

REGULAR MEETING

October 14, 2002

The Regular Meeting of the Annapolis City Council was held on October 14, 2002 in the Council Chamber. Mayor Moyer called the meeting to order at 7:30 p.m.

Present on Roll Call: Mayor Moyer, Aldermen Hammond, Tolliver, Hoyle, Kelley, Cordle, Carter, Cohen

Alderman Fox arrived at 7:40 p.m.

Staff Present: City Attorney Goetzke

- C Mayor Moyer presented a Glittering Gems of Annapolis Award to Leon Wolfe.
- C Alderman Tolliver moved to approve the Journal of Proceedings for September 9, 2002, September 23, 2002 and September 25, 2002. Seconded. CARRIED on voice vote.

PETITIONS, REPORTS AND COMMUNICATIONS

- C Salvatore J. Teta, 309 Garden Gate Lane, Annapolis, Maryland 21403 spoke regarding his desire to have holiday trash collections rotated among communities.
- C Arthur Greenbaum, 7 Constitution Square, Annapolis, Maryland 21401 spoke in favor of O-29-02.

LEGISLATIVE ACTION ORDINANCES

- O-1-02 For the purpose of transferring petitions, reports and communications from the order of business at regular meetings of the city council to the public hearing order of business; and all matters generally relating to said item.**

Mayor Moyer moved to postpone indefinitely O-1-02. Seconded. CARRIED on voice vote.

- C The order of the agenda was amended to allow for Resolution R-10-02.

- R-10-02 For the purpose of annexing into the boundaries of the City of Annapolis certain property located at 40 and 42 Hudson Street, known as Annapolis Business Plaza Condominium, contiguous to the existing boundary of the City of Annapolis.**

Alderman Tolliver moved to adopt R-10-02 on second reading. Seconded. CARRIED on voice vote.

The Planning Commission reported favorably with amendments on R-10-02.

Alderman Tolliver moved to amend R-10-02 as follows:

No. 1

On Page 1, line 40

strike “ ”;

add “September 23”,

No. 2

On Page 1, line 43

strike “ ”;

add “August 1, 2002”,

No. 3

On Page 1, line 45

strike “ ”;

add “July 10, 2002”,

No. 4

On Page 2, line 34

strike “.”;

add “; and”,

No. 5

[Recommended by the Planning Commission]

On Page 5, line 6

add “ **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that following annexation, the existing storm water management facilities, street lights, roads and curbs are to remain privately owned and the property owners will be responsible for the maintenance of those items as well as snow removal, trash collection and recycling, all in a manner consistent with City requirements.**

AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that following annexation, all sewer connections to the existing sewer line and all water connections on the subject property shall remain privately owned and maintained except for the water meters, all in a manner consistent with City requirements.

AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the property owners shall be responsible for all costs associated with the extension of water and sewer services to the site, including tap fees, connection charges, capital facility, capital assessment charges, inspection fees and fees imposed pursuant to the parties Water and Sewer Service Agreement dated September 6, 2002, all in a manner consistent with City requirements.

AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that it hereby adopts the findings of the Planning Commission dated August 1, 2002 in this matter as its own.”.

Seconded. CARRIED on voice vote.

Alderman Hoyle moved to adopt R-10-02 Amended. Seconded. CARRIED on voice vote.

C The order of the agenda resumed.

O-14-02 For the purpose of establishing a zoning classification of BCE, Business Corridor Enhancement District for the property located at 40 and 42 Hudson Street, known as Annapolis Business Plaza Condominium; and all matters relating to said zoning map amendment.

Alderman Hammond moved to adopt O-14-02 on second reading. Seconded.

The Planning Commission reported favorably with amendments on O-14-02.

Alderman Hoyle moved to amend O-14-02 as follows:

No. 1

On Page 1, line 28

strike “ ”;

add “September 23, 2002”,

No. 2

On Page 1, line 32

strike “ ”;

add “September 23”,

No. 3

On Page 2, line 22

strike “ ”;

add “February 26”.

Seconded. CARRIED on voice vote.

Alderman Hoyle moved to adopt the main motion as amended. Seconded. CARRIED on voice vote.

Alderman Hoyle moved to adopt O-14-02 amended on third reading. Seconded. CARRIED on voice vote.

O-19-02 For the purpose of repealing in its entirety and adding new Annapolis City Code Chapter 14.12, Trees, so as to define the duties of the environmental commission, the department of public works and the director of public works with regard to trees in the City of Annapolis; to provide regulations concerning the removal and maintenance of trees in public areas and in the conservation areas; to provide for the creation and enforcement of a master street tree plan and a tree planting program; to provide for the abatement of certain nuisances; and matters generally relating to said chapter.

Without objection, O19-02 was postponed.

O-29-02 For the purpose of establishing a Homestead Credit Percentage of one

hundred four percent (104%) in the City of Annapolis; and matters generally relating to said Homestead Credit Percentage.

Alderman Hammond moved to adopt O-29-02 on first reading. Seconded. CARRIED on voice vote.

Referred to Finance Committee

O-31-02 For the purpose of repealing Annapolis City Code, Chapter 2.28, *Harbor Master* and adding new Annapolis City Code, Section 2.12.060, *Harbor Master*, to relocate provisions relating to the harbor master within Chapter 2.12 “Mayor” and to clarify the authority of the harbor master; amending Annapolis City Code, Title 15, *Harbors and Waterfront Areas*, to specify the authority of the harbor master, to clarify activities allowed in City Waters, to increase fines for violations of Title 15, and to clarify enforcement procedures; and matters generally relating to said chapter and title.

Alderman Cohen moved to adopt O-31-02 on first reading. Seconded. CARRIED on voice vote.

Referred to Rules and City Government and Environmental Matters

O-32-02 For the purpose of amending the configuration of the Annapolis harbor line outboard of 319 Sixth Street; and matters generally relating to said harbor line.

Alderman Cohen moved to adopt O-32-02 on first reading. Seconded. CARRIED on voice vote.

Referred to Environmental Matters

O-33-02 For the purpose of revising the water and sewer rates for certain multifamily residential units within the City; and matters generally relating to said rates.

Alderman Cohen moved to adopt O-33-02 on first reading. Seconded. CARRIED on voice vote.

Referred to Environmental Matters and the Finance Committee

O-34-02 For the purpose of defining “discrimination”; establishing procedures for discrimination complaints; and matters generally relating to said discrimination.

Alderman Carter moved to adopt O-34-02 on first reading. Seconded. CARRIED on voice vote.

Referred to Rules and City Government Committee

O-35-02 For the purpose of authorizing and empowering the City of Annapolis to issue and sell, upon its full faith and credit, Thirty Million Dollars (\$30,000,000) maximum aggregate principal amount of its serial maturity general obligation, fully registered bonds, pursuant to the authority of Sections 31 through 37, inclusive, of Article 23A of the Annotated Code of Maryland (2001 Replacement Volume), as amended, Section 24 of Article 31 of the Annotated Code of Maryland (1997 Replacement Volume and 2001 Supplement) and Article VII, Section 11,

of the Charter of the City of Annapolis, as amended, to be designated as "Public Improvements and Refunding Bonds, 2002 Series", said bonds to be issued and sold for the public purpose of financing certain capital projects and refunding all or a portion of the City of Annapolis Public Improvements Bonds, 1993 Series, Public Improvements and Refunding Bonds, 1994 Series and Public Improvements Bonds, 1995 Series, as provided in this Ordinance; prescribing the form and tenor of such bonds and determining other matters relating to the issuance and sale thereof, including the forms of a notice of sale to be published and proposal to be used in connection with the public sale of said bonds; providing for the disbursement of the proceeds of said bonds; authorizing the preparation and distribution of a preliminary official statement in connection with the sale of said bonds; providing that the proceeds of said bonds, or any moneys which may be deemed to be proceeds, will not be used in a manner which would cause said bonds to be arbitrage bonds; appointing a paying agent and registrar for said bonds; covenanting to levy and collect all taxes necessary to provide for the payment of the principal of and interest on said bonds; and generally relating to the issuance, sale and delivery of all said bonds.

Alderman Tolliver moved to adopt O-35-02 on first reading. Seconded. CARRIED on voice vote.

Referred to Finance Committee

RESOLUTIONS

R-25-02 For the purpose of declaring Annapolis a "Leave No Child Behind City" and endorsing the Movement and the Act to "Leave No Child Behind" (S.940/H.R.1990); and all matters relating to said declaration and endorsement.

Alderman Hammond moved to adopt R-25-02 on second reading. Seconded. CARRIED on voice vote.

R-26-02 For the purpose of approving the job descriptions for the civil service positions in the Finance Department for Management Information Technology Web Developer and in the Police Department for Office Associate II; establishing the pay grade for the MIT Web Developer; reclassifying the current Office Associate II in the Police Department to Police Records Specialist; and all matters relating to said job descriptions, pay grades and reclassification.

Alderman Hammond moved to adopt R-26-02 on second reading. Seconded. CARRIED on voice vote.

R-29-02 For the purpose of recognizing and honoring Leon Wolfe for his long-time service to the citizens of Annapolis; designating October 14, 2002 as Leon Wolfe Day in the City of Annapolis; and all matters relating to said recognition.

Alderman Cohen moved to adopt R-29-02 on first reading. Seconded. CARRIED on voice vote.

Alderman Cohen moved to suspend the rules to allow passage of the resolution at the meeting of its introduction. Seconded. CARRIED on voice vote.

Alderman Cohen moved to adopt R-29-02 on second reading. Seconded. CARRIED on voice vote.

BUSINESS AND MISCELLANEOUS

1. Requests for Supplemental Retirement Benefits

Alderman Tolliver moved to accept a supplemental retirement request for Leroy Williams and William Sheets, former members of the Public Works Department each with forty two years of service. Seconded. CARRIED on voice vote.

2. Finance Committee Meeting Recommendations dated September 19, 2002

Alderman Kelley moved to accept the Finance Committee Meeting Recommendations dated September 19, 2002. Seconded. CARRIED on voice vote.

3. Payment of Monthly Bills

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

Upon motion duly made, seconded and adopted, the meeting was adjourned at 8:30 p.m.

Deborah Heinbuch, CMC/AE
City Clerk