



# City of Annapolis

160 Duke Of Gloucester  
Street  
Annapolis, MD 21401

## Special Minutes - Final City Council

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Monday, May 18, 2015

7:00 PM

Mayor John T. Chambers, Jr.  
City Council Chambers

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### Call to Order

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

### Invocation

Given by Alderman Kirby.

### Pledge of Allegiance

Led by Mayor Pantelides.

### Roll Call

Tonight's roll call began with Alderman Kirby.

**Present:** 9 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

### Approval of Agenda

Alderman Budge moved to amend the agenda to include Continuation of Public Hearings until June 8, 2015 for ordinance O-22-15 Lease of 145 Gorman Street and ordinance O-25 -15 Environmental Commission. To postpone the Public Hearing on O-23 -15 Modifications to the Tables of Uses for Business and Mixed Use Zoning Districts, for the purpose of receiving the Planning Commission findings. Seconded. CARRIED on voice vote.

Alderwoman Finlayson moved to amend the agenda to include: To include O-27-15 City of Annapolis Forest Conservation Act on 1st Reader, and to postpone the public hearing on R- 33 -14 Vehicular Access to and Internal Roadways within Certain Property Adjacent to Aris T. Allen Boulevard until the Special Meeting on June 22, 2015 to allow for the traffic study to be completed. Seconded. CARRIED on voice vote.

### Petitions, Reports and Communications

#### A. Reports by Committee

No meetings scheduled.

#### B. Comments by the General Public

*Franchaze Waters, 121 South Villa Avenue, Annapolis, Maryland 21401 representing the*

*Boys & Girls Clubs of Annapolis & Anne Arundel County spoke on the City sponsoring a bus to provide transportation to the club.*

*Steven Cornette, 121 South Villa Avenue, Annapolis, Maryland 21401 representing the Boys and Girls Club of Annapolis and Anne Arundel County spoke in favor of transportation to the Boys and Girls Club.*

*Walter Vasquez, 5 Silopanna Circle, Annapolis, Maryland 21401 spoke on the expanding latin community and the proposed appointment to the Planning Commission.*

*Ted Weber, 1022 Park Avenue, Annapolis, Maryland 21403 spoke in favor of O-36-14 and the appointment to the Build Board of Appeals.*

*Anastasia Hopkinson, 1036 Harbor Drive, Annapolis, Maryland 21403 representing the Annapolis Neck Peninsula Federation spoke on O-32-14 and the recording of the plat.*

*Rob Savidge, 12 Windwhisper Lane, Annapolis, Maryland 21403 spoke on the appeal of the Rocky Gorge Project and the Building Board of Appeals vacancy.*

*Peter Holden, 1129 Mainsail Drive, Annapolis, Maryland 21403 spoke on Forest Conservation Plan and Crystal Springs Project.*

**Mayor Pantelides declared petitions, reports and communications closed.**

## **Public Hearings**

### [O-32-14](#)

**Forest Conservation Requirements and Standards in the City of Annapolis - For the purpose of adopting requirements and standards for forest conservation in the City of Annapolis; providing forest stand delineation and forest conservation plan requirements; providing exceptions to Chapter 17.13 of the City Code; providing for variance procedures; and all other matters generally relating to forest conservation in the City of Annapolis.**

**Sponsors:** Littmann, Arnett and Pantelides

*Spoke in Favor:*

*Tom Zolper, 789 B, Fairview Avenue, Annapolis, Maryland 21401.*

*Diane Butler, 407 Third Street, Annapolis, Maryland 21403.*

*Kurt Riegel, 307 A Monterey Avenue, Annapolis, Maryland 21401.*

*Spoke on:*

*Ted Weber, 1022 Park Avenue, Annapolis, Maryland 21403.*

*Elaine Lutz, 6 Herndon Avenue, Annapolis, Maryland 21403 representing the Chesapeake Bay Foundation.*

*Robert Waldman, 1001 Poplar Avenue, Annapolis, Maryland 21401.*

*Anastasia Hopkinson, 1036 Harbor Drive, Annapolis, Maryland 21403 representing the Annapolis Neck Peninsula Federation.*

*Phil Reynolds, 4 Westwiche Court, Annapolis, Maryland 21403.*

*Ray Sullivan, 119 Meade Drive, Annapolis, Maryland 21403 representing the Annapolis Neck Peninsula Federation.*

*Paul Murphy, 105 Northwest Street, Annapolis, Maryland 21401 representing the Environmental Commission.*

*Robert C. Green, 900 Primrose Road, Unit 301., Annapolis, Maryland 21403.*

*Rob Savidge, 12 Windwhisper Lane, Annapolis, Maryland 21403.*

*Forrest Mays, 2446 MasQues Road, 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 on O-32-14 OPEN until the Special Meeting on Thursday, May 21, 2015.

[R-38-14](#)

**Forest Conservation Act Fees and Fines - For the purpose of setting fees and fines associated with the City's Forest Conservation Act set forth in Chapter 17.13 of the City Code**

**Sponsors:** Littmann and Arnett

*Spoke on: Ted Weber, 1022 Park Avenue, Annapolis, Maryland 21403.*

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

Mayor Pantelides declared the public hearing on R-38-14 OPEN until Thursday, May 21, 2015.

[R-33-14](#)

**Vehicular Access to and Internal Roadways within Certain Property adjacent to Aris T. Allen Boulevard - For the purpose of empowering the City of Annapolis to consider, and to potentially allow, vehicular access between Aris T. Allen Boulevard/Maryland 665 and certain adjacent property within the City limits as well as private roadways within said adjacent property.**

**Sponsors:** Pindell Charles and Finlayson

Aldерwoman Finlayson moved to postpone R-33-14 until the Special Meeting on June 22, 2015 to allow for the traffic study to be completed. Seconded. CARRIED on voice vote.

[O-22-15](#)

**Lease of 145 Gorman Street - Amended and Restated Agreement of Lease between KDBA, LLC and the City of Annapolis for the use of non-city-owned property by the City of Annapolis.**

**Sponsors:** Pantelides

*Bruce Chance, 110 Main Street, Annapolis, Maryland 21401 representing Annapolis Business Association.*

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

Mayor Pantelides declared the public hearing on O-22-15 open until the Regular Meeting on June 8, 2015.

[O-23-15](#)

**Modifications to the Tables of Uses for Business and Mixed Use Zoning Districts - For the purpose of adding "Personal Fitness Studios" to the tables of uses; defining "personal fitness studios" and "Physical Health Facilities;" and all other matters generally relating to such uses.**

**Sponsors:** Paone and Pantelides

Mayor Pantelides declared the public hearing on O-23-15 postponed for the purpose of receiving the planning Commission Findings when ready.

[O-25-15](#)

**Environmental Commission - For the purpose of establishing a quorum of the Environmental Commission.**

Sponsors: Littmann

*Spoke on: Paul Murphy, 105 Northwest Street, Annapolis, Maryland 21401 representing the Environmental Commission.*

*Kurt Riegel, 307 A Monterey Avenue, 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 on O-25-15 open until the Regular Meeting on June 8, 2015.

## **Legislative Action**

### **A. Second Readers**

#### **O-36-14**

**Building Board of Appeals Member Qualifications - For the purpose of amending the membership qualifications of the Building Board of Appeals so that at least one member has a working knowledge in the fields of forest conservation and environmental matters.**

Sponsors: Littmann

*DNEP Director Broadbent gave a brief presentation and answered questions from Council.*

Alderman Littmann moved to adopt O-36-15 on second reader. Seconded.

Alderman Arnett moved to amend O-36-14 as follows: Alderman Arnett Amendment to O-36-14 Building Board of Appeals Member Qualifications

Amendment 1 – Section 2.48.070

Page 1, lines 32 through 37 shall be amended as follows:

The Building Board of Appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction. **AT LEAST ONE MEMBER OF THE BUILDING BOARD OF APPEALS SHALL HAVE WORKING KNOWLEDGE IN THE FIELDS OF FOREST CONSERVATION AND ENVIRONMENTAL MATTERS. THE MEMBERS OF THE BUILDING BOARD OF APPEALS SHALL INCLUDE A PROFESSIONAL ENGINEER, AN ARCHITECT, A BUILDER OR SUPERVISOR OF BUILDING CONSTRUCTION, AND A PERSON WHO HAS TECHNICAL OR SCIENTIFIC EXPERIENCE IN THE FIELD OF ENVIRONMENTAL SCIENCE. NONE OF THE MEMBERS SHALL BE** and are not employees of the City. Seconded. **DEFEATED** on voice vote.

Alderman Budge moved to amend O-36-14 as follows: Alderman Budge Amendment to O-36-14 Building Board of Appeals Member Qualifications Amendment #1 Amend

lines 33, through 37, as follows: The Building Board of Appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction, strike "AT LEASE ONE MEMBER OF THE BUILDING BOARD OF APPEALS SHALL HAVE WORKING KNOWLEDGE IN THE FIELD OF" FOREST CONSERVATION strike " AND" OR ENVIRONMENTAL MATTERS. NONE OF THE MEMBERS SHALL BE strike "and are not" employees of the City. Seconded. **CARRIED** on voice vote.

Alderman Littmann moved to adopt O-36-14 as amended on 2nd Reader. Seconded. **CARRIED** on voice vote.

Alderman Paone moved to adopt O-36-14 on third reader. Seconded. A roll call vote was taken. The motion **CARRIED** by the following vote:

**Aye:** 7 - Mayor Pantelides, Alderman Budge, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby and Alderman Pfeiffer

**Nay:** 2 - Alderman Paone and Alderman Arnett

### O-3-15

**Risk Management - For the purpose of providing that the City Council may establish written rules and regulations as necessary in the interest of risk management.**

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

**Alderwoman Finlayson moved to adopt O-3-15 on second reader. Seconded.**

**Alderman Arnett moved to amend O-3-15 as follows: Rules Committee Amendments to O-3-15, Amendment # 1**

**Page 2, strike lines 7 and 8, insert "THE CITY COUNCIL MAY APPROVE THE WRITTEN RULES AND REGULATIONS AS RECOMMENDED BY THE RISK MANAGEMENT COMMITTEE."**

**Amendment # 2**

**Page 1 line 40, after KINDS insert a "COMMA" and on Page 1 line 38 after SECTION insert a "COMMA."**

**Amendment # 3**

**Page 1, lines 25-27 strike language and replace with "BY adding the following portion of the Code of the City of Annapolis, 2013 Edition, Section 2.48.225,"**

**Page 1, line 34 strike language and replace with "Article VII – Risk Management Committee"**

**Page 1, line 36 strike language and replace with "Section 2.48.225"**

**Page 1, lines 43 through Page 2, line 5 strike language. Seconded. CARRIED on voice vote.**

**Alderwoman Finlayson moved to adopt O-3-15 as amended on 2nd Reader. Seconded. CARRIED on voice vote.**

**Alderwoman Pindell Charles moved to adopt O-3-15 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:**

**Aye:** 9 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

## **B. First Readers**

### O-27-15

**City of Annapolis Forest Conservation Act - For the purpose of prohibiting certain development projects from cutting or clearing certain forests within the City of Annapolis (the "City") unless a forest stand delineation and a forest conservation plan associated with such projects are in effect.**

**Sponsors:** Finlayson

**Alderwoman Finlayson moved to adopt O-27-15 on first reader. Seconded. CARRIED on voice vote.**

**This Ordinance O-27-15 was referred to the Planning Commission.**

**This Ordinance O-27-15 was referred to the Economic Matters Committee.**

**This Ordinance O-27-15 was referred to the Environmental Matters Committee.**

**This Ordinance O-27-15 was referred to the Rules & City Government Committee.**

**This Ordinance O-27-15 was referred to the Finance Committee.**

### Adjournment

**Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:08 p.m.  
Regina C. Watkins-Eldridge, MMC  
City Clerk**