

SPECIAL MEETING
December 17, 2012

The Special Meeting of the Annapolis City Council was held on December 17, 2012 in the Council Chamber. Mayor Cohen called the meeting to order at 7:07 p.m.

Present on Roll Call: Mayor Cohen, Aldermen Israel, Paone, Alderwoman Finlayson, Aldermen Kirby, Pfeiffer

Absent on Roll Call: Alderman Arnett, Alderwoman Hoyle arrived at 7:14 p.m.

Staff Present: City Attorney Hardwick, City Manager Mallinoff, Public Works Director Jarrell, Chief of Comprehensive Planning Burke, Water Sewer Program Manager Burkhardt, City Council Liaison Raftovich

Approval of Agenda

- Alderman Israel moved to approve the Special Meeting Agenda. Seconded. CARRIED on voice vote.

CITY COUNCIL CITATIONS

Former General Manager
Loews Annapolis Hotel

Mayor Cohen invited Alderman Kirby to present James LoBosco with a City Council Citation and a Proclamation proclaiming December 17, 2012 "James LoBosco Day in the City of Annapolis". Police Chief Pristoop on behalf of the Annapolis Police Department presented Mr. LoBosco with a Certificate of Appreciation for his leadership in the community.

PETITIONS, REPORTS AND COMMUNICATIONS

Comments by the General Public

Ruby Blakney, 11 Monroe Court, Annapolis, Maryland 21401 representing the Kunta Kinte Festival gave a brief presentation on the festival.

Dr. Debbie Wood, 1332 Spa Road, Annapolis, Maryland 21401 representing the Kunta Kinte Festival spoke on the attendance at the event.

David Arthur, 1136 Tyler Avenue, Annapolis, Maryland 21403 representing the Kunta Kinte Festival spoke in favor of the event.

Joe Budge, 9 Randall Court, Annapolis, Maryland 21401 spoke on O-39-12 and requested the ordinance be postponed until its been reviewed by the Financial Advisory Commission.

- Mayor Cohen declared petitions, reports and communication closed.

Update on Clean & Green City Initiative

City Manager Mallinoff gave a brief presentation of the initiative and answered questions from Council.

Public Works Director Jarrell was present and answered questions from Council.

PUBLIC HEARINGS

O-42-12 Residency Requirements for Certain Department Directors – For the purpose of amending the residency requirement for certain department directors by amending the following portion of the Code of the City of Annapolis, 2012 Edition: 2.04.060.

City Manager Mallinoff gave a brief presentation on the ordinance and 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.

LEGISLATIVE ACTIONS

ORDINANCES and RESOLUTIONS – 2ND READING

O-27-12 Removing the Requirement that a Certified Public Accountant Attest to Ratio Reports for Restaurants Renewing Their Alcoholic Beverage Licenses – For the purpose of removing the requirement that a certified public accountant attest to the ratio reports that restaurant class alcoholic beverage licensees must provide when renewing their licenses and instead allowing the owner to provide a sworn statement regarding the ratio of food and liquor sales.

- Alderman Pfeiffer moved to adopt O-27-12 on second reading. Seconded.

The Economic Matters Committee reported favorably and the Alcoholic Beverage Control Board reported favorably with amendments on O-27-12.

- Alderman Paone moved to amend O-27-12 as follows:

Amendment #3

Page 2, Line 4: strike “report stating” and replace with “a sworn statement reporting”. Seconded. CARRIED on voice vote.

- Alderman Israel moved to amend to O-27-12 as follows:

Amendment #1

Page 1, Line 11: strike “restaurants” and replace with “applicant”

Page 1, Line 14: strike “owner” and replace with “applicant”

Page 1, Line 21: strike “owner” and replace with “applicant”

Amendment #2

Page 1, Line 15: strike “liquor” and replace with “alcoholic beverage” 1-2
Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Israel moved to adopt O-27-12 amended on third reading.
Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 7/0

- O-39-12 Issuance of Bonds – Water Treatment Plant - For the purpose of authorizing and empowering the City of Annapolis (the “City”) to finance and refinance the construction, renovation and equipping of a water treatment plant through the issuance and sale, upon its full faith and credit, of general obligation bonds or notes in an aggregate principal amount not to exceed Thirty Five Million Dollars (\$35,000,000), pursuant to Sections 31 through 39, inclusive, of Article 23A of the Annotated Code of Maryland (2011 Replacement Volume), as amended, and Article VII, Section 11 of the Charter of the City, as amended; prescribing the form and tenor of said bonds or notes; determining the method of sale of said bonds or notes and other matters relating to the issuance and sale thereof; providing for the disbursement of the proceeds of said bonds and notes; covenanting to levy and collect all taxes necessary to provide for the payment of the principal of and interest on said bonds and notes; and generally providing for and determining various matters relating to the issuance, sale and delivery of all said bonds and notes.**

City Manager Mallinoff gave a brief presentation on the ordinance and answered questions from Council. Public Works Director Jarrell and Water Sewer Program Manager Burkhardt were present and answered questions from Council.

- Alderman Pfeiffer moved to adopt O-39-12 on second reading. Seconded.

The Economic Matters and Finance Committees reported favorably on O-39-12. The Financial Advisory Commission reported no action on O-39-12.

- Alderwoman Finlayson moved to amend O-39-12 on second reading in the form of a substitution. Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Kirby moved to adopt O-39-12 amended on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwoman Finlayson, Aldermen Kirby, Pfeiffer,
Alderwoman Hoyle
NAYS: Aldermen Israel, Paone
CARRIED: 5/2

- R-47-12 Revision to the Capital Improvement Budget and Program: FY 2013 to FY 2018 – For the purposes of the purposes of revising the capital improvement budget for the Fiscal Year 2013, and the capital improvement program (Water Treatment Plant) for the six-year period from July 1, 2012, to June 30, 2018.**

City Manager Mallinoff gave a brief presentation on the resolution and answered questions from Council.

Public Works Director Jarrell was present and answered questions from Council.

- Alderman Pfeiffer moved to adopt R-47-12 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwoman Finlayson, Aldermen Kirby, Pfeiffer,
Israel, Alderwoman Hoyle
NAYS: Alderman Paone
CARRIED: 6/1

ORDINANCES and RESOLUTIONS – 1st READER

O-43-12 Lease of Public Parking Lots to FRESHFARM Markets, Inc. – For the purpose of authorizing a lease of municipal property located at 110 Compromise Street from May, 2013, through November, 2013, to FRESHFARM Markets, Inc.

- Alderwoman Hoyle moved to adopt O-43-12 on first reader. Seconded. CARRIED on voice vote

Referred to the Rules and City Government and Economic Matters Committees.

R-50-12 Public Information - For the purpose of establishing administrative regulations for filing and processing requests to the City of Annapolis for inspection for access to public records.

- Alderman Paone moved to adopt R-50-12 on first reader. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee.

- Alderman Israel requested R-50-12 be scheduled for a public hearing.

BUSINESS and MISCELLANEOUS

1. Appointments and Reappointments

City Council Liaison Raftovich present and answered questions from Council.

- Alderman Paone moved approval of the Mayor's appointment of the following individuals:

12/17/12	Annapolis Environmental Commission	Christopher J. Patrick
12/17/12	Board of Appeals	Christian Elkington
12/17/12	Board of Appeals	Victoria Reyes Garcia
12/17/12	Civil Service Board	Cutter Matlock
12/17/12	Financial Advisory Commission	Frank A. Brown

Seconded. CARRIED on voice vote.

- Alderwoman Hoyle moved to approve the appointment of Alderwoman Finlayson to the Task Force to Study the Police and Fire Pension Plan and Other Post Employment Benefits. Seconded. CARRIED on voice vote.

2. Budget Revision Requests

City Manager Mallinoff gave a brief presentation on the budget revision requests and answered questions from Council.

The Finance Committee reported favorably on the budget revision requests.

- Alderman Paone moved to vote on the budget revision requests jointly. Seconded. CARRIED on voice vote.
- Alderwoman Finlayson moved GT-11-13, Eastport Fire Station, Hillman Parking Garage and the Emergency Generator, GT-12-13, Towne Park, GT-13-13, Speed Camera Program. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:25 p.m.