

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

January 13, 2014 7:00 p.m.

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

Mayor Pantelides
Alderman Budge
Mayor Pantelides
City Clerk Watkins-Eldridge

PETITIONS, REPORTS AND COMMUNICATIONS

Martha Wood Leadership Award to Mae Bridgers Mayor Pantelides and Alderwoman Finlayson
Presentation of Award to the City of Annapolis from the Local Government Insurance Trust (LGIT)
Approval of Journal Proceeding

The Regular Meeting December 9, 2013
A Special Meeting December 16, 2013
The Special Meeting December 16, 2013

Reports by Committees
Comments by the General Public

PUBLIC HEARING

R-41-13 Metered Parking Rate – FY 2013 Fee Schedule Revision – For the purpose of reducing the metered parking rate from \$2/hour to \$1/hour from January 1, 2014 through March 31, 2014 by amending the FY 2013 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
12/16/13	1/13/14	12/16/13	3/17/13
Referred to	Referral Date	Meeting Date	Action Taken
Finance	12/16/13	1/7/13	No Action
Transportation	12/16/13	1/13/13	

LEGISLATIVE ACTION
2ND READER – RESOLUTION

R-41-13 Metered Parking Rate – FY 2013 Fee Schedule Revision – For the purpose of reducing the metered parking rate from \$2/hour to \$1/hour from January 1, 2014 through March 31, 2014 by amending the FY 2013 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
12/16/13	1/13/14	12/16/13	3/17/13

Referred to	Referral Date	Meeting Date	Action Taken
Finance	12/16/13	1/7/13	No Action
Transportation	12/16/13	1/13/13	

1ST READER - ORDINANCES

- O-1-14 Single-Family Attached Dwellings in C1A Special Conservation District**
 – For the purpose of deeming conforming those single-family attached dwellings lawfully existing on June 20, 1994, in the C1A Special Conservation Residence 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
1/13/14			7/11/14
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	1/13/14		
Planning Commission	1/13/14		

- O-3-14 Density Provisions in the R3, General Residence Zoning District** – For the purpose of allowing greater density for certain HACA properties located in the R3 General Residence zoning district in order to facilitate redevelopment that maintains the existing number of subsidized units and allows for additional mixed-income units.

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
1/13/14			7/11/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	1/13/14		
Housing and Human Welfare	1/13/14		
Planning Commission	1/13/14		

BUSINESS and MISCELLANEOUS

1. Confirmation of Timothy D. Murnane as City Attorney
2. Budget transfer

UPCOMING CITY COUNCIL EVENTS

Special Meeting: Monday, January 27, 2014 at 7:00 p.m. in City Council Chambers

DRAFT
REGULAR MEETING
December 9, 2013

The Regular Meeting of the Annapolis City Council was held on Monday, December 9, 2013 in the Council Chamber. Mayor Pantelides called the meeting to order at 7:04 p.m.

Present on Roll Call: Mayor Pantelides, Alderman Budge, Alderwomen Pindell-Charles, Aldermen Paone, Alderwoman Finlayson, Littmann, Kirby, Pfeiffer, Arnett

Staff Present: Acting City Attorney Murnane, Finance Director Miller

Approval of Agenda

- Aldermen Arnett move to approve the Regular Meeting agenda as amended to include R-40-13 on 1st reader. Seconded. CARRIED on voice vote.

PETITIONS, REPORTS AND COMMUNICATIONS

Approval of Journal Proceeding

- Alderman Arnett moved to approve the Journal of Proceedings for the Regular Meeting October 14, 2013, Special Meeting of October 21, 2013 and the Special Meeting of October 28, 2013. Seconded. CARRIED on voice vote.
- Alderwoman Pindell-Charles abstained from the vote.

Time Limitation pursuant to City Code Sec. 2.16.035

- Alderman Arnett moved to defer the vote on time limitations pursuant to City Code Sec. 2.16.035. Seconded. CARRIED on voice vote.

Comments by the General Public

Sveinn Storm, 130 Dock Street, Annapolis, Maryland 21401 representing Strom Brothers Ice Cream spoke in opposition to R-39-13.

Doug Smith, 5 Revell Street, Annapolis, Maryland 21401 congratulated the New Council Members on winning the 2013 City of Annapolis Municipal Election.

Bill Kardash, 1 Acton Place, Annapolis, Maryland 21401 representing Annapolitians for a Better Community and congratulated the Mayor and Alderwoman Pindell-Charles on winning the 2013 City of Annapolis Municipal Elections and spoke on the role of City Government.

Trisha Irvin, 110 South Cherry Grove Avenue, Annapolis, Maryland 21401 representing the Annapolis Education Commission spoke on the commission's goals for the year, the Annapolis Feeder Systems and the commission's relationships with school officials.

- Mayor Pantelides declared petitions, reports and communications closed.

LEGISLATIVE ACTION
1ST READER – ORDINANCE AND RESOLUTIONS

- O-39-13 Appropriation of Property Tax Revenue Above Estimates to Fund a Cost of Living Adjustment for All City of Annapolis Employees at a Rate of 1% Retroactive to July 1, 2013 and 3% Effective January 1, 2014 and Other Employee Benefits Including Pension and Other Post Employment Benefits** – For the purpose of appropriating property tax revenue above estimates to fund a Cost of Living Adjustment (COLA) for all City of Annapolis employees at a rate of 1% retroactive to July 1, 2013 and 3% effective January 1, 2014 and other employee benefits including pension and other post employment benefits (OPEB).

Finance Director Miller gave a brief presentation and answered questions from

Council.

- Alderwoman Finlayson moved to adopt O-39-13 on first reader. Seconded. CARRIED on voice vote.

Referred to the Finance Committee and the Financial Advisory Commission.

R-39-13 Authoring New Year's Eve Vendors in the Historic District – For the purpose of A. L. Goodies General Store at 112 Main Street and Hard Bean Coffee at 36 Market Space to sell non-alcoholic beverages, food and souvenirs from the sidewalk in front of 112 Main Street and 36 Market Space during the City of Annapolis' New Year's Eve celebration on December 31, 2013.

- Alderman Kirby moved to adopt R-39-13 on first reader. Seconded. CARRIED on voice vote.
- Alderman Kirby requested his name be added as a sponsor to R-39-13.

Referred to the Economic Matters Committee.

- Alderman Budge requested R-39-13 be scheduled for a public hearing on Monday, December 16, 2013.

The order of the agenda was amended to allow for R-40-13 on 1st reader.

R-40-13 Honoring Nelson Mandela - For the purpose of expressing the sense of the Annapolis City Council to honor Nelson Mandela for his contributions to global society as a freedom fighter and peace-maker.

- Alderwoman Finlayson moved to adopt R-40-13 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 Littmann moved to adopt R-40-13 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Pantelides, Aldermen Budge, Paone, Alderwomen Pindell-Charles, Finlayson, Aldermen Littmann, Kirby, Pfeiffer, Arnett

NAYS:

CARRIED: 9/0

- Alderman Arnett request his name be added as a sponsor to R-40-13.

The order of the agenda was resumed.

BUSINESS and MISCELLANEOUS

1. Appointments to City Council Standing Committees

STANDING COMMITTEES 2013-2017
City Code Section 2.12.020 D 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, Chair
Alderman Joe Budge
Alderman Sheila M. Finlayson

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 Jared S. Littmann, Chair
Alderman Ross Arnett III
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, Chair
Alderman Ross H. Arnett, III
Alderman Frederick M. Paone

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 Kenneth A. Kirby, Chair
Alderman Joe Budge
Alderman Jared S. Littmann

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 Sheila M. Finlayson, Chair
Alderman Frederick M. Paone
Alderman Rhonda Pindell Charles

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 Ross H. Arnett, III, Chair
Alderwoman Sheila Finlayson
Alderwoman Rhonda Pindell Charles

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 Joe Budge, Chair
Alderman Kenneth A. Kirby
Alderman Ian Pfeiffer

- Alderman Littmann moved to approve the STANDING COMMITTEES 2013-2017 pursuant to City Code Section 2.12.020D Powers and duties. Seconded. CARRIED on voice vote.

A ROLL CALL vote was taken:

YEAS: Mayor Pantelides, Aldermen Budge, Paone, Littmann, Pfeiffer, Arnett
NAYS: Alderwomen Pindell-Charles, Finlayson, Alderman Kirby
CARRIED: 6/3

2. City Council Meeting Dates in 2014

- Alderman Littmann moved to approve the 2014 City Council Meeting Dates Pursuant to City Code Sec. 2.16.010. Seconded. CARRIED on voice vote.

Proposed City Council Meeting Dates Pursuant to City Code Sec. 2.16.010

January 13, 2014	July 14, 2014
January 27, 2014	July 28, 2014
February 10, 2014	August - *No Meetings*
February 24, 2014	<i>(Pursuant to Charter, Article IV, Sec.4.(a))</i>
March 10, 2014	September 8, 2014
March 24, 2014	September 22, 2014
April 14, 2014	October 13, 2014
April 21, 2014	October 27, 2014
<i>(April 28, 2014 Jewish Holiday)</i>	
May 12, 2014	November 10, 2014
May 19, 2014	November 24, 2014
<i>(May 26, 2014 Memorial Day)</i>	
June 16, 2014	December 8, 2014
<i>(MML Conference June 8 thru 11, 2014)</i>	December 22, 2014
June 23, 2014	

DRAFT
A SPECIAL MEETING
December 16, 2013

A Special Meeting of the Annapolis City Council was held on Monday, December 16, 2013 in the Council Chamber. Mayor Pantelides called the meeting to order at 6:35 p.m.

Present on Roll Call: Mayor Pantelides, Aldermen Budge, Paone, Alderwomen Pindell-Charles, Finlayson, Aldermen Littmann, Kirby, Pfeiffer, Arnett

Staff Present: Acting City Attorney Murnane

BUSINESS AND MISCELLANEOUS

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

- Alderman Littmann moved to have a closed meeting on Monday, December 16, 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 a legal matter. Seconded.*

A ROLL CALL vote was taken:

YEAS: Mayor Pantelides, Aldermen Paone, Alderwomen Pindell-Charles, Finlayson, Aldermen Littmann, Kirby, Pfeiffer, Arnett, Budge

NAYS:

CARRIED: 9/0

The Council moved into closed session at 6:36 p.m.

- Alderman Arnett moved to recess the closed session at 7:03 p.m. *Seconded. CARRIED on voice vote.*

Upon motion duly made, seconded and adopted, the special meeting was recessed without closure at 7:04 p.m.

- Alderwoman Pindell-Charles moved to resume the special meeting at 9:24 p.m. *Seconded. CARRIED on voice vote.*

The Council moved into closed session at 9:24 p.m.

- Alderman Arnett moved to adjourn the closed session at 9:42 p.m. *Seconded. CARRIED on voice vote.*

Upon motion duly made, seconded and adopted, the special meeting was adjourned at 9:42 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk

DRAFT
SPECIAL MEETING
December 16, 2013

The Special Meeting of the Annapolis City Council was held on Monday, December 16, 2013 in the John T. Chambers, Jr. Council Chambers. Mayor Pantelides called the meeting to order at 7:05 p.m.

Present on Roll Call: Mayor Pantelides, Aldermen Budge, Paone, Alderwomen Pindell-Charles, Finlayson, Aldermen Littmann, Kirby, Pfeiffer, Arnett

Staff Present: Acting City Attorney Murnane, City Manager Mallinoff, Human Resources Director Rensted, Finance Director Miller, Assistant City Attorney Elson, DNEP Director Broadbent

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 commenced at 6:35 p.m., recessed without closure at 7:03 p.m., and resumed at 9:24 p.m. on Monday, December 16, 2013 in the City Council Chamber.

Present: Mayor Pantelides, Aldermen Budge, Paone, Alderwomen Pindell-Charles, Finlayson, Aldermen Littmann, Kirby, Pfeiffer, Arnett

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

A roll call vote in open session was taken by the members present. By a unanimous vote, 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 a legal matter.

Discussion Topic: Personnel Issues ~

Actions taken in closed session:

- *Alderman Arnett moved to have the City Manager renegotiate the terms of a personnel agreement. Seconded. CARRIED on voice vote.*

Upon motion duly made, seconded and adopted, the closed session was adjourned at 9:42 p.m.

- *Alderman Budge moved amend the order of the agenda to allow for business and miscellaneous item # 2 Appointments, before petitions, reports and communications. Seconded. CARRIED on voice vote.*

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

BUSINESS and MISCELLANEOUS

2. Appointments

- Alderman Arnett moved to approve the Mayor's Re-Appointments of the following individuals:

12/16/13	Financial Advisory Commission	Bob Burdon
12/16/13	Financial Advisory Commission	Ross Dierdorff
12/16/13	Financial Advisory Commission	Frederick Sussman
12/16/13	Financial Advisory Commission	Frank A. Brown

12/16/13 Financial Advisory Commission Fay B. Currie
12/16/13 Financial Advisory Commission Lee Finney
Seconded. CARRIED on voice vote.

The order of the agenda was resumed.

PETITIONS, REPORTS AND COMMUNICATIONS

Time Limitation for Petitions, Reports and Communications per Section 2.16.035 of the City Code

- Alderman Littmann requested the discussion on Time Limitation for Petitions, Reports and Communications per Section 2.16.035 of the City Code be scheduled for the next City Council Work Session. Seconded. CARRIED on voice vote.

Comments by the General Public

Donald Booth, 45 Fleet Street, Annapolis, Maryland 21401 spoke on the City Dock Master Plan and the traffic light and the traffic circle.

- Mayor Pantelides declared petitions, reports and communications closed.

PUBLIC HEARINGS

- O-39-13 Appropriation of Property Tax Revenue Above Estimates to Fund a Cost of Living Adjustment for All City of Annapolis Employees at a Rate of 1% Retroactive to July 1, 2013 and 3% Effective January 1, 2014 and Other Employee Benefits Including Pension and Other Post Employment Benefits** – For the purpose of appropriating property tax revenue above estimates to fund a Cost of Living Adjustment (COLA) for all City of Annapolis employees at a rate of 1% retroactive to July 1, 2013 and 3% effective January 1, 2014 and other employee benefits including pension and other post employment benefits (OPEB).

City Manager Mallinoff gave a brief presentation and answered questions from Council. Human Resources Director Rensted and Finance Director Miller were present and answered questions from Council.

Spoke on the ordinance:

Doug Smith, 5 Revell Street, Annapolis, Maryland 21401.

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

- Mayor Pantelides declared the public hearing closed.

- R-39-13 Authorizing New Year's Eve Vendors in the Historic District** – For the purpose of A. L. Goodies General Store at 112 Main Street and Hard Bean Coffee at 36 Market Space to sell non-alcoholic beverages, food and souvenirs from the sidewalk in front of 112 Main Street and 36 Market Space during the City of Annapolis' New Year's Eve celebration on December 31, 2013.

DNEP Director gave a brief presentation on the resolution and answered questions from Council. City Manager Mallinoff was also present and answered questions from Council.

Spoke in opposition to the resolution:

Sveinn Storm, 130 Dock Street, Annapolis, Maryland 21401 representing Storm Brothers Ice Cream Factory.

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

- Mayor Pantelides declared the public hearing closed.

LEGISLATIVE ACTIONS
2ND READER – ORDINANCE AND RESOLUTION

O-39-13 **Appropriation of Property Tax Revenue Above Estimates to Fund a Cost of Living Adjustment for All City of Annapolis Employees at a Rate of 1% Retroactive to July 1, 2013 and 3% Effective January 1, 2014 and Other Employee Benefits Including Pension and Other Post Employment Benefits** – For the purpose of appropriating property tax revenue above estimates to fund a Cost of Living Adjustment (COLA) for all City of Annapolis employees at a rate of 1% retroactive to July 1, 2013 and 3% effective January 1, 2014 and other employee benefits including pension and other post employment benefits (OPEB).

- Alderman Arnett moved to adopt O-39-13 on second reading. Seconded.

The Finance Committee and the Financial Advisory Commission reported favorably on O-39-13.

The main motion CARRIED on voice vote.

- Alderman Arnett moved to adopt O-39-13 on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Pantelides, Aldermen Paone, Alderwomen Pindell-Charles, Finlayson, Aldermen Littmann, Kirby, Pfeiffer, Arnett, Budge

NAYS:

CARRIED: 9/0

R-39-13 **Authorizing New Year’s Eve Vendors in the Historic District** – For the purpose of A. L. Goodies General Store at 112 Main Street and Hard Bean Coffee at 36 Market Space to sell non-alcoholic beverages, food and souvenirs from the sidewalk in front of 112 Main Street and 36 Market Space during the City of Annapolis’ New Year’s Eve celebration on December 31, 2013.

DNEP Director Broadbent was present and answered questions from Council.

- Alderman Kirby moved to adopt R-39-13 on second reading. Seconded.
- Alderman Arnett moved to amend R-39-13 as follows:

On page 3, in line 10, add the following text:

“AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that before offering any additional variances of the City Code that the administration under takes an analysis of the issues and charges the appropriate city departments and have them bring back a recommendation to the Council on how to handle these type of requests in the future.” Seconded. CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

YEAS: Mayor Pantelides, Aldermen Paone, Alderwomen Pindell-Charles, Finlayson, Aldermen Littmann, Kirby, Pfeiffer, Arnett, Budge

NAYS:

CARRIED: 9/0

1ST READER – RESOLUTION

R-41-13 Metered Parking Rate – FY 2013 Fee Schedule Revision – For the purpose of reducing the metered parking rate from \$2/hour to \$1/hour from January 1, 2014 through March 31, 2014 by amending the FY 2013 fee schedule.

Finance Director Miller gave a brief presentation and answered questions from Council.

- Alderman Budge moved to adopt R-41-13 on first reader. Seconded. CARRIED on voice vote.

Referred to the Finance and the Transportation Committees.

- Alderman Littmann requested a public hearing be scheduled on R-41-13.

BUSINESS and MISCELLANEOUS

Assistant City Attorney Elson replaced Acting City Attorney Murnane prior to the business and miscellaneous item #1.

1. Confirmation of Exempt Level Appointment

Human Resources Director Rensted gave a brief presentation on the confirmation process pursuant to City Code Sec. 3.08.030 (E), and answered questions from Council. City Manager Mallinoff was also present and answered questions from Council.

Timothy Murnane, Esq., candidate for City Council confirmation as City Attorney was present and answered questions from Council.

- Alderman Paone moved to postpone the confirmation of the Mayor's appointment of Timothy D. Murnane as City Attorney - A20/step 10, \$135,738.24/year pursuant to City Code Sec. 3.08.030 (E) until January 13, 2013. Seconded. CARRIED on voice vote.

3. Budget Revisions

Finance Director Miller gave a brief presentation on the budget revision requests and answered questions from Council.

The Finance Committee reported favorably on the budget revision requests.

GT-6-14 Department /Fire Dated 29-Oct-2013 Revenue CPR Classes transfer \$480.00 to Expenditures, Overtime Salaries \$376.00 and Supplies \$104.00, to budget for revenue to cover cost of CPR Classes given by the City Fire Department. This covers cost of overtime salaries and necessary supplies.

&

GT-7-14 Department/Police Dept Dated 13-Nov-2013 Revenue Police Forfeitures Fugitive Recovery transfer \$1,548.53 to Expenditure, Fugitive Recovery Vehicle Fuel \$774.26 and Fugitive Recovery Travel \$ 774.27, to establish working budgets for funds received from States Attorney's Office to cover expenditures related to fugitive recovery.

&

GT-8-14 Department/Police Dept Dated 17-Oct-2013 Revenue transfer Forfeiture \$20,000.00 to Expenditures, Towed Vehicles-Special Programs \$20,000.00, justification revision is necessary to fund the Special Programs-Towing account to pay outstanding invoices for towing and storage fees for seized vehicles.

&

GT-9-14 Department/Police Dept Dated 18-Oct-2013 Revenue transfer Forfeiture Receipts \$22,000.00 to Expenditures Supplies \$22,000.00, justification the funding will be used for the purchase of (5) computers and scanners for newly purchased police vehicles. (Computers are not provided in the vehicle replacement budget, therefore additional resources are needed) The source for this revision has sufficient funds.

&

GT-10-14 Department/Planning & Zoning Dated 13-Nov-2013 Revenue transfer MAHDC DONATION \$2,158.48 to Expenditure Contract Services \$2,158.48, to establish budget received from Maryland Association of Historic District Commission.

- Alderman Pfeiffer moved to approve budget revision request GT-6-14, GT-7-14, GT-8-14, GT-9-14 and GT-10-14. Seconded. CARRIED on voice vote

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:22 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

January 8, 2014

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, January 12, 2014 and Monday, January 13, 2014**

Please send bill and certificate of publication to the City of Annapolis Office of Law, 160 Duke of Gloucester Street, 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, January 13, 2014 at 7:00 p.m., in City Council Chambers, 160 Duke of Gloucester Street, Annapolis, for a public hearing on:

R-41-13 Metered Parking Rate – FY 2013 Fee Schedule Revision – For the purpose of reducing the metered parking rate from \$2/hour to \$1/hour from January 1, 2014 through March 31, 2014 by amending the FY 2013 fee schedule.

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>

**CITY COUNCIL OF THE
City of Annapolis**

Resolution No. R-41-13

Introduced by: Mayor Pantelides, Alderman Budge, Alderman Paone, and Alderwoman Pindell Charles

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
12/16/13	N/A		3/17/13
Referred to	Referral Date	Meeting Date	Action Taken
Finance	12/16/13		
Transportation	12/16/13		
		Unanimous consent requested for both introduction and vote on 12/16/13	

A RESOLUTION concerning

Metered Parking Rate – FY 2014 Fee Schedule Revision

FOR the purpose of reducing the metered parking rate from \$2/hour to \$1/hour from January 1, 2014 through March 31, 2014 by amending the FY 2014 fee schedule.

WHEREAS, the months of January through March are during a period of historically lower demand for metered parking; and

WHEREAS, reducing the metered parking rate should help spur needed economic activity along the corridors with meter parking available.

NOW THEREFORE BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL that metered parking rates are hereby reduced from \$2/hour to \$1/hour from January 1, 2014 through March 31, 2014 as per the revision of the FY 2014 fee schedule, below:

Section	Type of Fee	Amount of Fee FY 2014
12.24.020	Hourly rate per parking meter JANUARY 1, 2014 – MARCH 31, 2014	\$2.00 \$1.00

ADOPTED this _____ day of _____, _____.

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

Regina C. Watkins-Eldridge, MMC, City Clerk

Michael J. Pantelides, Mayor

1
2
3
4
5
6

EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.

[brackets] indicate matter stricken from existing law.

Underlining indicates amendments.

Staff Report

Resolution R-41-13

Metered Parking Rate - FY 2014 Fee Schedule Revision

The proposed resolution would reduce the metered parking rate from \$2/hour to \$1/hour from January 1, 2014 through March 31, 2014, a period of historically lower demand for metered parking.

Prepared by Jessica Cowles, Legislative and Policy Analyst, in the City Attorney's Office at JCCowles@annapolis.gov or 410-263-1184.

FISCAL IMPACT NOTE

Legislation No: R-41-13

First Reader Date: 12/16/13

Note Date: 12/16/13

Legislation Title: *Metered Parking Rate – FY 2014 Fee Schedule Revision*

Description:

The purpose of this legislation is to reduce the metered parking rate from \$2/hour to \$1/hour from January 1, 2014 through March 31, 2014 by amending the FY 2014 fee schedule.

Fiscal Impact Analysis:

The City budgeted 1,604,000 for parking revenues for FY 2014. To date, the City has collected \$660,420 which equates to \$1,440,900 on a straight line annualized basis. Based on fiscal 2013 general ledger activity, the City received \$193,895 of revenue during the January, February and March time period, however, a portion of these revenues were payments received for reserved contractor parking permits. These rates were not increased to \$2 per hour and therefore are not part of the fiscal impact.

Based on current projections, it is anticipated that if this resolution is adopted, revenues will decrease by approximately \$135,000.

Options:

Based on the above revenue shortfall, there are several budgetary options that can be adopted to mitigate the budget impact. Action is necessitated because the Transportation Fund is subsidized by parking revenues and since parking revenues will decrease as a result of this Resolution, if adopted, then steps will be necessitated to bring the fund back into balance.

The following two options will necessitate Council approval.

- Transfer \$135,000 from the General Fund Contingency Reserve fund to the Transportation Fund. The Contingency Reserve appropriated \$400,000 for unforeseen and unexpected events. Although no transfers from the Contingency fund have been approved to date, current requests total approximately \$150,000.
- Decrease the Transportation budget by \$135,000 as the offset to the revenue shortfall.

The following will not necessitate Council approval.

- Increase parking garage revenue by increasing garage rates or reduce non-revenue hours to offset the revenue shortfall.

**CITY COUNCIL OF THE
City of Annapolis**

Resolution No. R-41-13

Introduced by: Mayor Pantelides, Alderman Budge, Alderman Paone, and Alderwoman Pindell Charles

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
12/16/13	N/A		3/17/13
Referred to	Referral Date	Meeting Date	Action Taken
Finance	12/16/13		
Transportation	12/16/13		
		Unanimous consent requested for both introduction and vote on 12/16/13	

A RESOLUTION concerning

Metered Parking Rate – FY 2014 Fee Schedule Revision

FOR the purpose of reducing the metered parking rate from \$2/hour to \$1/hour from January 1, 2014 through March 31, 2014 by amending the FY 2014 fee schedule.

WHEREAS, the months of January through March are during a period of historically lower demand for metered parking; and

WHEREAS, reducing the metered parking rate should help spur needed economic activity along the corridors with meter parking available.

NOW THEREFORE BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL that metered parking rates are hereby reduced from \$2/hour to \$1/hour from January 1, 2014 through March 31, 2014 as per the revision of the FY 2014 fee schedule, below:

Section	Type of Fee	Amount of Fee FY 2014
12.24.020	Hourly rate per parking meter JANUARY 1, 2014 – MARCH 31, 2014	\$2.00 \$1.00

ADOPTED this _____ day of _____, _____.

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

Regina C. Watkins-Eldridge, MMC, City Clerk

Michael J. Pantelides, Mayor

1
2
3
4
5
6

EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.

[brackets] indicate matter stricken from existing law.

Underlining indicates amendments.

Staff Report

Resolution R-41-13

Metered Parking Rate - FY 2014 Fee Schedule Revision

The proposed resolution would reduce the metered parking rate from \$2/hour to \$1/hour from January 1, 2014 through March 31, 2014, a period of historically lower demand for metered parking.

Prepared by Jessica Cowles, Legislative and Policy Analyst, in the City Attorney's Office at JCCowles@annapolis.gov or 410-263-1184.

FISCAL IMPACT NOTE

Legislation No: R-41-13

First Reader Date: 12/16/13

Note Date: 12/16/13

Legislation Title: *Metered Parking Rate – FY 2014 Fee Schedule Revision*

Description:

The purpose of this legislation is to reduce the metered parking rate from \$2/hour to \$1/hour from January 1, 2014 through March 31, 2014 by amending the FY 2014 fee schedule.

Fiscal Impact Analysis:

The City budgeted 1,604,000 for parking revenues for FY 2014. To date, the City has collected \$660,420 which equates to \$1,440,900 on a straight line annualized basis. Based on fiscal 2013 general ledger activity, the City received \$193,895 of revenue during the January, February and March time period, however, a portion of these revenues were payments received for reserved contractor parking permits. These rates were not increased to \$2 per hour and therefore are not part of the fiscal impact.

Based on current projections, it is anticipated that if this resolution is adopted, revenues will decrease by approximately \$135,000.

Options:

Based on the above revenue shortfall, there are several budgetary options that can be adopted to mitigate the budget impact. Action is necessitated because the Transportation Fund is subsidized by parking revenues and since parking revenues will decrease as a result of this Resolution, if adopted, then steps will be necessitated to bring the fund back into balance.

The following two options will necessitate Council approval.

- Transfer \$135,000 from the General Fund Contingency Reserve fund to the Transportation Fund. The Contingency Reserve appropriated \$400,000 for unforeseen and unexpected events. Although no transfers from the Contingency fund have been approved to date, current requests total approximately \$150,000.
- Decrease the Transportation budget by \$135,000 as the offset to the revenue shortfall.

The following will not necessitate Council approval.

- Increase parking garage revenue by increasing garage rates or reduce non-revenue hours to offset the revenue shortfall.

1 CITY COUNCIL OF THE
2 City of Annapolis

3 Ordinance No. O-1-14

4 Introduced by: Alderman Budge
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	180 Day Rule
1/13/14			7/11/14
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	1/13/14		
Planning Commission	1/13/14		

8
9 **A ORDINANCE** concerning

10 **Single-Family Attached Dwellings in C1A Special Conservation District**
11

12 **FOR** the purpose of deeming conforming those single-family attached dwellings lawfully
13 existing on June 20, 1994, in the C1A Special Conservation Residence District.

14 **BY** repealing and re-enacting with amendments the following portions of the Code of the
15 City of Annapolis, 2014 Edition
16 Section 21.40.140
17

18 **WHEREAS,** row houses are an established feature of historic Annapolis and, while the Zoning
19 Code prohibits new row house construction, the current restrictions in effect
20 mean that an owner of an existing row house does not have the same expansion
21 privileges as an owner of a single-family dwelling or a two-family attached
22 dwelling; and
23

24 **WHEREAS,** any expansion permitted as a result of this ordinance would still be subject to
25 Historic Preservation Commission review and approval.

26
27 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
28 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:
29

30 **CHAPTER 21.40 – RESIDENTIAL DISTRICTS**

31 **21.40.140 C1-A Special Conservation Residence district.**

32 A. Purpose. The C1-A Special Conservation Residence district is designed to preserve
33 neighborhoods that have been identified as "at risk" in the Annapolis Comprehensive Plan

1 as amended through and including amendments to the "Ward One Sector Study." At risk
2 neighborhoods are identified as being significantly impacted by at least two of the following
3 characteristics:

- 4 1. A growing number of nonconforming uses,
- 5 2. Unmaintained buildings or lots,
- 6 3. Traffic volumes inconsistent with strictly residential land uses due to through
7 commercial traffic, and
- 8 4. Other adverse impact from nearby commercial uses.

9 Lands zoned C1-A are the focus of the intensive public efforts, including periodic monitoring
10 of land uses, to minimize conversions from single-family to multi-family or office use, to stabilize
11 and enhance the residential quality of life, and to encourage single-family development and
12 conversion to single-family use.

13 B. Uses. Uses that may be permitted in the C1-A district are set forth in the table of uses for
14 residential districts in Chapter 21.48

15 C. Development Standards.

- 16 1. Chapter 21.50 contains the bulk regulations table for the C1-A district.
- 17 2. No single use of property may occupy more than two adjacent buildings.
- 18 3. All new construction including alterations (any change to the exterior of a structure) and
19 enlargements (changes made to increase the bulk of a structure) to existing structures
20 are subject to review by Department of Planning and Zoning in accordance with the
21 provisions of Chapter 21.22, Site Design Plan Review, and Chapter 21.56, Historic
22 District, if applicable.

23 D. Additional Standards. Reserved.

24 E. Uses Deemed Conforming.

- 25 1. Multi-family dwellings lawfully existing on June 20, 1994 are deemed conforming for the
26 purposes of condominium conversion regardless of lot area or parking requirements,
27 pursuant to Section 21.68.030 of this Zoning Code.
- 28 2. SINGLE-FAMILY ATTACHED DWELLINGS, LAWFULLY EXISTING ON JUNE 20,
29 1994, ARE DEEMED CONFORMING AND MAY BE EXPANDED, SUBJECT TO
30 COMPLIANCE WITH THE BULK REGULATIONS FOR SINGLE-FAMILY DETACHED
31 DWELLINGS IN THE C1A ZONING DISTRICT.

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

35 **ADOPTED** this _____ day of _____, _____.

36
37
38 ATTEST:

THE ANNAPOLIS CITY COUNCIL

Regina C. Watkins-Eldridge, MMC, City Clerk

BY _____
Michael J. Pantelides, Mayor

1
2
3
4
5
6

EXPLANATION

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

Staff Report

Ordinance O-1-14

Single-Family Attached Dwellings in C1A Special Conservation District

The proposed ordinance would deem conforming those single-family attached dwellings lawfully existing on June 20, 1994, in the C1A Special Conservation Residence District.

Prior to the adoption of the Ward One Sector Study, the historic core residential areas were zoned C1, Conservation Residence District. This district allowed single-family detached dwellings as a permitted use. Attached dwellings (two-family and up, including row houses) were allowed as conditional uses (now labeled a “special exception”).

With the adoption of the Ward One Sector Study, some areas such as Fleet and Cornhill Streets, were zoned C1A, Special Conservation Residence District. The C1A district allows single-family detached dwellings as a permitted use, and two-family dwellings by special exception, except that existing two-family dwellings are deemed conforming for the purposes of expansion. Currently, single-family attached dwellings with more than two units (such as a row house block) were deemed nonconforming, meaning that they could be repaired or restored, but not expanded.

The ordinance is proposed in order to grant some relief to property owners of single-family attached structures that are seeking to expand their home. By deeming single-family attached structures conforming for the purposes of expansion, the City recognizes the legitimacy of existing single-family attached units while keeping historic densities by not allowing new housing other than single- and two-family structures. The right of expansion is already allowed for single- and two-family units, and the proposed ordinance would confer this right on townhouse and row house structures.

Prepared by Sally Nash, Acting Director of Planning and Zoning, at SNash@annapolis.gov and 410-263-7961 and Jessica Cowles, Legislative and Policy Analyst, at JCCowles@annapolis.gov and 410-263-1184.

1
2
3
4
5
6
7

**CITY COUNCIL OF THE
City of Annapolis**

Ordinance No. O-3-14

Introduced by: Alderwoman Finlayson

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
1/13/14			7/11/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	1/13/14		
Housing and Human Welfare	1/13/14		
Planning Commission	1/13/14		

8
9 **A ORDINANCE** concerning

10 **Density Provisions in the R3, General Residence Zoning District**

11 **FOR** the purpose of allowing greater density for certain HACA properties located in the R3
12 General Residence zoning district in order to facilitate redevelopment that maintains the
13 existing number of subsidized units and allows for additional mixed-income units.

14 **BY** repealing and re-enacting with amendments the following portions of the Code of the
15 City of Annapolis, 2014 Edition
16 Section 21.40.070
17 Section 21.50.060

18
19 **WHEREAS,** the Housing Authority of the City of Annapolis (HACA), under the direction of the
20 U.S. Department of Housing and Urban Development (HUD), is seeking private
21 partners to assist in the redevelopment of certain HACA properties; and

22
23 **WHEREAS,** in order to qualify for HUD assistance for redevelopment projects, HACA must
24 demonstrate that redeveloped properties will have units available for mixed-
25 income households in addition to the subsidized units; and

26
27 **WHEREAS,** it is the policy of HACA and the Annapolis City Council that there be no net loss
28 of subsidized units upon the completion of redevelopment; and

29
30 **WHEREAS,** certain HACA properties are zoned and developed such that they are at
31 maximum density and therefore cannot maintain existing numbers of subsidized
32 units while providing additional mixed-income units; and

33
34 **WHEREAS,** the Comprehensive Plan, Chapter 8—Housing contains policies directly related
35 to the redevelopment of HACA properties:

1
2 Policy 2.1 supports revitalization efforts with the goal of ensuring quality housing for low
3 income residents, and for transitioning to private professional property management.
4

5 Policy 2.2 supports the City working with HACA to evaluate income diversity of public
6 housing residents; and
7

8 **WHEREAS**, the goal of providing mixed-income housing while maintaining the existing
9 inventory of subsidized housing can, in certain instances, only be achieved via
10 flexibility in determining density of development.
11

12
13 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
14 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:
15

16 **CHAPTER 21.40 – RESIDENTIAL DISTRICTS**
17

18 **21.40.070 R3 General Residence district.**
19

20 A. Purpose. The R3 General Residence district provides for single-family and two-family
21 detached dwellings at up to eight dwelling units per acre and other uses compatible with these
22 neighborhoods of the City including single-family attached and multi-family dwelling units.

23 B. Uses. Uses that may be permitted in the R3 General Residence district are set forth in the
24 table of uses for residential districts in Chapter 21.48

25 C. Development Standards. Chapter 21.50 contains the bulk regulations table for the R3
26 General Residence district.

27 D. NOTWITHSTANDING THE PROVISIONS OF CHAPTER 21.50, IN CASES OF MULTI-
28 FAMILY DEVELOPMENTS THAT A PUBLIC ENTITY WHOLLY OR PARTIALLY OWNS,
29 DENSITY MAY BE ESTABLISHED THROUGH THE PLANNED DEVELOPMENT PROCESS
30 WITHOUT MEETING THE PROVISIONS OF SECTION 21.24.050 B.1., PROVIDED THAT:
31

- 32 1. THE PROPERTY BEING DEVELOPED IS AN EXISTING HOUSING DEVELOPMENT;
33 AND
- 34 2. THE ADDITIONAL UNITS ARE SOUGHT IN ORDER TO MEET FEDERAL, STATE OR
35 LOCAL REQUIREMENTS TO DEVELOP MIXED-INCOME HOUSING WHILE
36 MAINTAINING THE EXISTING NUMBER OF SUBSIDIZED HOUSING UNITS; AND
- 37 3. THE INCREASE IN NUMBER OF UNITS DOES NOT EXCEED 67% OF THE MAXIMUM
38 DENSITY ALLOWED UNDER SECTION 21.24.050 B.1.; AND
- 39 4. THE PROPOSED DEVELOPMENT, IN ALL OTHER WAYS, MEETS THE PLANNED
40 DEVELOPMENT AND ADEQUATE PUBLIC FACILITIES REQUIREMENTS.
41
42
43

44 **Chapter 21.50 – BULK REGULATIONS TABLES**

45 **21.50.060 – Bulk Regulations Table R3 District.**
46

Permitted uses, special exception uses, and uses subject to specific standards	Density (maximum, expressed as minimum sq. ft. of lot area per dwelling unit)	Lot Dimensions (minimum) Area (sq. ft. or acres) ¹	Lot Dimensions (minimum) Width (ft)	Yards (minimum) Front (ft) ⁹	Yards (minimum) Interior Side (ft) ^{10, 15}	Yards (minimum) Corner Side (ft) ^{10, 15}	Yards (minimum) Rear (ft)	Height, Coverage, Floor Area Ratio (maximum) Height, (stories and feet) ¹¹	Height, Coverage, Floor Area Ratio (maximum) Lot Coverage, (percent)	Height, Coverage, Floor Area Ratio (maximum) Floor Area Ratio	Open Space (minimum, percent)
Day care centers, group		5,400	50	25	6	15	30			0.75	
Dwellings, multifamily	3,600 ^{2, 16}		50	20 ³	5 ⁴	15 ⁵	30	3.5 stories not to exceed 35 feet		1.2 ⁸	
Dwellings, single-family attached	3,600 ²		16	20 ³		15 ⁵	30	3.5 stories not to exceed 35 feet		1.2 ⁸	
Dwellings, single-family detached		5,400	50	25	5	15	30	2.5 stories not to exceed 35 feet		1.0 ⁸	
Dwellings, two-family		7,200 ¹⁴	50 ¹⁴	25	5	15	30	2.5 stories not to exceed 35 feet		1.0 ⁸	
Educational institutions		5 acres	200	50 feet from all property lines	50 feet from all property lines	50 feet from all property lines	50 feet from all property lines			0.75	
Governmental uses		13	13	13	13	13	13	13	13	13	13

Health and medical institutions		40,000	120	50 ³	15 ⁶	35 ⁶	50			1.2	
Inns		2 acres		i. Minimum setback from any street: 50 feet ii. Minimum setback from adjacent single-family development: 75 feet iii. All other yards: 30 feet	i. Minimum setback from any street: 50 feet ii. Minimum setback from adjacent single-family development: 75 feet iii. All other yards: 30 feet	i. Minimum setback from any street: 50 feet ii. Minimum setback from adjacent single-family development: 75 feet iii. All other yards: 30 feet	i. Minimum setback from any street: 50 feet ii. Minimum setback from adjacent single-family development: 75 feet iii. All other yards: 30 feet	2.5 stories not to exceed 35 feet	10		50
Institutions for the care or treatment of alcoholics, drug addicts and the mentally ill		5 acres	200	13	13	13	13				
Museums and art galleries		40,000	120	50 ³	15 ⁶	35 ⁶	50			1.0	
Philanthropic and charitable institutions		20,000	100	35 ³	10 ⁶	25 ⁶	50			1.0	

Planned developments		Bulk regulations shall be determined through the planned development process, pursuant to Chapter 21.24	Bulk regulations shall be determined through the planned development process, pursuant to Chapter 21.24	Bulk regulations shall be determined through the planned development process, pursuant to Chapter 21.24	Bulk regulations shall be determined through the planned development process, pursuant to Chapter 21.24	Bulk regulations shall be determined through the planned development process, pursuant to Chapter 21.24	Bulk regulations shall be determined through the planned development process, pursuant to Chapter 21.24	Bulk regulations shall be determined through the planned development process, pursuant to Chapter 21.24	Bulk regulations shall be determined through the planned development process, pursuant to Chapter 21.24	Bulk regulations shall be determined through the planned development process, pursuant to Chapter 21.24	Bulk regulations shall be determined through the planned development process, pursuant to Chapter 21.24
Recreational and social clubs		20,000	100	13	13	13	13				
Religious institutions		20,000	100	50 ³	15 ⁶	35 ⁶	50		60	1.0	
Accessory Uses											
Buildings accessory to single-family dwellings, other than as specified elsewhere in this table				20	5 ⁷	15	2	12			
Clubhouses and other structures on the grounds of private clubs, golf courses, polo and tennis clubs				Minimum of 150 feet from the nearest residential property line, 25 feet from all others.	Minimum of 150 feet from the nearest residential property line, 25 feet from all others.	Minimum of 150 feet from the nearest residential property line, 25 feet from all others.	Minimum of 150 feet from the nearest residential property line, 25 feet from all others.				

Mooring slip				No requirement	No requirement	No requirement	No requirement				
--------------	--	--	--	----------------	----------------	----------------	----------------	--	--	--	--

1

1 Table Notes:

- 2 1. Where the front, side or rear lot line of a residential lot adjoins an accessible and usable
3 common or public open space which is at least five acres in area and of a depth perpendicular
4 to the lot line of not less than 200 feet, the required area may be reduced by 20 percent.
- 5 2. The minimum total zoning lot area is 5,400 square feet. For multi-family and single-family
6 attached uses the maximum number of dwelling units per structure is 10.
- 7 3. Plus one foot for each three feet by which the building width exceeds 40 feet.
- 8 4. Unless the building height exceeds 25 feet, in which case the interior side yards shall equal
9 one-fifth the building height. Buildings 50 feet or more in overall width, as projected upon the
10 front lot line, shall have side yards not less than ten percent of the building width or 20 percent
11 of the building height, whichever is greater.
- 12 5. Buildings 50 feet or more in overall width, as projected upon the front lot line, shall have
13 corner side yards not less than 25 percent of the building width or 30 percent of the building
14 height, whichever is greater.
- 15 6. Plus one foot for each two feet by which the building height exceeds 15 feet.
- 16 7. Unless the entire structure is located on the rear 25 percent of the lot, in which case only
17 two feet is required. See illustration at Section 21.60.100
- 18 8. Where the front, side or rear lot line of a residential lot adjoins an accessible and usable
19 common or public open space which is at least five acres in area and of a depth perpendicular
20 to the lot line of not less than 200 feet, the floor area ratio may be increased by 20 percent.
- 21 9. The front yard for principal uses shall be the minimum specified in the table or the
22 established front yard pursuant to Chapter 21.38
- 23 10. Each side yard shall meet the minimum requirement set forth in the table, and the total of
24 both side yards must equal at least 20 percent of the lot width.
- 25 11. i. Except as provided in subsection (ii) of this note, no building shall exceed the lesser of
26 either the maximum height in the bulk regulations table or the average height of all structures on
27 the block face.
- 28 ii. New construction behind the ridgeline (i.e., roofline) of an existing structure, or if no
29 structure is extant, behind the average front setback of ridgelines on the block face, may
30 maintain the height limitation in the bulk regulations table.
- 31 12. i. Within five feet of any property line except rear property lines adjacent to an alley:
32 maximum cornice height of eight feet and maximum ridge height of 16 feet.
- 33 ii. The cornice and ridge heights of an accessory structure may increase one foot for each
34 one foot of additional setback beyond two feet up to a maximum height of two stories and/or a
35 cornice height of sixteen feet and a ridge height of compatible design.
- 36 13. As specified by the decision-making body or official through the zoning decision-making
37 process set forth in Division II, Administration.

1 14. If the lot is to be subdivided, a minimum lot area of 3,600 square feet and a minimum lot
2 width of 30 feet per dwelling unit shall be provided.

3 15. In the case of re-subdivision of improved zoning lots, side yard requirements do not apply
4 between attached buildings.

5 16. EXCEPT AS PROVIDED FOR IN SECTION 21.70.040 D.
6
7

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

10 **ADOPTED** this _____ day of _____, _____.
11
12
13

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

Regina C. Watkins-Eldridge, MMC, City Clerk

Michael J. Pantelides, Mayor

14
15
16 **EXPLANATION**

17 CAPITAL LETTERS indicate matter added to existing law.

18 [brackets] indicate matter stricken from existing law.

19 Underlining indicates amendments.

Staff Report

Ordinance O-3-14

Density Provisions in the R3, General Residence Zoning District

The proposed ordinance would allow greater density for certain HACA properties located in the R3 General Residence zoning district in order to facilitate redevelopment that maintains the existing number of subsidized units and allows for additional mixed-income units.

The Housing Authority of the City of Annapolis (HACA), under the direction of the U.S. Department of Housing and Urban Development (HUD), is seeking private partners to assist in the redevelopment of certain HACA properties. In order to qualify for HUD assistance for redevelopment projects, HACA must demonstrate that redeveloped properties will have units available for mixed-income households in addition to the subsidized units although certain HACA properties are zoned and developed at maximum density and cannot maintain existing numbers of subsidized units while providing additional mixed-income units.

It is the policy of HACA and the Annapolis City Council that there be no net loss of subsidized units upon the completion of redevelopment. Furthermore, the Comprehensive Plan, Chapter 8—Housing contains policies directly related to the redevelopment of HACA properties:

Policy 2.1 supports revitalization efforts with the goal of ensuring quality housing for low income residents, and for transitioning to private professional property management.

Policy 2.2 supports the City working with HACA to evaluate income diversity of public housing residents.

Prepared by Sally Nash, Acting Director of Planning and Zoning, at SNash@annapolis.gov or 410-263-7961.



MEMORANDUM

DATE: December 16, 2013
TO: Annapolis City Council
FROM: Mayor Michael J. Pantelides *mjp*
RE: Confirmation of Exempt Level Appointment

Pursuant to City of Annapolis Code, Section 3.08.030(E), I am seeking confirmation by the City Council of my appointment to the following Exempt level position:

Timothy Murnane, Esq. –City Attorney - A20 /step 10, \$135,738.24/year

A copy of Mr. Murnane's biography is attached for your review and consideration.

Mr. Murnane is a graduate of University of Baltimore School of Law

Mr. Murnane will be present for confirmation at the City Council Session scheduled for Monday, December 16, 2013, at 7:00 pm.

Biography of Timothy D. Murnane

Timothy D. Murnane has been a general practitioner for more than 30 years. He has served as a public defender for Anne Arundel County for 11 years, instructed classes in business law and principles of real estate at Anne Arundel Community College for nearly 10 years, and has been the managing partner of the Law Office of Timothy D. Murnane, P.C., for almost 25 years.

Mr. Murnane specialized in trial work and more recently transitioning major International law departments for efficiency, corporate governance including the Foreign Corrupt Practices Act, UK Anti-Bribery Act, Due Diligence, Ethics, Conflict of Interest, Integrity Issues, and Social Media Policy.

Mr. Murnane has been actively engaged in transitioning Anne Arundel County governments having served as transition team chairman for Public Safety, studying the Anne Arundel County Police Department, the Anne Arundel County Fire Department, the Anne Arundel County Detention Center, the Anne Arundel County Emergency Management, and the Anne Arundel County Office of Law.

Mr. Murnane obtained his J.D. from the University of Baltimore School of Law and has been a member of the Maryland Bar since May 1, 1979.

Mr. Murnane currently resides in Annapolis and has had a home here for nearly 30 years. He has been married to his wife, Susan Neall Murnane, for 37 years.

City Attorney

Job Class Code: 2001

Pay Grade: 20

FLSA: Exempt

Updated: 3/05

GENERAL STATEMENT OF DUTIES: Performs professional and administrative legal work as the legal advisor for the City; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: Work involves responsibility for the direction of legal work of the City and for the planning and development of an adequate legal program in relation to municipal activities. The employee in this class is the legal advisor of the City's Mayor, City Council, department heads, boards, commissions and committees. Duties require the exercise of extensive independent judgment as the ultimate legal authority for the City. Supervision is exercised over employees. Work is performed in accordance with general policies of the Mayor and the accepted standards and practices of the legal profession.

EXAMPLES OF WORK: (Illustrative only)

- < Renders oral and written opinions to the City Council, Mayor, department heads, and other officials of the City government;
- < Attends Council meetings and conferences for the purpose of learning policies underlying official action and gives advice on legal implications involved, including advice as to alternative legal and administrative approaches to the solution of major City problems;
- < Keeps informed of proposed legislation for consideration by the City Council;
- < Draws contracts and agreements and passes on the legality of other contracts and agreements;
- < Represents the City in important civil actions; prepares pleadings, conducts legal research or represents the City at trials and in appeals;
- < Exercises general supervision over City Clerk's Office.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES: Thorough knowledge of City code and charter provisions of general City and State law, with particular reference to municipal legal provisions and of municipal law; extensive knowledge of established precedents and sources of legal reference; extensive knowledge of judicial procedure and rules of evidence; thorough knowledge of the organization, functions and legal limitations on the authority of the various City departments; ability to determine whether a legal or administrative approach will best resolve a City problem; ability to organize, interpret and apply legal principles and knowledge to complex legal problems; ability to supervise the preparation and trial of important cases and to present material clearly and logically in oral or written form; ability to meet and effectively deal with persons interested or involved in suits against the City; ability to plan and supervise the work of others.

ACCEPTABLE EXPERIENCE AND TRAINING: Considerable experience in the practice of municipal law and graduation from a recognized school of law; or any equivalent combination of experience and training which provides the required knowledge skills and abilities.

ADDITIONAL REQUIREMENTS: Must remain a member in good standing with the bar of the State of Maryland.

AMERICANS WITH DISABILITIES ACT:

Physical ability: strength and ability sufficient to present cases in court, examining and cross-examining witnesses, etc

Visual ability: sufficient to conduct research, prepare briefs and numerous other legal documents.

Hearing ability: sufficient to understand radio transmissions, conversation with other individuals both in person and over a telephone.

Speaking ability: sufficient to communicate effectively with other individuals in person, over a telephone, over a radio.

Freedom from mental disorders which would interfere with performance of duties as described.

3.08.030 Salary.

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

Position	Grade
Executive Office Associate	A10
Recruitment/Employee Relations Administrator	A15
Communications Officer	A18
Deputy Fire Chief	F18
Human Resources Director	A20
Director of Transportation	A20
Director of Neighborhood and Environmental Programs	A20
Director of Recreation and Parks	A20
City Attorney	A20
Assistant City Attorney	A18
Director of Finance	A20
Director of Planning and zoning	A20
Human Services Officer and Ombudsman	A18
Community Relations Specialist	A12
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

2. The salary of the Mayor for the term of office commencing on the first Monday in December, 2013, shall be an annual salary of ninety-eight thousand dollars and an entitlement to the benefits afforded to the City's exempt service employees.
3. The salary of each Alderman and Alderwoman for the term of office commencing on the first Monday in December, 2013, shall be an annual salary of thirteen thousand five hundred dollars. Each Alderman and Alderwoman shall be afforded an annual allowance of one thousand five hundred dollars for expenses related to executing the duties associated with their office; such expenses shall include the cost of cell phones, postage, correspondence, office supplies, and education and training. Aldermen and Alderwomen shall participate in the Maryland State Retirement and Pension System.
4. The salary of the City Manager shall be:
- i. Salary and Performance Reviews. A base salary for the City Manager ranging from one hundred twenty thousand dollars to one hundred eighty thousand dollars per year, with incremental increases based upon annual performance reviews conducted by the Mayor. The initial base salary shall be fixed within the provided range based upon the City Manager's education and employment experience. The annual performance review shall be based upon criteria

established in advance by the Mayor in consultation with the Director of Human Resources. The base salary and increments shall be subject to cost of living increases (COLAS) every two years, based upon COLAS awarded to other City exempt service employees during the two-year period. The City Manager's compensation shall be subject to reduction to the same extent as other City exempt service employees, including reductions based upon furloughs or similar actions.

- ii. Benefits. The City Manager is entitled to receive the same benefits as other City exempt service employees, such as inclusion in the City's health care and retirement plans, in which the City and the employee contribute in the same proportion as other City exempt service employees.
 - iii. Allowances. The City shall provide the City Manager with a City vehicle, or additional compensation to reimburse the use of a personally-owned vehicle.
 - iv. Severance Pay. Three months' severance pay of salary only for a City Manager who has been removed from the position without cause and no severance if the removal is for cause. Grounds for removal that constitute cause shall be 1) conviction of a felony or a crime of moral turpitude; or 2) malfeasance or misfeasance in office.
- B. Salary raises for the list of positions included in the table in Section 3.08.030 A.1.:
- 1. Shall be justified by either satisfactory or above satisfactory performance reviews by the Mayor and shall be entirely at the Mayor's discretion, with the exception of those positions listed in subsection (B)(2) of this section;
 - 2. Shall be at the discretion of the Department Director for the following positions:
 - i. Deputy Fire Chiefs,
 - ii. Police Captains,
 - iii. Police Major,
 - iv. Recruitment/Employee Relations Administrator,
 - v. Assistant City Attorney,
 - vi. Executive Office Associate,
 - vii. Communications Officer,
 - viii. Human Services Officer and Ombudsman,
 - ix. Community Relations Specialist,
 - x. Administrative Assistant,
 - xi. Assistant City Manager,
 - xii. Public Information Officer and Quartermaster.
 - 3. Shall not be awarded to an individual more frequently than once a year;
 - 4. Shall not be for an amount exceeding one pay step in the grade range for the position as set in subsection (A)(1) of this section;
 - 5. Shall not cause an individual's salary to exceed the maximum salary of the assigned grade.
- C. Longevity salary increases awarded to civil service employees shall not be a benefit of the exempt service.
- D. A City employee appointed to a position specified in subsection (A)(1) of this section shall be assigned to a salary in the new pay grade which is at a minimum five percent higher than the employee's salary prior to promotion or shall be assigned to the minimum of the new grade,

whichever is higher. In no case shall the new salary exceed the maximum salary of the new grade.

- E. For positions other than those specified in subsection (B)(2) of this section, the Mayor may make an initial appointment at a salary greater than the first step of the assigned grade. The appointment and initial salary is subject to confirmation by the City Council. For those positions specified in subsection (B)(2) of this section, appointments made by Department Director do not require City Council approval and initial appointments may be made at a salary greater than the first step of the assigned grade subject to the availability of funding.
- F. The Mayor shall report to the City Council on an annual basis the salaries of all positions listed in subsection A of this section, and all increases in salary awarded since the prior report.

(Ord. O-32-08 Revised § 1 (part), 2008; Ord. O-11-07 Revised § 1 (part), 2007; Ord. O-52-06 § 1, 2007; Ord. O-6-05 § 1 (part), 2005; Ord. O-17-01 § 1 (part): amended during supplement #7; Ord. O-46-97 § 1; Ord. O-25-97 § 1 (part); Ord. O-42-96 § 1; Ord. O-6-96 § 1; Ord. O-36-95 § 1; Ord. O-62-94 § 1 (part); Ord. O-24-91 § 1 (part); Ord. O-48-90 § 1 (part); Ord. O-7-90 § 1 (part); Ord. O-56-88 § 1; Ord. O-72-87 § 1 (part); Ord. O-19-87 § 1; prior code § 7-3.1(b), (c), (h), (i))

(Ord. No. O-12-10 Revised Amended, § 1, 7-12-2010; Ord. No. O-12-10 Revised Amended, § 1, 7-12-2010; Ord. No. O-10-12 Amended, § 1, 6-4-2012; Ord. No. O-1-13 Amended, § 1, 3-18-2013; Ord. No. O-10-13, § 1, 6-10-2013)

2.12.040 City Attorney.

- A. The City Attorney shall be appointed by the Mayor and confirmed by the council and shall meet the qualifications set forth in the Charter.
- B. The City Attorney shall have the following powers and duties:
 - 1. To perform legal services for the City;
 - 2. To perform advisory, documentary and drafting services for the City;
 - 3. To issue opinions upon questions affecting the interest of the City;
 - 4. To review and approve as to form and legal sufficiency each instrument to be executed on behalf of the City;
 - 5. To prepare and approve the title papers whenever the City purchases any real estate and no contract shall be made or money paid on account of the purchase of real property until the City Attorney certifies to the title of the property and legal sufficiency of the deeds or other instruments intended to convey the property to the City;
 - 6. To assist the Mayor, Aldermen and City Clerk in the preparation of legislation.

(Ord. O-54-98 § 1 (part))

Sec. 4. City attorney.

The office of the mayor shall include the general counsel for the city who shall be known as the city attorney. The city attorney shall be appointed on the basis of his/her knowledge of municipal law and administration, shall be a member in good standing of the Bar of Maryland, shall have been actively engaged in the practice of law in the state of Maryland for at least five (5) years, and shall not maintain a private practice except to the extent authorized by the city council.

(Added by Res. CA-8-98 § 1 (part))

City of Annapolis Budget Revision Request

Control number GT-11-14

Department
Public Works / Water Supply

Date 26-Nov-2013

Account Name Only	Transfer TO	Transfer FROM
Salaries		20,000.00
Contractual Services	20,000.00	

This revision is necessary to provide funding for temporary contractual services for maintenance workers and office staff. Funds are available due to unfilled positions at the Water Plant. Positions are not being filled at time due to ongoing design of new plant and uncertainty of future staffing needs.

MA

Approved for Financial & Accounting Sufficiency:

Bonnie Miller
Finance Director

[Signature]
Department Director

Approved by:

Mayor
Finance Committee
City Council

[Signature]
[Signature]
[Signature]