

SPECIAL MEETING
September 24, 2007

The Special Meeting of the Annapolis City Council was held on September 24, 2007 in the Council Chamber. Mayor Moyer called the meeting to order at 7:00 p.m.

Present on Roll Call: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Stankivic, Shropshire, Arnett

Alderman Cordle arrived at 7:27 p.m.

Absent on Roll Call: Alderman Christman

Staff Present: City Attorney Spencer, Planning and Zoning Director Arason

PUBLIC HEARING

CA-03-07 For the purpose of amending the City Charter to specifically provide for the designation of acting department directors and to limit the compensation for such designees to six months; and all matters generally related to the designation of acting directors.

Spoke in favor of the charter amendment:

Geoffrey Mitchell, 721 Melvin Avenue, Annapolis, Maryland 21401

Spoke in opposition to the ordinance:

Gilbert Renault, 115 Monticello Avenue, Annapolis, Maryland 21401

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

- Mayor Moyer declared the public hearing closed.

O-48-06 For the purpose of amending the boundary of that portion of the B2 Zoning District located along Fourth Street in Eastport; and matters generally relating to said zoning map amendment.

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

Spoke in opposition to the ordinance:

C. Christopher Ledoux, 215 Severn Avenue, Annapolis, Maryland 21403

Edward Morgan, 412 Third Street, Annapolis, Maryland 21403

Diane Butler, 407 Third Street, Annapolis, Maryland 21403

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

- Mayor Moyer accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 7/19/07, and Memoranda from Jon Arason, Director, to the Planning Commission dated 7/2/07.
- Mayor Moyer declared the public hearing closed.

O-28-07 For the purpose of requiring some public notice of final decisions on zoning applications; ensuring that members of the public that participated in agency proceedings receive notice of decisions within the time allowed for administrative appeals; and all matters related to public notification of zoning application decisions.

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

Spoke in favor of the ordinance:

Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401

C. Christopher Ledoux, 215 Severn Avenue, Annapolis, Maryland 21403 representing Eastport Civic Association

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

- Mayor Moyer accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 7/19/07, and Memoranda from Jon Arason, Director, to the Planning Commission dated 7/2/07.
- Mayor Moyer declared the public hearing closed.

O-36-07 For the purpose of prohibiting the use of City funding on projects that have requested or that have obligated Federal Community Development Block Grants (CDBG) funding in the same fiscal year; and all matters related to City funding of Community Development Block Grant projects.

Spoke in opposition to the ordinance:

Mary Wolf, 1720 Long Green Drive, Annapolis, Maryland 21409 representing Clay Street Computer Learning Center

Trudy McFall, 205 Scott Drive, Annapolis, Maryland 21401 representing Homes for America

Bob Burdon, 49 Old Solomons Island Road, Suite 204, Annapolis, Maryland 21401 representing Annapolis and Anne Arundel County Chamber of Commerce, Inc

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

- Mayor Moyer declared the public hearing closed.

O-37-07 For the purpose of requiring the Finance Director to prepare a fiscal impact note on any introduced resolution that proposes waiving City fees for an event; and for all matters generally related to the requirements for fiscal impact notes.

Spoke in favor of the ordinance:

Douglas Smith, 5 Revell Street, Annapolis, Maryland 21401

Spoke in opposition to the ordinance resolution:

Bob Burdon, 49 Old Solomons Island Road, Suite 204, Annapolis, Maryland 21401 representing Annapolis and Anne Arundel County Chamber of Commerce, Inc

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

- Mayor Moyer declared the public hearing closed.

O-39-07 For the purpose of saving lives, reducing injuries and reducing property damage that could result from fires by requiring that any construction or renovation in the Historic District that requires a building permit and that has a value of ten or more percent of the value of the building shall have a fire suppression system throughout the building providing that this section does not take effect until certain State and /or Federal tax credit legislation is enacted; and matters generally relating to fire suppression systems in the Historic District.

Spoke on the ordinance:

Bob Burdon, 49 Old Solomons Island Road, Suite 204, Annapolis, Maryland 21401 representing Annapolis and Anne Arundel County Chamber of Commerce, Inc

Spoke in favor of the ordinance:

Gilbert Renault, 115 Monticello Avenue, Annapolis, Maryland 21401

Paul T. Elder, 77 Shipwright Street, Annapolis, Maryland 21401-2612

Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401

Michael A. Farmer, 142 Prince George Street, Annapolis, Maryland 21401

Douglas Smith, 5 Revell Street, Annapolis, Maryland 21401 representing Ward One Residents

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

- Mayor Moyer declared the public hearing closed.

R-26-07 For the purpose of establishing consistency with the processing of development applications in the City.

- Alderman Finlayson move to withdraw R-26-07. Seconded. CARRIED on voice vote.

R-42-07 For the purpose of increasing the various fees for private moorings, fees for the Stormwater Utility Fund, and connection charges for water and sewer connections; making the amount to be charged as the amount currently approved by Medicare; and matters generally relating to said fees.

Spoke in opposition to the resolution:

Paul T. Elder, 77 Shipwright Street, Annapolis, Maryland 21401-2612

Michael I. Shultz, 120 Market Street, Annapolis, Maryland 21401 spoke in opposition to fees for private moorings

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

- Mayor Moyer declared the public hearing closed.
- Alderwoman Hoyle moved to amend the agenda to include R-39-07. Seconded. CARRIED on voice vote.
- Alderman Arnett moved to amend the agenda to include R-50-07 and R-51-07. Seconded. CARRIED on voice vote.

LEGISLATIVE ACTION

O-10-07 For the purpose of permitting the use of drive-through facilities in certain zoning districts subject to special exception use and/or subject to standards; establishing use standards for drive-through facilities; permitting a menu board for drive-through facilities; and matters generally relating to drive-through facilities.

- Alderman Arnett moved to adopt O-10-07 on second reading. Seconded.

The Rules and City Government Committee reported favorably with amendments on O-10-

07.

- Alderman Israel moved to amend O-10-07 as follows:

Amendment #1

On page 4, strike the third row and substitute the following:

Uses	Distri ct B1	Distri ct B2	Distri ct B3	Distri ct B3- CD	Distri ct BCE	Distri ct BR	Distri ct C2	Distri ct C2A	Distri ct PM2	Distri ct I1
Drive-through facilities and walkups associated with permitted or special exception uses	S-P-Std ³	S-P-Std S-Std ³			P-Std	P-Std S-Std ³				

⁴ ATMs are permitted as walkups subject to all other applicable regulations. In the C2 and C2A districts, drive-through facilities are not permitted. Seconded. CARRIED on voice vote.

- Alderman Israel moved to postpone the vote on 0-10-07 until the Regular Meeting on October 8, 2007. Seconded. DEFEATED on voice vote.

A ROLL CALL vote was taken:

YEAS: Aldermen Israel, Stankivic, Arnett
 NAYS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Cordle, Shropshire,
 DEFEATED: 3/5

The main motion as amended CARRIED on voice vote.

- Alderman Shropshire moved to adopt O-10-07 amended on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel Cordle, Stankivic, Shropshire, Arnett
 NAYS:
 CARRIED: 8/0

The order of the agenda was amended to allow for R-39-07, R-50-07 and R-51-07.

R-39-07 For the purpose of increasing taxicab fares for taxicabs licensed by the City; and all matters relating to said taxicab rate increases

- Alderman Stankivic moved to adopt R-39-07 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Cordle, Stankivic, Shropshire, Arnett
 NAYS:
 CARRIED: 8/0

R-50-07 For the purpose of proclaiming September 29 2007, to be Worldwide Day of Play in the City of Annapolis.

- Alderman Arnett moved to adopt R-50-07 on first reading. Seconded. CARRIED on voice vote.
- Alderman Cordle moved to suspend the rules to allow passage of the resolution at the meeting of its introduction. Seconded. CARRIED on voice vote.
- Alderman Arnett moved to adopt R-50-07 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Cordle, Stankivic, Shropshire, Arnett

NAYS:

CARRIED: 8/0

R-51-07 For the purpose of waiving the fees for City services to be provided in connection with the Maryland Avenue Harry Potter Festival to be held October 28, 2007.

- Alderman Stankivic moved to adopt R-51-07 on first reading. Seconded. CARRIED on voice vote.

The order of the agenda was resumed.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 8:32 p.m.

Regina C. Watkins-Eldridge, CMC
City Clerk