

**CITY OF ANNAPOLIS  
REGULAR MEETING OF THE CITY COUNCIL  
February 11, 2013, 7:00 p.m.**

Call to Order  
Invocation  
Pledge of Allegiance  
Roll Call  
Approval of Agenda

Mayor Cohen  
Alderman Arnett  
Mayor Cohen  
City Clerk Watkins-Eldridge

**CITY COUNCIL CITATIONS**

Martha Wood Leadership Award  
"Paint it Red" – Heart Awareness Month

Mayor Cohen  
Mayor Cohen

**PETITIONS, REPORTS AND COMMUNICATIONS**

Approval of Journal Proceedings

Regular Meeting January 14, 2013  
Special Meeting January 28, 2013

Reports by Committees  
Comments by the General Public

*A person appearing before the City Council with a petition, report or communication shall be limited to a presentation of not more than three minutes.*

**PUBLIC HEARING**

**O-1-13      Technical Corrections to the Annapolis City Code - Exempt Service –**  
For the purpose of making certain technical corrections to the Annapolis City Code in regards to the exempt service.

**LEGISLATIVE HISTORY**

*Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes*

First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
1/14/13	2/11/13	1/29/13	4/14/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	1/14/13		
Finance	1/14/13		

**LEGISLATIVE ACTION**

**CHARTER AMENDMENTS, ORDINANCES AND RESOLUTIONS – SECOND READER**  
**CA-2-12      Municipal Elections Coinciding with State of Maryland Elections in 2018 and Onward –** For the purpose of amending the Charter of the City of Annapolis to establish the dates of the primary and general elections to coincide with the State of Maryland in 2018 and extending the length of time in office for the incoming City Council in December 2013 an additional year to December 2018 in order to facilitate this transition period. ***Proposed to be postponed.***

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	9/24/12	11/13/12 2/4/13	Favorable motion failed No action

**CA-3-12 City Finance Requirements** – For the purpose of amending the Charter of the City of Annapolis to establish an unrestricted fund balance as part of the annual budget process, authorizing an Audit Committee; and setting a time line for the Finance Director to provide the Comprehensive Annual Financial Report to the City Council. ***Proposed to be postponed.***

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	9/24/12	11/13/12 2/4/13	Favorable w/amd. Unfavorable
Finance	1/14/13	2/14/13	Postponed

**O-26-12 Revisions to the Zoning Map Amendment Process** – For the purpose of amending Chapter 21.34 (Zoning Map Amendments) of the Annapolis City Code by establishing new procedures for local zoning map amendments, sectional zoning map amendments, and comprehensive zoning map amendments.

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	180 Day Rule
7/23/12	11/26/12	9/14/12	1/21/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	7/23/12	1/8/13 2/4/13	Favorable w/ amd. Favorable w/ amd.
Planning Commission	7/23/12	10/4/12	Favorable

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

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
11/26/12	12/10/12	12/13/12	02/24/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Government	11/26/12	1/8/13 2/4/13	Postponed Favorable w/ amd.

**R-1-13 Filing of Grant Application with the Mass Transit Administration** – For the purpose of authorizing the filing of an application with the Mass Transit Administration of the Maryland Department of Transportation for a Sections 5303, 5304, 5307, 5309, 5310, 5311, 5316, and/or 5317 grants under the Federal Transit Act.

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
1/14/13	N/A	1/24/13	4/14/13
Referred to	Referral Date	Meeting Date	Action Taken
Transportation	1/14/13	N/A	N/A
Transportation Board	1/14/13	N/A	N/A

**RESOLUTIONS – FIRST READER**

**R-3-13 Advocating for the City of Annapolis to be Named as the Home for a National Continental Congress Center** – For the purpose of expressing the sense of the City Council that the City of Annapolis be named as the home for a National Continental Congress Center.

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
2/11/13			5/10/13
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	2/11/13		
Historic Markers	2/11/13		

**R-7-13 Wayfinding and Signage Master Plan** – For the purpose of adopting the Draft Wayfinding and Signage Master Plan as an addendum to the 2009 Annapolis Comprehensive Plan.

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
2/11/13			5/10/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	2/11/13		
Transportation	2/11/13		
Planning Commission	N/A	1/3/13	Favorable
Transportation Board	2/11/13		

**R-8-13 Expressing Support for House Bill 145 and Senate Bill 244 – Refillable Container Alcoholic Beverage License in the City of Annapolis** – For the purpose of expressing the Annapolis City Council's support of House Bill 145 and Senate Bill 244 before the General Assembly regarding an alcoholic beverage license component for refillable containers for holders of Class A (package goods) and Class D (taverns) alcoholic beverage licenses.

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
2/11/13			5/10/13
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	2/11/13		
Alcoholic Beverage Control Board	2/11/13		

**R-9-13 Municipal Elections Coinciding with State of Maryland Elections** – For the purpose of expressing the sense of the Annapolis City Council that the City elections for Mayor and Aldermen and Alderwomen should be adjusted to coincide with State gubernatorial elections, and that the City should request that the State authorize, by executive or legislative action as appropriate, inclusion of the City elections on the same ballot used for State of Maryland gubernatorial elections.

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			

First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
2/11/13			5/10/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	2/11/13		

**BUSINESS AND MISCELLANEOUS**

1. Budget revision

**UPCOMING CITY COUNCIL EVENTS**

Work Session: Thursday, February 21, 2013, 1:30 – 4:30 p.m. City Council Chambers  
Special Meeting: Monday, February 25, 2013, 7:00 p.m. City Council Chambers

The Regular Meeting of the Annapolis City Council was held on January 14, 2013 in the Council Chamber. Mayor Cohen called the meeting to order at 7:13 p.m.

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

Staff Present: City Attorney Elson, City Manager Mallinoff

#### Approval of Agenda

Alderman Arnett moved to approve the Regular Meeting Agenda as amended to include the referral of O-28-12 to the Rules and City Government and the Environmental Matters Committees, and under City Council Citation delete the Kids at Hope Presentation. Seconded. CARRIED on voice vote.

#### SPECIAL BUSINESS

##### Swearing in of Alderman Ward 5

Mayor Cohen administered the oath of office to Jarred S. Littmann pursuant to City of Annapolis Charter and Code Article II – Election of Mayor and Aldermen, Sec. 7 – Vacancies.

At 7:22 p.m. Alderman Littman took his seat on the City Council.

#### CITY COUNCIL CITATIONS

##### Martha Wood Leadership Award

Mayor Cohen invited Alderman Kirby present to the Legal Aid Bureau of Anne Arundel County the City Council Citation in recognition of being honored by the Housing Authority of the City of Annapolis as the thirty-first recipient of the prestigious Martha Wood Leadership Award.

#### PETITIONS, REPORTS AND COMMUNICATIONS

##### Housing Authority of the City of Annapolis (HACA) Quarterly Report

Chairman Snowden invited Chief of Staff & Security Johnson to present the Housing Authority of the City of Annapolis Mayor and City Council Joint Quarterly Report.

Members Present: Vice Chair Carter, Members Henderson, Johnson, Finance Director Land Harbor House Property Manager Shaw, Robin Wood Property Manager Alston, Operation Manager Wingate and Development Officer Ford

##### Approval of Journal Proceedings

Alderman Pfeiffer moved to approve the Journal of Proceedings for the Regular Meeting December 10, 2012 and the Special Meeting of December 17, 2012. Seconded. CARRIED on voice vote.

##### Comments by the General Public

Miranda Wingate, 120 Admiral Cochrane Drive, Annapolis, Maryland 21401 representing HACA spoke in favor of the Housing Authority of the City of Annapolis' partnership with the City's Winter Relief Program.

Vice Chair Cynthia Carter, 1311 Colony Drive, Annapolis, Maryland 21403 representing HACA spoke in favor of R-2-13.  
President Jacqueline Allsup, P.O. Box 6210, Annapolis, Maryland 21401 representing the NAACP spoke in favor of R-2-13.  
Dean Charlestine R. Fairley, 135 Stepney Lane, Edgewater, Maryland 21037 representing Sojourner-Douglass College spoke in support of Dr. Wakhweya.  
Dr Angela Wakhweya, Health Officer Anne Arundel County, 3 Harry S Truman Parkway Annapolis, Maryland 21401 gave a brief presentation on her background and answered questions from Council.

- Mayor Cohen declared petitions, reports and Communications closed.

#### PUBLIC HEARINGS

**O-44-12 Lease of City Property: Boat Shows in Spring 2013 - For the purpose of authorizing a lease of certain municipal property located in the areas of Susan B. Campbell Park, Annapolis City Donner Parking Lot, Ego Alley Water Space, and other property and water locations as described in the lease to CRUISERS UNIVERSITY, INC., t/a Annapolis Spring Sailboat Show, for a certain period of time in April 2013, to conduct boat shows.**

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

#### **Spoke in favor of the ordinance:**

Ed Hartman, 980 Awald Road, Annapolis, Maryland 21403 representing Cruisers University, Inc. trading as Annapolis Spring Sailboat Show

No one else 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 RESOLUTION – 1<sup>st</sup> READER

**O-1-13 Technical Corrections to the Annapolis City Code - Exempt Service – For the purpose of making certain technical corrections to the Annapolis City Code in regards to the exempt service.**

- Alderman Arnett moved to adopt O-1-13 on first reader. Seconded. CARRIED on voice vote

Referred to the Rules and City Government and the Finance Committees.

**R-1-13 Filing of Grant Application with the Mass Transit Administration – For the purpose of authorizing the filing of an application with the Mass Transit Administration of the Maryland Department of Transportation for a Sections 5303, 5304, 5307, 5309, 5310, 5311, 5316, and/or 5317 grants under the Federal Transit Act.**

Personal Transportation & Parking Specialist Banks was present and answered questions From Council.

- Alderman Pfeiffer moved to adopt R-1-13 on first reader. Seconded. CARRIED on voice vote.

Referred to the Transportation Committee and the Transportation Board.

**R-2-13 Support for Angela Wakhweya, M.D. to Continue Her Service as the Anne Arundel County Health Officer – For the purpose of expressing the sense of the Annapolis City Council to support Angela Wakhweya, M.D. in continuing her service as the Anne Arundel County Health Officer.**

- Alderman Kirby moved to adopt R-2-13 on first reader. Seconded. CARRIED on voice vote.
- Alderman Paone moved to postpone R-2-13 on first reader until February 25, 2013. Seconded. Alderman Paone withdrew the motion.
- Alderwoman Hoyle moved the suspension of the rules to allow the passage of the R-2-13 at the meeting of its introduction. Seconded. DEFEATED on voice vote.

Referred to the Housing and Human Welfare Committee.

**BUSINESS and MISCELLANEOUS**

**1. Standing Committee Assignments**

- Alderman Arnett moved to approve the revised standing committees list for 2009-2013 listed below pursuant to city code section 2.12.020 (D). Seconded. CARRIED on voice vote.

Revised 1/14/13  
STANDING COMMITTEES  
2009 – 2013  
City Code Section 2.12.020D Powers and duties

The Mayor shall recommend to the City Council all appointments to aldermanic standing committees but all appointments shall be confirmed by a majority of the City Council.

**ECONOMIC MATTERS COMMITTEE**

The Economic Matters Committee shall consider matters affecting the economy of the City; make recommendations to the City Council on issues relating to the operation of the Market house and the regulation of the City Dock; study, independently and with private historic preservation organizations, issues concerning historic structures in the City; and study, consider and make recommendations regarding issues of cable television service to the City of Annapolis and its citizens. The Economic Matters Committee shall review all proposed amendments to Title 7 (Business Licenses, Taxes and Regulations) and Title 17 (Buildings and Construction) of this code.

Alderman Frederick M. Paone  
Alderwoman Sheila M. Finlayson  
Alderman Ian Pfeiffer

**ENVIRONMENTAL MATTERS COMMITTEE**

The Environmental Matters Committee shall consider matters affecting the natural environment of the City. The Environmental Matters Committee shall review all proposed amendments to Title 14 (Streets, Sidewalks and Public Places), Title 15 (Harbors and Waterfront Areas), and Title 16 (Public Services) of this code.

Alderman Frederick M. Paone  
Alderman Jared S. Littmann  
Alderman Ian Pfeiffer

**FINANCE COMMITTEE**

The Finance Committee shall handle all matters relating to the review of the budget and continuous surveillance of the budget. The Finance Committee shall have power to review and make recommendations with regard to the Mayor's annual operating budget and shall submit recommendations with regard to the budget to the City Council not later than the second Monday in May of each year. The Finance Committee shall review all proposed amendments to Title 6 (Revenue and Finance) of this code.

Alderman Richard E. Israel  
Alderwoman Sheila M. Finlayson  
Alderman Ross H. Arnett, III

**HOUSING AND HUMAN WELFARE COMMITTEE**

The Housing and Human Welfare Committee shall consider issues of housing and matters affecting the general health, welfare and quality of life of the residents of the City. The Housing and Human Welfare Committee shall review all proposed amendments to Title 8 (Animals), Title 10 (Health and Safety), and Title 18 (Landlord and Tenant Relations) of this code.

**PUBLIC SAFETY COMMITTEE**

The Public Safety Committee shall consider matters affecting public safety in the City. The Public Safety Committee shall review all proposed amendments to Title 11 (Public Peace, Morals and Welfare) and Title 12, (Vehicles and Traffic) of this code.

Alderman Frederick M. Paone  
Alderman Sheila M. Finlayson  
Alderman Kenneth A. Kirby

**RULES AND CITY GOVERNMENT COMMITTEE**

The Rules and City Government Committee shall review and consider all proposed amendments to the Charter and all proposed amendments to Title 1 (General Provisions), Title 2 (Administration), Title 3 (Personnel), Title 4 (Elections), Title 20 (Subdivisions), Title 21 (Planning and Zoning) and Title 22 (Adequate Public Facilities) of this code.

Alderman Richard E. Israel  
Alderman Classie G. Hoyle  
Alderman Ross H. Arnett, III

**TRANSPORTATION COMMITTEE**

The Transportation Committee shall consider matters affecting parking, public transportation, and vehicular traffic. The Transportation Committee shall review all proposed amendments to Title 12 (Vehicles and Traffic), Title 14 (Streets, Sidewalks and Public Places), and Title 22 (Adequate Public Facilities) of this Code.

Alderman Kenneth A. Kirby  
Alderman Ian Pfeiffer  
Alderman Ross H. Arnett, III

**2. Appointments**

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

1/14/13      Art in Public Places Commission      Ellen O. Moyer  
1/14/13      Art in Public Places Commission      Leonard Koscianski  
Seconded. CARRIED on voice vote.

Reviewed by: The Rules and City Government Committee reported favorably on the appointments.

The order of the agenda was amended to allow for the referral of O-28-12.

**3. Referral of O-28-12**

- Mayor Cohen referred O-28-12 to the Rules and City Government and the Environmental Matters Committees.

The order of the agenda was resumed.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:31 p.m.

Regina C. Watkins-Eldridge, MMC  
City Clerk

*DRAFT*  
A SPECIAL MEETING  
January 28, 2013

A Special Meeting of the Annapolis City Council was held on Monday, January 28, 2013 in the Council Chamber. Mayor Cohen called the meeting to order at 6:03 p.m.

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

Absent on Roll Call: Aldermen Paone, Pfeiffer

Staff Present: City Attorney Hardwick

BUSINESS AND MISCELLANEOUS

2. Purposed Closed Session – Pursuant to State Government Article § 10-508 (a) (7)

- Alderman Littman moved to have a closed meeting on Monday, January 28, 2013 immediately following this meeting in accordance with Maryland State Government Article Section 10-508(a) (7) *to consult with counsel to obtain legal advice on legal matters. Seconded.*

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Aldermen Littman, Kirby, Arnett, Israel, Alderwomen Hoyle, Finlayson

NAYS:

CARRIED: 7/0

The Council moved into closed session at 6:08 p.m.

- Alderman Arnett moved to adjourn the closed session at 6:51 p.m. *Seconded. CARRIED on voice vote.*

Upon motion duly made, seconded and adopted, the special meeting was adjourned at 7:10 p.m.

Regina C. Watkins-Eldridge, MMC  
City Clerk

DRAFT  
SPECIAL MEETING  
January 28, 2013

The Special Meeting of the Annapolis City Council was held on January 28, 2013 in the Council Chamber. Mayor Cohen called the meeting to order at 7:09 p.m.

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

Staff Present: City Attorney Hardwick, City Manager Mallinoff, Assistant City Manager Burke, DNEP Director Broadbent, Finance Director Miller

*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 6:08 p.m., Monday, January 28, 2013 in the City Council Chamber.*

*Present: Mayor Cohen, Aldermen Israel, Paone, Alderwomen Hoyle, Finlayson, Aldermen Littmann, Kirby, Pfeiffer, Arnett*

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

*A roll call vote was taken by the members present, and 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 legal matters.*

*Discussion Topic:*

*Quarterly Update on Litigation ~ No Actions were taken in closed session.*

*Upon motion duly made, seconded and adopted, the closed session was adjourned at 6:51 p.m.*

CITY COUNCIL CITATIONS

National Mentoring Month

Mayor Cohen invited Alderman Kirby to present the Volunteer Center for Anne Arundel County with a City Council Citation in recognition of their active involvement in National Mentoring Month, on behalf of the citizens of the City of Annapolis.

City of Annapolis' Commission on Aging

Mayor Cohen invited Alderman Kirby to present Hank Heggins with a City Council Citation on behalf of the Citizen's of the City of Annapolis for his service as a member of the Annapolis Commission on Aging from June 6, 1994 thru January 31, 2013.

Comments by the General Public

Scott Bowling, 1979 Fairfax Road, Annapolis, Maryland 21401 spoke in favor of CA-1-12 and CA-2-12.

Doug Smith, 5 Revell Street, Annapolis, Maryland 21401 spoke in favor of CA-1-12.

Sveinn Storm, 130 Dock Street, Annapolis, Maryland 21401 representing Storm

Brothers spoke in opposition to R-5-13 and O-44-12.

Juliet Thompson, 9 College Avenue, Annapolis, Maryland 21401 representing Ward One Parking Committee spoke in opposition to R-5-13.

Ann Wildener, 76 Maryland Avenue, Annapolis, Maryland 21401 spoke in opposition to R-5-13.

Debbie Yatsuk, 418 Fox Hollow Lane, Annapolis, Maryland 21403 spoke in favor of CA-1-12.

Judy Buddensick, 211 Severn Avenue, Annapolis, Maryland 21403 representing the Annapolis Business Association spoke in opposition to R-5-13.

Paul Murphy, 105 Northwest Street, Annapolis, Maryland 21401 spoke on the proposed new roof with solar panels at the Stanton Center.

- Mayor Cohen declared petitions, reports and communication close.

#### PRESENTATION

##### Charter Revision Commission

Chairman Michael Fox gave a brief presentation on CA-1-12 and answered questions from Council.

Members Fay Currie and Gilbert Renault were also present and answered questions from Council.

#### PUBLIC HEARING

**O-43-12 Lease of Public Parking 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.**

DNEP Director Broadbent 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

##### CHARTER AMENDMENTS, ORDINANCES & RESOLUTIONS – 2<sup>ND</sup> READER

**CA-1-12 Non-Partisan Elections – For the purpose of amending the Charter of the City of Annapolis to provide for non-partisan elections for the offices of Mayor and Aldermen and Alderwomen; filling vacancies in these offices; and removing partisan consideration in the composition and membership of the Board of Supervisors of Elections.**

- Alderman Pfeiffer moved to adopt CA-1-12 on second reading. Seconded.

The Rules and City Government Committee reported favorably on CA-1-12.

The main motion DEFEATED on voice vote. A ROLL CALL vote was taken:

YEAS: Aldermen Israel, Paone

NAYS: Mayor Cohen, Aldermen Littman, Kirby, Pfeiffer, Arnett,  
Alderwomen Hoyle, Finlayson

DEFEATED: 2/7

- CA-2-12 Municipal Elections Coinciding with State of Maryland Elections in 2018 and Onward – For the purpose of amending the Charter of the City of Annapolis to establish the dates of the primary and general elections to coincide with the State of Maryland in 2018 and extending the length of time in office for the incoming City Council in December 2013 an additional year to December 2018 in order to facilitate this transition period.**

City Manager Mallinoff was present and answered questions from Council.

- Alderman Pfeiffer moved to adopt CA-2-12 on second reading until The Regular Meeting on February 11, 2013. Seconded. CARRIED on voice vote.

- CA-3-12 City Finance Requirements – For the purpose of amending the Charter of the City of Annapolis to establish an unrestricted fund balance as part of the annual budget process, authorizing an Audit Committee; and setting a time line for the Finance Director to provide the Comprehensive Annual Financial Report to the City Council.**

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

Finance Director Miller was also present and answered questions from Council.

- Alderwoman Finlayson moved to postpone CA-3-12 on second reading until the Regular Meeting on February 11, 2013. Seconded. CARRIED on voice vote.

- O-26-12 Revisions to the Zoning Map Amendment Process – For the purpose of amending Chapter 21.34 (Zoning Map Amendments) of the Annapolis City Code by establishing new procedures for local zoning map amendments, sectional zoning map amendments, and comprehensive zoning map amendments.**

City Manager Mallinoff and Assistant City Manager Burke were present and answered questions from Council.

- Alderman Arnett moved to postpone O-26-12 on second reading until the Regular Meeting on February 11, 2013. Seconded. CARRIED on voice vote.

- O-44-12 Lease of City Property: Boat Shows in Spring 2013 - For the purpose of authorizing a lease of certain municipal property located in the areas of Susan B. Campbell Park, Annapolis City Donner Parking Lot, Ego Alley Water Space, and other property and water locations as described in the lease to CRUISERS UNIVERSITY, INC., t/a Annapolis Spring Sailboat Show, for a certain period of time in April 2013, to conduct boat shows.**

City Manager Mallinoff was present and answered questions from Council.

DNEP Director Broadbent was also present and answered questions from Council.

- Alderman Arnett moved to adopt O-44-12 on second reading. Seconded.

The Economic Matters Committee reported favorably with amendments and the Environmental Matters Committee reported favorably on O-44-12.

- Alderman Arnett moved to amend O-44-12 as follows:

Amendment #1

Page 1, Line 14 and Page 2, Line 4  
Strike "B."

Amendment #2

Substitute the lease attached to the first reader O-44-12 and replace with the following:

Note: new lease language is in RED and deletions are in ~~strike through~~.

**LEASE**

Authorized by O-44-12

This Lease is made this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between City of Annapolis, a municipal corporation of the State of Maryland ("Lessor"), and Cruisers University, Inc. trading as Annapolis Spring Sailboat Show ("Lessee").

Article I

Section 1.1. Premises and Term: Lessor hereby leases to Lessee, for the purpose of holding a boat show and related educational seminars, those parcels of land and of water (collectively "Premises") described and designated on the plat designated as Exhibit A attached to and made a part of this Lease, for the periods of time indicated, subject to the provisions and terms of this Lease.

- a. Charter Dock Parcels 1 and 2 from Tuesday, April 23, 2013 at 5 PM through Tuesday, April 30, 2013 at 12 noon;
- b. State Dock Parcel from Tuesday, April 23, 2013 at 5 PM through Tuesday, April 30, 2013 at 12 noon, shown in green on Exhibit A;
- c. Ego Alley Parcel from Tuesday, April 23, 2013 at 4 PM through Monday, April 29, 2013 at 8 PM;
- d. Susan Campbell Park Parcel and Dock Street Parking Parcels A, B and C from Wednesday, April 24, 2013 at 7 AM through Tuesday, April 30, 2013 at 5 PM;
- e. Donner Parking Lot Parcel from Thursday, April 25, 2013 at 7 AM through Monday, April 29, 2013 at 5 PM;
- f. Old Rec Center, First Floor, and Old Rec Center Parking Lot, 9 St. Mary's Street, from April 22, 2013 at 8:00 AM through May 1, 2013 at 6:00 PM.

The boardwalk around the Ego Alley and Susan Campbell Park Parcels shall remain open to the public at all times, except for brief periods during setup and breakdown of the event when required for public safety.

The Premises shall not be open to the public before 10 AM or after 6:30 PM on days and dates specified for the term of use herein.

Section 1.2. Changes to Premises: Lessee shall notify the City in writing no later than March 16, 2013 if it wishes to change the Premises area. The notice shall indicate with specificity the changes requested. Lessor shall respond to Lessee no later than March 23, 2013 whether it consents to the changes requested. Changes in the Premises area shall be within Lessor's sole discretion. Should costs be incurred by Lessor as a result of any change, those costs shall be paid by Lessee pursuant to Section 1.5 of this Lease.

Section 1.3. Use of Premises: Lessee is authorized to use existing and normal ingress to and egress from the Premises, existing and normal street and harbor lighting, and existing and normal police and fire protection. Any use of facilities and services beyond what is existing and normal shall be invoiced by the City as specified in Section 1.3 below.

Use of the Old Rec Center and Old Rec Center Parking Lot shall be for administrative and educational seminar purposes only. Lessee may sell non-alcoholic beverages inside the Old Rec Center during hours of daily operation exclusively to seminar participants and others conducting administrative business inside the Old Rec Center.

Lessee shall not block access for emergency vehicles to the Susan Campbell Park Parcel or to the public walkway/boardwalk along the City Dock.

Lessee is authorized to construct, install, or erect booths, exhibits, chairs, tables, and tents in the Premises in connection with the boat show without permanently affecting the Premises. Lessee shall obtain all required temporary structures permits associated with this boat show.

Lessee, at its own expense, shall install all temporary electrical equipment, lines and devices required to provide power to the Premises in compliance with National Electric Code and subject to electrical inspection and all required permitting by the City.

Lessee is prohibited from selling food, alcoholic and non-alcoholic beverages on the Premises. Amplified music or other amplified sound is prohibited on the Premises.

Lessee shall submit to the City a diagram of its proposed use of the Premises at least thirty (30) days prior to the boat show and obtain final City approval of the diagram.

Section 1.5. Repair of Premises: Lessee shall be responsible for making repairs to the Old Rec Center which Lessor's Department of Neighborhood and Environmental Programs ("DNEP") determines are necessary to use the first floor of the structure for the purposes stated in this Lease. DNEP shall advise Lessee of each repair that shall be made.

Lessee shall not be required to spend more than \$13,175.00 for such repairs. Lessee shall make payment for such repairs directly to its contractor.

Lessee shall hire a licensed contractor in good standing with the State of Maryland to make such repairs. If the contractor hires subcontractors, all subcontractors shall be licensed and in good standing with the State of Maryland.

Lessee shall obtain all permits required by Lessee for such repairs. Lessee shall not be required to pay permit application fees.

Lessee shall ensure that its contractor is insured in amounts that are sufficient to protect the City and its interest in the Old Rec Center from damage to property and from injury to person occurring as a result of the acts or omissions of the contractor and any subcontractors, and that the contractor names the City of Annapolis, and in their capacity as such, the officers, agents and employees thereof, as insured's on its commercial general liability insurance policy. Lessee shall ensure that all subcontractors adhere to these same insurance requirements.

Lessee shall ensure that all contractors and subcontractors perform repairs in a satisfactory, workmanlike and professional manner.

Lessee shall ensure that no debris or trash resulting from repairs is left in the Old Rec Center.

Lessee shall ultimately be responsible for property damage or personal injury caused by the acts or omissions of its contractor and any subcontractors.

All repairs are subject to the final approval of DNEP.

Section 1.4. Rent: Rent for the various parcels constituting the premises shall be ~~as follows:~~ the difference between \$13,175.00 and the amount which Lessee actually spends on such repairs. Lessee shall document the difference to Lessor and pay the difference to Lessor as rent for the Premises within 15 days after the date Lessor gives final approval to such repairs.

<del>Charter Dock Parcel 1:</del>	<del>\$1,500.00</del>
<del>Charter Dock Parcel 2:</del>	<del>\$ 500.00</del>
<del>State Dock Parcel:</del>	<del>\$ 100.00</del>
<del>Ego Alley Parcel:</del>	<del>\$ 2,816.50</del>
<del>Susan B. Campbell Park Parcel</del>	<del>\$ 0.00</del>
<del>Dock Street Parcel A</del>	<del>\$ 2,000.00</del>
<del>Dock Street Parcel B</del>	<del>\$ 2,000.00</del>
<del>Dock Street Parcel C</del>	<del>\$ 2,000.00</del>
<del>Donner Parking Lot Parcel</del>	<del>\$ 1,254.00</del>

Section 1.5. Costs and Expenses: Lessee shall pay all ~~rent,~~ costs and expenses incurred by the City as a result of Lessee's use of the Premises. Expenses may include, but are not limited to: utilities, parking and transportation, facilities and services, police services, fire services and other City services. Full cost shall be determined by the Director of Finance and invoiced post-event and shall be due and payable 30 days from date of invoice.

Section 1.6. Payment: Lessee shall make all payments due under this Lease by check, payable to the City of Annapolis. Lessee shall pay the City a monthly late fee of 1.5% (18% per annum) on any balance unpaid more than thirty (30) days past due.

Article II

Section 2.1. Number of Days: Lessee shall notify the City in writing no later than March 16, 2013 should it wishes to add dates and time of use of Premises. The notice shall indicate changes in dates and times requested. Lessor shall respond to Lessee no later than March 23, 2013 whether it agrees. Changes in dates or times shall be within Lessor's sole discretion. Should costs be incurred by Lessor as a result of any change, those costs shall be paid by Lessee pursuant to Section 1.3 of this Lease.

Article III

Section 3.1. Pre-Show Meetings and Inspection: Prior to the opening of each boat show, representatives of Lessor's Department of Neighborhood and Environmental Programs, Police Department, Fire Department, Harbormaster, and Department of Public Works shall inspect the Premises and nearby areas with Lessee's representative to determine compliance with City requirements and for determination of the condition of the Premises. Written approval by representatives of these departments is required before Lessee may open either boat show. The opening of the boat show shall not be delayed by any department whose representative is not present for the pre-inspection. Lessor shall not refuse permission to open either boat show or any part of the show under this paragraph unless a threat to health or safety has been identified. Lessor shall make every effort to limit that part of the show not opened in the event of such threat and to allow Lessee to open the closed portion of the show as soon as the threat is abated

to Lessor's satisfaction. All other federal, state or county permits which may be required shall be the responsibility of the Lessee.

Section 3.2. Transportation: The Lessee shall prepare and submit a written Transportation Plan with a Parking Element to Lessor's Director of Transportation. The Transportation Plan shall address matters specified by the Director and shall be submitted no later than April 1, 2013. Except for public ways within the Premises, the Transportation Plan shall not provide for the closure of any street or restrict parking to those associated with the boat shows. Moreover in publicizing the boat shows, Lessee shall direct all persons attending the event to park their vehicles at satellite lots and ride the shuttle to the site of the boat shows. Upon receipt of the Transportation Plan, the Director shall make copies available to relevant agencies and to interested parties who have requested a copy.

#### Article IV

Section 4.1. Insurance: Lessee, at its own expense, shall obtain and keep in full force and effect comprehensive commercial general liability insurance of no less than Two Million Dollars (\$2,000,000.00) combined single limit, bodily injury and property damage, and Eight Million Dollars (\$8,000,000.00) umbrella policy, which shall be effective during the entire period of time during which the Lessee shall use or occupy the Premises or any part of the Premises.

The insurance policy or policies shall specifically name the City of Annapolis, and in their capacity as such, the officers, agents and employees thereof, as additional insureds, and insure against any and all loss, costs, damages, and expenses suffered by any person or to any property, including property owned by Lessor, due to or alleged to be due to an act, omission or the negligence of Lessee, its officers, agents, employees, vendors, subtenants or contractors, directly or indirectly, in connection with the use of the Premises or any part of the Premises by Lessee, its officers, agents, employees, vendors, subtenants or contractors.

Lessee's insurer or insurers shall be authorized to write the required insurance, approved by the Insurance Commissioner of the State of Maryland, and subject to the approval of Lessor's City Attorney. The form and substance of the Lessee's insurance policy or policies shall also be subject to reasonable approval by Lessor's City Attorney, and shall be submitted to the City Attorney for such approval not less than thirty (30) days prior to Lessee's occupancy of the Premises. The policy or policies of insurance shall then be secured by Lessee and filed with the City Attorney not less than fifteen (15) days prior to Lessee's occupancy of the Premises. No approval shall be unreasonably withheld.

The Certificate for each insurance policy shall contain a statement on its face that the insurer will not cancel the policy or fail to renew the policy, whether for nonpayment of premium, or otherwise, whether at the request of Lessee or for any other reason, except after thirty (30) calendar days advance written notice mailed by the insurer to Lessor's City Attorney, and that such notice shall be transmitted postage prepaid, return receipt requested.

The obligations of Lessee under this Article are part of but do not limit or satisfy Lessee's obligations under Article V.

#### Article V

Section 5.1. Indemnity: Lessee shall forever indemnify, defend and hold harmless Lessor, its officers, agents, and employees, from and against any and all claims, suits, actions, judgments, and liability for loss, injury, damages and/or expenses suffered or alleged to have been suffered during the lease term by any person or to any property due to or alleged to be due to an act, omission or the negligence of Lessee, its officers, agents, employees, vendors, subtenants or contractors, directly or indirectly, in connection with the use and occupancy of the Premises or

any part of the Premises, by Lessee, its officers, agents, employees, vendors, subtenants or contractors.

Lessee shall reimburse Lessor, within thirty (30) days after demand for such reimbursement, for any damage done to Lessor's buildings, facilities, equipment or property caused by an act, omission or the negligence of Lessee, its officers, agents, employees, vendors, subtenants or contractors, during Lessee's use and occupancy of the Premises or any part of the Premises.

#### Article VI

Section 6.1. Security: Lessee shall contract with and pay, as independent contractors, security guards from an agency duly licensed by the State of Maryland, in numbers sufficient to maintain security, peace and order at the boat shows inside the Premises during the lease term.

#### Article VII

Section 7.1. Interior Construction: Lessee shall have the right to construct, install or erect seats, platforms, booths, tanks, scaffolding, rigging, floating piers, pilings, docks, catwalks, tents, exhibits, and any other apparatus or structure which Lessee may deem necessary or desirable for the purpose of presenting the boat shows. Lessee shall have the right to erect and construct a temporary fence so as to enclose the Premises in such a manner as to limit entry onto the Premises through controlled entrances. Such fence shall not contain barbed wire, razor wire or any similar materials.

Section 7.2. Exterior Construction: Lessee shall erect and construct temporary wooden sidewalks, wherever necessary to provide for pedestrian traffic, outside of the Premises where the existing sidewalks are enclosed in the Premises by a temporary fence described in Section 7.1. All temporary sidewalks shall be handicap accessible and illuminated during hours of darkness and maintained by Lessee in a safe and secure condition.

Section 7.3. ADA and Other Permits: Lessee hereby assumes exclusive responsibility for compliance with any and all applicable provisions of the Americans with Disabilities Act of 1990, as amended from time to time, at the Premises, during the entire time Lessee uses or occupies the Premises or any part of the Premises. Subject to the inspection provisions of Section 3.7 of this Lease and to standard public safety and health approvals, any and all permits, licenses or authorizations required to be obtained from the City by Lessee during the term of this Lease for the purpose of constructing or erecting the temporary structures described in Sections 7.1 and 7.2 of this Lease or for operating the boat shows, shall be deemed granted and issued upon the execution of this Lease by Lessor and Lessee. All other federal, state or county permits, which may be required, shall be the responsibility of the Lessee.

#### Article VIII

Section 8.1. Trash: Lessee, at its own expense, shall provide an adequate number of trash and recycling containers for its use within the boat show grounds during the entire use and occupancy period of the Premises, and shall provide for the prompt removal of all such containers, trash and refuse. Lessor, at its own expense, shall provide an adequate number of trash dumpsters outside the boat show grounds for the use of Lessee during the use and occupancy period and shall provide for the prompt removal of trash, refuse and recycling materials generated during the boat show.

Section 8.2. Cleanliness: Lessee shall be responsible for keeping the Premises free of debris, trash and refuse, which shall be placed in dumpsters or receptacles.

Section 8.3. Sanitation and Toilets: Lessee shall, at its own expense, provide adequate and sanitary toilet facilities throughout the Premises for use by the general public and others attending or participating in the boat shows, including sufficient ADA compliant sanitary toilet facilities.

#### Article IX

Section 9.1. Quiet Enjoyment: Lessor covenants with Lessee that at all times during the term of this Lease, Lessee shall peacefully hold and quietly enjoy the use and occupancy of the Premises without any disturbance or hindrance from Lessor or from any other person claiming through Lessor, except that Lessor or others claiming through Lessor may enter onto the Premises to effect necessary repairs to their own facilities as reasonably contemplated by the terms of this Lease, and to assure compliance with the terms of this Lease. Lessee shall cooperate with the Lessor to effect this access to the Premises.

Section 9.2. Trash and Public Safety Cooperation: The parties shall cooperate with each other and use their best efforts to ensure that there is prompt trash removal, public safety protection and adequate traffic control during the designated period of use and occupancy by Lessee of the Premises.

#### Article X

Section 10.1. Condition of Premises After Show: Following the lease term, Lessee, at Lessee's sole expense, shall return the Premises to Lessor in the same or superior condition than received, natural wear and tear excepted.

Section 10.2. Lessee's Equipment After Show: Prior to the expiration of the lease term, Lessee shall immediately remove all of its property, fixtures and chattels from the Premises. In the event that Lessee, its officers, agents, employees, vendors, subtenants or contractors, fail to remove any item of property, Lessor reserves the right to remove and store any such property after the expiration or termination of the lease term at Lessee's expense or as an alternative, to leave the property at the Premises. In either case, Lessor shall charge Lessee per diem rental for storage of such property. Lessor shall bear no responsibility or liability for damage to or expense incurred as a result of property left, removed or stored under the provisions of this Section. Lessee shall pay to Lessor any expenses or charges under this Section billed to Lessee by Lessor within thirty (30) days after delivery of any such bill by Lessor to Lessee.

Section 10.3. Post-Show Inspection: Within ten (10) days following the expiration of the lease term, Lessee shall accompany Lessor during a tour of the Premises to determine the condition of the Premises. Items corrected or repaired by Lessor, deemed by Lessor to be the responsibility of Lessee, shall be billed by Lessor and paid by Lessee within thirty (30) days after receipt of such bill.

#### Article XI

Section 11.1. Remedies: All duties, liabilities and/or obligations imposed upon or assumed by Lessee and Lessor by or under this Lease shall be taken or construed as cumulative and the mention of any specified duty, liability or obligation imposed upon or assumed by Lessee or Lessor under this Lease shall not be taken or construed as a limitation or restriction upon any or all of the other duties, liabilities, or obligations imposed upon or assumed by Lessee under this Lease. The remedies provided for in this Lease shall be construed to be cumulative and in addition to any other remedies provided in law or equity which Lessor or Lessee would have in any case. Lessor shall have the right to seek and obtain in any court of competent jurisdiction an injunction, without the necessity of posting

a bond, to restrain a violation or alleged violation by Lessee of any term of this Lease, anything to the contrary notwithstanding. In no case shall a waiver by either party of the right to seek relief under this provision constitute a waiver of any other or further violation. The remedies provided in this Lease shall not be deemed exclusive of other remedies not specified.

Article XII

Section 12.1. Impossibility of Performance: If, for any reason, an unforeseen event not the act of Lessor occurs, including but not limited to fire, casualty, act of God, labor strike or other unforeseen occurrence which renders impossible the fulfillment of any rental period of this Lease, Lessee shall have no right to claim damages not right to claim against Lessor for damages, but Lessee shall not be liable for the payment of rent for said rental period. However, if such impossibility relates to not more than five percent (5%) of the rental period, Base Rent, if determined under Section 1.3(A)(ii) of this Lease, shall be prorated to account for the number of scheduled hours the Show is not open to the public.

Article XIII

Section 13.1. Payment: Lessee shall make all payments due under this Lease by check, payable to the City of Annapolis. In addition to all other amounts due pursuant to this Lease, Lessee shall pay Lessor a monthly late fee of 1.5% (18% per annum) of any payment more than sixty (60) days past due, until paid.

Article XIV

Section 14.1. Time is of the Essence: Time is of the essence in the performance of this Lease. The times and deadlines specified in this Lease shall not be extended for any reason, except as may be provided in this Lease, relating to the term of the Lease or the installation or removal of equipment, materials or displays from the Premises, without written consent of Lessor.

Article XV

Section 15.1. Assignment: Lessee shall not assign, transfer, or otherwise dispose of this Lease without the prior written consent of Lessor, but such consent shall not be unreasonably or arbitrarily withheld. The foregoing shall not prevent Lessee from subleasing portions of the Premises to boat show exhibitors, provided the portion of the Premises subleased to any exhibitor does not exceed twenty-five percent (25%) of the total area of the Premises.

Article XVI

Section 16.1. Independent Contractor: Lessee is an independent contractor and not the agent or employee of Lessor. Under no circumstances shall this Lease be considered to create an employee or agency relationship or a partnership or joint venture.

Article XVII

Section 17.1. Liens: Lessee hereby consents that Lessor shall have a lien upon all property of Lessee located from time to time upon the Premises for any and all unpaid charges which arise under this Lease. Lessee hereby consents to and Lessor shall have the power to impound and retain possession of such property until all such charges and late fees due under Article XIII have been paid, in full, to the satisfaction of Lessor. In the event such charges remain unpaid ten (10) days after the termination of this Lease, Lessor shall have the power to sell such property at public auction and apply the receipts from such auction to all such unpaid charges.

Article XVIII

Section 18.1. Compliance with all Laws: Lessee shall comply with all laws, ordinances, and statutes applicable to the Premises or any part of the Premises, and the use and occupancy thereof, and to pay all taxes or charges imposed by law in connection with Lessee's use and occupancy of the Premises. Lessee shall have a reasonable time to correct any violation.

Article XIX

Section 20.1. Immunities: Nothing in this Lease shall be interpreted or construed to waive, in whole or in part, or to otherwise diminish, Lessor's statutory, common law or other immunities in any action in tort, in contract or in any other form. The parties agree that if any duty assumed by Lessor under the terms of this Lease or any action taken by Lessor pursuant to any such term is construed to waive, in whole or in part, any such immunity, then the immunity shall nevertheless be fully restored, and shall bind and protect the parties as a contractual undertaking.

Article XX

Section 21.1 Authority: This Lease is authorized by Ordinance O-44-12 adopted by the City Council of the City of Annapolis.

In Witness Whereof, the City of Annapolis, by and through its duly authorized agent, has caused this Lease to be executed on its behalf, and the Lessee, Cruiser University, Inc. trading as Annapolis Spring Sailboat Show and Cruiser University, Inc. trading as Annapolis Spring Sailboat Show, has duly executed this Lease on the date first written above.

Attest:

City of Annapolis

\_\_\_\_\_  
Regina C. Watkins-Eldridge, MMC  
City Clerk

By: \_\_\_\_\_  
Joshua J. Cohen, Mayor (Seal)

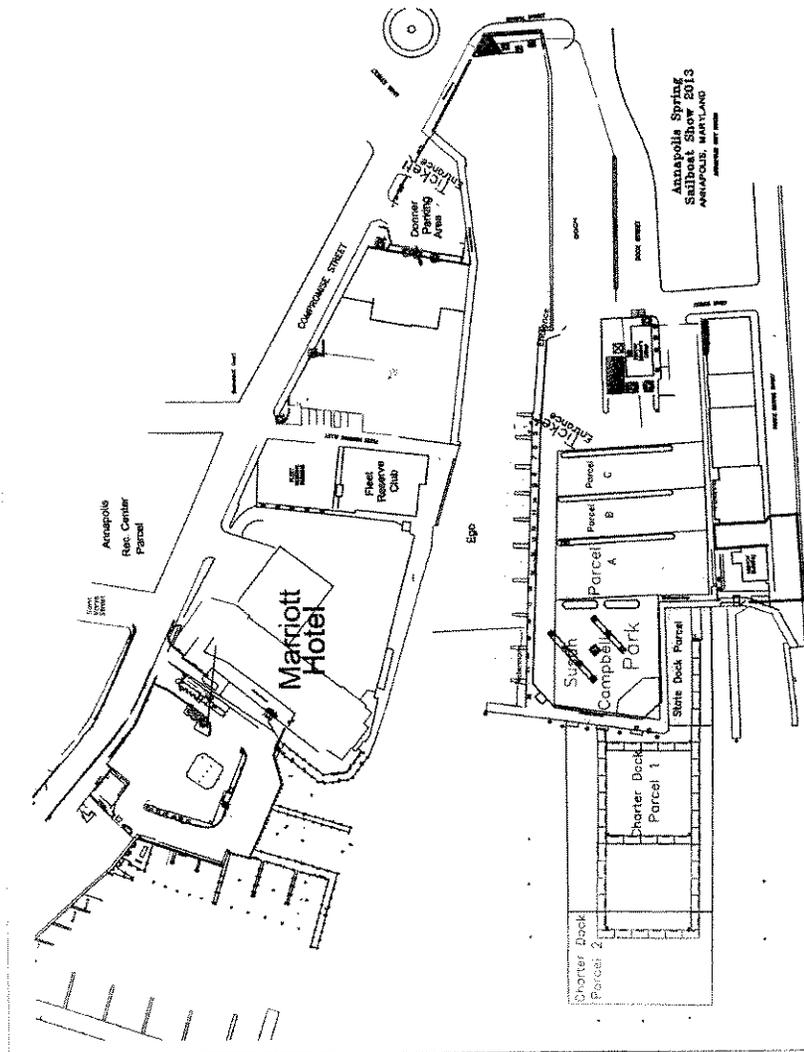
Cruisers University, Inc. trading as  
Annapolis Spring Sailboat Show

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
C.E. Hartman, President (Seal)

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Karen M. Hardwick, Esq., City Attorney



Seconded. CARRIED on voice vote.

- Alderman Littmann moved to amend O-44-12 as follows:

Amendment #1

On page 6, of Mayor Cohen's proposed amendment to O-44-12 Lease of City Property: Boat Show in Spring 2013 as follows:

Article VIII

Section 8.1. Trash: Lessee, at its own expense, shall provide an adequate AND EQUAL number of trash and recycling containers for its use within the boat show grounds during the entire use and occupancy period of the Premises, and shall provide for the prompt removal of all such containers, trash and refuse. THE LESSEE SHALL COLLECT THE SAME RECYCLING MATERIALS THAT THE LESSOR COLLECTS IN ITS CURBSIDE RECYCLING SERVICE.

Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Arnett moved to adopt O-44-12 amended on third reading. Seconded.

A ROLL CALL vote was taken:

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

NAYS:

CARRIED: 9/0

**R-2-13 Support for Angela Wakhweya, M.D. to Continue Her Service as the Anne Arundel County Health Officer – For the purpose of expressing the sense of the Annapolis City Council to support Angela Wakhweya, M.D. in continuing her service as the Anne Arundel County Health Officer.**

- Alderman Kirby moved to adopt R-2-13 on second reading. Seconded.
- Alderwoman Hoyle moved to amend R-2-13 as follows:

Amendment #1

Page 1, Line 10:  
Strike "Support" and insert "Appreciation"  
Strike "to continue" and insert "for"

Amendment #2

Page 1, Line 12:  
Strike "sense" and insert "appreciation"  
Strike "to support" and insert "for"  
Strike "in continuing her service"

Amendment #3

Page 1, Line 25:  
Insert:

**WHEREAS**, Dr. Angela Wakhweya leads, and the County Department of Health manages, the Healthy Anne Arundel Coalition (HAAC) that was formed in December 2011. The HAAC established a Steering Committee, which included the City of Annapolis as a stakeholder and selected two health priorities: 1) Obesity Prevention and 2) Management of Substance Abuse and Mental Health as Co-Occurring Disorders; and

**WHEREAS**, the HAAC formulated an action plan with specific goals and strategies for health priorities and to effectively leverage new and existing resources to measurably improve the County's health. As Health Officer, Dr. Wakhweya has provided a high standard of excellence and professional leadership, creating opportunities for strong and collaborative partnerships as the Steering Committee members continue to work on this important health initiative.

Amendment #3

Page 2, Strike Lines 19-42: strike entirely.

Amendment #4

Page 2, line 19 insert "Whereas, Dr. Wakhweya, M.D. has collaboratively reached out to the City of Annapolis, inviting Human Services Officer Gail Smith

to represent the city on the Healthy Anne Arundel Coalition Steering Committee, a broad-based partnership working to enhance awareness, prevention and healthier living.”

Amendment #5

Page 2, Line 46:

Strike “supports Angela Wakhweya, M.D. in continuing her service as the Anne Arundel County Health Officer” and insert “hereby expresses its support for Angela Wakhweya, M.D. for her service to the City of Annapolis as the Anne Arundel County Health Officer”

Amendment #6

Page 3, Lines 1-3: strike entirely. Seconded. CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Aldermen Kirby, Pfeiffer, Israel, Alderwomen  
Hoyle, Finlayson  
NAYS: Aldermen Littman, Arnett, Paone  
CARRIED: 6/3

ORDINANCE and RESOLUTIONS – 1<sup>st</sup> READER

**O-3-13 Bulk Regulations for Governmental Uses in the C1-A Zoning District – For the purpose of specifying that lot size and width requirements for existing buildings with a governmental use in the C1-A zoning district shall be determined through the special exception process, pursuant to Chapter 21.26 of the City of Annapolis Code.**

- Alderman Arnett moved to adopt O-3-13 on first reader. Seconded. CARRIED on voice vote

Referred to the Rules and City Government Committee and the Planning Commission.

**R-4-13 Peggy Kimbo Way – For the purpose of declaring that Maryland Avenue shall bear the honorary designation of “Peggy Kimbo Way” to celebrate the contributions of Ethelda “Peggy” Kimbo to the City of Annapolis.**

- Alderwoman Finlayson moved to adopt R-4-13 on first reader. Seconded. CARRIED on voice vote.

Referred to the Public Safety Committee.

- Aldermen Israel and Kirby requested their names be added as co-sponsors of R-4-13.

**R-5-13 Washington Resignation Park – For the purpose of supporting the recommendation of the City Dock Advisory Committee that the Donner Parking Lot be transformed into a public park; that the park be named the Washington Resignation Park; and that a suitable likeness of George Washington be placed in the park with a plaque explaining the significance of Washington’s resignation to Congress of his commission as Commander in Chief of the armed forces.**

- Alderman Israel moved to adopt R-5-13 on first reader. Seconded. CARRIED on voice vote.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Aldermen Littman, Kirby, Pfeiffer, Israel,

Alderwomen Hoyle  
NAYS: Alderman Arnett, Paone, Alderwoman Finlayson  
CARRIED: 6/3

Referred to the Rules and City Government Committee, Planning Commission and the Transportation Board.

- Alderman Israel asked that the city doesn't take any action until the State of Maryland takes an action.

**R-6-13 Extension of Deadline for Submission of Proposed Union Agreements – For the purpose of postponing until Monday, March 11, 2013, the submission to the Mayor of proposed memoranda of understanding between employee organizations and the City.**

- Alderman Pfeiffer moved to adopt R-6-13 on first reader. Seconded. CARRIED on voice vote.

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-6-10 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Aldermen Littman, Kirby, Pfeiffer, Arnett, Israel, Paone, Alderwomen Hoyle, Finlayson  
NAYS:  
CARRIED: 9/0

**BUSINESS and MISCELLANEOUS**

**1. Revised Standing Committee Assignments**

- Alderman Arnett moved to approve the revised standing committees list for 2009-2013 listed below pursuant to city code section 2.12.020 (D). Seconded. CARRIED on voice vote.

Revised 1/28/13  
STANDING COMMITTEES  
2009 – 2013  
City Code Section 2.12.020D Powers and duties

The Mayor shall recommend to the City Council all appointments to aldermanic standing committees but all appointments shall be confirmed by a majority of the City Council.

**ECONOMIC MATTERS COMMITTEE**

The Economic Matters Committee shall consider matters affecting the economy of the City; make recommendations to the City Council on issues relating to the operation of the Market house and the regulation of the City Dock; study, independently and with private historic preservation organizations, issues concerning historic structures in the City; and study, consider and make recommendations regarding issues of cable television service to the City of Annapolis and its citizens. The Economic Matters Committee shall review all proposed amendments to Title 7 (Business Licenses, Taxes and Regulations) and Title 17 (Buildings and Construction) of this code.

Alderman Frederick M. Paone  
Alderwoman Sheila M. Finlayson  
Alderman Israel

**ENVIRONMENTAL MATTERS COMMITTEE**

The Environmental Matters Committee shall consider matters affecting the natural environment of the City. The Environmental Matters Committee shall review all proposed amendments to Title 14 (Streets, Sidewalks and Public Places), Title 15 (Harbors and Waterfront Areas), and Title 16 (Public Services) of this code.

Alderman Frederick M. Paone  
Alderman Jared S. Littmann  
Alderman Ian Pfeiffer

FINANCE COMMITTEE

The Finance Committee shall handle all matters relating to the review of the budget and continuous surveillance of the budget. The Finance Committee shall have power to review and make recommendations with regard to the Mayor's annual operating budget and shall submit recommendations with regard to the budget to the City Council not later than the second Monday in May of each year. The Finance Committee shall review all proposed amendments to Title 6 (Revenue and Finance) of this code.

Alderman Ian Pfeiffer  
Alderman Sheila M. Finlayson  
Alderman Ross H. Arnett, III

HOUSING AND HUMAN WELFARE COMMITTEE

The Housing and Human Welfare Committee shall consider issues of housing and matters affecting the general health, welfare and quality of life of the residents of the City. The Housing and Human Welfare Committee shall review all proposed amendments to Title 8 (Animals), Title 10 (Health and Safety), and Title 18 (Landlord and Tenant Relations) of this code.

Alderman Classie G. Hoyle  
Alderman Jared S. Littman  
Alderman Kenneth A. Kirby

PUBLIC SAFETY COMMITTEE

The Public Safety Committee shall consider matters affecting public safety in the City. The Public Safety Committee shall review all proposed amendments to Title 11 (Public Peace, Morals and Welfare) and Title 12, (Vehicles and Traffic) of this code.

Alderman Frederick M. Paone  
Alderman Sheila M. Finlayson  
Alderman Kenneth A. Kirby

RULES AND CITY GOVERNMENT COMMITTEE

The Rules and City Government Committee shall review and consider all proposed amendments to the Charter and all proposed amendments to Title 1 (General Provisions), Title 2 (Administration), Title 3 (Personnel), Title 4 (Elections), Title 20 (Subdivisions), Title 21 (Planning and Zoning) and Title 22 (Adequate Public Facilities) of this code.

Alderman Richard E. Israel  
Alderman Classie G. Hoyle  
Alderman Ross H. Arnett, III

TRANSPORTATION COMMITTEE

The Transportation Committee shall consider matters affecting parking, public transportation, and vehicular traffic. The Transportation Committee shall review all proposed amendments to Title 12 (Vehicles and Traffic), Title 14 (Streets, Sidewalks and Public Places), and Title 22 (Adequate Public Facilities) of this Code.

Alderman Kenneth A. Kirby  
Alderman Ian Pfeiffer  
Alderman Ross H. Arnett, III

2. **Appointments**

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

1/28/13	Historic Markers Commission	Robert C. Clark	
1/28/13	Transportation Board	Michael Pachler	Seconded.

CARRIED on voice vote.

The Economic Matters Committee reported favorably on the appointments.

3. **Legislation Proposed to be Withdrawn**

**O-4-12 Expanding the Eligibility for Multiple-Day or Single-Day Parking Permits** -- For the purpose of expanding the eligibility for multiple-day or single-day parking permits to include those that render personal or child care to a resident in a special residential parking district.

Sponsors: Alderman Israel and Alderman Pfeiffer

- Mayor Cohen withdrew O-4-12 on second reading.
- 4. Council Compensation Commission's Report**
- Alderman Paone moved to accept the Report and Recommendations, with Exhibits, of the Council Compensation Commission for FY2013.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:37 p.m.

Regina C. Watkins-Eldridge, MMC

City Clerk

**Jessica Cowles**  
**Legislative and Policy Analyst**  
**City of Annapolis Office of Law**  
E) JCCowles@annapolis.gov  
P) 410-263-1184  
F) 410-268-3916

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February 6, 2013

TO: The Capital Legal Notices: legalad@capgaz.com  
FROM: Jessica Cowles, Legislative and Policy Analyst  
RE: Notice of Public Hearing  
PUBLISH: Please publish on: **Sunday, February 10, 2013 and Monday, February 11, 2013**

Please send bill and certificate of publication to the City of Annapolis Office of Law, 93 Main Street, 3rd Floor, Annapolis, MD 21401.

\*\*\*\*\*

**NOTICE OF ANNAPOLIS CITY COUNCIL PUBLIC HEARING**

Notice is hereby given that the Annapolis City Council will hold a public hearing on Monday, February 11, 2013 at 7:00 p.m., in City Council Chambers, 160 Duke of Gloucester Street, Annapolis, for a public hearing on:

**O-1-13 Technical Corrections to the Annapolis City Code - Exempt Service** – For the purpose of making certain technical corrections to the Annapolis City Code in regards to the exempt service.

The above legislation on the City Council agenda for public hearing can be viewed on the City's website at: <http://www.annapolis.gov/Government/Departments/LawOffice/PendingLegis.aspx>

1 CITY COUNCIL OF THE  
2 City of Annapolis

3 Ordinance No. O-1-13

4 Sponsors: Mayor Cohen, Alderwoman Finlayson, Alderman Arnett  
5  
6  
7

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
1/14/13			4/14/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	1/14/13		
Finance	1/14/13		

8  
9 **A ORDINANCE** concerning

10 **Technical Corrections to the Annapolis City Code - Exempt Service**

11 **FOR** the purpose of making certain technical corrections to the Annapolis City Code in  
12 regards to the exempt service.

13 **BY** making technical amendments regarding certain exempt service positions in order to  
14 reflect the original intent of Ordinance No. O-10-12 Amended, which repealed and re-  
15 enacted with amendments the following portions of the Code of the City of Annapolis,  
16 2012 Edition:

17 Section 3.08.010

18 Section 3.08.030

19  
20 **WHEREAS**, Sections 3.08.010 and 3.08.030 of the Code were amended pursuant to  
21 Ordinance No. O-10-12 Amended, which was adopted by the Annapolis City  
22 Council on June 4, 2012;

23 **WHEREAS**, pursuant to Ordinance No. O-10-12 Amended, certain positions were added to  
24 exempt service and certain positions were eliminated from exempt service;

25 **WHEREAS**, certain technical amendments are necessary to effectuate the original purpose of  
26 Ordinance O-10-12 Amended.

27  
28  
29  
30 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**  
31 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:  
32

1 **CHAPTER 3.08 – EXEMPT SERVICE**

2  
3 **3.08.010 - Positions included.**

4 The exempt service includes:

- 5 1. All the elected officials;
- 6 2. All department directors;
- 7 3. City Manager;
- 8 4. Communications Officer;
- 9 5. City Attorney;
- 10 6. Assistant City Attorney;
- 11 7. Community Relations Specialist;
- 12 8. Human Services Officer and Ombudsman;
- 13 9. Administrative Assistant;
- 14 10. Assistant City Manager;
- 15 11. Public Information Officer and Quartermaster
- 16 12. Executive Office Associate;
- 17 13. Recruitment/[EEO] EMPLOYEE RELATIONS Administrator;
- 18 14. Deputy Fire Chiefs; and
- 19 15. Police Major and Captains.

20  
21 **3.08.030 - Salary.**

22 A. 1. For purposes of setting annual salaries, the following positions in the exempt service  
23 are assigned grades in the City's pay plan as indicated:

Position	Grade
Executive Office Associate	A10
Recruitment/[EEO] EMPLOYEE RELATIONS Administrator	A15
Communications Officer	A18
Deputy Fire Chief	F18
Human Resources Director	A20
Director of Transportation	A20
[Director of Economic Affairs]	[A20]
Director of Neighborhood and Environmental Programs	A20
[Central Services Officer]	[A20]
Director of Recreation and Parks	A20
City Attorney	A20
Assistant City Attorney	A18
Director of Finance	A20
Director of Planning	A20
Human Services Officer and Ombudsman	A18
[Development/Events Specialist]	[A12]
Community Relations Specialist	A12
[Boards and Commissions/Council Associate]	[A10]
Administrative Assistant	A8
Assistant City Manager	A14
Public Information Officer and Quartermaster	A12

Fire Chief	F20
Police Chief	P20
Police Major	P18
Police Captain	P17
Director of Public Works	A20

1  
2           2. The salary of the City Manager shall be proposed and approved by the council at the  
3 time of the City Manager's confirmation hearing.

4  
5 **B. Salary raises:**

6 1. Shall be justified by either satisfactory or above satisfactory performance reviews by the  
7 Mayor and shall be entirely at the Mayor's discretion, with the exception of those positions listed  
8 in subsection (B)(2) of this section;

9 2. Shall be at the discretion of the Department Director for the following positions:

- 10       i. Deputy Fire Chiefs,
- 11       ii. Police Captains,
- 12       iii. Police Major,
- 13       iv. Recruitment/Employee Relations Administrator,
- 14       v. Assistant City Attorney[.],
- 15       vi. EXECUTIVE OFFICE ASSOCIATE,
- 16       vii. COMMUNICATIONS OFFICER,
- 17       viii. HUMAN SERVICES OFFICER AND OMBUDSMAN,
- 18       ix. COMMUNITY RELATIONS SPECIALIST
- 19       x. ADMINISTRATIVE ASSISTANT,
- 20       xi. ASSISTANT CITY MANAGER,
- 21       xii. PUBLIC INFORMATION OFFICER AND QUARTERMASTER.

22 3. Shall not be awarded to an individual more frequently than once a year;

23 4. Shall not be for an amount exceeding one pay step in the grade range for the position as set  
24 in subsection (A)(1) of this section;

25 5. Shall not cause an individual's salary to exceed the maximum salary of the assigned grade.

26  
27 **C. Longevity salary increases awarded to civil service employees shall not be a benefit of**  
28 **the exempt service.**

29  
30 **D. A City employee appointed to a position specified in subsection (A)(1) of this section**  
31 **shall be assigned to a salary in the new pay grade which is at a minimum five percent higher**  
32 **than the employee's salary prior to promotion or shall be assigned to the minimum of the new**  
33 **grade, whichever is higher. In no case shall the new salary exceed the maximum salary of the**  
34 **new grade.**

35  
36 **E. For positions other than those specified in subsection (B)(2) of this section, the Mayor**  
37 **may make an initial appointment at a salary greater than the first step of the assigned grade.**  
38 **The appointment and initial salary is subject to confirmation by the City Council. For those**  
39 **positions specified in subsection (B)(2) of this section, appointments made by Department**  
40 **Director do not require City Council approval and initial appointments may be made at a salary**  
41 **greater than the first step of the assigned grade subject to the availability of funding.**

42  
43 **F. The Mayor shall report to the City Council on an annual basis the salaries of all positions**  
44 **listed in subsection A of this section, and all increases in salary awarded since the prior report.**

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**SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL** that this Ordinance shall take effect from the date of its passage.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

\_\_\_\_\_  
Regina C. Watkins-Eldridge, MMC, City Clerk

\_\_\_\_\_  
Joshua J. Cohen, Mayor

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**EXPLANATION**

CAPITAL LETTERS indicate matter added to existing law.  
[brackets] indicate matter stricken from existing law.  
Underlining indicates amendments.

## **Policy Report**

### **Ordinance O-1-13**

#### **Technical Corrections - Exempt Service**

The proposed ordinance would make certain technical corrections to Sections 3.08.010 and 3.08.030 to the Annapolis City Code, 2012 Edition. These technical corrections are necessary to ensure that the Code reflects the original intent of Ordinance No. O-10-12 Amended, which was adopted by the Annapolis City Council on June 4, 2012.

Prepared by Jessica Cowles, Legislative and Policy Analyst in the City of Annapolis Office of Law at 410.263.1184 or [JCCowles@annapolis.gov](mailto:JCCowles@annapolis.gov) and Carol Richardson, Legislative and Policy Analyst in the City of Annapolis Office of Law.

FISCAL IMPACT NOTE

**Legislation No:** O-1-13

**First Reader Date:** 1/14/13

**Note Date:**

**Legislation Title:** **Technical Corrections to the Annapolis City Code – Exempt Service**

**Description:** For the purpose of making certain technical corrections to the Annapolis City Code in regards to the exempt service.

**Analysis of Fiscal Impact:** This legislation produces no fiscal impact because it corrects the City Code to current practice.

1 CITY COUNCIL OF THE  
2 City of Annapolis

3 Charter Amendment No. CA-2-12

4 Introduced by: Alderman Pfeiffer at the Request of the Charter Revision Commission  
5  
6  
7

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	9/24/12	11/13/12	No action taken.

8  
9  
10 **A CHARTER AMENDMENT** concerning

11 **Municipal Elections Coinciding with State of Maryland Elections in 2018 and Onward**

12 **FOR** the purpose of amending the Charter of the City of Annapolis to establish the dates of  
13 the primary and general elections to coincide with the State of Maryland in 2018 and  
14 extending the length of time in office for the incoming City Council in December 2013 an  
15 additional year to December 2018 in order to facilitate this transition period.

16 **BY** repealing and re-enacting with amendments the following portions of the City Charter:  
17 Article II, Section 2  
18 Article II, Section 5  
19

20 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**  
21 **COUNCIL** that the Charter of the City of Annapolis shall be amended to read as follows:

22 **Sec. 2. - General election dates.**

23 The citizens and residents of the City of Annapolis qualified to vote for members of the General  
24 Assembly of Maryland, and otherwise qualified by the registration and election laws for such  
25 cases made and provided, shall elect by ballot, every four (4) years, beginning in [1985] 2018,  
26 on the first Tuesday after the first Monday in November OR AS MAY BE DETERMINED BY  
27 THE STATE OF MARYLAND BOARD OF ELECTIONS, a mayor; and the qualified voters, in  
28 each ward shall at the same time elect by ballot one (1) resident of the ward as alderman.  
29

30 **Sec. 5. - Primary election dates; municipal election dates; term dates.**

31 Nomination for a mayor and for one (1) alderman from each ward in the city shall be made by  
32 direct vote of the respective political parties at primary elections to be held in the city for the  
33 several candidates for mayor and, in each ward of the city, for the several candidates for  
34 aldermen, on the third Tuesday of September in each year in which municipal elections in the  
35 city are to be held OR AS MAY BE DETERMINED BY THE STATE OF MARYLAND BOARD  
36 OF ELECTIONS. Municipal elections shall be held on the first Tuesday after the first Monday in  
37 November in every fourth year, beginning with the year [1985] 2018 OR AS MAY BE

1 DETERMINED BY THE STATE OF MARYLAND BOARD OF ELECTIONS. However, in the  
2 event an election will occur on the same day as the public observance of a religious holiday, or  
3 in case of severe weather, the board of supervisors of elections shall have the authority to  
4 reschedule the election to a day within one week of the day prescribed by this section OR AS  
5 MAY BE DETERMINED BY THE STATE OF MARYLAND BOARD OF ELECTIONS. The mayor  
6 and aldermen elected at each municipal election shall qualify in the manner prescribed by  
7 Article II, Section 3 of this Charter, and shall take office on the first Monday in December of the  
8 year in which they are elected and shall hold office until the first Monday in December in the  
9 fourth year following, or until their successors are elected and qualify. IN ORDER FOR  
10 MUNICIPAL ELECTIONS TO COINCIDE WITH STATE OF MARYLAND ELECTIONS, THE  
11 CITY COUNCIL TERM FOR THE CITY COUNCIL BEGINNING ON THE FIRST MONDAY OF  
12 DECEMBER 2013 WILL EXTEND AN ADDITIONAL YEAR TO THE FIRST MONDAY OF  
13 DECEMBER 2018.

14  
15 **SECTION II: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY**  
16 **COUNCIL** that the date of adoption of this Resolution is \_\_\_\_\_, 2012, and the amendments of  
17 the Charter of the City of Annapolis, hereby enacted shall become effective on \_\_\_\_\_, 2012,  
18 unless a proper petition for referendum hereon shall be filed as permitted by law within 40 days  
19 of adoption, provided a complete and exact copy of this Resolution shall be continuously posted  
20 on the bulletin board in the City Hall until \_\_\_\_\_, 2012, and provided further that a copy of the  
21 title of this Resolution shall be published in "The Capital", a newspaper of general circulation in  
22 the City of Annapolis, or in any other newspaper of such general circulation, once in each of the  
23 weeks on, \_\_\_\_\_, 2012, \_\_\_\_\_, 2012, \_\_\_\_\_, 2012, and \_\_\_\_\_, 2012.  
24

25 **SECTION III: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY**  
26 **COUNCIL** that the Mayor is hereby specifically commanded to carry out the provisions of  
27 Section II hereof, and, as evidence of such compliance, the Mayor shall cause to be maintained  
28 appropriate certificates of publication of the newspaper or newspapers in which the title of the  
29 Resolution shall have been published and if a favorable referendum is held on the Charter  
30 change, shall declare the Charter change hereby enacted to be effective on \_\_\_\_\_, 2012, by  
31 affixing his signature hereto in the space provided on the effective date of change.  
32

33 **SECTION IV: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY**  
34 **COUNCIL** that as soon as the Charter Amendment hereby enacted shall become effective,  
35 either as provided herein or following a referendum, the Mayor shall send to the Maryland  
36 Department of Legislative Services a copy of this Resolution showing the number of Aldermen  
37 and Alderwomen voting for and against it and a report on the votes cast for or against the  
38 amendment hereby enacted at any referendum thereon and the date of such referendum.  
39

40 The above Charter Amendment was enacted by the foregoing Resolution which was  
41 passed at a Meeting of the Annapolis City Council on \_\_\_\_\_, 2012; \_\_\_\_\_ voting in the  
42 affirmative, \_\_\_\_\_ voting in the negative, \_\_\_\_\_ abstaining and \_\_\_\_\_ absent and the said  
43 Resolution becomes effective in accordance with law on the \_\_\_ day of \_\_\_\_\_ 2012.  
44

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48 **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
49  
50

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ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

\_\_\_\_\_  
Regina C. Watkins-Eldridge, MMC, City Clerk

\_\_\_\_\_  
Joshua J. Cohen, Mayor

2

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4

**EXPLANATION**

5

CAPITAL LETTERS indicate matter added to existing law.

6

[brackets] indicate matter stricken from existing law.

7

Underlining indicates amendments.

1 **Policy Report**

2  
3 **CA-2-12**

4  
5 **Municipal Elections Coinciding with State of Maryland Elections in 2018**  
6 **and Onward**

7  
8 The proposed charter amendment would amend the Charter of the City of Annapolis to  
9 establish the dates of the primary and general elections to coincide with the State of  
10 Maryland in 2018 and extend the length of time in office for the incoming City Council in  
11 December 2013 an additional year to December 2018 in order to facilitate this transition  
12 period.

13 The proposed charter amendment is based on the recommendation of the 2011  
14 Annapolis Charter Revision Commission that reported:

15 “City elections should be moved to coincide with state elections. There are two  
16 primary reasons for doing this. First, it saves the City money to piggyback on the  
17 state elections. Second, it will almost certainly improve voter turnout, which is  
18 now embarrassingly low in City elections.”

19  
20  
21  
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23  
24  
25 Prepared by Jessica Cowles, Legislative and Policy Analyst, Office of Law at  
26 [JCCowles@annapolis.gov](mailto:JCCowles@annapolis.gov) or (410) 263-1184.  
27



City of Annapolis City Council  
Standing Committee Referral Action Report

Date: 11/13/12

To: Jessica Cowles,  
City of Annapolis Office of Law,  
Legislative and Policy Analyst

The Rules and City Government Committee has reviewed CA-2-12 and  
has taken the following action:

Favorable

Favorable with amendments

Unfavorable

No Action

Other

Comments:

Motion failed

Roll Call Vote:

Ald. Israel, Chair NO

Ald. Hoyle absent Ald. Arnett YES

Meeting Date 11/13/12

Signature of Chair Richard Gordon

FISCAL IMPACT NOTE

**Legislation No:** CA-2-12

**First Reader Date:** 9/24/12

**Note Date:** 10/13/12

**Legislation Title: Municipal Elections Coinciding with State of Maryland Elections in 2018 and Onward**

**Description:** For the purpose of amending the Charter of the City of Annapolis to establish the dates of the primary and general elections to coincide with the State of Maryland in 2018 and extending the length of time in office for the incoming City Council in December 2013 an additional year to December 2018 in order to facilitate this transition period.

**Analysis of Fiscal Impact:** This legislation will postpone the costs incurred to conduct an election to the following year. Combining State of Maryland and City of Annapolis elections will provide a convenience to voters.

1 **CITY COUNCIL OF THE**  
2 **City of Annapolis**

3  
4 **Charter Amendment No. CA-3-12**

5 **Introduced by: Alderman Pfeiffer at the Request of the Charter Revision Commission**  
6  
7

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	9/24/12	11/13/12	Favorable w/amd.

8  
9  
10 **A CHARTER AMENDMENT** concerning

11 **City Finance Requirements**

12 **FOR** the purpose of amending the Charter of the City of Annapolis to establish an unrestricted  
13 fund balance as part of the annual budget process, authorizing an Audit Committee; and  
14 setting a time line for the Finance Director to provide the Comprehensive Annual  
15 Financial Report to the City Council.

16 **BY** adding to the following portions of the City Charter:  
17 Article VII, Section 12  
18

19 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**  
20 **COUNCIL** that the Charter of the City of Annapolis shall be amended to read as follows:

21 **ARTICLE VII FINANCES, SECTION 12 – REQUIREMENTS.**

22 A. AS PART OF THE ANNUAL BUDGET PROCESS, THE CITY COUNCIL SHALL  
23 ESTABLISH AN UNRESTRICTED FUND BALANCE AT A RATE IN LINE WITH BEST  
24 PRACTICES FOR MUNICIPAL CORPORATIONS WITH THE GOAL OF SECURING A TRIPLE  
25 A BOND RATING FROM THE CREDIT RATING AGENCIES.

26 B. THE CITY COUNCIL SHALL AUTHORIZE THE ESTABLISHMENT OF AN AUDIT  
27 COMMITTEE CONSISTING OF THE MAYOR, CITY MANAGER, ALDERMEN AND  
28 ALDERWOMEN, FINANCE DIRECTOR AND CITY RESIDENT REPRESENTATIVE(S) WITH  
29 RESPONSIBILITY FOR IMPLEMENTING INDUSTRY-WIDE BEST FINANCIAL  
30 MANAGEMENT PRACTICES.

31 C. THE FINANCE DIRECTOR SHALL REPORT THE COMPREHENSIVE ANNUAL  
32 FINANCIAL REPORT TO THE CITY COUNCIL BY JANUARY 31 OF EACH YEAR.

33

1           **SECTION II: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY**  
2 **COUNCIL** that the date of adoption of this Resolution is \_\_\_\_\_, 2012, and the amendments of  
3 the Charter of the City of Annapolis, hereby enacted shall become effective on \_\_\_\_\_, 2012,  
4 unless a proper petition for referendum hereon shall be filed as permitted by law within 40 days  
5 of adoption, provided a complete and exact copy of this Resolution shall be continuously posted  
6 on the bulletin board in the City Hall until \_\_\_\_\_, 2012, and provided further that a copy of the  
7 title of this Resolution shall be published in "The Capital", a newspaper of general circulation in  
8 the City of Annapolis, or in any other newspaper of such general circulation, once in each of the  
9 weeks on, \_\_\_\_\_, 2012, \_\_\_\_\_, 2012, \_\_\_\_\_, 2012, and \_\_\_\_\_, 2012.

10           **SECTION III: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY**  
11 **COUNCIL** that the Mayor is hereby specifically commanded to carry out the provisions of  
12 Section II hereof, and, as evidence of such compliance, the Mayor shall cause to be maintained  
13 appropriate certificates of publication of the newspaper or newspapers in which the title of the  
14 Resolution shall have been published and if a favorable referendum is held on the Charter  
15 change, shall declare the Charter change hereby enacted to be effective on \_\_\_\_\_, 2012, by  
16 affixing his signature hereto in the space provided on the effective date of change.  
17

18           **SECTION IV: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY**  
19 **COUNCIL** that as soon as the Charter Amendment hereby enacted shall become effective,  
20 either as provided herein or following a referendum, the Mayor shall send to the Maryland  
21 Department of Legislative Services a copy of this Resolution showing the number of Aldermen  
22 and Alderwomen voting for and against it and a report on the votes cast for or against the  
23 amendment hereby enacted at any referendum thereon and the date of such referendum.  
24

25           The above Charter Amendment was enacted by the foregoing Resolution which was  
26 passed at a Meeting of the Annapolis City Council on \_\_\_\_\_, 2012; \_\_\_\_\_ voting in the  
27 affirmative, \_\_\_\_\_ voting in the negative, \_\_\_\_\_ abstaining and \_\_\_\_\_ absent and the said  
28 Resolution becomes effective in accordance with law on the \_\_ day of \_\_\_\_\_ 2012.  
29

30           **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

31           ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY \_\_\_\_\_

32  
33  
\_\_\_\_\_  
Regina C. Watkins-Eldridge, MMC, City  
Clerk

\_\_\_\_\_  
Joshua J. Cohen, Mayor

34  
35  
36           **EXPLANATION**

37           CAPITAL LETTERS indicate matter added to existing law.

38           [brackets] indicate matter stricken from existing law.

39           Underlining indicates amendments.

1 **Policy Report**

2  
3 **CA-3-12**

4  
5 **City Finance Requirements**

6  
7 The proposed charter amendment would amend the Charter of the City of Annapolis to  
8 establish an unrestricted fund balance as part of the annual budget process, authorize  
9 the establishment of an Audit Committee, and set a time line of January 31 for the  
10 Finance Director to provide the Comprehensive Annual Financial Report to the City  
11 Council.

12  
13 Prepared by Jessica Cowles, Legislative and Policy Analyst, Office of Law at  
14 [JCCowles@annapolis.gov](mailto:JCCowles@annapolis.gov) or (410) 263-1184.



City of Annapolis City Council  
Standing Committee Referral Action Report

Date: 1/31/2013

To: Jessica Cowles,  
City of Annapolis Office of Law,  
Legislative and Policy Analyst

The Finance Committee has reviewed CA-3-12 and has taken the following action:

Favorable

Favorable with amendments

Unfavorable

No Action

Other postponed

Comments:

Roll Call Vote:

<sup>Fiabber</sup>  
Ald. Israel, Chair yes

Ald. Arnett yes

Ald. Finlayson yes  
(chair)

Meeting Date \_\_\_\_\_

Signature of Chair Sheila M. Finlayson



City of Annapolis City Council  
Standing Committee Referral Action Report

Date: 2/4/13

To: Jessica Cowles,  
City of Annapolis Office of Law,  
Legislative and Policy Analyst

The Rules and City Government Committee has reviewed CA-03-12 and  
has taken the following action:

Favorable

Favorable with amendments

Unfavorable

No Action

Other

Comments:

*with a suggestion that the city attorney  
Draft new legislation to address the  
need for an audit committee in the code  
not in the charter*

Roll Call Vote:

Ald. Israel, Chair yes

Ald. Hoyle yes

Ald. Arnett yes

Meeting Date 2/4/13

Signature of Chair Railrod Israel 

FISCAL IMPACT NOTE

**Legislation No:** CA-3-12

**First Reader Date:** 9/24/12

**Note Date:** 10/13/12

**Legislation Title: City Finance Requirements**

**Description:** For the purpose of amending the Charter of the City of Annapolis to establish an unrestricted fund balance as part of the annual budget process, authorizing an Audit committee; and setting a time line for the Finance Director to provide the Comprehensive Annual Financial Report to the City Council.

**Analysis of Fiscal Impact:** This legislation has the potential to produce a positive fiscal impact if it helps secure a triple-A bond rating from the credit rating agencies, which can be expected to lower the cost of borrowing for the City.

1 CITY COUNCIL OF THE  
2 City of Annapolis

3 Ordinance No. O-26-12

4 Introduced by: Mayor Cohen  
5  
6  
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LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	180 Day Rule
7/23/12	11/26/12	9/14/12	1/21/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	7/23/12		
Planning Commission	7/23/12	10/4/12	Favorable

8  
9 AN ORDINANCE concerning

10 Revisions to the Zoning Map Amendment Process

11 FOR the purpose of amending Chapter 21.34 (Zoning Map Amendments) of the Annapolis  
12 City Code by establishing new procedures for local zoning map amendments, sectional  
13 zoning map amendments, and comprehensive zoning map amendments.

14 BY repealing and re-enacting with amendments the following portions of the Code of the  
15 City of Annapolis, 2011 Edition  
16 Section 21.34.020  
17 Section 21.34.030  
18 Section 21.34.040  
19

20 SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY  
21 COUNCIL that the Code of the City of Annapolis shall be amended to read as follows:

22 Chapter 21.34 - ZONING MAP AMENDMENTS  
23

24 21.34.010 - Purpose and authority.

25 A. Purpose. For the purpose of promoting the public health, safety, morals and general welfare,  
26 and conserving the value of property throughout the City, the City Council, from time to time, in  
27 the manner set forth in this chapter may amend the district boundary lines; provided, that in all  
28 amendatory ordinances adopted under the authority of this chapter, due allowance shall be  
29 made for existing conditions, the conservation of property values, the direction of building  
30 development to the best advantages of the entire City and the uses to which property is devoted  
31 at the time of the adoption of the amendatory ordinance.  
32

33 B. Authority. The City Council shall decide amendments under this chapter, which may be  
34 proposed by the City Council, the Planning Commission, a property owner in the City or any  
35 person who has a contractual interest which may become a freehold interest or an exclusive  
36 possessory interest of property proposed to be rezoned.

1 **21.34.020 - Procedures.**

2 A. Application Procedures. AN APPLICATION MAY BE FILED FOR ANY OF THE  
3 FOLLOWING TYPES OF AMENDMENTS TO THE ZONING MAP:

4 1. LOCAL ZONING MAP AMENDMENT. A LOCAL ZONING MAP AMENDMENT COVERING A  
5 SINGLE TRACT OF LAND, ALL OR PORTIONS OF WHICH MAY BE PROPOSED TO BE  
6 CLASSIFIED IN DIFFERENT ZONES. A LOCAL ZONING MAP AMENDMENT APPLICATION  
7 MAY BE FILED BY ANY GOVERNMENTAL AGENCY OR BY A PERSON WITH A FINANCIAL,  
8 CONTRACTUAL, OR PROPRIETARY INTEREST IN THE PROPERTY TO BE AFFECTED BY  
9 THE PROPOSED AMENDMENT.

10  
11 Any member of the City Council may introduce a LOCAL zoning map application before the City  
12 Council that would then be referred to the Planning and Zoning Director to assist in the  
13 development of a LOCAL zoning map amendment. All other applications for a LOCAL zoning  
14 map amendment shall also be filed with the Planning and Zoning Director in accordance with  
15 the requirements of Section 21.10.010 Common procedures for review of applications, including  
16 the preapplication conference with the Director pursuant to Section 21.10.010(A).

17  
18 2. SECTIONAL ZONING MAP AMENDMENT. A SECTIONAL ZONING MAP AMENDMENT  
19 COVERING A SECTION OF THE CITY, ALL OR PORTIONS OF WHICH MAY BE PROPOSED  
20 TO BE CLASSIFIED IN DIFFERENT ZONES. AN APPLICATION FOR A SECTIONAL  
21 ZONING MAP AMENDMENT MAY BE FILED ONLY BY THE PLANNING COMMISSION UPON  
22 COMPLETION OF A SECTOR OR AREA PLAN.

23  
24 3. COMPREHENSIVE ZONING MAP AMENDMENT. A COMPREHENSIVE ZONING MAP  
25 AMENDMENT COVERING THE ENTIRE CITY, ALL OR PORTIONS OF WHICH MAY BE  
26 PROPOSED TO BE CLASSIFIED IN DIFFERENT ZONES. A COMPREHENSIVE ZONING  
27 MAP AMENDMENT INCLUDES, BUT IS NOT LIMITED TO, TECHNICAL CORRECTIONS. AN  
28 APPLICATION FOR A COMPREHENSIVE ZONING MAP AMENDMENT MAY BE FILED ONLY  
29 BY THE PLANNING COMMISSION.

30  
31 B. Review Procedures.

32 1. Complete Application Forwarded to Planning Commission. Upon determination of  
33 completeness, the Planning and Zoning Director shall forward the application to the Planning  
34 Commission, for its recommendation to the City Council.

35  
36 2. Staff Review and Report. The Planning and Zoning Director may circulate the application to  
37 other City departments deemed appropriate by the Director. The Planning and Zoning Director  
38 will forward a report on the application for amendment to the Planning Commission and the City  
39 Council.

40  
41 3. Planning Commission Public Hearing. An application, when complete, shall be placed upon  
42 the agenda of the Planning Commission for consideration at a public hearing. Notice of the  
43 hearing shall be published in accordance with Sections 21.10.020(B) and 21.10.020(C)[, Notice  
44 Requirements] FOR A LOCAL ZONING MAP AMENDMENT, AND IN ACCORDANCE WITH  
45 SECTION 21.10.020(C)(1) FOR A SECTIONAL OR COMPREHENSIVE ZONING MAP  
46 AMENDMENT. At the public hearing the Planning Commission may accept evidence and  
47 testimony as it may judge to be relevant to the proper consideration of the case.

48  
49 4. Findings and Recommendations. Within thirty days after the Planning Commission has  
50 completed its review of the application, but in no case longer than ninety days after the date of  
51 the first session of the public hearing held by the Commission, the Commission shall make

1 written findings of fact and shall submit the findings together with its recommendations to the  
2 City Council. The City Council shall not act upon the application until it has received a written  
3 report and recommendation from the Planning Commission on the proposed amendment.  
4

5 5. City Council Action. After the Planning Commission has completed its review of the proposed  
6 amendment, an ordinance shall be drafted by the Mayor and introduced at the City Council. It  
7 shall be introduced on First Reader and referred to the appropriate Standing Committees of the  
8 City Council.  
9

10 6. City Council Public Hearing. The City Council shall hold a public hearing on the ordinance.  
11 The hearing shall be advertised, conducted, and a record of the proceedings shall be preserved,  
12 in the manner as the City Council, by rule, prescribes from time to time. Notice of the hearing  
13 shall be in accordance with Section 21.10.020(C)[, Notice Requirements] FOR A LOCAL  
14 ZONING MAP AMENDMENT AND IN ACCORDANCE WITH SECTION 21.10.020(C)(1) FOR A  
15 SECTIONAL OR COMPREHENSIVE ZONING MAP AMENDMENT. Other appropriate notices  
16 may be posted in a place or places as the City Council designates. At the hearing, the  
17 recommendation of the Planning Commission and report from the Planning and Zoning Director  
18 shall be placed in evidence. The Director of Planning and Zoning shall be available at the  
19 hearing for examination by all interested persons.  
20

21 7. Decision and Vote. Following the City Council public hearing and the Standing Committee  
22 reports, the City Council shall vote on the ordinance.  
23

24 8. Date of Decision. Whenever an application for an amendment has been properly filed, it shall  
25 be acted upon by the City Council within six months from the date of application, and whenever  
26 it has been denied by the City Council, the application shall not be renewed for one year after  
27 the denial.  
28

29  
30 **21.34.030 - Application requirements.**

31 All zoning map applications shall be accompanied by plans and on any forms prescribed by the  
32 Planning and Zoning Director, and shall at a minimum include the following:  
33

34 A. A statement in writing by the applicant and adequate evidence describing how the proposed  
35 map amendment conforms to the review criteria set forth in this chapter.  
36

37 B. FOR A LOCAL ZONING MAP AMENDMENT, Applicants shall provide the names and  
38 addresses of all persons having a financial or vested interest in the project and in the case of  
39 firms, partnerships and corporations, the names and addresses of all principals of the firm,  
40 partnership or corporation, who have a financial or vested interest in the project for which the  
41 application is made.  
42

43  
44 **21.34.040 - Planning Commission review criteria and findings.**

45 The Planning Commission shall not recommend the adoption of a proposed zoning map  
46 amendment unless it finds that the adoption of the amendment is in the public interest and is not  
47 solely for the interest of the applicant. The Planning Commission may recommend the adoption  
48 of an amendment changing the zoning classification of the property to a more restrictive district  
49 than that requested by the applicant. The Planning Commission shall make findings based upon  
50 the evidence presented to it in each specific case with respect to the following matters:  
51

- 1 [A. Existing uses and zoning classification of properties within the general area of the property
- 2 that is the subject of the application.]
- 3 [B. The suitability of the property in question to the uses permitted under the existing zoning
- 4 classification compared to the uses permitted under the proposed zoning classification.]
- 5 [C. The trend of development in the general area, including any changes in zoning classification
- 6 of the subject property or other properties in the area and the compatibility with existing and
- 7 proposed development for the area.]
- 8 [D. Whether there has been a substantial change in the character of the neighborhood where
- 9 the property is located or that there was a mistake in the existing zoning classification.]
- 10 [E. The availability of public facilities, present and future transportation patterns.]
- 11 [F. The relationship of the proposed amendment to the City's Comprehensive Plan.]
- 12
- 13 A. POPULATION CHANGE;
- 14 B. THE AVAILABILITY OF PUBLIC FACILITIES;
- 15 C. PRESENT AND FUTURE TRANSPORTATION PATTERNS;
- 16 D. COMPATIBILITY WITH EXISTING AND PROPOSED DEVELOPMENT FOR THE AREA;
- 17 E. THE RELATIONSHIP OF THE PROPOSED AMENDMENT TO THE CITY'S
- 18 COMPREHENSIVE PLAN;
- 19 F. A SUBSTANTIAL AND UNANTICIPATED CHANGE IN THE CHARACTER OF THE
- 20 NEIGHBORHOOD WHERE THE PROPERTY IS LOCATED;
- 21 G. A MISTAKE IN THE EXISTING ZONING CLASSIFICATION.
- 22

23 **21.34.050 - City Council review criteria and findings.**  
 24 The City Council shall make findings of fact in each specific case including, but not limited to,  
 25 the criteria set forth above in Section 21.34.040.

26  
 27 **21.34.060 - Appeal.**  
 28 Any person aggrieved by a decision of the City Council pursuant to this chapter may appeal to  
 29 the circuit court of Anne Arundel County.  
 30

31 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**  
 32 **ANNAPOLIS CITY COUNCIL** that this Ordinance shall take effect from the date of its passage.  
 33

34 **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
 35  
 36

ATTEST: THE ANNAPOLIS CITY COUNCIL

BY \_\_\_\_\_

---

Regina C. Watkins-Eldridge, MMC, City Clerk Joshua J. Cohen, Mayor

37  
 38  
 39 **EXPLANATION**  
 40 CAPITAL LETTERS indicate matter added to existing law.  
 41 [brackets] indicate matter stricken from existing law.  
 42 Underlining indicates amendments.

1 **Policy Report**

2  
3 **O-26-12**

4  
5 **Revisions to the Zoning Map Amendment Process**

6  
7 The proposed ordinance would amend Chapter 21.34 (Zoning Map Amendments) of the  
8 Annapolis City Code by establishing new procedures for local zoning map amendments,  
9 sectional zoning map amendments, and comprehensive zoning map amendments.

10  
11 Title 21 currently has no explicit mechanism for a comprehensive or sector area  
12 rezoning process. The proposed ordinance would authorize three types of zoning map  
13 amendments: local zoning map amendments, sectional zoning map amendments, and  
14 comprehensive zoning map amendments.

15  
16 The local zoning map amendment would preserve the existing procedure for a zoning  
17 change affecting a single tract of land. The sectional zoning map amendment would  
18 apply to a portion of the City where rezoning was proposed following the completion of a  
19 sector or area plan. An example would be an adopted neighborhood or corridor plan  
20 that recommended either a different zoning district or a re-alignment of existing zoning  
21 districts. The comprehensive zoning map amendment would be a proposed rezoning  
22 affecting the entire city. Examples would be if multiple zoning districts were combined  
23 into one zoning district or the use of Geographic Information Systems mapping  
24 technology to provide a technical update to the zoning maps (i.e., property zoning would  
25 not change, but the technological mechanism for physically displaying and storing the  
26 zoning information would be updated).

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28  
29  
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31  
32 Prepared by Sally Nash, Senior Comprehensive Planner, Planning and Zoning  
33 Department at [SNash@annapolis.gov](mailto:SNash@annapolis.gov) or (410) 263-7961 and Jessica Cowles,  
34 Legislative and Policy Analyst, Office of Law at [JCCowles@annapolis.gov](mailto:JCCowles@annapolis.gov) or (410) 263-  
35 1184.



City of Annapolis City Council  
Standing Committee Referral Action Report

Date: 2/4/13

To: Jessica Cowles,  
City of Annapolis Office of Law,  
Legislative and Policy Analyst

The Rules and City Government Committee has reviewed C-26-12 and  
has taken the following action:

Favorable

Favorable with amendments Attached

Unfavorable

No Action

Other

Comments:

Roll Call Vote:

Ald. Israel, Chair yes

Ald. Hoyle yes

Ald. Arnett yes

Meeting Date 2/4/13

Signature of Chair Rita Israel 

**Rules Committee Amendments to O-26-12  
Revisions to the Zoning Map Amendment Process**

**Amendment #1**

Page 2, Line 20:

Strike "AN APPLICATION" and insert "A REQUEST"

**Amendment #2**

Page 2, Line 21:

Strike "ONLY BY THE PLANNING COMMISSION" and insert "BY A MEMBER OF THE CITY COUNCIL OR THE DIRECTOR OF PLANNING AND ZONING"

**Amendment #3**

Page 2, Line 27 AND 28:

Strike "AN APPLICATION" and insert "A REQUEST"

**Amendment #4**

Page 2, Lines 28-29:

Strike "ONLY BY THE PLANNING COMMISSION" and insert: "BY A MEMBER OF THE CITY COUNCIL OR THE DIRECTOR OF PLANNING AND ZONING."

**Amendment #5**

Page 4, Lines 1-11:

***Restore the following text that is marked for deletion in the proposed legislation.***

A. EXISTING USES AND ZONING CLASSIFICATION OF PROPERTIES WITHIN THE GENERAL AREA OF THE PROPERTY THAT IS THE SUBJECT OF THE APPLICATION.

B. THE SUITABILITY OF THE PROPERTY IN QUESTION TO THE USES PERMITTED UNDER THE EXISTING ZONING CLASSIFICATION COMPARED TO THE USES PERMITTED UNDER THE PROPOSED ZONING CLASSIFICATION.

C. THE TREND OF DEVELOPMENT IN THE GENERAL AREA, INCLUDING ANY CHANGES IN ZONING CLASSIFICATION OF THE SUBJECT PROPERTY OR OTHER PROPERTIES IN THE AREA AND THE COMPATIBILITY WITH EXISTING AND PROPOSED DEVELOPMENT FOR THE AREA.

D. WHETHER THERE HAS BEEN A SUBSTANTIAL CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD WHERE THE PROPERTY IS LOCATED OR THAT THERE WAS A MISTAKE IN THE EXISTING ZONING CLASSIFICATION.

E. THE AVAILABILITY OF PUBLIC FACILITIES, PRESENT AND FUTURE TRANSPORTATION PATTERNS.

F. THE RELATIONSHIP OF THE PROPOSED AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN.

Page 4, Lines 13-21:

***Strike the proposed new language.***

~~A. POPULATION CHANGE;~~

~~B. THE AVAILABILITY OF PUBLIC FACILITIES;~~

~~C. PRESENT AND FUTURE TRANSPORTATION PATTERNS;~~

~~D. COMPATIBILITY WITH EXISTING AND PROPOSED DEVELOPMENT FOR THE AREA;~~

~~E. THE RELATIONSHIP OF THE PROPOSED AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN;~~

~~F. A SUBSTANTIAL AND UNANTICIPATED CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD WHERE THE PROPERTY IS LOCATED;~~

~~G. A MISTAKE IN THE EXISTING ZONING CLASSIFICATION.~~

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B. THE SUITABILITY OF THE PROPERTY IN QUESTION TO THE USES PERMITTED UNDER THE EXISTING ZONING CLASSIFICATION COMPARED TO THE USES PERMITTED UNDER THE PROPOSED ZONING CLASSIFICATION.

C. THE TREND OF DEVELOPMENT IN THE GENERAL AREA, INCLUDING ANY CHANGES IN ZONING CLASSIFICATION OF THE SUBJECT PROPERTY OR OTHER PROPERTIES IN THE AREA AND THE COMPATIBILITY WITH EXISTING AND PROPOSED DEVELOPMENT FOR THE AREA.

D. WHETHER THERE HAS BEEN A SUBSTANTIAL CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD WHERE THE PROPERTY IS LOCATED OR THAT THERE WAS A MISTAKE IN THE EXISTING ZONING CLASSIFICATION.

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~~B. THE AVAILABILITY OF PUBLIC FACILITIES;~~

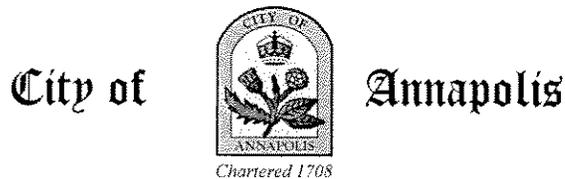
~~C. PRESENT AND FUTURE TRANSPORTATION PATTERNS;~~

~~D. COMPATIBILITY WITH EXISTING AND PROPOSED DEVELOPMENT FOR THE AREA;~~

~~E. THE RELATIONSHIP OF THE PROPOSED AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN;~~

~~F. A SUBSTANTIAL AND UNANTICIPATED CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD WHERE THE PROPERTY IS LOCATED;~~

~~G. A MISTAKE IN THE EXISTING ZONING CLASSIFICATION.~~



## PLANNING COMMISSION

(410)263-7961

145 GORMAN STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MARYLAND 21401

October 4, 2012

**To: Annapolis City Council**

**From: Planning Commission**

**Re: Findings for O-26-12: Revisions to the Zoning Map Amendment Process**

### SUMMARY

O-26-12 proposes changes to Chapter 21.34 (Zoning Map Amendments) of the Annapolis City Code that will establish three categories of map amendments. The three categories are: local zoning map amendments, sectional zoning map amendments, and comprehensive zoning map amendments.

### STAFF RECOMMENDATION

At a regularly scheduled meeting on October 4, 2012, the Planning and Zoning staff presented their analysis and recommendations for approval of the legislation.

Staff reviewed the background of the proposed regulations and then provided an analysis. This information was forwarded to the Planning Commission for review in a report dated September 10, 2012.

Staff stated that under the current City Code, there is no explicit mechanism provided for a sectional or comprehensive rezoning process. What is currently provided is the process for a rezoning of a single tract of land that typically would be requested by the property owner based on a change in the character of the neighborhood or a previous mistake in the zoning classification. This type of map amendment is distinct from a sectional or comprehensive zoning map amendment because an application for a local map amendment does not necessarily follow a study, plan, or public process that has specifically recommended a zoning change.

The sectional zoning map amendment would apply to a portion of the City where rezoning was proposed following the completion of a sector or area plan. An example would be an adopted neighborhood or corridor plan that recommended either a different zoning district or a re-alignment of existing zoning districts. The comprehensive zoning map amendment would be a proposed rezoning affecting the entire city. Examples would be if multiple zoning districts were combined into one zoning district or the use of Geographic Information Systems (GIS) mapping technology to provide a technical update to the zoning maps (i.e., property zoning would not change, but the technological mechanism for physically displaying and storing the zoning information would be updated).

The proposed ordinance would maintain the process for introducing a local zoning map amendment—such amendment can be introduced by any governmental agency or any person with a proprietary interest in the property. A sectional zoning map amendment can be filed only by the Planning Commission upon completion of a sector or area plan. Likewise, a comprehensive zoning map amendment could only be filed by the Planning Commission.

Another difference between the local zoning map amendment and the proposed sectional and comprehensive zoning map amendments are the notification requirements. A local map amendment retains the requirements of City Code Sections 21.10.020(B) and 21.10.020(C), which are:

*B. Notice to Abutting Property Owners. If the Zoning Code Division II provisions applicable to a specific type of application provide for notice to abutting property owners, unless specific notice procedures are otherwise provided for in another Zoning Code chapter, notice must be given as follows:*

- 1. The applicant must send written notification to all parties with a financial or vested interest in the property that is the subject of the application and to property owners within two hundred feet of the property boundary. Notice of public hearings must be mailed not less than fifteen days prior to the date of hearing.*
- 2. Prior to any public meeting or public hearing on an application, the applicant must provide the Planning and Zoning Director with verification of mailing of written notification. An applicant must provide evidence that notices of the public hearing were mailed not less than fifteen days prior to the date of hearing.*
- 3. The notification must be posted at a designated central location for similar notices at the Department of Planning and Zoning.*

*C. Notice of Formal Public Hearing. If notice of a formal public hearing is required, unless specific notice procedures are otherwise provided for in another Division II chapter of the Zoning Code, notice must be given as follows:*

- 1. Notice of the application and any required public hearings at which the application will be considered shall be published in a newspaper of general circulation in the City no fewer than once each week for two successive weeks. The first notice of the hearing must be at least fifteen days before the hearing.*
- 2. Notice must be posted on the property that is the subject of an application by the applicant or the property owner, if not the same, at least fifteen days prior to any public hearing on the application and in a manner prescribed by the Planning and Zoning Director. Any sign posted on a property by an applicant must be removed by the applicant within seven days following the close of the public hearing. Failure to post shall be governed by (A)(4) above.*

**Annapolis City Council**

**Findings: O-26-12**

**October 4, 2012**

Page 3

The notice requirements for a sectional or comprehensive zoning map amendment are in accordance with Section 21.10.020(C)(1), which is notice published in a newspaper of general circulation no fewer than once each week for two successive weeks. Because these zoning map amendments can only be filed after an extensive public planning process, a posting on the properties concerned or written notification to all parties with a financial or vested interest in the property that is the subject of the application and to property owners within two hundred feet of the property boundary would be redundant with previous efforts.

The ordinance also proposes a change to the wording of the review criteria and findings that are required for a zoning map amendment. This change is proposed to update Title 21 to be in accordance with Maryland Annotated Code Article 66B – Land Use.

**PUBLIC HEARING AND DELIBERATION**

In accordance with the Annapolis City Code, a public hearing was held and the public was invited to comment on the proposed text amendment. No one spoke on the legislation.

At the close of the public hearing, the Planning Commission entered into deliberations. The Commission concurred with staff.

**RECOMMENDATION**

By a vote of 6-0, the Planning Commission voted to recommend approval of O-26-12.

Adopted October 4, 2012



Dr. Eleanor M. Harris, Chair

FISCAL IMPACT NOTE

**Legislation No:** O-26-12

**First Reader Date:** 7-23-12

**Note Date:** 9-14-12

**Legislation Title:** Revisions to the Zoning Map Amendment Process

**Description:** For the purpose amending Chapter 21.34 (Zoning Map Amendments) of the Annapolis City Code by establishing new procedures for local zoning map amendments, sectional zoning map amendments, and comprehensive zoning map amendments.

**Analysis of Fiscal Impact:**

This legislation produces no significant fiscal impact.

1 CITY COUNCIL OF THE  
2 City of Annapolis

3  
4 Ordinance No. O-42-12

5 Introduced by: Alderwoman Finlayson  
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LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
11/26/12	12/17/12	12/13/12	02/24/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Government	11/26/12		

8  
9 AN ORDINANCE concerning

10  
11 Residency of Certain Department Directors

12 FOR the purpose of amending the residency requirement for certain department directors.

13 BY amending the following portion of the Code of the City of Annapolis, 2012 Edition:  
14 2.04.060.  
15

16  
17 SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY  
18 COUNCIL that the Code of the City of Annapolis shall be amended to read as follows:

19 2.04.060 – Residency of department directors.

20 The department directors specified in this section shall reside either in the City or within a  
21 [fifteen] FIFTY-road-mile radius of the City's boundaries, except at the time of appointment or  
22 employment. The residence required by this section shall be established within three months of  
23 appointment or employment by the following department directors:

- 24 A. Chief, Police Department;  
25 B. Chief, Fire Department;  
26 C. Director of Public Works.  
27

28 SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE  
29 ANNAPOLIS CITY COUNCIL that this Ordinance shall take effect from the date of its passage.  
30

31 ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
32  
33

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

\_\_\_\_\_  
Regina C. Watkins-Eldridge, MMC, City Clerk

\_\_\_\_\_  
Joshua J. Cohen, Mayor

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**EXPLANATION**

CAPITAL LETTERS indicate matter added to existing law.

[brackets] indicate matter stricken from existing law.

Underlining indicates amendments.

## **Policy Report**

**O-42-12**

### **Residency of Certain Department Directors**

This proposed ordinance would amend Section 2.04.060 of the Code of the City of Annapolis. Certain department directors would be required reside in the City or within a fifty-road-mile radius of the City's boundaries. The following department directors would be subject to the residency requirements proposed by this ordinance:

- A. Chief, Police Department
- B. Chief, Fire Department
- C. Director of Public Works

MD. CODE ANN. POLITICAL SUBDIVISIONS ART., Sec. 1-107, et seq. (2012) allows political subdivisions to establish residency requirements for department heads or administrators that report directly to the elected executive or governing body of the political subdivision.

Prepared by Carol Richardson, Legislative and Policy Analyst in the Office of Law, (410) 263-1184 or [cdrichardson@annapolis.gov](mailto:cdrichardson@annapolis.gov)



City of Annapolis City Council  
Standing Committee Referral Action Report

Date: 2/4/13

To: Jessica Cowles,  
City of Annapolis Office of Law,  
Legislative and Policy Analyst

The Rules and City Government Committee has reviewed 0-42.12 and  
has taken the following action:

Favorable

Favorable with amendments

Unfavorable

No Action

Other

Comments:

*Delete the reference to Residency  
of Department directors  
delete all of 2.04.060*

Roll Call Vote:

Ald. Israel, Chair yes

Ald. Hoyle yes

Ald. Arnett yes

Meeting Date 2/4/13

Signature of Chair Rachel Israel

FISCAL IMPACT NOTE

**Legislation No:** O-42-12

**First Reader Date:** 11/26/12

**Note Date:** 12/13/12

**Legislation Title:** **Residency of Certain Department Directors**

**Description:** 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.

**Analysis of Fiscal Impact:** This legislation will produce no significant fiscal impact.

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**CITY COUNCIL OF THE  
City of Annapolis**

**Resolution No. R-1-13**

**Introduced by: Alderman Pfeiffer**

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
1/14/13			4/14/13
Referred to	Referral Date	Meeting Date	Action Taken
Transportation	1/14/13		
Transportation Board	1/14/13		

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**A RESOLUTION concerning**

**Filing of Grant Application with the Mass Transit Administration**

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**FOR** the purpose of authorizing the filing of an application with the Mass Transit Administration of the Maryland Department of Transportation for a Sections 5303, 5304, 5307, 5309, 5310, 5311, 5316, and/or 5317 grants under the Federal Transit Act.

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**WHEREAS,** the Mass Transit Administration is the designated recipient in Maryland for grants under the Federal Transit Act; and

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**WHEREAS,** the Administrator of the Mass Transit Administration of the Maryland Department of Transportation is authorized to make grants to counties and to local governments for a mass transportation program of projects; and

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**WHEREAS,** the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs in the program; and

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**WHEREAS,** it is required by the United States Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964 that, in connection with the filing of an application for assistance under the Federal Transit Act, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the United States Department of Transportation requirements thereunder; and

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**WHEREAS,** it is the goal of the applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definite procedures shall be established and administered to ensure that minority business shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services.

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**NOW THEREFORE BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the filing of the application referred to above is hereby endorsed.

**AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the City Council hereby endorses this resolution, thereby indicating approval thereof.

**AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that a copy of this resolution be sent to the Mass Transit Administration of the Maryland Department of Transportation.

**ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

---

Regina C. Watkins-Eldridge, MMC, City Clerk

---

Joshua J. Cohen, Mayor

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**EXPLANATION**

CAPITAL LETTERS indicate matter added to existing law.

[brackets] indicate matter stricken from existing law.

Underlining indicates amendments.

---

**Policy Report**

**R-1-13**

**Filing of Grant Application with the Mass Transit Administration**

The proposed resolution would endorse the filing of an application with the Mass Transit Administration of the Maryland Department of Transportation for a Section 5303, 5304, 5307, 5309, 5310, 5311, 5316, and/or 5317 grant under the Federal Transit Act.

Prepared by Jessica Cowles, Legislative and Policy Analyst in the City of Annapolis Office of Law at JCCowles@annapolis.gov or 410.263.1184.

FISCAL IMPACT NOTE

**Legislation No:** R-1-13

**First Reader Date:** 1/14/13

**Note Date:** 1/24/13

**Legislation Title: Filing of Grant Application with the Mass Transit Administration**

**Description:** For the purpose of authorizing the filing of an application with the Mass Transit Administration of the Maryland Department of Transportation for a Sections 5303, 5304, 5307, 5309, 5310, 5311, 5316, and/or 5317 grants under the Federal Transit Act.

**Analysis of Fiscal Impact:** If awarded, this State grant can be expected to provide funding for about 20% of the FY2013 eligible operating costs of the Annapolis Department of Transportation, \$416,000 in ADA operating assistance and \$882,625 in operating assistance. Additionally, the City can expect a grant for about 90% of the Department of Transportation's eligible capital costs, amounting to about \$645,000 for the same period.

1 **CITY COUNCIL OF THE**  
2 **City of Annapolis**

3  
4 **Resolution No. R-3-13**

5 **Introduced by: Alderman Pfeiffer**  
6  
7

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
2/11/13			5/10/13
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	2/11/13		
Historic Markers	2/11/13		

8  
9 **A RESOLUTION** concerning

10 **Advocating for the City of Annapolis to be Named as the Home for a National Continental**  
11 **Congress Center**

12 **FOR** the purpose of expressing the sense of the City Council that the City of Annapolis be  
13 named as the home for a National Continental Congress Center.

14  
15 **WHEREAS,** events important to the founding of our Nation occurred in Annapolis, Maryland in  
16 the years between 1774-1789; and

17  
18 **WHEREAS,** Annapolis was the capital of the United States from November 26, 1783 to  
19 August 13, 1784, the first peacetime capital; and

20  
21 **WHEREAS,** the resignation of George Washington from the powerful position of General of  
22 the Continental Army that established civilian government took place in  
23 Annapolis on December 23, 1783; and

24  
25 **WHEREAS,** President Thomas Mifflin signed the Treaty of Paris Proclamation, ending the war  
26 for independence by ratifying the Treaty of Paris, in Annapolis on January 14,  
27 1784; and

28  
29 **WHEREAS,** President Thomas Mifflin appointed Thomas Jefferson as Minister to France on  
30 May 7, 1784 during the time Congress met in Annapolis; and

31  
32 **WHEREAS,** Annapolis sent Samuel Chase to represent the State of Maryland at the Mount  
33 Vernon Conference in March of 1785; and

34  
35 **WHEREAS,** the Annapolis Convention at Mann's Tavern from September 11-14, 1786  
36 initiated the national meetings that would continue in Philadelphia in 1787 to write  
37 the Constitution; and

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**WHEREAS,** a committee of citizens known as the National Continental Congress Center Founders' Association, a project of the Annapolis Continental Congress Society, is dedicated to bringing all of the stories of the Nation's formative years (1774-1789) and the documents and conventions such as the Articles of Confederation, the Treaty of Paris and its Proclamation, and the 1786 Convention, that took place before the Constitution but were critical to the founding of this republic; and

**WHEREAS,** a National Continental Congress Center with exhibits, public forums and interactive, interpretive, historical experiences will educate the public about this time in our history and provide an historical bridge between the National Constitution Center in Philadelphia, Pennsylvania and the new George Washington Presidential Library at Mount Vernon, Virginia; and

**WHEREAS,** a National Continental Congress Center in Annapolis will invigorate an understanding of this Nation's beginnings and the important role Annapolis has played in its history.

**NOW THEREFORE BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the Council applauds and supports the efforts of the Annapolis Continental Congress Society to establish a National Continental Congress Center in Maryland's Capital City and so direct that this resolution be forwarded to Governor Martin O'Malley, President of the Senate Mike Miller and Speaker of the House Michael Busch to be shared with Maryland State Legislators and to Maryland's Congressional Delegation.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

\_\_\_\_\_  
Regina C. Watkins-Eldridge, MMC, City Clerk

\_\_\_\_\_  
Joshua J. Cohen, Mayor

**EXPLANATION**

CAPITAL LETTERS indicate matter added to existing law.  
[brackets] indicate matter stricken from existing law.  
Underlining indicates amendments.

## **Policy Report**

**R-3-13**

### **Advocating for the City of Annapolis to be Named as the Home for a National Continental Congress Center**

The proposed resolution would express the sense of the City Council that the City of Annapolis be named as the home for a National Continental Congress Center.

Prepared by Jessica Cowles, Legislative and Policy Analyst in the City of Annapolis Office of Law at [JCCowles@annapolis.gov](mailto:JCCowles@annapolis.gov) or 410.263.1184.

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**CITY COUNCIL OF THE  
City of Annapolis**

**Resolution No. R-7-13**

**Introduced by: Mayor Cohen**

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
2/11/13			5/10/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	2/11/13		
Transportation	2/11/13		
Planning Commission	N/A	1/3/13	Favorable
Transportation Board	2/11/13		

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**A RESOLUTION** concerning

**Wayfinding and Signage Master Plan**

**FOR** the purpose of adopting the Draft Wayfinding and Signage Master Plan as an addendum to the 2009 Annapolis Comprehensive Plan.

**WHEREAS,** the Maryland Annotated Code, Land Use Article, Title 3, requires municipalities to adopt comprehensive plans, which are to include policies, statements, goals, and interrelated plans for private and public land use, transportation, and community facilities, and which are to be documented in texts and maps that constitute the guide for future development; and

**WHEREAS,** the Annapolis City Council adopted successive comprehensive plans for the City in 1975, 1985, 1998, and 2009; and

**WHEREAS,** on October 5, 2009 the Annapolis City Council adopted the 2009 Annapolis Comprehensive Plan pursuant to R-32-09 Amended; and

**WHEREAS,** the City of Annapolis received a grant from the Baltimore Metropolitan Council to improve its wayfinding and signage for vehicles, pedestrians, and bicyclists. Building on previous efforts, the Wayfinding and Signage Master Plan includes an inventory of existing wayfinding signage, preferred location and content for a comprehensive program of wayfinding signs, and a comprehensive wayfinding analysis that recommends future wayfinding technologies and strategies that will benefit the City; and

1 **WHEREAS,** one of the goals of the 2009 Annapolis Comprehensive Plan was to improve  
2 circulation, accessibility, and mobility in the City by focusing on travel demand  
3 management. One component of a travel demand management program is  
4 marketing materials that inform people about travel choices; and  
5

6 **WHEREAS,** better wayfinding has long been a key recommendation made by many groups  
7 who look at parking and transportation in Annapolis. There have been previous  
8 efforts to improve wayfinding in the City; however, this is the first time that there  
9 has been a broad perspective that includes many different technologies and a  
10 comprehensive framework of analysis.

11  
12 **WHEREAS,** the proposed wayfinding system will: 1) help the City be flexible in adapting to  
13 emerging wayfinding technologies; 2) aid in the creation of a cohesive program  
14 of placemaking and wayfinding that identifies gateways, cultural districts, City  
15 landmarks, and public services; and 3) influences travel behavior and promotes  
16 multi-modal travel options.

17  
18 **WHEREAS,** public input into the Wayfinding and Signage Master Plan involved the  
19 formation of a 10-person steering committee, including the Executive Director  
20 of the Four Rivers Heritage Area; the president & CEO of the Annapolis & Anne  
21 Arundel County Conference & Visitors Bureau; the president & CEO of the  
22 Annapolis Economic Development Corporation; the architect for the United  
23 States Naval Academy; and City staff from the Departments of Transportation,  
24 Public Works, Finance-MIT, and Planning and Zoning. Stakeholder interviews  
25 over a two-day period in May 2012 and an open house in August 2012  
26 completed the public input process; and  
27

28 **WHEREAS,** the Planning Commission has recommended to the City Council the adoption  
29 of a Wayfinding and Signage Master Plan as an addendum to the 2009  
30 Annapolis Comprehensive Plan and transmitted the Draft Wayfinding and  
31 Signage Master Plan to the Annapolis City Council on February 7, 2013; and  
32

33 **WHEREAS,** the Wayfinding and Signage Master Plan, if adopted by the City Council by  
34 passage of this Resolution, shall constitute an addendum to the 2009  
35 Annapolis Comprehensive Plan which sets forth goals and a guide for future  
36 development; and  
37

38 **NOW, THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY** that the Draft Wayfinding  
39 and Signage Master Plan is available online at:  
40 <http://www.annapolis.gov/Government/Departments/PlanZone/Wayfinding.aspx> and is hereby  
41 adopted; and  
42

43 **BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the Wayfinding and  
44 Signage Master Plan be, and the same hereby, made part of the 2009 Annapolis  
45 Comprehensive Plan. The Plan shall be known as the "Wayfinding and Signage Master Plan."  
46

47 **BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the adoption of the  
48 Wayfinding and Signage Master Plan shall not be construed as an approval of individual  
49 projects that may be recommended therein, and that the Annapolis City Council reserves the  
50 right to consider, debate, oppose, or support specific actions that may come before the Council  
51 and that are intended to implement specific elements of the Plan.

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**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

\_\_\_\_\_  
Regina C. Watkins-Eldridge, MMC, City Clerk

\_\_\_\_\_  
Joshua J. Cohen, Mayor

**EXPLANATION**

CAPITAL LETTERS indicate matter added to existing law.  
[brackets] indicate matter stricken from existing law.  
Underlining indicates amendments.

## **Policy Report**

**R-7-13**

### **Wayfinding and Signage Master Plan**

The proposed resolution would adopt the Draft Wayfinding and Signage Master Plan as an addendum to the 2009 Annapolis Comprehensive Plan. One of the goals of the 2009 Annapolis Comprehensive Plan was to improve circulation, accessibility, and mobility in the City by focusing on travel demand management. One component of a travel demand management program is marketing materials that inform people about travel choices.

Better wayfinding has long been a key recommendation made by many groups who look at parking and transportation in Annapolis. There have been previous efforts to improve wayfinding in the City; however, this is the first time that there has been a broad perspective that includes many different technologies and a comprehensive framework of analysis. The proposed wayfinding system will: 1) help the City be flexible in adapting to emerging wayfinding technologies; 2) aid in the creation of a cohesive program of placemaking and wayfinding that identifies gateways, cultural districts, City landmarks, and public services; and 3) influences travel behavior and promotes multi-modal travel options.

Prepared by Sally Nash, Senior Planner in the Department of Planning and Zoning at [SNash@annapolis.gov](mailto:SNash@annapolis.gov) or 410.263.7961 and Jessica Cowles, Legislative and Policy Analyst in the City of Annapolis Office of Law at [JCCowles@annapolis.gov](mailto:JCCowles@annapolis.gov) or 410.263.1184.

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**CITY COUNCIL OF THE  
City of Annapolis**

**Resolution No. R-8-13**

Introduced by: Alderman Pfeiffer

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
Referred to	Referral Date	Meeting Date	Action Taken
2/11/13			5/10/13
Economic Matters	2/11/13		
Alcoholic Beverage Control Board	2/11/13		

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9 **A RESOLUTION** concerning

10 **Expressing Support for House Bill 145 and Senate Bill 244 – Refillable Container**  
11 **Alcoholic Beverage License in the City of Annapolis**

12 **FOR** the purpose of expressing the Annapolis City Council's support of House Bill 145 and  
13 Senate Bill 244 before the General Assembly regarding an alcoholic beverage license  
14 component for refillable containers for holders of Class A (package goods) and Class D  
15 (taverns) alcoholic beverage licenses.

16  
17 **WHEREAS,** Senator Astle and Delegate George have introduced legislation in the General  
18 Assembly that would create in the City of Annapolis a refillable container  
19 license to sell draft beer for consumption off the licensed premises; and  
20

21 **WHEREAS,** HB 145 and SB 244 respond to the growing popularity of limited editions of  
22 micro-brewed beer and provide environmental benefits by requiring fewer cans  
23 and bottles by re-using refillable containers; and  
24

25 **WHEREAS,** the refillable container license would be a component of an existing Class A  
26 (package goods) or Class D (taverns) alcoholic beverage license; and  
27

28 **WHEREAS,** the refillable container would have a capacity of less than 32 ounces and not  
29 more than 128 ounces; and  
30

31 **WHEREAS,** HB 145 and SB 244 would establish an annual license fee of \$500 for an  
32 applicant whose alcoholic beverage license does not have an off-sale privilege;  
33 and  
34

1 **WHEREAS,** HB 145 and SB 244 would establish an annual license fee of \$50 for an  
2 applicant whose alcoholic beverage license does have an off-sale privilege;  
3 and  
4

5 **WHEREAS,** there are currently 17 Class A alcoholic beverage license holders and 1 Class  
6 D alcoholic beverage license holder in the City of Annapolis.  
7

8 **NOW THEREFORE BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that R-8-13  
9 expresses the support of House Bill 145 and Senate Bill 244 before the General Assembly  
10 regarding an alcoholic beverage license component for refillable containers for holders of Class  
11 A (package goods) and Class D (taverns) alcoholic beverage licenses.  
12

13  
14 **AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that copies of this  
15 Resolution shall be sent to the Anne Arundel County Executive, the Anne Arundel County  
16 Council, the Governor of Maryland, the President of the Senate, the Speaker of the House of  
17 Delegates, and the District 30 General Assembly delegation.  
18

19  
20 **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
21  
22

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

\_\_\_\_\_  
Regina C. Watkins-Eldridge, MMC, City Clerk

\_\_\_\_\_  
Joshua J. Cohen, Mayor

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28 **EXPLANATION**

29 CAPITAL LETTERS indicate matter added to existing law.  
30 [brackets] indicate matter stricken from existing law.  
31 Underlining indicates amendments.  
32

## **Policy Report**

**R-8-13**

### **Expressing Support for House Bill 145 and Senate Bill 244 – Refillable Container Alcoholic Beverage License in the City of Annapolis**

The proposed resolution would express the Annapolis City Council's support of House Bill 145 and Senate Bill 244 before the General Assembly regarding an alcoholic beverage license component for refillable containers for holders of Class A (package goods) and Class D (taverns) alcoholic beverage licenses.

Prepared by Jessica Cowles, Legislative and Policy Analyst in the City of Annapolis Office of Law at [JCCowles@annapolis.gov](mailto:JCCowles@annapolis.gov) or 410.263.1184.

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**CITY COUNCIL OF THE  
City of Annapolis**

**Resolution No. R-9-13**

**Introduced by: Mayor Cohen and Alderman Pfeiffer**

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
Referred to	Referral Date	Meeting Date	Action Taken
2/11/13			5/10/13
Rules and City Gov't	2/11/13		

8  
9 **A RESOLUTION** concerning

10 **Municipal Elections Coinciding with State of Maryland Elections**

11 **FOR** the purpose of expressing the sense of the Annapolis City Council that the City elections  
12 for Mayor, Aldermen and Alderwomen, and City Central Committees should be adjusted  
13 to coincide with State gubernatorial elections, and that the City should request that the  
14 State authorize, by executive or legislative action as appropriate, inclusion of the City  
15 elections on the same ballot used for State of Maryland gubernatorial elections.

16  
17 **WHEREAS,** proposed Charter Amendment CA-2-12 was introduced on September 24,  
18 2012 and legislative action is pending before the Annapolis City Council; and

19 **WHEREAS,** proposed Charter Amendment CA-2-12 would amend the Charter of the City of  
20 Annapolis to establish the dates of the City's primary and general elections to  
21 coincide with the State of Maryland gubernatorial elections; and  
22

23 **WHEREAS,** only the State of Maryland, by authorization through executive or legislative  
24 action, may permit inclusion of the City elections on the same ballot used for  
25 State of Maryland gubernatorial elections.  
26

27 **NOW THEREFORE BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that this  
28 resolution expresses the sense of the Annapolis City Council that the City elections for Mayor,  
29 Aldermen and Alderwomen, and City Central Committees should be adjusted to coincide with  
30 State gubernatorial elections, and that the City should request that the State authorize, by  
31 executive or legislative action as appropriate, inclusion of the City elections on the same ballot  
32 used for State of Maryland gubernatorial elections.  
33

34  
35 **AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that copies of this  
36 Resolution shall be sent to the Anne Arundel County Executive, the Anne Arundel County

1 Council, the Governor of Maryland, the President of the Senate, the Speaker of the House of  
2 Delegates, and the District 30 General Assembly delegation.

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**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

\_\_\_\_\_  
Regina C. Watkins-Eldridge, MMC, City Clerk

\_\_\_\_\_  
Joshua J. Cohen, Mayor

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**EXPLANATION**

CAPITAL LETTERS indicate matter added to existing law.  
[brackets] indicate matter stricken from existing law.  
Underlining indicates amendments.

## **Policy Report**

**R-9-13**

### **Municipal Elections Coinciding with State of Maryland Elections**

The proposed resolution would express the sense of the Annapolis City Council that the City elections for Mayor, Aldermen and Alderwomen, and City Central Committees should be adjusted to coincide with State gubernatorial elections, and that the City should request that the State authorize, by executive or legislative action as appropriate, inclusion of the City elections on the same ballot used for State of Maryland gubernatorial elections.

Prepared by Jessica Cowles, Legislative and Policy Analyst in the City of Annapolis Office of Law at [JCCowles@annapolis.gov](mailto:JCCowles@annapolis.gov) or 410.263.1184.

