



# City of Annapolis

160 Duke Of Gloucester  
Street  
Annapolis, MD 21401

## Regular Minutes - Final

### City Council

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Monday, September 10, 2018

7:00 PM

Mayor John T. Chambers, Jr.  
City Council Chambers

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#### Call to Order

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

#### Invocation

Given by Alderwoman Henson.

#### Pledge of Allegiance

Led by Mayor Buckley.

#### Roll Call

Tonight's roll call began with Alderman Arnett.

**Present:** 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

#### Approval of Agenda

Alderman Arnett moved to approve the agenda as amended to postpone O-14-18 Development Review Process Amendments on second reader until the September 24, 2018 City Council Meeting, to postpone R-30-18 Hiring Freeze on second reader until the November 19, 2018 City Council Meeting and to add R-46-18 Application of the City of Annapolis Stormwater Regulations on first reader to tonight's agenda. Seconded. CARRIED on voice vote.

#### Presentation

Presentation by Annapolis Substance Abuse Prevention "ASAP" of Breathalyzers to Annapolis Police Department

Presented.

#### Ceremonial Items

City Council Citations - "Annapolis Rising" Event - Volunteers and Contributors

Presented.

#### Petitions, Reports and Communications

## A. Reports by Committee

### Standing Committee Dates:

9/13/18 Economic Matters Committee- CANCELLED

9/13/18 Transportation Committee Meeting- CANCELLED

9/17/18 Public Safety Committee- CANCELLED

9/18/18 Special Meeting Rules and City Government Committee

9/18/18 Housing and Human Welfare Committee

9/18/18 Environmental Matters Committee

## B. Comments by the General Public

### Speakers:

*Chris Buchheister, 5 Wagner Street, Annapolis, Maryland 21401*

*David Frankel, 929 King James Landing Road, Annapolis, Maryland 21403*

*Sandra Elwood, 1420 Catlyn Place, Annapolis, Maryland 21401*

*Conrad Buchheister, 5 Wagner Street, Annapolis, Maryland 21401*

*Atlanta Beall, 23 Maryland Avenue, Annapolis, Maryland 21401*

*Cynthia McBride, 215 Main Street, Annapolis, Maryland 21401*

*Gregory Conley, 86 Summerfield Drive, Annapolis, Maryland 21403 (Elks Annual Pre-Labor Day Parade)*

*Bruce Chance, 306 Bridle Path Lane, Annapolis, Maryland 21403*

*Rockford Toews, 194 Main Street, Annapolis, Maryland 21401*

*Jon Korin, 125 Hillcrest Lane, Severna Park, Maryland 21146 (Bicycle Advocates for Anne Arundel County)*

*Robert Eades, 32 Pleasant Street, Annapolis, Maryland 21401 (Open space in ward 2, removal of cab stands on Main Street, Uber's, police harassment and repairs needed at the Stanton Center)*

*Kosta Alexakis, 113 Main Street, Annapolis, Maryland 21401*

*Ron George, 232 Meadowgate Drive, Annapolis, Maryland 21409*

*Sveinn Storm, 130 Dock Street, Annapolis, Maryland 21401(spoke on downtown flooding & bike lane)*

*Doug McLaine, 66 Franklin Street, Annapolis, Maryland 21401( Supporting and approving concert fees waiver)*

*Karen Smith, 5 Revell Street, Annapolis, Maryland 21401*

*Vickie Owens, 159 Main Street, Annapolis, Maryland 21401*

*Carol Kelly, 13 Janwall Court, Annapolis, Maryland 21401*

*Mark Cheben, 125 West Street, Annapolis, Maryland 21401 (Cindy Loo Hoo's Boutique spoke on lack sidewalk passage near his business due to construction.)*

*Nancy Harrison, 242 Poe Court, Severna Park, Maryland 21146*

*Ann Wiedner, 146 Duke of Gloucester Street, Annapolis, Maryland 21401*

*Joe Gormely, 162 West Street, Annapolis, Maryland 21401*

*Peter Bateman, 197 South Southwood Avenue, Annapolis, Maryland 21401*

*Leslie Patterson, 12 North Cherry Grove Avenue, Annapolis, Maryland 21401*

*Judy Jones 10 Fleet Street, Annapolis, Maryland 21401*

*Cecil Cummings, 15 Boucher Place, Annapolis, Maryland 21401*

*Denise Robinson, 518 5th Street, Annapolis, Maryland 21401*

*Brett Migo, 18 Fleet Street, Annapolis, Maryland 21401*

*Matt Schatzle, 3 Church Circle, Suite 210, Annapolis, Maryland 21401*

*Chris Sells, 10 Monticello Avenue, Annapolis, Maryland 21401*

*Dan Kirshner, 16 Thompson Street, Annapolis, Maryland 21401*

*Alex Pline, 305 Monterey Avenue, Annapolis, Maryland 21401*

**Mayor Buckley declared comments from the general public closed.**

## C. Update from the Mayor

Mayor Buckley presented his biweekly update.

### Agenda Order

Alderman Finlayson moved to amend the agenda to have the vote on R-44-18 City Sponsored Special Event - Elks Annual Pre-Labor Day Parade on First Reader following the Appointments. Seconded. CARRIED on voice vote.

### Appointments

#### [AP-25-18](#)

The Appointment of Dr. Joseph E. Cater, III to the Financial Advisory Commission.

Alderman Arnett moved to confirm the Appointment of Dr. Joseph Cater, III to the Financial Advisory Commission. Seconded. CARRIED on voice vote.

### Article IX - MISCELLANEOUS PROVISIONS, Sec. 1. - Oath of office.

Mayor Buckley administered the Oath of Office to Dr. Joseph Cater, III.

#### [AP-26-18](#)

The Appointment of James A. Cardillo to the Financial Advisory Commission.

Alderman Arnett moved to confirm the Appointment of James A. Cardillo to the Financial Advisory Commission. Seconded. CARRIED on voice vote.

### Article IX - MISCELLANEOUS PROVISIONS, Sec. 1. - Oath of office.

Mayor Buckley administered the Oath of Office to Mr. James A. Cardillo.

### Legislative Action

#### First Readers

#### [R-44-18](#)

**City Sponsored Special Event - Elks Annual Pre-Labor Day Parade**  
- For the purpose of identifying the City Sponsored Special Event "Elks Annual Pre-Labor Day Parade" held on September 2, 2018, as a City Sponsored Special Event; and waiving certain related City fees for that event.

**Sponsors:** Paone, Pindell Charles, Finlayson, Tierney and Buckley

Alderman Savidge moved to adopt R-44-18 City Sponsored Special Events on first reader. Seconded. CARRIED on voice vote.

Alderman Finlayson moved to suspend the rules to adopt R-44-18 City Sponsored Special Event at the meeting of it's introduction. Seconded. A roll call vote was taken. The motion Failed by the following vote:

**Aye:** 8 - Mayor Buckley, Alderman Tierney, Alderman Paone, Alderman Pindell Charles, Alderman Finlayson, Alderman Rodriguez, Alderman Henson and Alderman Savidge

**Nay:** 1 - Alderman Arnett

### **Consent Calendar**

**A motion was made by Alderman Paone to approve the Consent Calendar. The motion carried:**

**Aye:** 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

[CCM070918](#) Regular Meeting Minutes

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

[CCM072318](#) Special Meeting Minutes

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

### **First Readers**

[O-29-18](#) **Lease of Truxtun Park to Kayak Annapolis, LLC** - For the purpose of approving the lease of certain City-owned property at Truxtun Park to authorize the operation of a kayak water touring business; and matters generally relating to said lease.

**Sponsors:** Buckley

**Alderman Paone moved to adopt on first reader. Seconded. A roll call vote was taken. The motion CARRIED**

**Mayor Buckley referred to the Environmental Matters Committee.**

**Mayor Buckley referred to the Finance Committee.**

[O-33-18](#) **Commercial Recycling** - For the purpose of establishing guidelines for commercial recycling; and clarifying the enforcement procedures for repeat violations of Chapter 10.16

**Sponsors:** Tierney

**Alderman Paone moved to adopt on first reader. Seconded. A roll call vote was taken. The motion CARRIED**

**Mayor Buckley referred to the Housing and Human Welfare Committee.**

[O-35-18](#) **Pruning of Trees** - For the purpose of increasing the discretionary height clearance for tree pruning in streets subject to truck traffic.

**Sponsors:** Buckley

**Alderman Paone moved to adopt on first reader. Seconded. A roll call vote was taken. The motion CARRIED**

**Mayor Buckley referred to the Environmental Matters Committee.**

**Mayor Buckley referred to the Transportation Committee.**

[O-36-18](#)

**Public Peace - Noise Prohibition** - For the purpose of making technical corrections to the City of Annapolis Environmental and Motor Vehicle Noise Standards.

**Sponsors:** Buckley

**Alderman Paone moved to adopt on first reader. Seconded. A roll call vote was taken. The motion CARRIED**

**Mayor Buckley referred to the Public Safety Committee.**

[O-37-18](#)

**Ethics Code - Financial Disclosure Updates** - For the purpose of amending the City of Annapolis Ethics Code definition of “official”; including Housing Authority of the City of Annapolis (“HACA”) officials in the financial disclosure reporting requirements applicable to City employees and appointed officials; removing obsolete language concerning the financial disclosure reporting of HACA officials; and amending the information required for the examination of a financial disclosure statement.

**Sponsors:** Buckley

**Alderman Paone moved to adopt on first reader. Seconded. A roll call vote was taken. The motion CARRIED**

**Mayor Buckley referred to the Rules & City Government Committee.**

[O-40-18](#)

**Vacant Nonresidential Buildings - Registration** - For the purpose of requiring vacant or partially vacant nonresidential buildings to be registered with the Department of Planning and Zoning; requiring posting of vacant property signage on all such buildings; establishing a registry of vacant or partially vacant nonresidential buildings; and matters generally relating to registering vacant nonresidential buildings.

**Sponsors:** Tierney

**Alderman Paone moved to adopt on first reader. Seconded. A roll call vote was taken. The motion CARRIED**

**Mayor Buckley referred to the Economic Matters Committee.**

[R-42-18](#)

**Registration of Nonresidential Vacant Buildings - Fees** - For the purpose of establishing a fee structure for registering a vacant or partially vacant nonresidential building with the Department of Planning and Zoning.

**Sponsors:** Tierney

**Alderman Paone moved to adopt on first reader. Seconded. A roll call vote was taken. The motion CARRIED**

**Mayor Buckley referred to the Economic Matters Committee.**

**R-43-18**

**Maryland Energy Administration Grant Policies** - For the purpose of adopting policies required by the terms of Maryland Energy Administration Grant 2018-02-420S1 so that the City of Annapolis may receive technical assistance and unmatched funding in the amount of \$55,000 to promote energy efficiency and conservation and promote the development of renewable energy resources.

**Sponsors:** Buckley

**Alderman Paone moved to adopt on first reader. Seconded. A roll call vote was taken. The motion CARRIED**

**Mayor Buckley referred to the Environmental Matters Committee.**

**Business and Miscellaneous**

**SA-1-19**

Green Streets, Green Jobs, Green Towns Grant

**Sponsors:** City Council

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

**SA-2-19**

FY19 APD Compliance Checks: Tobacco

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

**SA-3-19**

FY19 APD Compliance Checks: Alcohol

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

**SA-4-19**

FY19 Debris and Derelict Boat Removal

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

**SA-5-19**

FY19 CLG Training & Education Grant

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

**SA-7-19**

FY19 State Aide for Police Protection

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

**SA-8-19**

FY19 ALERT

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

[SA-9-19](#)

FY15 UASI

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

[SA-10-19](#)

FY15 SHSG

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

[SA-11-19](#)

FY17 BYRNE JUSTICE ASSISTANCE GRANT

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

[SA-12-19](#)

FY19 Maryland Criminal Intelligence Network (MCIN)

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

[SA-13-19](#)

FY19 Community Outreach Program

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

[SA-14-19](#)

FY17 Fire Prevention &amp; Safety (FP&amp;S)

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

[SA-15-19](#)

Maryland Smart Energy Communities Grant

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

[SA-16-19](#)

Opioid Intervention Team Grant

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

[SA-17-19](#)

FY19 FALL MINI-GRANT

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

[SA-18-19](#)

BYRNE JUSTICE ASSISTANCE GRANT

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

[SA-19-19](#)

Donation from Trust

**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

- [SA-20-19](#) Donation from Developer  
**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**
- [SA-21-19](#) FY17/FY18 MTA Capital Grant  
**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**
- [SA-22-19](#) FY17 SHSP-Ballistic Vests  
**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**
- [SA-23-19](#) FY17 UASI  
**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**
- [SA-24-19](#) FY17 EMPG  
**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**
- [SA-25-19](#) FY17 SHSP  
**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**
- [SA-26-19](#) FY18 Waterway Improvement Plan Grant  
**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**
- [SA-27-19](#) FY17 CLG Training & Education Grant  
**Alderman Paone moved to approve. Seconded. A roll call vote was taken. The motion CARRIED**

### End of Consent Calendar

### Public Hearings Cont.

- [O-19-18](#) **2018 Zoning Code Updates and Amendments** - For the purpose of updating and amending the zoning code by eliminating the restriction on existing lot width or area for variance applications; removing the “finished side out” fence installation requirement; removing the retail and/or office requirement for multi-family residential projects in the BCE zoning district; removing the sign permit application requirement outside of the Historic District; extending the time-period for displaying exempt temporary community, civic, or public interest signs from sixty to ninety days; permitting free-standing signs in certain zoning districts; removing the minimum lot width requirement for freestanding signs in certain zoning districts; removing obsolete



language; and matters generally relating to updating and amending the zoning code.

**Sponsors:** Buckley, Rodriguez, Tierney, Paone and Pindell Charles

*Spoke on:*

*Drew and Jackie Sweetak, 320 Millington Road, Millington, Maryland 21651.*

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

**Mayor Buckley declare the public hearing closed.**

## **Legislative Action**

### **Second Readers**

#### **R-26-18**

#### **Filing of Grant Application with the Maryland Energy**

**Administration** - For the purpose of approving the filing of an application with the Maryland Energy Administration for Grant 2018-02-420S1; authorizing the City to receive technical assistance and unmatched funding in the amount of (\$55,000); committing to adopt a policy to promote Energy Efficiency and Conservation; and committing to adopt a policy to promote the Development of Renewable Energy Resources.

**Sponsors:** Buckley

**Alderman Arnett moved to withdraw R-26-18 without objection. Seconded. CARRIED on voice vote.**

#### **R-30-18**

**Hiring Freeze** - For the purpose of imposing a hiring freeze on non-critical positions in the City of Annapolis, effective upon the adoption of this Resolution through June 30, 2019

**Sponsors:** Paone

**Alderman Paone moved to postpone R-30-18 until November 19, 2018. Seconded. CARRIED on voice vote.**

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

## **Legislative Action**

### **First Readers**

#### **R-46-18**

**Application of the City of Annapolis Stormwater Regulations** - For the purpose of expressing the desire of the City Council that the City apply more than the minimum stated in our stormwater code in accordance with this resolution.

**Sponsors:** Arnett, Savidge, Rodriguez, Henson, Tierney and Buckley

**Alderman Savidge moved to adopt on first reader. Seconded. CARRIED on voice vote.**

**The order of the agenda was resumed.**

## Legislative Action

### Second Readers

#### O-14-18

**Development Review Process Amendments** - For the purpose of clarifying the notice requirements for community meetings; clarifying the project applicability requirements for required community meetings; designating the Office of the Mayor as the point of contact for obtaining a list of associations whose membership could be affected by a proposed development; making minor editorial corrections; and matters generally relating to the review process for all significant and substantial projects.

**Sponsors:** Arnett

**Alderman Arnett moved to postpone O-14-18 to the September 24, 2018 meeting of the City Council. Seconded. CARRIED on voice vote.**

#### R-25-18

**Dedication of City Property** - For the purpose of dedicating the City Hall Gallery to former Mayor Ellen O. Moyer and installing a plaque in the Gallery to commemorate said dedication.

**Sponsors:** Buckley and Pindell Charles

**Alderman Savidge moved to adopt on second reader. Seconded.**

**Alderman Savidge moved to amend R-25-18 as follows:**

**" The Annapolis Heritage Commission recommends the fourth "Whereas" clause as it is not relevant to her arts work; remove the words "her hand and" in the first clause and spell out Art in Public Places Commission (AIPPC); and add in third "Whereas" clause that she founded the Annapolis Arts Alliance and date it was founded. Also the Art in Public Places review the legislation prior to the Annapolis Heritage Commission's review of the plaque wording." Seconded. CARRIED on voice vote.**

**Alderman Savidge moved to adopt R-25-18 as amended on second reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:**

**Aye:** 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

#### R-39-18

**City Co-Sponsored Benefit Concert Special Event** - For the purpose of identifying the City co-sponsored Special Event "Annapolis Rising: Benefit for The Capital Gazette and for the Free Press" to occur on July 28, 2018; ~~and waiving certain related City fees for that event.~~

**Sponsors:** Buckley

*City Manager Sutherland, Chief of Staff Smith and Public Information Officer O'Brien were present and answered questions from council.*

**Alderwoman Finlayson moved to postpone R-39-18 until the September 24,**

2018. Seconded. CARRIED on voice vote.

Mayor Buckley referred R-39-18 to the Finance Committee.

**Parliamentary Procedure - Council Specific**

Alderman Paone moved to approve the motion to continue with new business after 11:00 p.m. Seconded. CARRIED on voice vote.

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

**Item Removed from Consent Calendar**

**Legislative Action**

**First Readers**

[CA-1-18](#) **Acting Mayor Designation** - For the purpose of amending the procedure for designating an Acting Mayor.

**Sponsors:** Buckley

Alderman Savidge moved to adopt on first reader. Seconded. CARRIED on voice vote.

Mayor Buckley referred CA-1-18 to the Rules & City Government Committee.

The order of the agenda was resumed.

**For the Good of the Order**

[ID-260-18](#)

**Sponsors:** City Council

*City Manager Sutherland was present and answered questions from council.*

**This Informational Item was presented.**

**Adjournment**

Upon motion duly made, seconded and adopted, the meeting was adjourned at 11:30 P.M.

**Cynthia M. Gaines  
Deputy City Clerk**