



City of Annapolis

160 Duke Of Gloucester
Street
Annapolis, MD 21401

Regular Minutes

City Council

Monday, September 11, 2017

7:00 PM

Mayor John T. Chambers, Jr.
City Council Chambers

Call to Order

Mayor Pantelides called the meeting to order at 7:05 p.m.

Invocation

Given by Alderwoman Pindell Charles.

Pledge of Allegiance

Led by Mayor Pantelides.

Roll Call

Tonight's roll call began with Alderwoman Finlayson.

Approval of Agenda

Alderwoman Pindell Charles moved to amend the agenda to include a City Council Citation for Julius Rosenwald. Seconded. CARRIED on voice vote.

Approval of Agenda

Alderwoman Finlayson moved to amend the agenda to include City Council Citations for Irvin Crowdy and Raynaldo Brown. Seconded. CARRIED on voice vote.

Approval of Agenda

Alderman Budge moved to approve the agenda as amended to include CA-2-17 Offices of Law and City Clerk and O-47-17 Offices of Law and City Clerk on first reader. Seconded. CARRIED on voice vote.

Ceremonial Items

Moon's Barber Shop - Backpack Donations

This Ceremonial Item was presented.

Swearing-in of Annapolis Firefighters:

This Ceremonial Item was presented.

Mayor Pantelides pursuant to Article IX - MISCELLANEOUS PROVISIONS, Sec. 1,

administered the Oath of office.

Petitions, Reports and Communications

A. Reports by Committee

Standing Committee Dates:

Rules & City Government Committee 9/12/17 4:00 PM - 5:00 PM

Environmental Matters Committee 9/14/ 17 1:30 PM - 3:00 PM

Housing and Human Welfare Committee 9/20/17 7:30 PM - 8:30 PM

Finance Committee 9/20/17 5:00 PM - 6:00 PM

Transportation Committee 9/20/17 6:30 PM - 7:30 PM

B. Comments by the General Public

Mayor Pantelides declared comments from the general public closed.

C. Update from the Mayor

Mayor Pantelides delivered his biweekly update.

Approval of the Consent Calendar

A motion was made by Alderman Budge to approve the Consent Calendar. A roll call vote was taken:

Consent Calendar

Attachments: [July 10, 2017 R.pdf](#)

A motion was made by Alderman Budge to approve the Consent Calendar. The motion carried:unanimously

Attachments: [July 31, 2017 S.pdf](#)

A motion was made by Alderman Budge to approve the Consent Calendar. The motion carried:unanimously

First Readers

Exempt Service - Economic Development Manager - For the purpose of including the position of Economic Development Manager to the Exempt Service set forth in Chapter 3.08 of the Code of the City of Annapolis; and correcting re-codification omissions to Chapter 3.08.

Attachments: [O-44-17 Economic Development Manager.docx](#)

[O-44-17 Economic Development Manager Job Description.docx](#)

[O-44-17 Staff Report.docx](#)

[O-44-17 Fiscal Impact.pdf](#)

Mayor Pantelides referred O-44-17 to the Finance Committee.

Mayor Pantelides referred O-44-17 to the Rules & City Government

Committee.

Garbage and Refuse Collection at Food-Handling Establishments -

For the purpose of requiring that garbage and refuse shall be collected from food-handling establishments no later than 8:00AM.

Attachments: [O-45-17 Garbage and Refuse Collection - Food Establishments v2.docx](#)
[O-45-17 Staff Report.docx](#)
[O-45-17 Fiscal Impact.pdf](#)

Mayor Pantelides referred O-45-17 to the Housing and Human Welfare Committee.

Mayor Pantelides referred O-45-17 to the Rules & City Government Committee.

Temporary Class C Alcoholic Beverage License - Theaters -

For the purpose of establishing criteria for the issuance of a Temporary Class C Alcoholic Beverage License to Theaters.

Attachments: [O-46-17 Theater ABCB License Subclass C Ordinance.docx](#)
[O-46-17 Staff Report.docx](#)
[O-46-17 ASC Summary.pdf](#)
[O-46-17 Fiscal Impact.pdf](#)
[O-46-17 ABCB Findings.docx](#)

Mayor Pantelides referred O-46-17 to the Alcoholic Beverage Control Board.

Mayor Pantelides referred O-46-17 to the Economic Matters Committee.

Mayor Pantelides referred O-46-17 to the Finance Committee.

Community Development Block Grant Program - 2017 Amended

Citizen Participation Plan - For the purpose of adopting an Amended Citizen Participation Plan as it relates to the administration of the Community Planning and Development programs funded by the U.S. Department of Housing and Urban Development.

Attachments: [R-26-17 Citizen Participation Plan.docx](#)
[R-26-17 Staff Report.docx](#)
[R-26-17 2017 Citizen Participation Plan.pdf](#)
[R-26-17 1999 Citizen Participation Plan.pdf](#)
[R-26-17 Fiscal Impact.pdf](#)

Public Hearing Requested.

Amendment to the FY2018 Capital Improvement Budget and Capital Improvement Program (2018-2023) - For the purpose of

amending the FY2018 Capital Improvement Budget and Capital Improvement Program (2018-2023) to include funding for a new project - City Dock Re-Decking.

Attachments: [R-30-17 FY2018 CIP Budget Amendment.docx](#)
[R-30-17 Decking Project Detail.pdf](#)
[R-30-17 FY18 Amended CIP 08.24.17.pdf](#)
[R-30-17 FAC Findings.pdf](#)
[R-30-17 Fiscal Impact.pdf](#)

Mayor Pantelides referred R-30-17 to the Financial Advisory Commission.

Mayor Pantelides referred R-30-17 to the Finance Committee.

Proposed Amendment to FY 2018 Fees Schedule - For the purpose of establishing a Temporary Special Class C Alcoholic Beverage License Fee for Theaters.

Attachments: [R-31-17 Theaters Alcoholic Beverage License Fee.docx](#)
[R-31-17 Staff Report.docx](#)
[R-31-17 Fiscal Impact.pdf](#)
[R-31-17 ABCB Findings.docx](#)

Mayor Pantelides referred R-31-17 to the Alcoholic Beverage Control Board.

Mayor Pantelides referred R-31-17 to the Economic Matters Committee.

Mayor Pantelides referred R-31-17 to the Finance Committee.

City of Annapolis Investment Policy - For the purpose of updating the City of Annapolis Investment Policy by adopting the Investment Policy of the Maryland State Treasurer's Office.

Attachments: [R-32-17 Investment Policy Update.docx](#)
[R-32-17 State Treasurer's Investment Policy.pdf](#)
[R-32-17 Staff Report.pdf](#)
[R-32-17 FAC Findings.pdf](#)
[R-32-17 Fiscal Impact.pdf](#)

Mayor Pantelides referred R-32-17 to the Financial Advisory Commission.

Mayor Pantelides referred R-32-17 to the Finance Committee.

Second Readers

Non-Profit Vendors During Fall Boat Shows 2017 - For the purpose of authorizing sales by certain vendors in the City Dock area of the Historic District during the Fall 2017 U.S. Sailboat and Powerboat Shows.

Attachments: [R-25-17 Non-Profit Vendors during Fall Boat Shows 2017.docx](#)
[R-25-17 Staff Report.docx](#)
[R-25-17 Fiscal Impact.pdf](#)
[R-25-17 SIGNED.pdf](#)

End of Consent Calendar

Public Hearings

Clean Energy Loan Program and Property Tax Surcharge - For the purpose of defining certain terms; amending the scope of and eligibility for the Clean Energy Loan Program; amending qualifying criteria; establishing a calculation of the clean energy loan surcharge; providing for a recorded agreement and certain notices; and matters generally related to the Clean Energy Loan Program and real property taxes.

Attachments: [O-39-17 Clean Energy Loan Program - Property Tax Surcharge.docx](#)
[O-39-17 Staff Report.docx](#)
[O-39-17 Fiscal Impact.pdf](#)

Mayor Pantelides declared the public hearing on O-39-17 closed.

Residential Parking Permit Amendments - For the purpose of requiring a parking sticker in addition to a registered license plate in Parking Districts 1 and 2.

Attachments: [O-40-17 Residential Parking Permit Amendments.docx](#)
[O-40-17 Staff Report.docx](#)
[O-40-17 Fiscal Impact.pdf](#)
[O-40-17 Transportation Cmte Proposed Amendments.docx](#)
[O-40-17 TB Findings.pdf](#)

Mayor Pantelides declared the public hearing on O-40-17 closed.

Market House Tenant Lease Extension - For the purpose of extending all current tenant leases of the Market House for one-year.

Attachments: [O-41-17 Market House Lease Extension.docx](#)

Mayor Pantelides declared the public hearing on O-41-17 closed.

Certificate of Adequate Public Facilities - Timing of Certification -

For the purpose of amending the Code of the City of Annapolis concerning approval of a Certificate of Adequate Public Facilities; requiring compliance review of a Certificate of Adequate Public Facilities no later than five years after the date of execution of the corresponding agreement; and clarifying circumstances whereby a Certificate of Adequate Public Facilities, or new or amended Adequate Public

Facilities agreement, would expire after ten years.

Attachments: [O-42-17 Adequate Public Facilities.docx](#)
[O-42-17 Staff Report.docx](#)
[O-42-17 Rules & Transportation Cmtees Proposed Amendments.docx](#)
[O-42-17 TB Findings.pdf](#)

Mayor Pantelides declared the public hearing O-42-17 closed.

Business and Miscellaneous

Certified Local Government: Keeping History Above Water

Attachments: [GA-5-18.pdf](#)

Alderman Arnett moved to approve GA-5-17. Seconded. CARRIED on voice vote.

Neighborhood Enhancement Team (NET) Initiatives

Attachments: [GA-9-18](#)

Alderman Finlayson moved to approve GA-9-17. Seconded. CARRIED on voice vote.

Transfer from City Dock Infrastructure CIP to Maintenance Facility CIP

Attachments: [GT-2-18. CITY DOCK CIP TO MAINT. FAC. CIP](#)

Alderman Arnett moved to approve GT-2-17. Seconded. CARRIED on voice vote.

Attachments: [ID-257-17 Annapolis Oyster Company.pdf](#)
[ID-257-17 Marquis Proposal.pdf](#)
[ID-257-17 New Market LLC Proposal.pdf](#)
[ID-257-17 Marquis Public Hearing Letter.pdf](#)
[ID-257-17 Council Worksheet - Market House Proposals.xlsx](#)
[ID-257-17 New Market LLC Interior Elevation 2017-09-07.jpg](#)
[ID-257-17 New Market LLC Memo 2017-09-07.pdf](#)
[ID-257-17 New Market City Council Spreadsheet 2017-09-07.pdf](#)
[ID-257-17 Annapolis Oyster Company Submittal 9,11,17.pdf](#)

Alderman Budge moved to amend ID-257-17 as follows:

RFP 17-21 Lease of the Annapolis Market House at City Dock - 9/11/17

MOVE THAT the Annapolis City Council directs the Administration to begin competitive negotiations for a Market House Lease with two of the Bidders, New Market and Annapolis Oyster Company. Pursuant to the City Charter the Administration is to bring the proposed leases back to the City Council for approval by Ordinance. Further, the leases are to be consistent with Ordinance 16-17 and Ordinance 17-17 and the City Code.

AND IN ADDITION THAT the Marquis Proposal is not desired,

AND IN ADDITION THAT the Administration will apprise all Alderpersons of the makeup of the lease negotiating team, which shall include two members of the City Council. Council Members will confer with the Administration on terms to include,

Among those terms the Council desires:

A. A clear defined business plan that describes the mix of Market versus restaurant operations.

B. Consideration of different rental rates for areas of the Market House that will be used as a market vs. areas that will be used as a restaurant selling food and beverages that are immediately consumable.

C. Consideration of a conditional lease predicated on the bidder(s) receiving the necessary approvals from the Historic Preservation Commission and the Alcoholic Beverage Control Board. Seconded. CARRIED on voice vote.

Alderman Arnett moved to approve Alderman Budge and Alderwoman Pindell Charles as the two members of the City Council to participate on the negotiating team. Seconded. CARRIED on voice vote.

Legislative Action

Second Readers

Alderman Pfeiffer moved to consider voting on R-21-16, R-23-16 and R-24-17 as a group. Seconded. DEFEATED on voice vote.

Alderman Arnett moved to reconsider Alderman Pfeiffer's motion to consider R-21-16, R-23-16 and R-24-17 as a group. Seconded. CARRIED on voice vote.

Katherine Properties Annexation and Public Facilities Agreement

Status - For the purpose of examining the implementation of requirements specified in Resolution R-12-05 Revised and the associated Public Facilities Agreement in light of the annexation standards specified in Section 2.52.070 of the Code of the City of Annapolis, the Planning Commission Analysis of October 20, 2005, the City Comprehensive Plan adopted on October 5, 2009 by City Council Resolution R-32-09 and development activity within the Forest Drive corridor subsequent to the effectiveness of Resolution R-12-05 Revised on March 14, 2006.

Attachments: [R-21-16 Katherine Properties Annexation Review.docx](#)
[R-21-16 Staff Report.docx](#)
[R-21-16 Fiscal Impact.pdf](#)
[R-12-05 Revised.doc](#)
[R-21-16 Office of Law Status Report and Recommendation.docx](#)
[R-21-16 Concept Drawing of Proposed Parallel Road.pdf](#)
[R-21-16 Office of Law Recommendation 9,1,17.docx](#)

Alderman Pfeiffer moved to approve R-21-16 on second reader. A roll call vote was taken. The motion DEFEATED by the following vote:

Rodgers Property Annexation and Public Facilities Agreement Status

- For the purpose of examining the implementation of requirements specified in Resolution R-8-05 Revised and the associated Public Facilities Agreement in light of the annexation standards specified in Section 2.52.070 of the Code of the City of Annapolis, the Planning Commission Analysis of October 20, 2005, the City Comprehensive Plan adopted on October 5, 2009 by City Council Resolution R-32-09 and development activity within the Forest Drive corridor subsequent to the effectiveness of Resolution R-8-05 Revised.

Attachments: [R-23-16 Rodgers Property Reformation.docx](#)
[R-23-16 Staff Report.docx](#)
[R-23-16 Fiscal Impact.pdf](#)
[R-8-05 Revised.doc](#)
[R-23-16 Office of Law Status Report and Recommendation.docx](#)
[R-23-16 Office of Law Recommendation 9,1,17.docx](#)

Alderman Pfeiffer moved to approve R-23-16 on second reader. A roll call vote was taken. The motion DEFEATED by the following vote:

Annexation Resolutions Implementation Status - For the purpose of examining the implementation of requirements specified in: **Resolution R-37-87 Amended, Brown Property Annexation** effective March 1, 1988; **Resolution R-35-97 Revised/Amended, Fischer Property Annexation** effective June 25, 1988; **Resolution R-13-02 Amended, Arundel Land and Development Co, Inc. Property Annexation** effective April 24, 2003; **Resolution R-19-04 Amended, AIC Forest, LLC Property Annexation** effective April 28, 2005; and **Resolution R-23-04 Revised, Bowen Property Annexation** effective May 25, 2005 in light of the annexation standards specified in Section 2.52.070 of the Code of the City of Annapolis, the City Comprehensive Plan adopted on October 5, 2009 by City Council Resolution R-32-09 and development activity within the Forest Drive corridor subsequent to the effective date of each Resolution above.

Attachments: [R-24-16 Annexations Implementation Examination.docx](#)
[R-24-16 Staff Report.docx](#)
[R-24-16 Fiscal Impact.pdf](#)
[R-24-16 Rocky Gorge Update.docx](#)
[R-24-16 Office of Law Status Report and Recommendation.docx](#)
[R-24-16 Office of Law Recommendation 9,1,17.docx](#)

Alderman Pfeiffer moved to approve R-24-16 on second reader. A roll call vote was taken. The motion DEFEATED by the following vote:

First Readers

Hate Free Zone - For the purpose of declaring Annapolis as a Hate-Free Zone; condemning any and all groups operating within the United States that use hate as their motivation, including white supremacists, neo-Nazis, the KKK, and other hate groups whose rallies most recently led to the violence, death, and injuries in Charlottesville, Virginia; and putting such groups on notice that the City of Annapolis is hereby declared a Hate-Free Zone, and that any attempt to divide this city through hateful or violence actions will not be tolerated.

Attachments: [R-27-17 Hate Free Zone Resolution.docx](#)
[R-27-17 Fiscal Impact.pdf](#)

Alderman Arnett moved to adopt R-27-17 on first reader. Seconded. CARRIED on voice vote.

Mayor Pantelides referred R-27-17 to the Housing and Human Welfare Committee.

Mayor Pantelides referred R-27-17 to the Public Safety Committee.

Mayor Pantelides referred R-27-17 to the Rules & City Government Committee.

Alderman Littmann request a public hearing on R-27-17.

Offices of Law and City Clerk - For the purpose of establishing an Office of Law and an Office of City Clerk and clarifying operational lines of report.

Attachments: [CA-2-17 Offices of Law and City Clerk.docx](#)
[CA-2-17 FAC Findings.pdf](#)
[CA-2-17 Fiscal Impact.pdf](#)

Alderman Arnett moved to adopt CA-2-17 on first reader. Seconded. CARRIED on voice vote.

Mayor Pantelides referred CA-2-17 to the Rules & City Government Committee.

Mayor Pantelides referred CA-2-17 to the Financial Advisory Commission.

Mayor Pantelides referred CA-2-17 to the Finance Committee.

Mayor Pantelides referred CA-2-17 to the Public Safety Committee.

Offices of Law and City Clerk - For the purpose of amending the Code of the City of Annapolis to be consistent with the proposed Charter Resolution CA-2-17 establishing an Office of Law and an Office of City Clerk and clarifying operational lines of report.

Attachments: [O-47-17 Offices of Law and City Clerk.docx](#)
[O-47-17 FAC Findings.pdf](#)
[O-47-17 Fiscal Impact.pdf](#)

Alderman Arnett moved to adopt O-47-17 on first reader. Seconded. CARRIED on voice vote.

Mayor Pantelides referred O-47-17 to the Rules & City Government Committee.

Mayor Pantelides referred O-47-17 to the Finance Committee.

Mayor Pantelides referred O-47-17 to the Financial Advisory Commission.

Mayor Pantelides referred O-47-17 to the Public Safety Committee.

Adjournment

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:56 p.m.

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