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Manager's Monthly Report
July 2014

OFFICE OF LAW

Open Litigation:

Case Name	Dept	Comments
Fairwinds of Annapolis Condominiums PJR Circuit Court Case No. C-2011-163122 (L49-11)	BOA	Remanded to BOA, which stayed remand proceedings due to litigation between applicant (tenant) and property owner (landlord)
James Armstead, et ux. V. APD, et al. District Court Case No. CV-0702-7980-2012 (L56-12)	APD	Appeal to Circuit Court of District Court grant of City Motion to Dismiss; Circuit Court denied appeal. CLOSED.
QW Properties' PJR Circuit Court Case No. C-2013-176246 (L16-13)	BOA	Circuit Court overturned Board of Appeals' Decision, appeal to CSA; City will file motion to submit amicus brief
Shelley White, et al. v. COA U.S. District Court Case No. CV-01130-JFM (L21-13)	APD	Discovery ongoing
Moe's Southwest Grill PJR Circuit Court Case No. C-2013-178391 (L39-13)	BOA	Circuit Court granted Motion to Dismiss Petition for Judicial Review; appealed to Court of Special Appeals
City of Annapolis v. SPAW, LLC (Municipal Infractions) District Court Case No. 3z36100886, 5z36100888 (L1-13)	HPC	Appeal to Circuit Court of District Court's finding of Municipal infraction; trial 12/17/14
Milkshake Lane - Planned Development – PJR Circuit Court Case No. 02-C-13-183815 AA (L1-14)	DNEP	Petition for Judicial Review of BBOA decision denying appeal of DNEP consideration of Forest Stand Delineation; Petitioner voluntarily dismissed PJR. CLOSED.
220 Chesapeake Avenue – PJR Circuit Court Case No. 02-C-14-184804 AA (L2-14)	P&Z	Petition for Judicial Board of Appeals' decision to grant variance; Circuit Court granted Petitioner's request and ordered Board of Appeals to grant Petitioner's variance. CLOSED.
Travis v. City US District Court Case No. 1:14-CV-00424-ELH (L4-14)	APD	Court denied City's Motion to Strike Plaintiff's Complaint; City filed Answer to Complaint; Discovery ongoing.
James Dodson – PJR Circuit Court Case No. 02-C-14-186030 + 188177 (L3-14)	HPC	Petition for Judicial Review of HPC decision granting Certificate of Approval at 11 S. Acton Place; oral arguments pending.
Bruce v. City District Court Case No. CV-1640-14 (L48-14)	PW	City filed Motion to Dismiss Plaintiff's District Court Complaint; Motion granted, Amended Complaint filed, Answer filed, Discovery ongoing.
EEOC Cases: (all pending decisions by EEOC)		
Stansbury	DPW	Conciliation procedures ongoing
McGarrie	R&P	EEOC found in favor of City and issued McGarrie a "Right to Sue" notice; McGarrie did not sue. CLOSED.
Belk	DOT	EEOC issued Right to Sue Notice; Belk did not sue. CLOSED.
Johnson	R&P	Right to Sue has expired. CLOSED.

Workers' Compensation Appeals to Circuit Court:		
Dammeyer v. City		Discovery in process
McRae, Jr. v. City (5/24/12)		Appeal resolved / SETTLED
Van Houten v. City		Verdict in favor of Defendant; CLOSED
Williams v. City		Case dismissed by Claimant; CLOSED
Timmons, Jr. v. City		Case dismissed by Claimant; CLOSED
Imhof v. City		Discovery out; pretrial conference set for 1/21/15
Kirby v. City		Pretrial conference set for 11/12/14
White, K. v. City		Awaiting discovery responses; trial set for 12/18/14
Woolfolk v. City		Discovery sent to claimant
White, S. v. City		Preparing discovery responses
McRae, Jr. v. City (11/24/13)		Trial scheduled for 12/16/14
Chandler v. City		Discovery in process
Cook v. City		Discovery sent to claimant
Disability Retirement Review Board Appeals:		
Keys v. City	APD	Hearing pending

ADOPTED LEGISLATION:

- [O-2-14](#) Passed 7/28/2014 Water Service to the Chesapeake Harbour Subdivision- For purpose of authorizing and approving an agreement regarding the provision of water service to the Chesapeake Harbour Subdivision.
- [O-6-14](#) Passed 7/14/2014 Seasonal Outdoor Sales - For the purpose of amending the zoning code to address seasonal outdoor sales.
- [O-13-14](#) Passed 7/14/2014 Repeal of Police Residency Requirement - For the purpose of repealing the requirement that sworn employees of the Police Department reside within a thirty-mile road radius from the City line.
- [O-15-14](#) Passed 7/14/2014 Bulk Regulations for Educational Institutions - For the purpose of amending the bulk regulations for educational institutions to allow for a flexible design-oriented approach to the development or redevelopment of schools.
- [O-18-14](#) Passed 7/28/2014 Admission and Amusement Taxes - For the purpose of codifying the City of Annapolis' laws related to the admission and amusement tax authorized by the Tax-General Article, § 4-102(c), of the Annotated Code of Maryland.

- [O-22-14](#) Passed 7/28/2014 Special Residential Parking District 1 - State Circle - For the purpose of authorizing a resident who occupies a dwelling unit in a building located on State Circle to be eligible for a permit in special residential parking district No. 1; and all other matters related to special residential parking district No. 1.
- [O-23-14](#) Passed 7/28/2014 Financial Disclosure for Employees and Appointed Officials - For the purpose of requiring certain City of Annapolis employees and appointed officials to file a financial disclosure statement with the Ethics Commission 15 days after commencing employment or service pursuant to their appointment; requiring employees or appointed officials who provide advice or counsel to the City on acquisitions or public policy matters to file a financial disclosure statement with the Ethics Commission; and making the changes necessary to the City Code in order to comply with the State of Maryland ethics requirements.
- [O-24-14](#) Passed 7/28/2014 Police and Fire Retirement Plan Cost of Living Adjustments - For the purpose of providing that effective July 1, 2013, and each July 1st thereafter, each Retired Member or survivor of any such Retired Member, entitled to receive a retirement benefit as of June 30th of any year, shall receive a fixed annual two-percent (2%) increase above the amount the Retired Member or survivor had received on June 30th of the same year.
- [R-22-14](#) Passed 7/14/2014 Waiver of Commercial Mooring Permit Fees for Annapolis Community Boating - For the purpose of waiving the commercial mooring permit fees (\$1,920 per commercial mooring permit per year in fiscal year 2015) for Annapolis Community Boating, a local 501(c)(3) organization.
- [R-24-14](#) Passed 7/28/2014 Special Event Applications - For the purpose of authorizing City Council approval of selected special events per R-14-12, implementing a moratorium on administrative approvals for events at City Dock; designating specific dates for the sale of merchandise in the Historic District in conjunction with only the approved special events; waiving City fees for Eastport Yacht Club 32nd Annual Eastport Yacht Club Lights Parade and the Annapolis Jaycees Grand Illumination; waiving parking fees for the Maritime Republic of Eastport Tug of War; and the reimbursement of full fees to the City for the cost associated with the other approved events.
- [R-25-14](#) Passed 7/28/2014 The Approval of a Community Legacy and/or a Strategic Demolition and Smart Growth Impact Fund Application (Bowman Building) - For the purpose of approving the application and receipt of financing for Community Legacy Projects and/or Strategic Demolition and Smart Growth Impact Fund projects in the City of Annapolis for the Bowman Building Redevelopment, to be financed either directly by the Department of Housing and Community Development (the Department) of the State of Maryland, or through other departments or agencies of the State of Maryland.
- [R-26-14](#) Passed 7/28/2014 The Approval of a Community Legacy and/or a Strategic Demolition and Smart Growth Impact Fund Application (Newtowne Twenty) - For the purpose of approving the application and receipt of financing for Community Legacy Projects(s) and/or Strategic Demolition and Smart Growth Impact Fund project(s) in the City of Annapolis for the Newtowne Twenty Redevelopment project, to be financed either directly by the Department of Housing and Community Development (the Department) of the State of Maryland, or through other departments or agencies of the State of Maryland.

ALCOHOLIC BEVERAGE CONTROL BOARD:

PUBLIC HEARING

- **VIDA TACO BAR – New**

Application for a new Alcoholic Beverage License Class B-2.a.b Restaurant, Beer, Wine and Liquor, only with meals, six a.m. to twelve midnight, seven days per week (special Sunday license), off-sale, Monday through Sunday during authorized hours, including 28 outdoor café seats located at 25 State Circle by Andrew Fox for the premises known as Social Taco, LLC t/a VIDA TACO BAR, 200 Main Street, Annapolis, Maryland 21401

BUSINESS AND MISCELLANEOUS

- **NAVAL ACADEMY ATHLETIC ASSOCIATION – Special Event, August 4, 2014**

Request for a Special Class C, One Day Liquor License for the Baltimore Ravens Practice at the Navy-Marine Corps Stadium

- **WEST ANNAPOLIS BUSINESS AFFILIATION – Special Event, Sept. 21, 2014**

Request for a Special Class C, One Day Liquor License with Consumption of Alcoholic Beverages on City Property for the 24th Annual West Annapolis Oktoberfest on September 21, 2014

- **THE ANNAPOLIS STRIDERS – Special Event, August 24, 2014**

Request for a Special Class C, One Day Liquor License for the Annapolis Ten Mile Run at the Navy-Marine Corps Stadium

- **DEAN STREET 4TH OF JULY COOKOUT – Joseph Murphy**

Request for Consumption of Alcoholic Beverages on City Property during a July 4th neighborhood cookout

- **FOX'S DEN – AMERICAN CRAFT GASTROPUB**

Request for an additional extension of time to pick up the license for Fox's Den

- **SPECIAL CLASS C, ONE DAY LIQUOR LICENSES ISSUED IN JULY = 17**

CITY CLERK:

6- Fully Executed Legislation
15 – Fully Executed Contracts/Agreements
5 – Request for information via Citizen's completed
7- Requests for information Alderpersons
2- Maryland Municipal League information requests – Fall Conference
4- City Departments information requests
1 – Annapolis Democratic Central Committee – Agenda Creation / Posting
9- Special Event Application Reviewed
5 – Meetings/ Conference Calls
 2 - City Council
 1- Closed Session
 1 – Work Sessions
 1- Agenda Review
11 – Solicitors Application Regular

BOARD OF SUPERVISORS OF ELECTION:

2- Meeting Attendance – Board of Supervisors of Elections

16 – Campaign Fund Reports Received and Reviewed by Board

13 – Positions required to be filled by R-9-14 Filled

1- Letter Mailed by Board Chair re: Late Fees for Campaign Fund Report due 7/1/14