

**CITY OF ANNAPOLIS
REGULAR MEETING OF THE CITY COUNCIL**

June 10, 2013 7:00 p.m.

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

Mayor Cohen
Alderman Pfeiffer
Mayor Cohen
City Clerk Watkins-Eldridge

CITY COUNCIL CITATIONS

Martha Wood Leadership Award

Mayor Cohen

PETITIONS, REPORTS AND COMMUNICATIONS

Approval of Journal Proceedings

Regular Meeting May 13, 2013
Special Meeting May 20, 2013

Reports by Committees

Comments by the General Public

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

PUBLIC HEARING

O-22-13 Heritage Commission – For the purpose of changing the name of the City of Annapolis’ Historical Markers Commission to the Heritage Commission in order to better reflect the Commission’s duties and responsibilities.

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
5/13/13	6/10/13	5/26/13	8/9/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov’t	5/13/13		

LEGISLATIVE ACTION

ORDINANCES and RESOLUTIONS – 2ND READER

O-25-11 The Definition of a Two-family Dwelling – For the purpose of including “two-family dwelling” in the definition of “single-family attached dwelling.”

LEGISLATIVE HISTORY			
First Reading	Public Hearing	Fiscal Impact Note	180 Day Rule
11/28/11	4/22/13	1/7/12	5/25/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov’t	11/28/11	5/14/13	Favorable
Planning Commission	11/28/11	3/8/13	Favorable w/ amd.

O-51-11Amd. Use and Redevelopment of Property in C2 Zoning Districts – For the purpose of adding certain provisions governing use and redevelopment of property located in a C2 Zoning District. *Postponed until 6/10/13; proposed to be postponed.*

LEGISLATIVE HISTORY			
First Reading	Public Hearing	Fiscal Impact Note	180 Day Rule
11/14/11	4/23/12	11/27/11	5/12/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	11/14/11	5/31/12	Unfavorable
Economic Matters	11/14/11	5/31/12	Favorable
Planning Commission	11/14/11	7/21/11	Favorable
	1/23/12	3/1/12	Favorable w/ amd.

O-52-11Amd. Rezoning Parcels [1244] 1247 and 1255, Grid 20, Tax Map 52A – For the purpose of rezoning parcels [1244] 1247 and 1255, Grid 20, Tax Map 52A to C2, "Conservation Business" Zoning District. *Postponed until 6/10/13; proposed to be postponed.*

LEGISLATIVE HISTORY			
First Reading	Public Hearing	Fiscal Impact Note	180 Day Rule
11/14/11	4/23/12	11/27/11	5/12/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	11/14/11	5/31/12	Unfavorable
Economic Matters	11/14/11	5/31/12	Favorable
Planning Commission	11/14/11	7/21/11	Favorable

O-28-12 Amending the Procedures for the Sale and Rental of Moderately Priced Dwelling Units – For the purpose of amending the procedures for the sale and rental of moderately priced dwelling units. *Alderswoman Hoyle requested to be added as a sponsor on 2nd Reader. Postponed until 6/10/13.*

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	9/24/12	9/14/12	1/21/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	7/23/12	11/13/12	Favorable
Housing and Human Welfare	7/23/12	11/13/12	Favorable
Planning Commission	7/23/12	9/13/12	Favorable w/amd.

- O-36-12 Permitted Hours of Sidewalk Cafes** – For the purpose of authorizing permitted sidewalk cafes to remain open during the normal business hours governing such establishments. *Postponed until 6/10/13.*

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
Economic Matters	9/24/12	6/6/13	
Planning Commission	11/26/12	5/2/13	Comments
Alcoholic Beverage Control Board	11/26/12	12/5/12	Favorable w/amd.

- O-41-12 Public Ethics and Financial Disclosure** – For the purpose of establishing minimum standards for the conduct of Annapolis government business and to assure the citizens of the City of that they may have the highest trust in public officials and employees and that the impartiality and independent judgment of public officials and employees will be maintained without improper or even the appearance of improper influence. To guard against improper influence, it is required that all City officials and employees maintain the highest ethical standards in conducting City business and that select City officials and employees disclose their financial affairs as provided in Section 2.08.60.

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
11/05/12	12/10/12	11/01/12	2/02/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Government	11/05/12	1/8/13 5/23/13	Favorable Favorable w/ amd.

- 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.

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
1/28/13	4/22/13	1/30/13	7/26/13

Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	1/28/13	5/14/13	Favorable
Planning Commission	1/28/13	3/8/13	Favorable

O-10-13 Compensation of Mayor, Aldermen/Alderwomen, and City Manager – For the purpose of specifying compensation and allowances to be paid to the Mayor and Aldermen/Alderwomen for the term of office commencing on the first Monday in December, 2013; and for specifying compensation and allowances to be paid to the City Manager.

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
4/22/13	5/13/13	4/24/13	7/19/13
Referred to	Referral Date	Meeting Date	Action Taken
Finance	4/22/13	5/23/13	Favorable
Rules and City Gov't	4/22/13	5/14/13	Favorable

O-20-13 Highly Compensated Employees in the Police and Fire Retirement Plan - For the purpose of establishing the definition of “highly compensated employee” within the Police and Fire Retirement Plan and authorizing such highly compensated employee participation in the Police and Fire Retirement 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
4/22/13	5/20/13	4/24/13	7/19/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	4/22/13	5/23/13	Favorable
Public Safety	4/22/13	6/4/13	Favorable

R-10-13 A Protocol for Ensuring the Implementation of the Forest Conservation Act – For the purpose of enacting a protocol to ensure the implementation of the Forest Conservation Act. *Proposed to be withdrawn.*

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
4/8/13	N/A	4/10/13	6/7/13
Referred to	Referral Date	Meeting Date	Action Taken

Economic Matters	4/8/13	4/15/13	Unfavorable
Environmental Matters	4/8/13	5/15/13	Favorable w/ amd.

R-27-13 Timothy House Rehabilitation of Timothy House and Redevelopment of Timothy Gardens – For the purpose of approving the rehabilitation of Timothy House and redevelopment of Timothy Gardens Project-based Section 8 properties in Annapolis, Maryland to be financed either directly by the Department of Housing and Community Development (the "Department") of the State of Maryland or through the Department's Community Development Administration (the "Administration").

LEGISLATIVE HISTORY			
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First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
5/20/13	N/A	5/30/13	8/16/13
Referred to	Referral Date	Meeting Date	Action Taken
Housing and Human Welfare	5/20/13	6/3/13	Favorable w/ amd.

R-28-13 Regionalizing Transit Service – For the purpose of expressing the sense of the Annapolis City Council for the Administration to move forward with negotiating a Memorandum of Understanding (MOU) with the Central Maryland Transportation & Mobility Consortium and to participate in a non-binding way with respect to the Request for Proposals. *Aldermen Littmann and Arnett request to be added as co-sponsors on 2nd Reader.*

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
5/20/13	N/A	5/29/13	8/16/13
Referred to	Referral Date	Meeting Date	Action Taken
Transportation	5/20/13		
Economic Matters	5/20/13	6/6/13	
Finance	5/20/13	6/4/13	Favorable
Rules	5/20/13		
Transportation Board	5/20/13		

Fiscal Year 2014 Budget and Related Legislation

O-11-13 Parking Permits for Contractors and Transporters of Merchandise and Materials – For the purpose of removing the distinction between contractor or merchandise/material transporter use of metered or un-metered parking spaces in determining the calculation of fees.

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
3/11/13	4/8/13	4/3/13	6/7/13
Referred to	Referral Date	Meeting Date	Action Taken
Public Safety	3/11/13	5/15/13	Favorable
Transportation	3/11/13	4/11/13	Favorable

O-12-13 Authorizing an Application Fee and Permit Fee for a Tree Removal Permit – For the purpose of authorizing the Department of Neighborhood and Environmental Programs to collect an application fee and permit fee for a tree removal permit.

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
3/11/13	4/8/13	3/26/13	6/7/13
Referred to	Referral Date	Meeting Date	Action Taken
Environmental Matters	3/11/13	4/18/13	Favorable

O-13-13 Authorizing a Fee for a Hearing Before the Board of Port Wardens – For the purpose of authorizing a fee for a hearing before the Board of Port Wardens.

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
3/11/13	4/8/13	3/27/13	6/7/13
Referred to	Referral Date	Meeting Date	Action Taken
Environmental Matters	3/11/13	4/18/13	Favorable

O-14-13 Clarification of the Utility Contractor Inspection Fee – For the purpose of clarifying the utility contractor inspection fee by deleting Section 16.04.030 of the Annapolis City Code and revising Section 16.04.060 in order to ensure objective and detailed inspection of any improvements and facilities, including

water and sewer pipes and appurtenances, storm drainage systems, curbs, gutters and pavement within easements or rights-of-way; and authorizing an inspection fee that varies by the value of the construction to be performed.

LEGISLATIVE HISTORY			
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First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
3/11/13	4/8/13	3/15/13	6/7/13
Referred to	Referral Date	Meeting Date	Action Taken
Environmental Matters	3/11/13	4/18/13	Favorable

O-15-13 Clarifying the Fee-in-Lieu for Trees in Development Areas – For the purpose of clarifying the fee-in-lieu for trees in development areas by addressing the contradiction between Section 17.09.070 (C) of the Annapolis City Code and the fee schedule.

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
3/11/13	4/8/13	3/26/13	6/7/13
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	3/11/13	4/15/13	Favorable

R-12-13 Capital Improvement Program: FY 2014 to FY 2019 – For the purposes of adopting a capital improvement program for the six-year period from July 1, 2013, to June 30, 2019.

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
3/11/13	4/8/13	3/15/13	6/7/13
Referred to	Referral Date	Meeting Date	Action Taken
Finance Committee	3/11/13	Multiple dates	Favorable w/ amd.
Planning Commission	3/11/13	4/18/13	Favorable w/ comments
Financial Advisory Commission	3/11/13	5/10/13	Comments

R-13-13 FY 2014 Fees Schedule Effective July 1, 2013 – For the purpose of specifying fees that will be charged for the use of City services for FY 2014.

LEGISLATIVE HISTORY			
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First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
3/11/13	4/8/13	4/2/13	6/7/13
Referred to	Referral Date	Meeting Date	Action Taken
Finance Committee	3/11/13	5/14/13 5/23/13	Favorable w/ amd.
Financial Advisory Commission	3/11/13	5/10/13	Comments

R-14-13 **FY 2014 Fines Schedule Effective July 1, 2013** – For the purpose of specifying fines that will be charged for FY 2014.

LEGISLATIVE HISTORY			
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First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
3/11/13	4/8/13	4/2/13	6/7/13
Referred to	Referral Date	Meeting Date	Action Taken
Finance	3/11/13	5/14/13 5/23/13	Favorable w/ amd.

R-15-13 **Position Classifications and Pay Plan** – For the purpose of approving the FY 2014 position classification and pay plan effective July 1, 2013.

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
3/11/13	4/8/13	4/2/13	6/7/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	3/11/13	4/15/13 5/23/13	Favorable
Finance	3/11/13	5/15/13	Favorable

O-8-13 **Annual Operating Budget: FY 2014** – For the purposes of adopting an operating budget for the City of Annapolis for the Fiscal Year 2014; appropriating funds for expenditures for the Fiscal Year 2014; defraying all expenses and liabilities of the City of Annapolis and levying same for the purposes specified; specifying certain duties of the Director of Finance; and, specifying a rate of interest to be charged upon overdue-property taxes.

LEGISLATIVE HISTORY			
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First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
3/11/13	4/8/13	3/15/13	6/7/13
Referred to	Referral Date	Meeting Date	Action Taken
Finance Committee	3/11/13	Multiple dates	Favorable w/ amd.
Financial Advisory Commission	3/11/13	5/10/13	Comments

O-9-13 Capital Improvement Budget: FY 2014 – For the purpose of adopting a capital improvement budget for the Fiscal Year 2014.

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
3/11/13	4/8/13	3/15/13	6/7/13
Referred to	Referral Date	Meeting Date	Action Taken
Finance Committee	3/11/13	Multiple dates	Favorable w/ amd.
Planning Commission	3/11/13	4/18/13	Favorable w/ comments
Financial Advisory Commission	3/11/13	5/10/13	Comments

ORDINANCE – 1st READER

O-25-13 Office or Studio of a Professional Person in the C1 (Conservation Residence) Zoning District - For the purpose of eliminating the office or studio of a professional person as a special exception subject to standards in the C1 – Conservation Residence zoning district.

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
6/10/13			12/6/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	6/10/13		
Planning Commission	6/10/13		

O-26-13 Pet Grooming Facilities – For the purpose of separately defining a “pet grooming facility” from a “personal care establishment,” and making a “pet

grooming facility” a use subject to standards in all zoning districts that currently allow personal care establishments.

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
6/10/13			12/6/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	6/10/13		
Planning Commission	6/10/13		

BUSINESS AND MISCELLANEOUS

1. Approval of Revised Community Development Block Grant Allocations
2. Approval of Towing Licenses
3. Appointment
4. Budget transfers

UPCOMING CITY COUNCIL EVENTS

Special Meeting: Monday, June 17, 2013, 7:00 p.m. City Council Chambers