



# City of Annapolis

160 Duke Of Gloucester  
Street  
Annapolis, MD 21401

## Regular Minutes - Final City Council

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Monday, April 13, 2015

7:00 PM

Mayor John T. Chambers, Jr.  
City Council Chambers

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### Call to Order

**Acting Mayor Paone called the meeting to order at 7:04 p.m.**

### Invocation

**Given by Alderwoman Pindell Charles.**

### Pledge of Allegiance

**Led by Acting Mayor Paone.**

### Roll Call

**Tonight's roll call began with Alderwoman Pindell Charles.**

**Present:** 8 - Alderman Budge, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

**Absent:** 1 - Mayor Pantelides

### Approval of Agenda

**Alderman Arnett moved to approve the agenda as submitted. Seconded.  
CARRIED on voice vote.**

### Presentation by Wes Adams, State's Attorney

*Wes Adams, States Attorney, 8 Church Circle, Annapolis, Maryland 21401 gave a brief presentation and answered questions from Council.*

**This was reported.**

### Approval of Journal of Proceedings

[CCM030915](#) Approval of Regular Meeting Minutes

**Attachments:** [March 9, 2015.pdf](#)

**Alderman Budge moved to approve the minutes of March 9, 2015. Seconded.  
CARRIED on voice vote.**

[CCM032315](#) Approval of Special Meeting Minutes

**Attachments:** [March 23, 2015.pdf](#)

Alderman Budge moved to approve the minutes of March 23, 2015. Seconded.  
CARRIED on voice vote.

### Ceremonial Items

[ID-157-15](#) City Council Citation - John O'Leary  
Annapolis St. Patrick's Day Parade

**Attachments:** [ID-157-15 Citation.doc](#)

This Ceremonial Item was presented

[ID-158-15](#) Martha Wood Leadership Award - "Creating Communities"

**Attachments:** [ID-158-15 Martha Wood Recipient.doc](#)

This Ceremonial Item was presented.

### Petitions, Reports and Communications

[ID-148-15](#) HACA Quarterly Report

**Attachments:** [ID-148-15 Audited Financial Statements FY14.pdf](#)  
[ID-148-15 Cooperation Agreement.PDF](#)

*Executive Director Leggett gave a brief update on the redevelopment projects and introduced the members of the Board of Commissioners for HACA.  
Chief Financial Officer Walton presented an overview of the financial situation.  
Members Callahan, Wells were also present.*

This Informational Item was reported.

### Reports by Committee

**Standing Committee Dates:**

**Rules and City Government**

Tuesday, April 14, 2015 | 4:00pm - 5:30pm

**Finance Committee Meeting**

Wednesday, April 15, 2015 | 2:00pm - 5:00pm

**Environmental Matters Committee**

Thursday, April 16, 2015 | 1:30pm - 3:00pm

**Finance Committee Meeting**

Monday, April 20, 2015 | 2:00pm - 5:00pm

**Public Safety Committee**

Monday, April 20, 2015 | 5:00pm - 6:30pm

**Economic Matters Committee**

Monday, April 20, 2015 | 6:30pm - 8:00pm

**Transportation Committee**

Tuesday, April 21, 2015 | 6:30pm - 7:30pm

**Housing and Human Welfare/Housing and Community Development**

Tuesday, April 21, 2015 | 7:30pm - 8:30pm

**Finance Committee Meeting**  
**Wednesday, April 22, 2015 | 2:00pm - 5:00pm**  
**Finance Committee Meeting**  
**Monday, April 27, 2015 | 2:00pm - 5:00pm**

### Comments by the General Public

*Rob Savidge, 12 Windwhisper Lane, Annapolis, Maryland 21403 spoke in opposition to the Report of Review from David A. Plymyer, Attorney at Law, 397 Gambel Oak Court, Millersville, Maryland 21108 to Michael G. Leahy, City Attorney dated March 31, 2015 regarding Local Forest Conservation Program.*

*Anastasia Hopkinson, 1036 Harbor Drive, Annapolis, Maryland 21403 representing the Annapolis Neck Peninsula Association spoke on the Report of Review from David A. Plymyer, Attorney at Law, 397 Gambel Oak Court, Millersville, Maryland 21108 to Michael G. Leahy, City Attorney dated March 31, 2015 regarding Local Forest Conservation Program.*

*David Prosten, 3120 Munz Drive, Annapolis, Maryland 21403 spoke on the to the Report of Review from David A. Plymyer, Attorney at Law, 397 Gambel Oak Court, Millersville, Maryland 21108 to Michael G. Leahy, City Attorney dated March 31, 2015 regarding Local Forest Conservation Program.*

*Paul Murphy, 105 Northwest Street, Annapolis, Maryland 21401 representing the Environmental Commission spoke in favor of conducting a Phase II of the FCA Investigation.*

**Alderman Littmann requested an email sent from Tracy McGranaghan, 370 Hilltop Lane, Annapolis, Maryland Re: Please conduct Phase II of the FCA Investigation be a part of tonight's testimony.**  
**Acting Mayor Paone declared the petitions, reports and communications closed.**

### Public Hearings Cont...

[O-35-14](#) **Planning Commission Member Qualifications** - For the purpose of amending the membership qualifications of the Planning Commission so that at least one member has a working knowledge in the fields of forest conservation and environmental matters.

**Sponsors:** Littmann

**Attachments:** [O-35-14 PC Member Requirement.docx](#)

[O-35-14 Staff Report.pdf](#)

[O-35-14 Fiscal Impact.pdf](#)

[O-35-14 LittmannAmendment.docx](#)

[O-35-14 Staff Report to PC.pdf](#)

[O-35-14 PC Findings.pdf](#)

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

**Acting Mayor Paone accepted into the record a memorandum to the Annapolis City Council from the Planning Commission dated 4/2/15, and Memoranda from C. Pete Gutwald, Director to the Planning Commission dated 1/15/15.**  
**Acting Mayor Paone declared the public hearing on O-35-14 closed.**

**Public Hearings**

**O-3-15**      **Risk Management** - For the purpose of providing that the City Council may establish written rules and regulations as necessary in the interest of risk management.

**Sponsors:** Finlayson, Paone and Pindell Charles

**Attachments:** [O-3-15 Risk Management Rules and Regs.docx](#)  
[O-3-15 Staff Report.docx](#)  
[O-3-15 Fiscal Impact.pdf](#)  
[O-3-15 Revised Rules Amendments 5-12-15.docx](#)

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

**Acting Mayor Paone declared the public hearing on O-3-15 closed.**

**R-7-15**      **City Sponsored Special Events in Fiscal Year 2016** - For the purpose of identifying City Sponsored Special Events and waiving certain related City Fees during Fiscal Year 2016.

**Sponsors:** Budge

**Attachments:** [R-7-15 City Sponsored Special Events.docx](#)  
[R-7-15 Staff Report.doc](#)  
[R-7-15 Fiscal Impact.pdf](#)  
[R-7-15 Special Events Cost Analysis](#)  
[R-7-15 FC Amendments.docx](#)  
[R-7-15 Signed.pdf](#)

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

**Acting Mayor Paone declared the public hearing on R-7-15 closed.**

**R-9-15**      **City Debt and Financial Administration Policies** - For the purpose of formally amending and approving the debt and financial administration policies for the City of Annapolis.

**Sponsors:** Pantelides

**Attachments:** [R-9-15 Debt and Finance Policies Resolution.docx](#)  
[R-9-15 Staff Report.pdf](#)  
[R-9-15 Fiscal Impact.pdf](#)  
[R-9-15 FAC Recommendation.pdf](#)  
[R-9-15 Rules Amendments.docx](#)  
[R-9-15 Arnett Amendment.docx](#)  
[R-9-15 Signed.pdf](#)

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

**Acting Mayor Paone declared the public hearing on R-9-15 closed.**

## **Legislative Action**

### **A. Second Readers**

#### **R-3-15**

**The Parking Authorities Act** - For the purpose of respectfully requesting that the Maryland General Assembly amend Section 18-103 of the Local Government Article of the Annotated Code of Maryland so that the Parking Authorities Act shall be applicable to the City of Annapolis.

**Sponsors:** Pantelides

**Attachments:** [R-3-15 Parking Authority.doc](#)  
[R-3-15 Staff Report.docx](#)  
[R-3-15 Fiscal Impact Note.pdf](#)  
[Finance Committee Amendment to R-3-15.docx](#)  
[Senate Bill 540](#)  
[House Bill 809](#)  
[R-3-15 TB Recommendation.pdf](#)

**Alderman Budge moved to adopt R-3-15 on second reader. The motion FAILED for lack of a Seconded.**

#### **R-4-15**

**The Annotated Code of Maryland Public Utilities Article Definitions of Taxicab and Provision of Taxicab Services** - For the purpose of respectfully requesting that the Maryland General Assembly amend Sections 1-101 and 10-101 of the Public Utilities Article of the Annotated Code of Maryland to incorporate the use of a software application, digital wireless network or digital telecommunications capable device in the context of regulating the provision of taxicab services in the City of Annapolis.

**Sponsors:** Pantelides and Budge

**Attachments:** [R-4-15 State Taxicab Definitions.doc](#)  
[R-4-15 Staff Report.docx](#)  
[R-4-15 Fiscal Impact.pdf](#)  
[R-4-15 TB Recommendation.pdf](#)

**Alderman Budge moved to adopt R-4-25 on second reader. Seconded. DEFEATED on voice vote.**

#### **O-9-15**

**Transportation Board Quorum** - For the purpose of establishing a quorum of the Transportation Board as a simple majority of the sworn members.

**Sponsors:** Budge

**Attachments:** [O-9-15 Transportation Board Quorum.docx](#)  
[O-9-15 Staff Report.docx](#)  
[O-9-15 Fiscal Impact.pdf](#)  
[O-9-15 Rules Amendment.docx](#)  
[O-9-15 Transportation Board Recommendation.pdf](#)  
[O-9-15 Signed.pdf](#)

**Alderman Arnett moved to adopt O-9-15 on second reader. Seconded.**

**Alderman Arnett moved to amend O-9-15 as follows: Rules and City Government Committee Amendment:**

**Amendment #1**

**Page 3, Lines 30-34 shall be amended as follows:**

**1. A recommendation, or action of the Board shall be adopted only upon a majority of the members present and voting, a quorum of eight being necessary to conduct its business and shall be based upon publicly available information, statistics, or data. A QUORUM OF THE SIMPLE MAJORITY OF THE SWORN MEMBERS SHALL BE NECESSARY TO CONDUCT BUSINESS. A QUORUM, COMPRISES A SIMPLE MAJORITY OF THE SWORN MEMBERS, OR FIVE, WHICHEVER IS GREATER, AND SUCH A QUORUM IS NECESSARY TO CONDUCT BUSINESS. Seconded. CARRIED on voice vote.**

**Alderman Arnett moved to adopt O-9-15 as amended on second reader. Seconded. CARRIED on voice vote.**

**Alderman Budge moved to adopt O-9-15 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:**

**Aye:** 8 - Alderman Budge, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

**Absent:** 1 - Mayor Pantelides

### [O-16-15](#)

**Issuance of General Obligation Bonds** - For the purpose of authorizing and empowering the City of Annapolis (the "City") to issue and sell, upon its full faith and credit, general obligation bonds in the aggregate principal amount not to exceed Eleven Million Five Hundred Fifty Thousand Dollars (\$11,550,000), pursuant to Sections 19-301 through 19-309, inclusive, of the Local Government Article of the Annotated Code of Maryland, as amended, and Article VII, Section 11 of the Charter of the City of Annapolis, as amended, to be designated as the "Public Improvements Bonds, 2015 Series" and said bonds to be issued and sold for the public purpose of financing and refinancing certain capital projects of the City as provided in this Ordinance; prescribing the form and tenor of said bonds; determining the method of sale of said bonds and other matters relating to the issuance and sale thereof; providing for the disbursement of the proceeds of said bonds; covenanting to levy and collect all taxes necessary to provide for the payment of the principal of and interest on said bonds; and generally providing for and determining various matters relating to the issuance, sale and delivery of all said bonds.

**Sponsors:** Pantelides

**Attachments:** [O-16-15 New Money Ordinance.docx](#)  
[O-16-15 New Money Ordinance Comparison.docx](#)  
[O-16-15 Staff Report.pdf](#)  
[O-16-15 Fiscal Impact.pdf](#)  
[O-16-15 FAC Recommendation.pdf](#)  
[O-16-15 Signed.pdf](#)

*Finance Director Miller gave a brief presentation on the ordinance and answered questions from Council. Public Works Director Jarrell was present and answered questions from Council.*

**Alderman Pfeiffer moved to adopt O-16-15 on second reader. Seconded. CARRIED on voice vote.**

**Alderman Arnett moved to adopt O-16-15 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:**

**Aye:** 6 - Alderman Budge, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

**Nay:** 2 - Alderman Paone and Alderman Littmann

**Absent:** 1 - Mayor Pantelides

### O-17-15

**Issuance of General Obligation Refunding Bonds** - For the purpose of authorizing and empowering the City of Annapolis (the "City") to issue and sell, upon its full faith and credit, general obligation bonds in the aggregate principal amount not to exceed Twenty-Five Million Two Hundred Five Thousand Dollars (\$25,205,000), pursuant to Sections Section 19-207 and 19-301 through 19-309, inclusive, of the Local Government Article of the Annotated Code of Maryland, as amended, and Article VII, Section 11 of the Charter of the City of Annapolis, as amended, to be designated as the "Public Improvements Refunding Bonds, 2015 Series", and said bonds to be issued and sold for the public purpose of refunding all or a portion of certain outstanding general obligation bonds of the City, as provided in this Ordinance; prescribing the form and tenor of said bonds; determining the method of sale of said bonds and other matters relating to the issuance and sale thereof; providing for the disbursement of the proceeds of said bonds; covenanting to levy and collect all taxes necessary to provide for the payment of the principal of and interest on said bonds; and generally providing for and determining various matters relating to the issuance, sale and delivery of all said bonds.

**Sponsors:** Pantelides

**Attachments:** [O-17-15 Refunding Bond Ordinance.docx](#)  
[O-17-15 Staff Report.pdf](#)  
[O-17-15 Fiscal Impact.pdf](#)  
[O-17-15 FAC Recommendation.pdf](#)  
[O-17-15 Signed.pdf](#)

*Finance Director Miller gave a brief presentation on the ordinance and answered questions from Council.*

**Alderman Arnett moved to adopt O-17-15 on second reader. Seconded. CARRIED on voice vote.**

**Alderman Arnett moved to adopt O-17-15 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:**

**Aye:** 7 - Alderman Budge, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Pfeiffer and Alderman Arnett

**Out of Room:** 1 - Alderman Kirby

**Absent:** 1 - Mayor Pantelides

## **B. First Readers**

**O-19-15** **Maryland Association of Counties Pooled OPEB Trust Fund - For the purpose of authorizing the adoption and establishment of a non-pension post employment benefits trust.**

**Sponsors:** Pantelides

**Attachments:** [O-19-15 OPEB Trust Ordinance.docx](#)  
[O-19-15 Exhibit A Executed Trust Agreement.PDF](#)  
[O-19-15 Staff Report.docx](#)  
[O-19-15 Fiscal Impact.pdf](#)  
[O-19-15 FAC Findings.pdf](#)  
[O-19-15 Signed.pdf](#)

**Alderman Arnett moved to adopt O-19-15 on first reader. Seconded. CARRIED on voice vote.**

**This Ordinance was referred to the Finance Committee.**

**This Ordinance was referred to the Rules & City Government Committee.**

**This Ordinance was referred to the Financial Advisory Commission.**

## **Business and Miscellaneous**

**ID-130-15** Housing and Community Development Committee - Allocation of FY 2016 Community Development Block Grant funding for Capital and Public Service Projects.



**Attachments:** [ID-130-15 HCDC Findings.pdf](#)

*Chief of Community Development Wellman was present and answered questions from Council.*

**Alderman Arnett moved to approve the FY 2016 Community Development Block Grant Funding. Seconded. CARRIED on voice vote.**

[R-34-14](#)

**2014 West Annapolis Sector Study** - For the purpose of adopting the West Annapolis Sector Study as an addendum to the 2009 Annapolis Comprehensive Plan.

**Sponsors:** Paone

**Attachments:** [R-34-14 West Annapolis Sector Study.docx](#)  
[West Annapolis Sector Study](#)

**Alderman Budge moved to postpone R-34-14 until the Special Meeting on June 22, 2015, pursuant to City Code Section 2.16.090B. Seconded. CARRIED on voice vote.**

Adjournment

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

**Regina C. Watkins-Eldridge, MMC  
City Clerk**