

SPECIAL MEETING
December 16, 2013

The Special Meeting of the Annapolis City Council was held on Monday, December 16, 2013 in the John T. Chambers, Jr. Council Chambers. Mayor Pantelides called the meeting to order at 7:05 p.m.

Present on Roll Call: Mayor Pantelides, Aldermen Budge, Paone, Alderwomen Pindell-Charles, Finlayson, Aldermen Littmann, Kirby, Pfeiffer, Arnett

Staff Present: Acting City Attorney Murnane, City Manager Mallinoff, Human Resources Director Rensted, Finance Director Miller, Assistant City Attorney Elson, DNEP Director Broadbent

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 commenced at 6:35 p.m., recessed without closure at 7:03 p.m., and resumed at 9:24 p.m. on Monday, December 16, 2013 in the City Council Chamber.

Present: Mayor Pantelides, Aldermen Budge, Paone, Alderwomen Pindell-Charles, Finlayson, Aldermen Littmann, Kirby, Pfeiffer, Arnett

Staff Present: Assistant City Attorney Elson, City Manager Mallinoff, City Clerk Watkins-Eldridge, Finance Director Miller, Human Resource Director Rensted

A roll call vote in open session was taken by the members present. By a unanimous vote, 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.

Discussion Topic: Personnel Issues ~

Actions taken in closed session:

- *Alderman Arnett moved to have the City Manager renegotiate the terms of a personnel agreement. Seconded. CARRIED on voice vote.*

Upon motion duly made, seconded and adopted, the closed session was adjourned at 9:42 p.m.

- Alderman Budge moved amend the order of the agenda to allow for business and miscellaneous item # 2 Appointments, before petitions, reports and communications. Seconded. CARRIED on voice vote.

The order of the agenda was amended to allow for.....

BUSINESS and MISCELLANEOUS

2. Appointments

- Alderman Arnett moved to approve the Mayor's Re-Appointments of the following individuals:

12/16/13	Financial Advisory Commission	Bob Burdon
12/16/13	Financial Advisory Commission	Ross Dierdorff
12/16/13	Financial Advisory Commission	Frederick Sussman
12/16/13	Financial Advisory Commission	Frank A. Brown
12/16/13	Financial Advisory Commission	Fay B. Currie

12/16/13 Financial Advisory Commission Lee Finney
Seconded. CARRIED on voice vote.

The order of the agenda was resumed.

PETITIONS, REPORTS AND COMMUNICATIONS

Time Limitation for Petitions, Reports and Communications per Section 2.16.035 of the City Code

- Alderman Littmann requested the discussion on Time Limitation for Petitions, Reports and Communications per Section 2.16.035 of the City Code be scheduled for the next City Council Work Session. Seconded. CARRIED on voice vote.

Comments by the General Public

Donald Booth, 45 Fleet Street, Annapolis, Maryland 21401 spoke on the City Dock Master Plan and the traffic light and the traffic circle.

- Mayor Pantelides declared petitions, reports and communications closed.

PUBLIC HEARINGS

O-39-13 Appropriation of Property Tax Revenue Above Estimates to Fund a Cost of Living Adjustment for All City of Annapolis Employees at a Rate of 1% Retroactive to July 1, 2013 and 3% Effective January 1, 2014 and Other Employee Benefits Including Pension and Other Post Employment Benefits – For the purpose of appropriating property tax revenue above estimates to fund a Cost of Living Adjustment (COLA) for all City of Annapolis employees at a rate of 1% retroactive to July 1, 2013 and 3% effective January 1, 2014 and other employee benefits including pension and other post employment benefits (OPEB).

City Manager Mallinoff gave a brief presentation and answered questions from Council. Human Resources Director Rensted and Finance Director Miller were present and answered questions from Council.

Spoke on the ordinance:

Doug Smith, 5 Revell Street, Annapolis, Maryland 21401.

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

- Mayor Pantelides declared the public hearing closed.

R-39-13 Authorizing New Year's Eve Vendors in the Historic District – For the purpose of A. L. Goodies General Store at 112 Main Street and Hard Bean Coffee at 36 Market Space to sell non-alcoholic beverages, food and souvenirs from the sidewalk in front of 112 Main Street and 36 Market Space during the City of Annapolis' New Year's Eve celebration on December 31, 2013.

DNEP Director gave a brief presentation on the resolution and answered questions from Council. City Manager Mallinoff was also present and answered questions from Council.

Spoke in opposition to the resolution:

Sveinn Storm, 130 Dock Street, Annapolis, Maryland 21401 representing Storm Brothers Ice Cream Factory.

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

- Mayor Pantelides declared the public hearing closed.

LEGISLATIVE ACTIONS
2ND READER – ORDINANCE AND RESOLUTION

O-39-13 Appropriation of Property Tax Revenue Above Estimates to Fund a Cost of Living Adjustment for All City of Annapolis Employees at a Rate of 1% Retroactive to July 1, 2013 and 3% Effective January 1, 2014 and Other Employee Benefits Including Pension and Other Post Employment Benefits – For the purpose of appropriating property tax revenue above estimates to fund a Cost of Living Adjustment (COLA) for all City of Annapolis employees at a rate of 1% retroactive to July 1, 2013 and 3% effective January 1, 2014 and other employee benefits including pension and other post employment benefits (OPEB).

- Alderman Arnett moved to adopt O-39-13 on second reading. Seconded.

The Finance Committee and the Financial Advisory Commission reported favorably on O-39-13.

The main motion CARRIED on voice vote.

- Alderman Arnett moved to adopt O-39-13 on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Pantelides, Aldermen Paone, Alderwomen Pindell-Charles, Finlayson, Aldermen Littmann, Kirby, Pfeiffer, Arnett, Budge

NAYS:

CARRIED: 9/0

R-39-13 Authorizing New Year’s Eve Vendors in the Historic District – For the purpose of A. L. Goodies General Store at 112 Main Street and Hard Bean Coffee at 36 Market Space to sell non-alcoholic beverages, food and souvenirs from the sidewalk in front of 112 Main Street and 36 Market Space during the City of Annapolis’ New Year’s Eve celebration on December 31, 2013.

DNEP Director Broadbent was present and answered questions from Council.

- Alderman Kirby moved to adopt R-39-13 on second reading. Seconded.
- Alderman Arnett moved to amend R-39-13 as follows:

On page 3, in line 10, add the following text:

“AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that before offering any additional variances of the City Code that the administration under takes an analysis of the issues and charges the appropriate city departments and have them bring back a recommendation to the Council on how to handle these type of requests in the future.” Seconded. CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

YEAS: Mayor Pantelides, Aldermen Paone, Alderwomen Pindell-Charles, Finlayson, Aldermen Littmann, Kirby, Pfeiffer, Arnett, Budge

NAYS:

CARRIED: 9/0

1ST READER – RESOLUTION

R-41-13 Metered Parking Rate – FY 2013 Fee Schedule Revision – For the purpose of reducing the metered parking rate from \$2/hour to \$1/hour from January 1, 2014 through March 31, 2014 by amending the FY 2013 fee schedule.

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

- Alderman Budge moved to adopt R-41-13 on first reader. Seconded. CARRIED on voice vote.

Referred to the Finance and the Transportation Committees.

- Alderman Littmann requested a public hearing be scheduled on R-41-13.

BUSINESS and MISCELLANEOUS

Assistant City Attorney Elson replaced Acting City Attorney Murnane prior to the business and miscellaneous item #1.

1. Confirmation of Exempt Level Appointment

Human Resources Director Rensted gave a brief presentation on the confirmation process pursuant to City Code Sec. 3.08.030 (E), and answered questions from Council. City Manager Mallinoff was also present and answered questions from Council.

Timothy Murnane, Esq., candidate for City Council confirmation as City Attorney was present and answered questions from Council.

- Alderman Paone moved to postpone the confirmation of the Mayor's appointment of Timothy D. Murnane as City Attorney - A20/step 10, \$135,738.24/year pursuant to City Code Sec. 3.08.030 (E) until January 13, 2013. Seconded. CARRIED on voice vote.

3. Budget Revisions

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

The Finance Committee reported favorably on the budget revision requests.

GT-6-14 Department /Fire Dated 29-Oct-2013 Revenue CPR Classes transfer \$480.00 to Expenditures, Overtime Salaries \$376.00 and Supplies \$104.00, to budget for revenue to cover cost of CPR Classes given by the City Fire Department. This covers cost of overtime salaries and necessary supplies.

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GT-7-14 Department/Police Dept Dated 13-Nov-2013 Revenue Police Forfeitures Fugitive Recovery transfer \$1,548.53 to Expenditure, Fugitive Recovery Vehicle Fuel \$774.26 and Fugitive Recovery Travel \$ 774.27, to establish working budgets for funds received from States Attorney's Office to cover expenditures related to fugitive recovery.

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GT-8-14 Department/Police Dept Dated 17-Oct-2013 Revenue transfer Forfeiture \$20,000.00 to Expenditures, Towed Vehicles-Special Programs \$20,000.00, justification revision is necessary to fund the Special Programs-Towing account to pay outstanding invoices for towing and storage fees for seized vehicles.

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GT-9-14 Department/Police Dept Dated 18-Oct-2013 Revenue transfer Forfeiture Receipts \$22,000.00 to Expenditures Supplies \$22,000.00, justification the funding will be used for the purchase of (5) computers and scanners for newly purchased police vehicles. (Computers are not provided in the vehicle replacement budget, therefore additional resources are needed) The source for this revision has sufficient funds.

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GT-10-14 Department/Planning & Zoning Dated 13-Nov-2013 Revenue transfer MAHDC DONATION \$2,158.48 to Expenditure Contract Services \$2,158.48, to establish budget received from Maryland Association of Historic District Commission.

- Alderman Pfeiffer moved to approve budget revision request GT-6-14, GT-7-14, GT-8-14, GT-9-14 and GT-10-14. Seconded. CARRIED on voice vote

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:22 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk