



City of Annapolis

160 Duke Of Gloucester
Street
Annapolis, MD 21401

Special Minutes - Draft City Council

Monday, March 23, 2015

7:00 PM

Mayor John T. Chambers, Jr.
City Council Chambers

Call to Order

Mayor Pantelides called the meeting to order at 7:04 p.m.

Invocation

Given by Alderman Paone.

Pledge of Allegiance

Led by Mayor Pantelides.

Roll Call

Tonight roll call began with Alderman Paone.

Present: 9 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

Approval of Agenda

Alderwoman Finlayson moved to approve the agenda as amended to add O-18-15 Police and Fire Retirement Plan Cost of Living Adjustments on 1st reader. Seconded. CARRIED on voice vote.

Ceremonial Items

**ID-126-15 City Council Citation - Kwaku Agyemang-Duah
Acting Director of the Transportation Department**

This Informational Item was reported.

Petitions, Reports and Communications

A. Reports by Committee

Standing Committee Meeting dates:
Finance Committee Meeting
Friday, March 27, 2015 | 1:30pm - 3:30pm
Finance Committee Meeting
Monday, March 30, 2015 | 2:00pm - 5:00pm
Finance Committee Meeting
Tuesday, March 31, 2015 | 2:00pm - 5:00pm
Finance Committee Meeting

Monday, April 6, 2015 | 2:00pm - 5:00pm
Finance Committee Meeting
Wednesday, April 8, 2015 | 2:00pm - 5:00pm
Finance Committee Meeting
Monday, April 13, 2015 | 2:00pm - 5:00pm

B. Comments by the General Public

No speakers

Mayor Pantelides declared petitions, reports and communication closed.

Appointments

AP-1-15 The Reappointment of Cynthia Towle-Krewson to the Arts in Public Places Commission

Alderman Pfeiffer moved to confirm the Mayor's reappointment of Cynthia Towle Krewson to the Arts in Public Places Commission. Seconded. CARRIED on voice vote.

AP-2-15 The Reappointment of Christian Zazzali to the Board of Appeals

Alderman Arnett moved to confirm the Mayor's reappointment of Christian Zazzali to the Board of Appeals. Seconded. CARRIED on voice vote.

AP-3-15 The Appointment of Barbara Salazar Torreon to the Arts in Public Places Commission

Alderman Finlayson moved to confirm the Mayor's appointment of Barbara Salazar Torreon to the Arts in Public Places Commission. Seconded. CARRIED on voice vote.

Continuation of Public Hearing...

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

On March 9, 2015, the public hearing on O-35-14 was left OPEN until the Special Meeting on March 23, 2014 for the purpose of receiving the Planning Commission Findings. The Thursday, March 5, 2015 Planning Commission Meeting was cancelled due to the weather, the findings for O-35-14 will not be adopted until the April 2, 2015 meeting of the Planning Commission. The Planning Commission Findings for O-35-14 will be added to the Regular Meeting Agenda for acceptance on April 13, 2015.

Public Hearings

O-10-15 AAMC Lease Agreement for Stanton Center - For the purpose of approving the lease for certain City-owned space in the Stanton Center to Anne Arundel Medical Center; and matters generally relating to said lease.

Sponsors: Pantelides

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

The public hearing on O-10-15 was declared closed.

- O-11-15 Annapolis Youth Services Bureau Lease Agreement for Stanton Center - For the purpose of approving the lease for certain City-owned space in the Stanton Center to Annapolis Youth Services Bureau; and matters generally relating to said lease.**

Sponsors: Pantelides

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

The public hearing on O-11-15 was declared closed.

- O-12-15 We Care Lease Agreement for Stanton Center - For the purpose of approving the lease for certain City-owned space in the Stanton Center to We Care and Friends, Inc.; and matters generally relating to said lease.**

Sponsors: Pantelides

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

The public hearing on O-12-15 was declared closed.

- O-13-15 Lease of Public Parking Lots to FRESHFARM Markets, Inc. - For the purpose of authorizing a Lease of municipal property located at Parcel 1246, Parcel 1248, and Parcel 1256 as indicated on Attachment A of the lease from May 3, 2015 through November 22, 2015 (with the exception of October 11, 2015 and October 18, 2015 for the Fall Boat Shows) to FRESHFARM Markets, Inc.**

Sponsors: Budge and Pantelides

Spoke in favor:

Tara Boyle, 824 Chesapeake Avenue, Annapolis, Maryland 21403 representing FRESHFARMS Markets, Inc

Bernadine (Bernie) Prince Co-Executive Director, P.O. Box 15691, Washington, DC 20003 representing FRESHFARMS Markets, Inc

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

The public hearing on O-13-15 was declared closed.

- 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

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

The public hearing on O-6-15 was declared closed.

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

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

The public hearing on O-17-15 was declared closed.

Legislative Action

A. Second Readers

O-2-15 Lease of City Dock Space to Chesapeake Marine Tours - For the purpose of authorizing for fiscal year 2021 the lease of certain municipal property located at the City Dock to Chesapeake Marine Tours, Inc. for the docking and mooring of certain boats.

Sponsors: Pantelides, Arnett, Budge, Littmann, Pfeiffer, Finlayson, Paone and Pindell Charles

Harbormaster Walters gave a brief presentation and answered questions from Council.

Alderman Littmann moved to adopt O-2-15 on second reader. Seconded. CARRIED on voice vote.

Alderman Paone moved to adopt O-2-15 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 9 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

O-8-15 Keeping or Maintaining Chickens Within the City of Annapolis - For the purpose of eliminating the sunset provision set forth in Ordinance 53-11 Amended pertaining to keeping or maintaining chickens within the City of Annapolis.

Sponsors: Littmann and Pfeiffer

DNEP Director Broadbent gave a brief presentation and answered questions from Council.

Alderman Littmann moved to adopt on second reader. Seconded.

O-8-15 Rules Amendment

Amendment #1:

Page 2, Line 14, insert the following:

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

8.04.010 - Maintaining animals.

A. No person shall keep or maintain any mule, cow, calf, cattle, sheep, swine or poultry, with the exception of chickens, no roosters, within the City.

1. A maximum of five chickens are allowed on any one property.

2. All persons shall provide their chickens with a sturdy coop and an attached, secure enclosure set back at least five feet from the property line.

3. All persons keeping chickens shall receive approval from all abutting owners of their intent to keep chickens using the Department of Neighborhood and Environmental Programs backyard chicken registry and approval form. Prior to keeping any chickens, said form shall be submitted to the Department of Neighborhood and Environmental Programs along with accompanying fees and approved inspection.

4. THE PROVISIONS SET FORTH IN PARAGRAPHS 1, 2 AND 3 ABOVE SHALL REMAIN IN EFFECT UNTIL APRIL 9, 2020 UNLESS THIS SECTION IS EARLIER AMENDED, MODIFIED OR REPEALED. ON THAT DATE, ALL PERMITS ISSUED PURSUANT TO THIS SECTION SHALL EXPIRE.

B. No person shall keep or maintain any animal within the City for the purpose of human consumption, except where the animal is maintained for the purpose of consumption as part of a religious observance.

Amendment #2:

Page 2, Lines 15 through 17, amend as follows:

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

Alderwoman Finlayson moved to amend O-8-15 with Rules & City Government Committee Amendment. Seconded. DEFEATED on voice vote.

O-8-15 Littmann Amendment

Amendment No. 1: Page 2, line 14, insert:

SECTION III: AND BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the Code of the City of Annapolis shall be amended to read as follows:
8.04.010 - Maintaining animals. A. No person shall keep or maintain any mule, cow, calf, cattle, sheep, swine or poultry, with the exception of chickens, no roosters, within the City. 1. A maximum of five chickens are allowed on any one property. 2. All persons shall provide their chickens with a sturdy coop and an attached, secure enclosure set back at least five feet from the property line. 3. All persons keeping chickens shall receive approval from all abutting owners of their intent to keep chickens using the Department of Neighborhood and Environmental Programs backyard chicken registry and approval form. Prior to keeping any chickens, said form shall be submitted to the Department of Neighborhood and Environmental Programs along with accompanying fees and approved inspection. (A) ALL PERSONS KEEPING CHICKENS SHALL SEEK APPROVAL FROM THE DEPARTMENT OF NEIGHBORHOOD AND ENVIRONMENTAL PROGRAMS TO BE INCLUDED IN THE DEPARTMENT'S BACKYARD CHICKEN REGISTRY BY FILING THE APPROPRIATE APPLICATION AND ACCOMPANYING FEES. AS PART OF THE APPLICATION PROCESS, APPLICANTS SHALL NOTIFY THEIR NEIGHBORS OF THEIR INTENT TO KEEP CHICKENS AS SPECIFIED IN THE APPLICATION; (B) NEIGHBORS MEETING THE NOTIFICATION PROVISIONS SPECIFIED IN THE APPLICATION SHALL HAVE FIFTEEN (15) DAYS TO PROVIDE WRITTEN COMMENTS TO THE DEPARTMENT FROM THE DATE OF RECEIPT OF NOTICE; (C) AT THE CLOSE OF THE NEIGHBOR COMMENT PERIOD, THE DEPARTMENT SHALL INCORPORATE ANY NEIGHBOR COMMENTS RECEIVED INTO THE DELIBERATIONS AND CONSIDERATION OF

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THE APPLICATION IN MAKING THE DECISION ON THE APPLICATION; AND (D) PRIOR TO INCLUDING APPLICANTS IN THE BACKYARD CHICKEN REGISTRY AFTER REACHING AN APPROVAL TO ALLOW APPLICANT TO KEEP CHICKENS, THE DEPARTMENT SHALL COMPLETE AN APPROVAL INSPECTION OF THE CHICKEN COOP.

B. No person shall keep or maintain any animal within the City for the purpose of human consumption, except where the animal is maintained for the purpose of consumption as part of a religious observance.

Amendment #2:

Page 2, Lines 15 through 17, amend as follows:

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

Alderman Littmann moved to amend with the Alderman Littmann Amendment to O-8-15. Seconded. DEFEATED on voice vote.

Alderman Littmann moved to adopt O-8-15 on second reader. Seconded. CARRIED on voice vote.

Alderman Paone moved to adopt O-8-15 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 8 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

Nay: 1 - Alderwoman Pindell Charles

R-5-15

Itinerant Merchant Sales in the Historic District - 2015 - For the purpose of authorizing hawker, peddler, and itinerant merchant sales in the Historic District in conjunction with certain special events during calendar year 2015.

Sponsors: Budge

Development and Special Projects Coordinator Nolan was present and answered questions from Council.

Alderman Budge moved to adopt R-5-15 on second reader. Seconded.

AMENDMENT #1

Page 2, Line 11: Insert:

THURSDAY NIGHTS WITH THE STARS – SUSAN CAMPBELL PARK, JULY 2, 9, 16, 23, 30; AUGUST 6, 13, 20, 27, 2015.

KUNTE KINTE HERITAGE FESTIVAL – ANNAPOLIS CITY DOCK, SEPTEMBER 26, 2015.

FRIDAY NIGHT WITH THE STARS MUSIC FESTIVAL – SEPTEMBER 4, 2015.

Alderman Budge moved to amend with the Alderman Budge Amendment to R-5-15. Seconded. CARRIED on voice vote.

AMENDMENT #1

Page 1, Line 46: Strike: Annapolis Film Festival – St. John's College, March 26-29, 2015.

Alderwoman Finlayson moved to amend with the Alderwoman Finlayson Amendment to R-5-15. Seconded. CARRIED on voice vote.

AMENDMENT #1

Page 2, Line 12: Insert:

L'HERMIONE SHIP VISIT TO ANNAPOLIS-ANNAPOLIS CITY DOCK, JUNE 16, 17 AND 18, 2015.

Alderman Arnett moved to amend with the Mayor Pantelides and Alderman Arnett Amendment to R-5-15. Seconded. CARRIED on voice vote.

Alderman Budge moved to adopt R-5-15 on 2nd reader as amended. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

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

Abstain: 1 - Alderman Kirby

R-6-15 Filing of Grant Application with the Maryland Transit Administration - For the purpose of authorizing the filing of an application with the Maryland 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 for a total amount of \$1,617,093 (\$1,103,711 for transit operations; \$315,000 capital grant for transit vehicle maintenance; and \$198,382 for paratransit operating assistance).

Sponsors: Pantelides and Budge

Alderman Budge moved to adopt R-6-15 on second reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 9 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

B. First Readers

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

Alderman Arnett moved to adopt O-3-15 on first reader. Seconded. CARRIED on voice vote.

This Ordinance was referred to the Public Safety Committee.

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

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

Alderman Arnett moved to adopt R-9-15 on first reader. Seconded. CARRIED on voice vote.

This Resolution was referred to the Rules & City Government Committee.

This Resolution was referred to the Finance Committee.

This Resolution was referred to the Financial Advisory Commission.

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

O-18-15 Police and Fire Retirement Plan Cost of Living Adjustments - For the purpose of providing that effective July 1, 2013, and each July 1st thereafter, each Retired Member or survivor of any such Retired Member of the New Plan or New Plan Revised, entitled to receive a retirement benefit as of June 30th of any year, shall receive a fixed annual two-percent (2%) increase above the amount the Retired Member or survivor had received on June 30th of the same year.

Sponsors: Arnett and Finlayson

Alderman Finlayson moved to adopt O-18-15 on first reader. Seconded. CARRIED on voice vote.

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

This Ordinance was referred to the Finance Committee.

The order of the agenda was resumed.

Business and Miscellaneous

R-33-14 Proposed Motion to Postpone pursuant to City Code Section 2.16.090B

R-33-14 Vehicular Access to and Internal Roadways within Certain Property adjacent to Aris T. Allen Boulevard - For the purpose of empowering the City of Annapolis to consider, and to potentially allow, vehicular access between Aris T. Allen Boulevard/Maryland 665 and certain adjacent property within the City limits as well as private roadways within said adjacent property.

Sponsors: Pindell Charles and Finlayson

Alderman Finlayson moved to postpone action on R-33-14 until the Special Meeting on May 18, 2015. Seconded. CARRIED on voice vote.

Adjournment

Upon motion duly made, seconded and adopted, the meeting was adjourned at 8:33 p.m.
Regina C. Watkins-Eldridge, MMC
City Clerk