the City of Annapolis.**

- Alderman Arnett moved to adopt R-39-11, R-40-11, R-41-11, R-42-11 and R-43-11 on second reading. Seconded.
- The Housing and Human Welfare committee voted favorable on R-39-11, R-40-11, R-41-11, R-42-11 and R-43-11.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

#### POSTPONEMENTS

**R-23-11 Amending Fees Schedule for Short Term Rental License Fee - For the purpose of establishing a fee and a municipal infraction fine for a short term rental license.**

- Alderman Arnett moved to postpone R-23-11 until September 12, 2011. Seconded. CARRIED on voice vote.

**O-14-11 Review and Award of Community Grants – For the purpose of amending the purpose and process by which the City reviews and awards community grants.**

- Alderman Arnett moved to postpone O-14-11 until September 26, 2011. Seconded. CARRIED on voice vote.

#### ORDINANCES and RESOLUTION – 1<sup>st</sup> READING

**O-33-11 Speed Monitoring Systems in School Zones – For the purpose of authorizing the use of speed monitoring systems in designated school zones; defining certain terms; and setting forth the use of certain fines in accordance with State law.**

Referred to the Public Safety and the Transportation Committees

**O-34-11 Aggressive Panhandling – For the purpose of defining aggressive panhandling; making it unlawful to aggressively panhandle in a public place; and establishing a fine for aggressive panhandling violations.**

Referred to the Public Safety Committee

**O-35-11 Parking on St. John’s Street Between College Avenue and Calvert Street – For the purpose of extending the length of time for parking on St. John’s Street between College Avenue and Calvert Street from two hours to nine hours.**

Referred to the Public Safety and Transportation Committees and the Parking Advisory Commission

\*\*Alderwoman Finlayson requested her name be added as a sponsor\*\*

**O-37-11 Water and Sewer Connection and Capital Fees – For the purpose of modifying the water and sewer connection and capital fees in the Code of the City of Annapolis.**

Referred to the Economic Matters, Environmental Matters and the Finance Committees

- R-46-11**      **Water and Sewer Connection and Capital Fees - For the purpose of modifying the water and sewer connection and capital fees provided in the FY 2012 fee schedule for the City of Annapolis.**

Referred to the Economic Matters, Environmental Matters and the Finance Committees

- R-45-11**      **Annexation Plan – Hayes Property – For the purpose of adopting an annexation plan for the Hayes Property, which property is contiguous to the existing boundary of the City and which property is generally located south of the City’s jurisdictional boundary and to the east of Old Solomons Island Road and Dorsey Drive.**

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

- O-38-11**      **Zoning of Annexed Land – Hayes Property – For the purpose of establishing zoning classifications of R3 – General Residence District and R1-B – Single-Family Residence District for 7.374 acres of property known as the Hayes Property, which property is contiguous to the existing boundary of the City and which property is generally located south of the City’s jurisdictional boundary and to the east of Old Solomons Island Road and Dorsey Drive.**

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

- R-47-11**      **Annexation of Hayes Property – For the purpose of annexing into the boundaries of the City of Annapolis 7.374 acres of property known as the Hayes Property, which property is contiguous to the existing boundary of the City and which property is generally located south of the City’s jurisdictional boundary and to the east of Old Solomons Island Road and Dorsey Drive.**

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

- R-48-11**      **Charter Amendment Adoption Procedure – For the purpose of requesting that the Maryland General Assembly change the procedure by which the City of Annapolis can amend its Charter from a simple majority to requiring a 2/3 majority of the number of the persons elected to City Council.**

Referred to the Rules and City Government Committee

#### BUSINESS AND MISCELLANEOUS

- Alderman Arnett moved to extent the meeting beyond 11:00 p.m. to consider new business items. Seconded. CARRIED on voice vote.

- 1. Hiring Freeze Exemption Request Forms – HR Control Numbers: HR-01-12, HR-03-12, and HR-06-12**

Acting Human Resources Director Rensted gave a brief presentation on the Hiring Freeze Exemption Request Forms and answered questions from Council.

Finance Director Miller was present and answered questions from Council.

Recreation and Parks Director Plumber was present and answered questions from Council.

- Alderman Israel moved to approve Hiring Freeze Exemption Request Forms – HR Control Number: HR-01-12. Seconded. CARRIED on voice vote.
- Alderman Arnett moved to approve Hiring Freeze Exemption Request Forms – HR Control Number: HR-03-12. Seconded. CARRIED on voice vote.
- Alderwoman Finlayson moved to approve Hiring Freeze Exemption Request Forms – HR Control Number: HR-06-12. Seconded. CARRIED on voice vote.

**2. Ratification of Memorandums of Understanding between the City of Annapolis and AFSCME Local 3406, Trade, Maintenance and Labor Force Employees, and Local 3162, Annapolis Clerical and Technical Employees.**

Finance Director Miller was present and answered questions from Council.

Acting Human Resourced Director Rensted was also present and answered questions from Council.

- Alderman Paone moved to postpone the vote on the Ratification of Memorandums of Understanding between the City of Annapolis and AFSCME Local 3406, Trade, Maintenance and Labor Force Employees, and Local 3162, Annapolis Clerical and Technical Employees until September 12, 2011. Seconded. DEFEATED on voice vote.
- Alderwoman Finlayson moved to ratify the Memorandums of Understanding between the City of Annapolis and AFSCME Local 3406, Trade, Maintenance and Labor Force Employees, and Local 3162, Annapolis Clerical and Technical Employees. Seconded. CARRIED on voice vote.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Kirby, Pfeiffer  
NAYS: Aldermen Paone, Silverman, Arnett, Israel  
CARRIED: 5/4

- Mayor Cohen accepted into the record the City of Annapolis Financial Advisory Commission's Report and Recommendations regarding the Memoranda of Understanding between the City of Annapolis and AFSCME, Locals 3162 and 3406.

**3. Budget Revision Request, Control Number: GT-1-12 Department: Market House dated 14-Jul-2011**

Finance Director Miller was present and answered questions from Council.

- Alderwoman Hoyle moved to approve Budget Revision Request, Control Number: GT-1-12 Department: Market House dated 14-Jul-2011. Seconded. CARRIED on voice vote.

**4. Appointments and Reappointments**

- Alderman Arnett moved to approve the Mayor's appointments / reappointments of the following individual:

7/25/11 Historic Preservation Commission.....Sharon Kennedy  
7/25/11 Historic Preservation Commission.....Timothy Leahey

7/25/11 Historic Preservation Commission.....	Bronte D. Jones
7/25/11 HACA Board.....	Jeffrey Henderson
7/25/11 HACA Board.....	Cynthia Carter
7/25/11 Housing and Community Development.....	Jonette Hahn
7/25/11 Human Relations Commission.....	Timothy Boston
7/25/11 Human Relations Commission.....	Martha Scott
7/25/11 Human Relations Commission.....	Ida Mae Sims
7/25/11 Human Relations Commission.....	Michael Keller
7/25/11 Planning Commission.....	Lois D. Villemare
7/25/11 Art in Public Places.....	Cynthia Towle-Krewson
7/25/11 Transportation Board.....	Juanita Parry
7/25/11 A. Ward Boundary & Redistricting Commission.....	Ronald H. Jarashaw
Seconded. CARRIED on voice vote.	

Upon motion duly made, seconded and adopted, the meeting was adjourned at 12:00 a.m.

Regina C. Watkins-Eldridge, MMC  
City Clerk