

A SPECIAL MEETING

October 24, 2011

A Special Meeting of the Annapolis City Council was held on Monday, October 24, 2011 in the Council Chamber. Mayor Cohen called the meeting to order at 6:08 p.m.

Present on Roll Call: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Kirby, Pfeiffer, Arnett

Absent on Roll Call: Alderman Silverman

Staff Present: City Attorney Hardwick, City Manager Mallinoff, Finance Director Miller, Human Resources Director Rensted

BUSINESS AND MISCELLANEOUS

Proposed Closed Session - Pursuant to State Government Article § 10-508 (a) (1) (i) (ii) and (7)

- Alderman Arnett moved to have a closed meeting on Monday, October 24, 2011 immediately following this meeting in accordance with Maryland State Government Article Section § 10-508 (a) (1) (i) (ii) and (7):

To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or any other personnel matter that affects one or more specific individuals; and to consult with counsel to obtain legal advice on a legal matter. Seconded. CARRIED on voice vote.

The Council moved into closed session at 6:10 p.m.

- Alderman Arnett moved to adjourn the closed session at 7:03 p.m. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the special meeting was adjourned at 7:04 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk

THE SPECIAL MEETING
October 24, 2011

The Special Meeting of the Annapolis City Council was held on October 24, 2011 in the Council Chamber. Mayor Cohen called the meeting to order at 7:13 p.m.

Present on Roll Call: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Silverman, Kirby, Pfeiffer, Arnett

Staff Present: City Attorney Hardwick, City Manager Mallinoff, Human Resources Director Rensted, Police Major-Deputy Chief Baker

*Closed
Session*

Statement: Pursuant to the requirement of Maryland Annotated Code, State Government Article Section § 10-508 (a) (7): this statement is included in these minutes:

A closed session of the City Council was held at 6:10 p.m., Monday, October 24, 2011 in the City Council Chamber.

Present: Mayor Cohen, Alderwomen Hoyle, and Finlayson, Aldermen Israel, Paone, Kirby, Pfeiffer, Arnett, and Alderman Silverman arrived at 6:24 p.m.

Staff Present City Attorney Hardwick, City Manager Mallinoff, City Clerk Watkins-Eldridge, Finance Director Miller, Human Resources Director Rensted

On a voice vote which was seconded and carried by the members present the session was closed. The authority under which the session was closed was Maryland Annotated Code, State Government Article, Section § 10-508 (a) (7):

The purpose of the meeting was to consult with counsel to obtain legal advice on a legal matter. The session topic:

Update on APD Litigation

Upon motion duly made, seconded and adopted, the closed session was adjourned at 7:03 p.m.

PETITIONS, REPORTS AND COMMUNICATIONS

Declaration of War

Rod Stokes, Denise (Nisey) Mileski representing the Maritime Republic of Eastport by the power vested in her by the Maritime Republic of Eastport and by unanimous vote of the Revolutionary Council, did declare (tug of) War against the United States, Maryland, The City of Annapolis, and all who remain loyal to them.

Recognition R-17-07

Alderman Israel spoke on the abolishment of slavery. "In 2014 we will celebrate the 150th Anniversary of the adoption of the State Constitution of 1864 which abolished slavery.

He also explained how Ms. Janice Hayes-Williams pointed out it was the State Constitution not the U.S. Constitution the abolished slavery in the Maryland a year before the 13th Amendment was adopted as part of the Federal Constitution."

Comments by the General Public

Bill Kardash, 1 Acton Place, Annapolis, Maryland 21401 spoke in opposition to R-48-11.

Brian Cahalan, 49 West Street, Annapolis, Maryland 21401 representing 49 West Coffeehouse, Winebar & Gallery spoke in opposition to the appointment of Valerie Miller to the Alcoholic Beverage Control Board and in favor of O-34-11.

Valerie Miller, 114 Market Street, Annapolis, Maryland 21401 spoke on the CCRABL Meetings and being on the Alcoholic Beverage Control Board

Vincent Quinlan, 193 – A Main Street, Annapolis, Maryland 21401 representing Castlebay Irish Pub spoke in opposition to the appointment of Valerie Miller to the Alcoholic Beverage Control Board.

Brian Miller, 114 Market Street, Annapolis, Maryland 21401 spoke on the CCRABL Meetings and his wife's appointment to the Alcoholic Beverage Control Board.

- Mayor Cohen declared petitions, reports and communications closed.

PUBLIC HEARINGS

O-16-11 Code Consistency Updates Related to the Mayor's Annual Proposed Operating Budget Submission - For the purpose of amending Section 2.12.020 of the Code of the City of Annapolis to be consistent with Section 6.16.010 of the Code of the City of Annapolis.

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

- Mayor Cohen declared the public hearing closed.

O-24-11 Election Code Revision – For the purpose of revising certain sections of the Annapolis Charter and Code, Title 4 - Elections.

Michael Parmele, Chair of the Board of Supervisors of Elections gave a brief presentation on the ordinance and answered questions from Council.

City Clerk Watkins-Eldridge also answered questions from Council.

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

- Mayor Cohen declared the public hearing closed.

O-36-11 Amending the Number of Days for Committee Review of Legislation – For the purpose of amending the number of days for Committee review of legislation.

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

- Mayor Cohen declared the public hearing closed.

O-43-11 Establishing Dedicated Office Space in City Hall for Aldermen and Alderwomen – For the purpose of establishing dedicated office space in City Hall for Aldermen and Alderwomen to provide appropriate work and meeting space in order to carry out their public responsibilities such as meeting with constituents.

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

- Mayor Cohen declared the public hearing closed.

LEGISLATIVE ACTIONS

ORDINANCE AND RESOLUTIONS – 2ND READING

O-34-11 Aggressive Panhandling – For the purpose of defining aggressive panhandling; making it unlawful to aggressively panhandle in a public place; and establishing a fine for aggressive panhandling violations.

Police Major-Deputy Chief Baker gave a brief presentation on the ordinance and answered questions from Council.

- Alderman Arnett moved to adopt O-34-11 on second reading. Seconded.

The Public Safety Committee reported favorably on O-34-11.

- Alderman Arnett moved to amend O-34-11 as follows:

Amendment #1

Page 1, Lines 12-13, strike “; and establishing a fine for aggressive panhandling violations” and replace with “.”

Amendment #2

Page 2, Lines 9-11, strike “Any person who violates any of the provisions of this section shall be subject to a fine not less than twenty-five dollars (\$25.00) or more than five hundred dollars (\$500), or by imprisonment not exceeding ninety (90) days, or both.”

Replace with “the fine for violations of Section 11.12.068 shall be set by resolution of the City Council.” Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Arnett moved to adopt O-34-11 amended on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Aldermen Pfeiffer, Arnett, Israel, Paone
Aldermen Hoyle, Finlayson, Aldermen Silverman, Kirby

NAYS:

CARRIED: 9/0

- Alderman Silverman requested his name be added as a co-sponsor.
- Alderman Arnett moved to amend the agenda to include R-60-11 on first reading. Seconded. CARRIED on voice vote.

R-48-11 Charter Amendment Adoption Procedure – For the purpose of requesting that the Maryland General Assembly change the procedure by which the City of Annapolis can amend its Charter from a simple majority to requiring a 2/3 majority of the number of the persons elected to City Council.

- Alderman Arnett moved to postpone R-48-11 on second reading until the November 28, 2011 Special Meeting. Seconded. CARRIED on voice vote.

R-49-11 Job Description for Accountant – For the purpose of approving the new job description for Accountant in the Finance Department.

Human Resources Director Rensted was present and answered questions from Council.

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

- Alderman Israel moved to postpone R-49-11 on second reading until the January 9, 2012 Regular Meeting. Seconded. CARRIED on voice vote.

RESOLUTION – 1st READING

R-57-11 The Approval of a Community Legacy Application for the Stanton Community Center – For the purpose of approving the application and receipt of financing for Community Legacy Projects(s) at the City of Annapolis’ Stanton Community Center to be financed either directly by the Department of Housing and Community Development (the “Department”) of the State of Maryland or through other departments or agencies of the State of Maryland.

Referred to the Housing and Human Welfare Committee

The order of the agenda was amended to allow for R-60-11 on first reading.

R-60-11 A Fine for Panhandling Violations – For the purpose of establishing a fine for panhandling violations.

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

- Alderman Arnett moved to adopt R-60-11 on second reading. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Aldermen Pfeiffer, Arnett, Israel, Paone
 Alderwomen Hoyle, Finlayson, Aldermen Silverman, Kirby

NAYS:

CARRIED: 9/0

The order of the agenda was resumed.

- Alderman Arnett moved to amend the agenda to have business and miscellaneous item number 3 appointments before item number 1 approval of hiring request. Seconded. CARRIED on voice vote.

BUSINESS AND MISCELLANEOUS

The order of the agenda was amended to allow for appointments before the approval of hiring request.

3. Appointments

- Alderman Paone moved to approve the Mayor’s appointment of the following individual:

10/24/11 Alcoholic Beverage Control Board.....Valerie Miller
Seconded.

Charles Farrar, 109-11 Hillsmere Drive, Annapolis, Maryland 21403 representing Bay Ridge Wine & Spirits spoke in favor of the appointment of Ms. Miller.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Aldermen Pfeiffer, Arnett, Israel, Paone

NAYS: Alderman Kirby

ABSTAIN: Alderwomen Hoyle, Finlayson, Alderman Silverman
CARRIED: 5/1/3

- Alderman Arnett moved to approve the Mayor's appointment of the following individual:

10/24/11 Public Safety Disability Retirement Board.....Albert G. Kirchner
Seconded. CARRIED on voice vote.

The order of the agenda was resumed.

1. Approval of Hiring Request – HR Control Number: HR-28-12, Position: Parking Enforcement Officer, Department of: Transportation

Human Resources Director Rensted gave a brief presentation on the request and answered questions from Council.

The Finance Committee reported favorable on HR-28-12.

- Alderman Arnett moved to approve HR Control Form: HR-28-12, Position: Parking Enforcement Officer, Department of: Transportation. Seconded. CARRIED on voice vote.

2. Budget Revision Requests-

Finance Director Miller gave brief presentations on the budget revision requests and answered questions from Council.

Control Number GT-10-12, Department: Recreation & Parks – Department Justification for Request: 10,000 Grant received from Saucony Run-For-Good for after school running club” Mighty Milers”

&

Control Number GT-11-12, Department: Police – Department Justification for Request: APD would like to reallocate overtime funds and additional grant award to contract services to fund a volunteer coordinator through the Volunteer Center of Anne Arundel County (\$16,290.30) and fund law enforcement overtime from agencies.

- Alderman Arnett moved to approve GT-10-12 and GT-11-12. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:19 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk