

City of Annapolis

160 Duke Of Gloucester Street Annapolis, MD 21401

Regular Minutes - Draft City Council

Monday, June 8, 2015 7:00 PM Mayor John T. Chambers, Jr.
City Council Chambers

Call to Order

Mayor Pantelides called the meeting to order at 7:07 p.m.

Invocation

Given by Alderman Arnett.

Pledge of Allegiance

Led by Mayor Pantelides.

Roll Call

Tonight's roll call began with Aldermen Budge.

Present: 8 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Finlayson,

Alderman Littmann, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

Absent: 1 - Alderwoman Pindell Charles

Closed Session Statement:

Pursuant to the requirement of Authority under Annotated Code of Maryland, General Provisions Article, and Section 3-305. Closed Sessions, (b) (14): to discuss, before a contract is awarded or bids are opened, a matter directly related to a negotiating strategy or the content of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

This statement is included in these minutes:

A closed session of the City Council was held at 1:39 p.m., Thursday, May 28, 2015 in the Mayor John T. Chambers, Jr, City Council Chambers located at 160 Duke of Gloucester Street, 2nd Floor, Annapolis, Maryland 21401.

Present:

Mayor Pantelides, Aldermen Budge, Paone, Alderwoman Finlayson, Aldermen Littmann, Kirby, Arnett

Staff Present:

City Manager Andrews, City Attorney Leahy, Finance Director Miller, Procurement Officer Snyder, Planning and Zoning Director Gutwald, Community Services/ Boards & Commission Rep Bierman, Legislative & Policy Analyst Lee, Buyer Clark.

A roll call vote was taken by the members present, and the session was closed. The Authority under Annotated Code of Maryland, General Provisions Article, and Section 3-305. Closed Sessions, (b) (14). The topic of the meeting was the proposed sale of the Recreation Center located at 9 St. Mary's Street, Annapolis, Maryland 21401.

No actions were taken in closed session.

Upon motion duly made, seconded and adopted, the closed session was

adjourned at 5:47 p.m.

Approval of Agenda

Alderwoman Finlayson moved to approve the agenda as amended to postpone action on O-22-15 Lease of 145 Gorman Street on second reader, and ID-298-15 Renewal Application of JP Towing & Recovery t/a JP Towing Services, LLC until the Special Meeting on June 22, 2015. Seconded. CARRIED on voice vote.

Alderman Arnett moved to approve the agenda as amended to include O-26-15 Water and Sewer Rates and Stormwater Fees, and O-29-15 Sewer Service on 1st Reader. Seconded. CARRIED on voice vote.

Approval of Journal of Proceedings

CCM051115 Approval of Regular Meeting Minutes

Attachments: May 11, 2015.pdf

Alderman Arnett moved to approve the minutes of May 11, 2015. Seconded.

CARRIED on voice vote.

CCM051815 Approval of the Special Meeting Minutes

Attachments: May 18, 2015.pdf

Alderman Arnett moved to approve the minutes of May 18, 2015. Seconded.

CARRIED on voice vote.

CCM052115 Approval of the Special Meeting Minutes

Attachments: May 21, 2015.pdf

Alderman Arnett moved to approve the minutes of May 21, 2015. Seconded.

CARRIED on voice vote.

CCM052815 Approval of the Special Meeting Minutes

Attachments: May 28, 2015.pdf

Alderman Arnett moved to approve the minutes of May 28, 2015. Seconded.

CARRIED on voice vote.

Martha Wood Leadership Award

<u>ID-299-15</u> Martha Wood Leadership Award - "Mary Galloway"

Attachments: ID-299-15 Recommendation.doc

ID-299-15 Citation.doc

This Ceremonial Item was presented

Petitions, Reports and Communications

A. Reports by Committee

Standing Committee Dates:

Rules and City Government

Tuesday, June 9, 2015 | 4:00pm - 5:30pm

Public Safety Committee

Monday, June 15, 2015 | 5:00pm - 6:30pm

Economic Matters Committee

Monday, June 15, 2015 | 6:30pm - 8:00pm

Finance Committee

Tuesday, June 16, 2015 | 5:00pm - 6:30pm

Transportation Committee

Tuesday, June 16, 2015 | 6:30pm - 7:30pm

Housing and Human Welfare/Housing and Community Development

Tuesday, June 16, 2015 | 7:30pm - 8:30pm

Environmental Matters Committee

Thursday, June 18, 2015 | 1:30pm - 2:30pm

B. Comments by the General Public

Elly Tierney, 85 East Street, Annapolis, Maryland 21401 spoke on Prado's Rule and the Town Hall Meetings Budget Presentations.

Bill Kardash, 1 Acton Place, Annapolis, Maryland 21401 spoke on the Town Hall Budget Presentation in Eastport, the proposed budget amendments, lowering the tax rate and Alderman Littmann's article in the Capital on 6/8/15.

Doug Smith, 5 Revell Street, Annapolis, Maryland 21401 spoke on the Town Hall Budget Meetings, the city's financial problems, Alderman Littmann's Article in the Capital on 6/8/15, the City and County working together and the Transition Team Recommendations.

Mayor Pantelides declard petitions, reports and communications closed.

Appointments

AP-12-15 The Reappointment of Timothy P. Leahy to the Historic Preservation Commission

Attachments: Appointment/Reappointment Letter

Resume

Alderman Paone moved to confirm the Mayor's Reappointment of Timothy P. Leahy to the Historic Preservation Commission. Seconded. CARRIED on voice vote.

Public Hearings

Proposed Real Property Tax Increase

No one from the general public spoke in favor of or in opposition to the proposed real property increase.

Mayor Pantelides declared the public hearing on proposed real property tax increase closed.

Public Hearings Cont.

O-22-15 Lease of 145 Gorman Street - Amended and Restated Agreement of Lease

between KDBA, LLC and the City of Annapolis for the use of non-city-owned

property by the City of Annapolis.

Sponsors: Pantelides

Attachments: O-22-15 Ordinance.docx

O-22-15 KDBA-Exhibits.docx

O-22-15 KDBA-2006 Lease-145Gorman.pdf

O-22-15 Summary.doc

O-22-15 KDBA-LeaseExtOptnLtr.pdf

O-22-15 KDBALeaseOptnSummary.docx

O-22-15 Staff Report.docx

O-22-15 Fiscal Impact.pdf

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

Mayor Pantelides declared the public hearing on O-22-15 closed.

O-25-15 Environmental Commission - For the purpose of establishing a quorum of the

Environmental Commission.

Sponsors: Littmann

Attachments: O-25-15 Environmental Cmmn Quorum.docx

O-25-15 Staff Report.docx
O-25-15 Fiscal Impact.pdf

AEC Amendment

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

Mayor Pantelides declared the public hearing on O-25-15 closed.

Business and Miscellaneous

GT-20-15 Plymyer- From Contingency to Law- for Legal Services- Law Office

Attachments: GT-20-15 Law. Plymyer

Alderman Arnett moved to approve GT-20-15. Seconded. CARRIED on voice vote.

ID-297-15 For Spa, Inc., T/A Masons Auto Repair, Inc

Attachments: Renewal Application - Masons July 1 - June 30, 2016.pdf

Alderman Budge moved to approve the renewal application for "For Spa, Inc.", t/a Masons Auto Repair, Inc. Seconded. CARRIED on voice vote.

ID-298-15 JP Towing & Recovery T/A JP Towing Service, LLC

Attachments: Renewal Application - JP Towing Service, LLC.pdf

LTR to Clerk, City Manager, Office Law.pdf

LTR- To Chief Pristoop from LT. Brian Antal.pdf

LTR- Sent to Applicant from City Attorney.pdf

Return Renewal Application.pdf

District 02 - Subdivision.pdf

ID-298-15 Hudson St 44 Tax Map excerpt 2005 with annotations.jpg

ID-298-15 Revised Application.pdf

Alderwoman Finlayson moved to postpone action on ID-298-15 the renewal application of JP Towing & Recovery t/a JP Towing Service, LLC until the Special Meeting on June 22, 2015. Seconded. CARRIED on voice vote.

Legislative Action

A. Second Readers

R-8-15 Position Classifications and Pay Plan - For the purpose of approving the

FY 2016 position classification and pay plan effective July 1, 2015.

Sponsors: Pantelides

<u>Attachments:</u> R-8-15 PayPlanResolution.docx

R-8-15 Pay Plan FY16.pdf
R-8-15 Fiscal Impact.pdf
R-8-15 FAC Findings.pdf

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

Aye: 7 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Finlayson,

Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

Nay: 1 - Alderman Littmann

Absent: 1 - Alderwoman Pindell Charles

R-10-15 FY 2016 Fees Schedule Effective July 1, 2015 - For the purpose of

specifying fees that will be charged for the use of City services for FY 2016.

Sponsors: Pantelides

Attachments: R-10-15 Fee Schedule Resolution.docx

R-10-15 Fees Schedule FY2016.docx

R-10-15 Mayor Amendment.docx

R-10-15 Fiscal Impact.pdf

R-10-15 FAC Findings.pdf

R-10-15 Proposed Fee Analysis

R-10-15 Finance Cmte Amendments.pdf

R-10-15 Arnett Amendments.docx

R-10-15 Budge Amendments.docx

Alderman Arnett moved to adopt R-10-15 on second reader. Seconded.

Alderman Pfeiffer moved to amend R-10-15 as follows: FY 2016 Fees Schedule – Finance Committee Amendments (attached). Seconded. CARRIED on voice vote.

Fire Chief Stokes was present and answered questions from council.

Alderman Arnett moved to amend as follows: FY2016 Fees Schedule R-10-15 Alderman Arnett Amendments (attached). Seconded. CARRIED on voice vote.

Alderman Budge moved to amend as follows: Budge Budget Amendments 6/4/15 to R-10-15 Fees, Amendment #1 Taxi Fees, to reduce by 20% from the current rate. Seconded. CARRIED on voice vote.

The meeting was recessed at 7:53 p.m. and reconvened at 8:11 p.m.

R-10-15 FY 2016 Fees Schedule Effective July 1, 2015 - For the purpose of

specifying fees that will be charged for the use of City services for FY 2016.

Sponsors: Pantelides

Attachments: R-10-15 Fee Schedule Resolution.docx

R-10-15 Fees Schedule FY2016.docx

R-10-15 Mayor Amendment.docx

R-10-15 Fiscal Impact.pdf

R-10-15 FAC Findings.pdf

R-10-15 Proposed Fee Analysis

R-10-15 Finance Cmte Amendments.pdf

R-10-15 Arnett Amendments.docx

R-10-15 Budge Amendments.docx

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

Alderman Budge moved to amend as follows: Budge Budget Amendments 6/4/15 to R-10-15 Amendment #2 Solid Waste Fees from \$323.00 to \$249.00 per year. Seconded, CARRIED on voice vote.

Alderman Littmann moved to amend Alderman Budge's Budget Amendment #2 Solid Waste Fees from \$323.00 to \$249.00 per year, to reduce by 15% from \$323.00

to \$275.00. Seconded. CARRIED on voice vote.

Alderman Budge moved to adopt R-10-15 as amended on second reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 7 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Finlayson, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

Nay: 1 - Alderman Littmann

Absent: 1 - Alderwoman Pindell Charles

R-11-15 Capital Improvement Program Fiscal Years 2016 - 2021 - For the

purpose of adopting a capital improvement program for Fiscal Years 2016-2021

(July 1, 2015 - June 30, 2021).

Sponsors: Pantelides

Attachments: R-11-15 CIP Resolution.docx

R-11-15 Proposed CIP.pdf

R-11-15 FY16 AmendedProposed CIP CSC.pdf

O-15-15 and R-11-15 PC Findings.pdf

R-11-15 Fiscal Impact.pdf R-11-15 FAC Findings.pdf

Alderman Arnett moved to adopt on second reader. Seconded.

Finance Director Miller was present and answered questions from Council.

Alderman Budge moved to amend R-11-15 as follows: R-11-15 FY16_AmendedProposed_CIP_CSC (attached) . Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt R-11-15 as amended on second reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 7 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Finlayson, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

Nay: 1 - Alderman Littmann

Absent: 1 - Alderwoman Pindell Charles

R-12-15 FY 2016 Fines Schedule Effective July 1, 2015 - For the purpose of

specifying fines that will be charged for FY 2016.

Sponsors: Pantelides

Attachments: R-12-15 Fines Schedule Resolution.docx

R-12-15 Fines Schedule FY2016.docx

R-12-15 Fiscal Impact Note.pdf

R-12-15 FAC Findings.pdf

R-12-15 Finance Cmte Amendments.pdf

Alderman Pfeiffer moved to adopt R-12-15 on second reader. Seconded.

Alderman Pfeiffer moved to amend R-12-15 as follows: R-12-15 Finance Committee Amendments (attached). Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt R-12-15 as amended on second reader.

Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 7 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Finlayson,
 Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

Nay: 1 - Alderman Littmann

Absent: 1 - Alderwoman Pindell Charles

O-14-15

Annual Operating Budget: Fiscal Year 2016 - For the purposes of adopting an operating budget for the City of Annapolis for Fiscal Year 2016; appropriating funds for expenditures for Fiscal Year 2016; 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.

Sponsors: Pantelides

Attachments: O-14-15 Annual Operating Budget Ordinance.docx

Priority Programs and Summary FY2016 3 9 25.pdf

O-14-15 FY2016 Annual Operating Budget ProForma.pdf

O-14-15 Fiscal Impact.pdf

O-14-15 FAC Ltr dated 5-1-15.pdf

O-14-15 Finance Cmte FY2016 Budget Report and Amendments

5.7.15Final.docx

O-14-15 Pantelides Amendments.docx

O-14-15 Budge Amendments.docx

O-14-15 Pfeiffer Amendment.docx

O-14-15 FY2016 Budget ADOPTED.pdf

Alderman Arnett moved to adopt on second reader. Seconded.

Alderman Pfeiffer moved to amend O-14-15 as follows: O-14-15 Finance Committee FY2016 Budget Report and Amendments 5.7.15 Final a.k.a "Packet" (attached). Seconded. CARRIED on voice vote.

Alderman Littmann moved to reconsider Alderman Pfeiffer's amendment to O-14-15 as follows: O-14-15 Finance Committee FY2016 Budget Report and Amendments 5.7.15 Final a.k.a "Packet" (attached) to vote on amendments separately. Seconded. CARRIED on voice vote.

Alderman Pfeiffer moved to amend O-14-15 as follows: AMENDMENT # 1 The appropriation of 250,000.00 to be transferred from the other sources to Planning & Zoning for the Economic Development Program. Seconded. CARRIED on voice vote.

Alderman Pfeiffer moved to amend O-14-15 as follows: AMENDMENT # 2 To

reduce the Wastewater Enterprise Fund revenue by ("440,000") To reduce transfer from General Fund by ("440, 000"). Seconded. CARRIED on voice vote.

Alderman Pfeiffer moved to amend O-14-15 as follows: AMENDMENT # 3 To Increase the "Historic Preservation and Cultural Resources Planning Program by 35, 000 to fund the Annapolis Landmark 50th Anniversary". Offset: to reduce the General Fund Net Surplus by 35, 000. Seconded. CARRIED on voice vote.

Alderman Pfeiffer moved to amend O-14-15 as follows: AMENDMENT # 4 To create an account to Increase the appropriation by 10,000 dollars (See Amendment #8 for R-7-15). Seconded. CARRIED on voice vote.

Alderman Pfeiffer moved to amend O-14-15 as follows: AMENDMENT # 5 To cut "23,078.00" from Department of Neighborhood and Environmental Programs Budget for the Environmental Compliance Inspector position. Seconded. CARRIED on voice vote.

Mayor Pantelides moved to amend O-14-15 as follows: Mayor Pantelides Amendment to O-14-15 FY2016 Annual Operating Budget AMENDMENT # 1 The appropriation of \$82,838.95 (Salaries) and \$17,831.15 (Benefits) from the Mayor's Office to be transferred to Planning & Zoning for the Economic Development Program. Seconded. CARRIED on voice vote.

Mayor Pantelides moved to amend O-14-15 as follows: AMENDMENT #2 The appropriation of \$20,000 to Community Grants for Maryland Hall for the Creative Arts. Seconded. CARRIED on voice vote.

Alderman Budge moved to amend O-14-15 as follows: Budge Budget Amendments dated 6/4/15 to O-14-15 Annual Operating Budget Amendment #2 to decrease receipts for Taxi Permit Fees by 20% of the current rate. Seconded. CARRIED on voice vote.

Alderman Budge moved to amend O-14-15 as follows: Amendment #3 to decrease receipts for Solid Waste Fees by 15% from \$323.00 to \$275.00. Seconded. CARRIED on voice vote.

Alderman Pfeiffer moved to amend O-14-15 as follows: AMENDMENT # 1 The appropriation of \$10,000 from Private Capital Projects to Community Grants within Special Events Contributions, to be earmarked for use by We Care and Friends, Inc. Seconded. CARRIED on voice vote.

Alderman Pfeiffer moved to adopt O-14-15 as amended on second reader. Seconded. CARRIED on voice vote.

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

Alderman Kirby moved to reconsider Alderman Pfeiffer's amendment to adopt O-14-15 as amended on second reader. Seconded. CARRIED on voice vote.

Alderman Paone moved to amend O-14-15 as follows: In Department of Public Works, Street Scape Maintenance reduce the budgeted amount of \$2,303,395.88, by \$1,900,000.00. Seconded. DEFEATED on voice vote.

Fire Chief Stokes was present and answered questions from council.

Alderman Paone moved to amend O-14-15 as follows: In Department of Neighborhood and Environmental Programs, Substainability Position Budgeted to reduce the budgeted amount of \$44,070.12, by \$15,000. FAILED for lack of a second.

Alderman Paone moved to amend O-14-15 as follows: In Police Department

Community Development to reduce the budgeted amount \$75,507.00 to \$60,000.00. FAILED for lack of a second.

Alderman Paone moved to amend O-14-15 as follows: In Fire Department, Public Relation reduce the budgeted \$42,149.99 to 25,000.00. Seconded. DEFEATED on voice vote.

Alderman Arnett moved to adopt O-14-15 as amended on second reader. Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt O-14-15 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 7 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Finlayson, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

Nay: 1 - Alderman Littmann

Absent: 1 - Alderwoman Pindell Charles

O-15-15 Capital Budget Fiscal Year 2016 - For the purpose of adopting a capital

budget for Fiscal Year 2016; and appropriating funds for expenditures for the Fiscal

Year 2016 capital budget.

Sponsors: Pantelides

Attachments: O-15-15 Capital Budget FY 2016.docx

O-15-15 and R-11-15 PC Findings.pdf

O-15-15 Fiscal Impact.pdf

O-15-15 FAC Findings.pdf

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

Alderman Budge moved to amend O-15-15 as follows:

FY16_AmendedProposed_CIP_CSC. Seconded. CARRIED on voice vote.

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

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

Aye: 7 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Finlayson, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

Nay: 1 - Alderman Littmann

Absent: 1 - Alderwoman Pindell Charles

O-22-15 Lease of 145 Gorman Street - Amended and Restated Agreement of Lease

between KDBA, LLC and the City of Annapolis for the use of non-city-owned

property by the City of Annapolis.

Sponsors: Pantelides

Attachments: O-22-15 Ordinance.docx

O-22-15 KDBA-Exhibits.docx

O-22-15 KDBA-2006 Lease-145Gorman.pdf

O-22-15 Summary.doc

O-22-15 KDBA-LeaseExtOptnLtr.pdf

O-22-15 KDBALeaseOptnSummary.docx

O-22-15 Staff Report.docx O-22-15 Fiscal Impact.pdf

Alderwoman Finlayson moved to postpone O-22-15 on second reader until the Special Meeting on June 22, 2015. Seconded. CARRIED on voice vote.

B. First Readers

O-28-15 Lease of Truxton Park to Kayak Annapolis, LLC - For the purpose of

approving the lease of certain City-owned property at Truxton Park to authorize the operation of a kayak water touring business; and matters generally relating to said lease.

Sponsors: Pantelides

Attachments: O-28-15 Kayak Lease.docx

O-28-15 Staff Report.docx
O-28-15 Fiscal Impact.pdf

Alderman Paone moved to adopt O-28-15 on first reader. Seconded. CARRIED on voice vote.

Recreation and Parks Director Morris was present and answered questions from Council.

This ordinance O-28-15 was refered to the Economic Matters Committee.

This ordinance O-28-15 was refered to the Environmental Matters Committee.

This ordinance O-28-15 was refered to the Finance Committee.

O-26-15 Water and Sewer Rates and Stormwater Fees - For the purpose of

increasing the metered use water and sewer rates, and Stormwater fees in the

City of Annapolis.

Sponsors: Arnett

Attachments: O-26-15 Water Sewer Rates and Stormwater Fees.docx

O-26-15 Fiscal Impact.pdf

Alderman Arnett moved to adopt O-26-15 on first reader. Seconded. CARRIED on voice vote.

This ordinance O-26-15 was refered to the Environmental Matters Committee.

This ordinance O-26-15 was refered to the Economic Matters Committee.

This ordinance O-26-15 was refered to the Finance Committee.

O-29-15 Sewer Service - For the purpose of increasing the sewer service user rates of

the City of Annapolis.

Sponsors: Pfeiffer, Budge, Arnett and Littmann

Attachments: O-29-15 Sewer Rates.docx

O-29-15 Fiscal Impact.pdf

Alderman Pfeiffer moved to adopt O-29-15 on first reader. Seconded.

CARRIED on voice vote.

This ordinance O-29-15 was refered to the Environmental Matters Committee.

This ordinance O-29-15 was refered to the Finance Committee.

Alderman Littmann requested his name be added as a sponsor to ordinance

O-29-15.

For the Good of the Order

<u>ID-300-15</u> Memorandum pursuant to City Code Section:

4.44.080 Election Reports Required

Attachments: M-All July 1 each year.doc

This Informational Item was reported

Adjournment

Upon motion duly made, seconded and adopted, the meeting was adjourned at

9:46 p.m.

Regina C. Watkins-Eldridge, MMC

City Clerk