

REGULAR MEETING
September 9, 2013

The Regular Meeting of the Annapolis City Council was held on September 9, 2013 in the Council Chamber. Mayor Cohen called the meeting to order at 7:15 p.m.

Present on Roll Call: Mayor Cohen, Aldermen Budge, Paone, Alderwomen Hoyle, Finlayson, Aldermen Littmann, Pfeiffer, Arnett

Staff Present: City Attorney Hardwick, City Manager Mallinoff, DNEP Director Broadbent, Planning Administrator Rouse, Development and Special Projects Coordinator Lefurge, Finance Director Miller, Chief of Environmental Programs Biba

Approval of Agenda

- Alderman Paone moved to approve the Regular Meeting Agenda as submitted. Seconded. CARRIED on voice vote.

CITY COUNCIL CITATIONS

Martha Wood Leadership Award

Mayor Cohen invited Aldermen Paone to present Veronica and Ryan Grant with the City Council Citation in recognition of being honored by the Housing Authority of the City of Annapolis as the thirty-eighth recipient of the prestigious Martha Wood Leadership Award.

PETITIONS, REPORTS AND COMMUNICATIONS

Approval of Journal Proceeding

- Alderman Budge moved to approve the Journal of Proceedings for the Regular Meeting July 8, 2013 and the Special Meeting July 22, 2013. Seconded. CARRIED on voice vote

Comments by the General Public

Robert Eades, 32 Pleasant Street, Annapolis, Maryland 21401 spoke on the administration, and the election season and children playing in the streets.
Frank Bradley, 815 Parkwood Avenue, Annapolis, Maryland 21403 spoke on the Constitution, the giving away of tax payer dollars and asked that everyone votes in the upcoming election.

- Mayor Cohen declared petitions, reports and communication closed.

PUBLIC HEARINGS

O-24-13 Demolition Permits in the Neighborhood Conservation Districts – For the purpose of removing financial hardship from the review criteria for permit applications for demolition in the neighborhood conservation zoning districts.

DNEP Director Broadbent gave a brief presentation on the ordinance and answered questions from Council. Planning Administrator Rouse was present and answered questions from Council.

Spoke on the ordinance:

McShane Glover, 124 1/2 Archwood Avenue, Annapolis, Maryland 21401
Albert Graf, 22 Severn Avenue, Annapolis, Maryland 21401
Jane Lawrence, 519 Burnside Street, Annapolis, Maryland 21403

Spoke in favor of the ordinance:

Anne Small, 730 Mills Way, Annapolis, Maryland 21403
Arlene Wells, 112 Eastern Avenue, Annapolis, Maryland 21403

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

- Mayor Cohen accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 7/18/13, and Memoranda from Jon Arason, Director, to the Planning Commission dated 10/7/13 and 10/8/13.
- Mayor Cohen declared the public hearing be held open for the purpose of receiving written comments until close of business 9/23/13.

O-25-13 Office or Studio of a Professional Person in the C1 (Conservation Residence) Zoning District - For the purpose of eliminating the office or studio of a professional person as a special exception subject to standards in the C1 – Conservation Residence zoning district.

Planning Administrator Rouse gave a brief presentation on the ordinance and answered questions from Council.

Spoke in favor of the ordinance:

Fredrick Broen, 74 East Street, Annapolis, Maryland 21401 representitng Ward One Residents Association
Doug Smith, 5 Revell Street, Annapolis, Maryland 21401 representing Frank and Pat Zeno

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

- Mayor Cohen accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 7/18/13
- Mayor Cohen declared the public hearing closed.

O-26-13 Pet Grooming Facilities – For the purpose of separately defining a “pet grooming facility” from a “personal care establishment,” and making a “pet grooming facility” a use subject to standards in all zoning districts that currently allow personal care establishments.

Planning Administrator Rouse gave a brief presentation on the ordinance and answered questions from Council.

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

- Mayor Cohen accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 7/18/13.
- Mayor Cohen declared the public hearing closed.

O-27-13 Sediment and Erosion Control – For the purpose of adopting the State of Maryland’s required erosion and sediment control ordinance that meets the intent of the State’s sediment control laws and regulations.

Chief of Environmental Programs Biba gave a brief presentation on the ordinance and answered questions from Council. DNEP Director Broadbent was also present and answered questions from Council.

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

ordinance.

- Mayor Cohen declared the public hearing closed.

O-32-13 Plumbing Permit Fees – Capital Facilities – For the purpose of authorizing applicants for a special exception or other development proposal, subject to the following group of plumbing permit fees (a connection charge, a capital facility charge, a capital facility assessment charge, and an installation charge), to be eligible for the fees levied at the time of such application rather than the fees at the time the permit may be issued; and making such provisions retroactive to July 1, 2011.

DNEP Director Broadbent gave a brief presentation on the ordinance and answered questions from council.

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

- Mayor Cohen declared the public hearing closed.

LEGISLATIVE ACTION

ORDINANCES AND RESOLUTIONS – 1st READER

O-34-13 Historic Preservation Tax Credit – For the purpose of revising the provisions governing the historic preservation tax credit in the City of Annapolis.

- Alderman Paone moved to adopt O-34-13 on first reader. Seconded. CARRIED on voice vote

Referred to the Finance, Economic Matters Committees and the Historic Preservation Commission.

O-35-13 Issuance of Bonds and Bond Anticipation Notes – For the purpose of authorizing and empowering the City of Annapolis (the “City”) to issue and sell, upon its full faith and credit, (i) general obligation bonds in the aggregate principal amount not to exceed \$11,500,000, pursuant to Sections 31 through 39, inclusive, of Article 23A of the Annotated Code of Maryland (2011 Replacement Volume and 2012 Supplement), as amended, and Article VII, Section 11 of the Charter of the City, as amended (the “Charter”), and (ii) general obligation bond anticipation notes in anticipation of the issuance of such bonds in the maximum aggregate principal amount equal to the maximum aggregate principal amount of such bonds pursuant to Section 12 of Article 31 of the Annotated Code of Maryland (2010 Replacement Volume and 2012 Supplement), as amended, and Article VII, Section 11 of the Charter; prescribing the form and tenor of said bonds and notes; determining the method of sale of said bonds and notes and other matters relating to the issuance and sale thereof; providing for the disbursement of the proceeds of said bonds and notes; covenanting to levy and collect all taxes necessary to provide for the payment of the principal of and interest on said bonds and notes; and generally providing for and determining various matters relating to the issuance, sale and delivery of all said bonds and notes.

Finance Director Miller gave a brief presentation and answered questions from Council.

- Alderman Arnett moved to adopt O-35-13 on first reader. Seconded. CARRIED on voice vote

Referred to the Economic Matters, Finance Committees and the Financial Advisory Commission.

- O-36-13 An Amendment to Lease of City Property: Boat Shows in Fall 2013 – For the purpose of authorizing an amendment (adding 20 City moorings in St. Mary’s Cove on Spa Creek for the Fall Brokerage Boat Show) to a lease of certain municipal property to the United States Sailboat Shows, Inc. and United States Powerboat Shows, Inc., to conduct boat shows for a certain period of time, including time in October 2013, subject to certain terms, provisions and conditions; and all matters relating to the amendment of the lease.**

Paul Jacobs, 3536 Saratoga Avenue, Annapolis, Maryland 21403 General Manager of the Boat Shows.

- Alderman Arnett moved to adopt O-36-13 on first reader. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee.

- O-37-13 Lease of City Property: Boat Shows in Spring 2014 – For the purpose of authorizing a lease of certain municipal property located in the areas of Susan Campbell Park, Annapolis City Donner Parking Lot, Ego Alley Water Space, and Old City Recreation Center and other property and water locations as described in the lease to CRUISERS UNIVERSITY, INC., t/a Annapolis Spring Sailboat Show, in April 2014, to conduct boat shows.**

- Alderman Arnett moved to adopt O-37-13 on first reader. Seconded. CARRIED on voice vote

Referred to the Economic and Environmental Matters Committees.

- O-38-13 Amending Ordinance O-30-13, authorizing the Issuance of General Obligation Refunding Revenue Bonds, to Conform to Final Special Taxing and Tax Increment Financing District Boundaries – For the purpose of amending Ordinance O-30-13, adopted on July 22, 2013, which authorized the issuance of up to Twenty-Five Million Dollars (\$25,000,000) aggregate principal amount of general obligation refunding revenue bonds (the “Refunding Bonds”) of the City of Annapolis (the “City”) for the purpose of refunding the City’s Special Obligation Bonds (Park Place Project), Series 2005A and 2005B (the “Series 2005 Bonds”), in order to provide that (a) the Park Place Development District and Special Tax District (referred to in Ordinance No. O-30-13 as the “District”) include the four additional parcels of land and exclude the land described in Ordinance No. O-40-04, adopted on March 14, 2005, and (b) references in Ordinance No. O-30-13 to “the Resolution” and “the Original Ordinance” shall include Ordinance No. O-40-04, unless the context clearly indicates a different meaning.**

Finance Director Miller and Bob Dordan were present and answered questions from Council.

- Alderman Arnett moved to adopt O-38-13 on first reader. Seconded. CARRIED on voice vote

Referred to the Economic Matters and the Finance Committees.

R-35-13 Re-Activating the State Commission on the Capital City – For the purpose of expressing the sense of the Annapolis City Council to ask the Governor of the State of Maryland to re-activate the State Commission on the Capital City to regularly connect key stakeholders in order to “study possible ways to preserve and improve Annapolis as the capital of the State,” (State Government Article, §9-406).

- Alderman Pfeiffer moved to adopt R-35-13 on first reader. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee.

R-36-13 Authorizing Two Vendors in the Historic District in Conjunction with the Fall Boat Shows – For the purpose of authorizing Uncle Bob’s Fudge Kitchen operating at 112 Main Street to sell lemonade and other complimentary food and non-alcoholic beverage items from a stand on the sidewalk in front of its retail store; and Cub Scout Pack 153 to sell popcorn and other complimentary non-alcoholic beverage items in Hopkins Plaza in conjunction with the 2013 Fall Boat Shows.

Development and Special Projects Coordinator Lefurge gave a brief presentation and answered questions from Council.

- Alderman Budge moved to adopt R-36-13 on first reader. Seconded. CARRIED on voice vote.

Referred to Economic Matters

R-37-13 Waiving a Contractor Parking Fee for the Hammond-Harwood House – For the purpose of waiving a contractor parking fee for the Hammond-Harwood House, a 501c(3) non-profit organization located at Maryland Avenue and King George Street, during roof work on the northeast wing of the historic museum.

City Manager Mallinoff gave a brief presentation and answered questions from Council.

- Alderman Budge moved to adopt R-37-13 on first reader. Seconded. CARRIED on voice vote.

There being no voiced objection, the rules were suspended to allow passage of the resolution at the meeting of its introduction.

- Alderman Budge moved to adopt R-37-13 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Aldermen Budge, Paone, Alderwomen Hoyle, Finlayson,
Aldermen Littmann, Kirby, Pfeiffer

NAYS: Alderman Arnett

CARRIED: 8/1

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:24 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk