

REGULAR MEETING  
December 8, 2003

The Regular Meeting of the Annapolis City Council was held on December 8, 2003 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, Kelley, Cordle, Fox, Cohen, Alderwomen Hoyle, Carter

Staff Present: City Attorney Spencer

C Alderman Tolliver moved to approve the Journal of Proceedings for November 10, 2003 and November 24, 2003. Seconded. CARRIED on voice vote.

**PETITIONS, REPORTS AND COMMUNICATIONS**

C Chris Comer - Informational Only - Comcast Programming Changes pursuant to the "Agreement Concerning Consent to Cable Franchise Transfer" dated 4/15/97

C Bruce E. Murrell, P.O. Box 3072, Annapolis, Maryland 21403, representing the Black Firefighters Association, expressed concerns about disparities at the Annapolis Fire Department

C Spoke against R-26-03

-Glen Brown, 15 N. Linden Avenue, Annapolis, Maryland 21401

-Jeremy Brown, 15 N. Linden Avenue, Annapolis, Maryland 21401

-Tracy Hess, 39 Windwhisper Lane, Annapolis, Maryland 21403

-Sue Hersman, 2173 Glenfield Road, Annapolis, Maryland 21401, for Fred P. Crouch, 2153 California Street, N.W., 503, Washington, D. C. 20008

-Kathryn Pahl, 100 Steffey Drive, Annapolis, Maryland 21403

-Leslie Stefany, 705 Oser Drive, Crownsville, Maryland 21032

- Maggie Pringle, 1411 Huntingwood Road, Annapolis, Maryland 21403, for classmate Alexandra Kelley

-Paul Carroll, 1987 Glencrest Lane, Annapolis, Maryland 21401

C The meeting recessed at 8:28 p.m. and reconvened at 8:37 p.m.

**LEGISLATIVE ACTION**

**ORDINANCES**

**O-24-03 For the purpose of removing home improvement contractor from 17.12.053B, which is in violation of the State Code.**

Alderman Hammond moved to adopt O-24-03 on second reading. Seconded.

The Economic Matters Committee reported favorably on O-24-03.

The main motion CARRIED on voice vote.

Alderman Hammond moved to adopt O-24-03 on third reading. Seconded. CARRIED on voice vote.

**O-25-03 For the purpose of specifying the failure to pass a random drug test constitutes the basis for revoking a licensed taxicab drivers permit.**

Alderman Hammond moved to adopt O-25-03 on second reading. Seconded.

The Economic Matters Committee reported favorably on O-25-03.

The Public Safety Committee reported favorably on O-25-03.

The main motion CARRIED on voice vote.

Alderman Hammond moved to adopt O-25-03 on third reading. Seconded. CARRIED on voice vote.

**O-27-03 For the purpose of amending the requirements concerning the mandatory designation of a candidate's party affiliation on the City ballot to be consistent with State law that requires that if a candidate's party affiliation is not recognized by the State, then the candidate's party affiliation must be stated as "Unaffiliated."**

Alderman Hammond moved to adopt O-27-03 on second reading. Seconded.

The Election Board reported favorably on O-27-03.

The main motion CARRIED on voice vote.

Alderman Hammond moved to adopt O-27-03 on third reading. Seconded. CARRIED on voice vote.

**O-28-03 For the purpose of clarifying that the Stormwater Utility Fund must be established and that the funds deposited into the Fund shall only be used for the purposes specified in the City Code; and matters generally relating to said Stormwater Utility Fund.**

Alderman Hammond moved to adopt O-28-03 on second reading. Seconded.

The Economic Matters Committee reported favorably on O-28-03.

The Finance Committee reported favorably on O-28-03.

The main motion CARRIED on voice vote.

Alderman Hammond moved to adopt O-28-03 on third reading. Seconded. CARRIED on voice vote.

**O-29-03 For the purpose of amending the special residential parking district No. 1 to include all of Bloomsbury Street; and matters generally relating to said parking district.**

Alderman Fox moved to adopt O-29-03 on second reading. Seconded.

The Public Safety Committee reported favorably on O-29-03.

The main motion CARRIED on voice vote.

Alderman Hammond moved to adopt O-29-03 on third reading. Seconded. CARRIED on voice vote.

**O-33-03 For the purpose of approving the transfer of land, providing temporary grading easements, and permitting access to City property bordering the Annapolis Ridge development; and matters generally relating to said Annapolis Ridge development.**

Alderman Hammond moved to adopt O-33-03 on second reading. Seconded.

The Finance Committee reported favorably with amendments on O-33-03.

Alderman Cohen moved to amend O-33-03 as follows:

**No. 1** *[The concept of this change was recommended by the Finance Committee in its November 20, 2003, meeting and was subsequently drafted by staff.]*

On Page 1, in line 41, after “**ANNAPOLIS CITY COUNCIL** that”, add “the property being transferred herein is no longer needed for public use and”

Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

Alderman Hammond moved to adopt O-33-03 amended on third reading. Seconded. CARRIED on voice vote.

**O-36-03**      **For the purpose of accepting title to the Thomas Point Lighthouse and leasing the lighthouse to the United State Lighthouse Society; and matters generally relating to said acceptance of ownership and lease.a**

Alderman Fox moved to adopt O-36-03 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

## RESOLUTIONS

**R-24-03**      **2<sup>nd</sup> R. For the purpose of authorizing a water service agreement providing for the extension of City water service to certain property located in Anne Arundel County, outside the boundaries of the City of Annapolis; and matters generally relating to said water service agreement.**

Alderman Hammond moved to adopt R-24-03 on second reading. Seconded.

Finance Committee reported favorably on R-24-03.

C Alderman Tolliver moved to amend R-24-03 as follows:

**Amendment 1** *[To change approval in ordinance from approving the negotiation of an agreement to approving the agreement.]*

On page 1, delete lines 40 through 43, and insert the following:

**“NOW, THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that, based on the attached determination from the Director of Public Works, the Council finds that existing and/or funded facilities, capacity and infrastructure are sufficient to serve the user outside the city in addition to existing and reasonably foreseeable city users and that the attached agreement extending water service outside of the City of Annapolis to Ridgely Oaks Condominium is hereby approved.”

Seconded. CARRIED on voice vote.

The main motion amended CARRIED on voice vote.

**R-28-03**      **For the purpose of requesting that the Maryland General Assembly amend section 11-205 of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland to make it mandatory that the State must protect the identification of witnesses prior to trial or adjudicatory**

**hearing; and all matters relating to said witness identification.**

Alderman Hammond moved to adopt R-28-03 on second reading. Seconded.

Alderman Hammond moved to amend R-28-03 as follows:

**No. 1** *[To correct article title in reference to Annotated Code of Maryland]*

On Page 1, in lines 13,18 and 34-35, *strike* "Courts and Judicial Proceedings" each place it appears and substitute "Criminal Procedure"

Seconded. CARRIED on voice vote.

The main motion amended CARRIED on voice vote.

**BUSINESS AND MISCELLANEOUS**

1. Civil Service Board Recommendations dated November 21, 2003

Alderman Hammond moved to receive the Civil Service Board Recommendations dated November 21, 2003. Seconded. CARRIED on voice vote.

2. Finance Committee Meeting Recommendations dated November 20, 2003
3. Alderman Tolliver moved to accept the Finance Committee Recommendations dated November 20, 2003. Seconded. CARRIED on voice vote.
4. Payment of Monthly Bills

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

Upon motion duly made, seconded and adopted, the meeting was adjourned at 8:53 p.m.

Deborah Heinbuch, CMC/AAE  
City Clerk