

REGULAR MEETING
October 12, 2009

The Regular Meeting of the Annapolis City Council was held on October 12, 2009 in the Council Chamber. Mayor Moyer called the meeting to order at 7:30 p.m.

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

Absent on Roll Call: Alderman Shropshire

Staff Present: City Attorney Kling, Bureau Chief Sandrouni, Civil Engineer Grieco, Civil Engineer Openshaw, Alcoholic Beverage Control Board Chair Grayston

Boy Scouts of America

Jed Fowler, Erik Saderholm and Chris Lauer representing Troop 396, located at 3201 Harness Creek Road, Annapolis, Maryland 21403 lead the Mayor and City Council in the Pledge of Allegiance.

- Alderman Arnett moved to approve the Journal of Proceedings for Regular Meeting of September 14, 2009 and Special Meeting of October 5, 2009. Seconded. CARRIED on voice vote.

PRESENTATIONS

- Mayor Moyer and Bureau Chief Sandrouni recognized Civil Engineers Lisa Grieco and Lily Openshaw with the City of Annapolis Green Star Award for their commitment to the environment.

PETITIONS, REPORTS AND COMMUNICATIONS

Steve Wise, 10 W. Madison Street, Baltimore, Maryland 21201 spoke in opposition to O-28-09 if amended representing the Maryland State Medical Society (Med Chi)

Ed Connors, 63 Baldrige Road, Annapolis, Maryland 21401 requested the City Council switch Halloween to October 30, 2009 in Ward 2 to avoid a conflict with the Navy Football Game scheduled for October 31, 2009.

Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401 spoke on O-24-09, O-30-09, and the introduction of CA-09-09, city council meeting agendas on the website, votes received by Chuck Weikel in the Primary Election and State and Federal Legislation.

Arthur Kungle, P.O. Box 365, Annapolis, Maryland 21404-0365 spoke on the number of original room in the City Council Chamber, the slant in the building and presented the Mayor and City Council with a copy of the original deed to City Hall from the Maryland State Archives.

Carolyn Kirby, 143 Compromise Street, Annapolis, Maryland 21401 representing Annapolis Summer Garden Theatre spoke in favor of the funding for the theatre's renovation project.

- Alderman Cordle moved to amend the agenda to allow for CA-09-09. Seconded. CARRIED on voice vote.
- Alderman Cordle move to call the question to end debate. Seconded. DEFEATED on voice vote.
- Alderman Cordle moved to amend the agenda to allow for O-61-09. Seconded. CARRIED on voice vote.
- Alderman Cordle moved to amend the agenda to allow for R-59-09. Seconded. CARRIED on voice vote

- Alderwoman Finlayson moved to amend the agenda to allow for R-60-09. Seconded. CARRIED on voice vote.
- Alderman Arnett moved to postpone O-53-09, O-54-09, O-55-09, O-56-09, O-58-09, and O-60-09. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Arnett

NAYS: Aldermen Israel, Paone, Cordle, Stankivic

DEFEATED: 4/4

- Alderman Stakivic moved to amend the agenda to allow for O-38-09. Seconded. CARRIED on voice vote.

The order of the agenda was resumed.

ORDINANCES & RESOLUTIONS – 2ND READING

O-24-09 For the purpose of requiring the passage of a resolution by the City Council to establish the City’s opposition to or support of any Federal or State legislation or policy initiatives.

- Alderman Stankivic moved to adopt O-24-09 on second reading. Seconded. DEFEATED on voice vote.

The Rules and City Government Committee reported unfavorably on O-24-09.

O-28-09 For the purposes of establishing billing to hospitals and nursing homes for the use of City emergency medical services and directing the City Council to set the fee for these services in the annual fee schedule.

- Alderman Arnett moved to postpone O-28-09 until the Regular Meeting of November 9, 2009. Seconded. CARRIED on voice vote.

O-30-09 For the purposes of creating a Class A liquor license that allows on-premises consumption of wine, specifying permitting standards, and directing the City Council to set the licensing fee.

- Alderman Arnett moved to adopt O-30-09 on second reading. Seconded.

Chairman of the Alcoholic Beverage Control Board Charles Grayston was present and answered questions from Council.

The Alcoholic Beverage Control Board reported favorably with amendments on O-30-09.

- Alderman Arnett moved to amend O-30-09 as follows:

Amendment #1

The square footage requirement be reduced from 5000 square feet to 2200 square feet; Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Arnett moved to adopt O-30-09 amended on third reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 8/0

- Alderman Cordle moved to amend the agenda to allow for O-62-09. Seconded. CARRIED on voice vote.

R-39-09 For the purpose of establishing a fee for a Class A liquor license.

The Finance Committee reported unfavorably on R-39-09.

- Alderman Arnett moved to adopt R-39-09 on second reading. Seconded.
- Alderman Cordle moved to amend R-39-09 as follows:

Amendment #2

The 50% fee be reduced to no more than 25%. Seconded. CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

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

NAYS: Aldermen Paone, Arnett

CARRIED: 6/2

O-43-09 For the purpose of defining “may not” as mandatory in the Code of the City of Annapolis.

- Alderman Stankivic moved to adopt O-43-09 on second reading. Seconded.

The Rules and City Government Committee reported unfavorably on O-43-09.

The main motion CARRIED on voice vote.

- Alderman Stankivic moved to adopt O-43-09 on third reading. Seconded. A ROLL CALL vote was taken:

YEAS: Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Cordle, Stankivic, Arnett

NAYS:

ABSTAIN: Mayor Moyer

CARRIED: 7/0/1

ORDANCES & RESOLUTIONS – 1ST READING

O-34-09 For the purposes of designating a negotiation team to conduct labor negotiations; requiring the City Council to establish fiscal and policy parameters for labor negotiations by resolution; permitting the City Council to propose modifications to bargaining agreements; and, requiring the submission of a fiscal impact note prior to Council ratification of bargaining agreements.

- Alderman Stankivic moved to adopt O-34-09 on first reading. Seconded. A ROLL CALL vote was taken:

YEAS: Aldermen Israel, Paone, Cordle, Stankivic,
NAYS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Arnett
DEFEATED: 4/4

O-53-09 For the purposes of clarifying the scope of the civil service by specifying the city administrator as an appointing authority, modifying the duties of the Human Resources Director, and adjusting pay rate step increases in the civil service pay plan.

- Alderman Stankivic moved to adopt O-53-09 on first reading. Seconded. A ROLL CALL vote was taken:

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

Referred to the Rules and City Government Committee, Civil Service Review Board and the Blue Ribbon Commission.

O-54-09 For the purposes of reforming the City of Annapolis' exempt service by implementing "core qualifications," adopting an open range of basic pay, requiring an annual performance review, abolishing severance pay, and specifying leave.

- Alderman Stankivic moved to adopt O-54-09 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee, Civil Service Review Board and the Blue Ribbon Commission.

O-55-09 For the purposes of revising the City's leave policy.

- Alderman Stankivic moved to adopt O-55-09 on first reading. Seconded. A ROLL CALL vote was taken:

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

Referred to the Rules and City Government Committee, Civil Service Review Board and the Blue Ribbon Commission..

O-56-09 For the purpose of establishing policies and procedures covering hours of work for municipal employees, including a forty-hour work week, defining regular working hours, and permitting a flexible work schedule.

- Alderman Stankivic moved to adopt O-56-09 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee, Civil Service Review Board and the Blue Ribbon Commission.

O-57-09 For the purpose of authorizing a lease of municipal property located in the Susan Campbell Park and City Dock areas to the Race Across America (RAAM) for the period of June 17 - 21, 2010, subject to certain terms, provisions, and conditions.

- Alderman Arnett moved to adopt O-57-09 on first reading. Seconded.

CARRIED on voice vote.

Referred to the Economic Matters Committee.

O-58-09 **For the purposes of amending pay after promotion or transfer to be consistent with the revised step structure; and, modifying the responsibility for disciplining members of the exempt service.**

- Alderman Stankivic moved to adopt O-58-09 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee, Civil Service Review Board and the Blue Ribbon Commission.

O-60-09 **For the purpose of revising conduct and qualification provisions governing municipal employees.**

- Alderman Stankivic moved to adopt O-60-09 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee, Civil Service Review Board and the Blue Ribbon Commission.

O-63-09 **For the purpose of defining responsibilities for the construction, reconstruction, maintenance, and repair of sidewalks in the City of Annapolis.**

- Alderman Stankivic moved to adopt O-63-09 on first reading. Seconded. CARRIED on voice vote.

Referred to the Environmental Matters Committee.

The order of the agenda was amended to allow for CA-09-09, O-61-09, R-59-09, R-60-09, O-38-09, and O-62-09.

CA-09-09 **For the purpose of establishing a city manager form of government by defining the appointment, powers and responsibilities of the city manager as chief executive of the City; reforming the office and duties of the Mayor; reforming the appointment and duties of the city attorney; and, clarifying the role of the City Council.**

- Alderman Stankivic moved to adopt CA-09-09 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee.

O-61-09 **For the purpose of establishing a line-item requirement in any annual operating budget adopted by the City Council.**

- Alderman Stankivic moved to adopt O-61-09 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

R-59-09 **For the purpose of imposing a hiring freeze in the City of Annapolis, effective upon passage of resolution.**

- Alderman Cordle moved to adopt R-59-09 on first reading. Seconded. CARRIED on voice vote.

R-60-09 For the purpose of honoring the Eta Eta Lambda Chapter of the Alpha Phi Alpha Fraternity on its fiftieth anniversary

- Alderman Arnett moved to adopt R-60-09 on first reading. 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.

- Alderwoman Finlayson moved to adopt R-60-09 on second reading. Seconded. A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 8/0

O-38-09 For the purpose of permitting the City Council to waive fees of less than \$500 for use of City facilities and services by resolution.

- Alderman Arnett moved to adopt O-38-09 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters and Finance Committees.

O-62-09 For the purpose of establishing “Liquor Store with Accessory Wine Bar” as a use in certain commercial and industrial zoning districts, subject to standards.

- Alderman Arnett moved to adopt O-62-09 on first reading. Seconded. CARRIED on voice vote.

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

The order of the agenda was resumed.

BUSINESS AND MISCELLANEOUS

1. Appointments

- Alderman Arnett moved to approve the Mayor’s (re)appointments of the following individuals:

10/12/09 Housing Authority Commission.....Deborah A. Johnson
 10/12/09 Annapolis Conservancy Board.....James F. Baldwin
 10/12/09 Annapolis Conservancy Board.....David Fogle
 10/12/09 Planning Commission.....Ronald H. Jarashow

Seconded. CARRIED on voice vote.

- Alderman Paone moved to postpone the Mayor’s appointment of Carl O. Snowden to the Housing Authority Commission until an opinion from the Attorney General has been received by the City Council. Seconded. CARRIED on voice vote.

2. Budget Revisions GT-2-10, GT-6-10, GT-7-10, GT-8-10, GT-9-10

- Alderwoman Hoyle moved to approve budget amendments GT-2-10, GT-6-10, GT-7-10, GT-8-10, and GT-9-10. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:03 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk