

REGULAR MEETING OF THE CITY COUNCIL

August 9, 1993

The Regular Meeting of the Annapolis City Council was held on Monday, August 9, 1993 in the Council Chamber. Mayor Hopkins called the meeting to order at 7:30 p.m. Alderman Gilmer offered the invocation followed by the Pledge of Allegiance.

Present on Roll Call: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Snowden, Turner, Moyer

Alderman DeGraff arrived at 7:35 p.m.

Staff Present: City Attorney Hodgson, Planning and Zoning Director Fogarty, Public Works Director Patmore

Alderman Snowden moved to approve the Minutes of, 6/9/93 (Closed), 6/18/93 (Closed) 7/12/93 and 7/26/93. Seconded. CARRIED on voice vote.

Pursuant to the requirement of Maryland Annotated Code, State Government Article Section 10-509(c)(2), this statement is included in these minutes:

A closed session of the City Council was held at 4:10 p.m., Monday, August 9, 1993, in the City Council Chamber.

Members Present: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Snowden, Turner, DeGraff, Moyer, City Attorney Hodgson, Personnel Director Engelke, City Administrator Mallinoff, Union Negotiator Leonard Cohen and City Clerk Bembe.

The authority under which the session was closed was Maryland Annotated Code, State Government Article, Section 10-508(a)(9). The purpose of the meeting was to discuss the conduct of collective bargaining negotiations or consideration of matters that relate to the negotiations. The session was closed by unanimous consent. The following action was taken:

Alderman Snowden moved to accept the document entitled "Memorandum of Agreement between UFCW Local 400 and the City of Annapolis", as amended, as the Council's position on labor negotiations. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Snowden, Turner, DeGraff, Moyer

CARRIED: 8-0

SPECIAL ORDER OF BUSINESS

Oath of Office - Joseph Sachs, Ward Four

Mayor Hopkins administered the Oath of Office to Joseph Sachs, the candidate nominated by the Republican City Central Committee to fill the Ward Four vacancy.

PUBLIC HEARINGS

1. **O-2-93** Sponsored by Mayor Hopkins

For the purpose of allowing the Planning and Zoning Commission to consider conformance with Chapter 21.98 in the review and action on subdivisions; and all matters relating to said conformance.

There being no voiced objection, Ordinance O-2-93 was postponed to the August 23, 1993 meeting.

2. Application of William Goodman and James Eastland for a zoning map amendment to rezone part of parcel 368, adjacent to 1204 McGuckian Street from B3, General Commercial District, to R2, Single Family Residence District.

Mayor Hopkins accepted into the record a Memorandum to the Annapolis City Council from the Planning and Zoning Commission dated 7/12/93.

Mayor Hopkins declared the public hearing closed.

LEGISLATIVE ACTION

1. **O-19-93** Sponsored by Mayor Hopkins, Alderman Hammond and Alderman Turner

For the purpose of defining neon signs; prohibiting neon signs in certain zoning districts; and all matters relating to said neon signs.

Alderman Snowden moved to adopt O-19-93 on second reading. Seconded.

Alderman Hammond moved to resolve into a committee of the whole to discuss O-19-93. Seconded. CARRIED on voice vote.

The committee of the whole rose and reported to the City Council the following amendments to O-19-93:

Amendment No. 1

On Page 2, line 36 immediately following "public works" add "AND, IF APPLICABLE, A CERTIFICATE OF APPROVAL FROM THE HISTORIC DISTRICT COMMISSION".

Amendment No. 2

On Page 3, line 35, immediately following "IF" add "VISIBLE FROM THE EXTERIOR WHILE VIEWED FROM A PUBLIC WAY"; on that same page, strike lines 37 through 44 in their entirety.

Amendment No. 3

On Page 4, line 37, immediately following "21.48.060" strike "C AND".

Amendment No. 4

On Page 4, strike lines 39 through 45 in their entirety.

Alderman Hammond moved to adopt Amendments Nos. 1, 2, 3, and 4. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Sachs, Snowden, Turner,
DeGraff, Moyer
NAYS: Alderman Gilmer
CARRIED: 8-1

Alderman Snowden moved to adopt O-19-93 Amended on second reading. Seconded.

CARRIED on voice vote.

Alderman Hammond moved to adopt O-19-93 Amended on third reading. Seconded. CARRIED on voice vote.

2. **O-24-93** Sponsored by Alderman Gray

For the purpose of permitting height variances for single family structures in certain residential zoning districts under certain circumstances; and all matters relating to said variance.

Alderman Snowden moved to adopt O-24-93 on second reading. Seconded. CARRIED on voice vote.

Alderman Snowden moved to adopt O-24-93 on third reading. Seconded. CARRIED on voice vote.

3. **O-33-93** Sponsored by Mayor Hopkins

For the purpose of authorizing the lease of certain municipal property located at the City Dock to Spirit Marine Company, for a certain period of time, at a certain rental and under certain terms and conditions, for the purpose of docking and mooring the vessel known as "Spirit of Baltimore"; and all matters relating to said lease.

The Finance Committee reported favorably with an amendment on O-33-93. The Economic Matters Committee reported favorably on O-33-93.

Alderman Snowden moved to adopt O-33-93 on second reading. Seconded.

Alderman Hammond moved to amend O-33-93 as follows:

Amendment No. 1

On Page 2, lines 17 and 18, strike "of one month" and substitute "commencing September 21, 1993 and concluding on December 31, 1993".

Seconded. CARRIED on voice vote.

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

Alderman Snowden moved to adopt O-33-93 Amended on third reading. Seconded. CARRIED on voice vote.

4. **O-35-93** Sponsored by Mayor Hopkins and Alderman Hammond

For the purpose of providing that certain costs incurred by applicants for connection to City water and sewer utilities shall be credited against certain utility related charges, fees and assessments; and all matters relating to said credits and fees.

Alderman Snowden moved to adopt O-35-93 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

5. **O-37-93** Sponsored by Mayor Hopkins

For the purpose of amending the zoning classification of the rear, undeveloped portion of the larger Luskins site located along McGuckian Street in the City of Annapolis from B3 District to R2 District; amending the City of Annapolis Zoning District Map, accompanying the zoning ordinance approved December 30, 1974, codified in Title 21 of the Code of the City of Annapolis (1986 Edition and Supplement); and reclassifying the zoning classification for the aforesaid parcels; and all matters relating to said rezoning.

Alderman Snowden moved to adopt O-37-93 on first reading. Seconded. CARRIED on voice vote.

6. **O-38-93** Sponsored by Alderman Hammond

For the purpose of exempting restaurant menuboards from the allowable signage limitations in the C2 District; and all matters relating to said menuboards.

Alderman Snowden moved to adopt O-38-93 on first reading. Seconded. CARRIED on voice vote.

Referred to the Planning and Zoning Commission.

7. **O-39-93** Sponsored by Mayor Hopkins, Alderman Hammond

For the purpose of limiting the hours of alcoholic beverage service allowed for certain food service establishments in the C2 zoning district; and all matters relating to said hours.

Alderman Snowden moved to adopt O-39-93 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules Committee, Economic Matters Committee, Planning and Zoning Commission and the Alcoholic Beverage Control Board.

BUSINESS AND MISCELLANEOUS

1. **R-19-93** For the purpose of establishing the rates and fees for parking in certain parking facilities owned by the City; and all matters relating to said rates.

The Finance Committee reported favorably with amendments on R-19-93.

Alderman Hammond moved to adopt R-19-93. Seconded.

Alderman Hammond moved to amend R-19-93 as follows:

Amendment No. 1

On Page 2, strike line 12 in its entirety and substitute "\$1.00 per hour, not to exceed a maximum of \$4.00 per day, 6:00 p.m. Friday to 6:00 a.m. Monday".

Seconded. CARRIED on voice vote.

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

2. Agreement between Port of Annapolis, Inc., Historic Annapolis, Inc. and the City of Annapolis regarding Maynard-Burgess House located at 163 Duke of Gloucester Street.

There being no voiced objection, the Agreement between Port of Annapolis, Inc., Historic Annapolis, Inc. and the City of Annapolis regarding Maynard-Burgess House located at 163 Duke of Gloucester Street was referred to the Finance Committee.

3. Economic Matters Committee Minutes of 7/22/93

Alderman Moyer moved to adopt the Economic Matters Committee Minutes of 7/22/93. Seconded. CARRIED on voice vote.

4. Risk Management Committee Minutes of 7/21/93

Alderman Hammond moved to adopt the Risk Management Committee Minutes of 7/21/93. Seconded. CARRIED on voice vote.

5. Finance Committee Minutes of 7/13/93 and 7/29/93

Alderman Hammond moved to adopt the Finance Committee Minutes of 7/13/93 and 7/29/93. Seconded. CARRIED on voice vote.

6. Payment of monthly bills

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

7. Appointments

Alderman Snowden moved to confirm the Mayor's appointments of the following named persons as set forth in Memoranda from Mayor Alfred A. Hopkins dated 8/2/93, 8/5/93 and 8/6/93:

Planning and Zoning Commission

Wilford Scott

Housing Authority

Charles Herbert Powell, Sr.

Historic District Commission

Joan Kaplan

Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:40 p.m.

Patricia L. Bembe, CMC/AAE

City Clerk