



City of Annapolis

160 Duke Of Gloucester
Street
Annapolis, MD 21401

Regular Minutes - Final

City Council

Monday, October 8, 2018

7:00 PM

Mayor John T. Chambers, Jr.
City Council Chambers

Call to Order

Acting Mayor Henson called the meeting to order at 7:03 p.m.

Invocation

Given by Alderman Arnett.

Pledge of Allegiance

Led by Acting Mayor Henson.

Roll Call

Tonight's roll call began with Alderwoman Tierney.

Present: 8 - Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

Absent: 1 - Mayor Buckley

Approval of Agenda

Alderwoman Finlayson moved to approve the agenda as submitted. Seconded.
CARRIED on voice vote.

THE MRE DECLARATION OF WAR - 21ST ANNIVERSARY

Presented.

Presentation

4th Annual Chief Charles H. Steele Public Safety Award

Chief Charles H. Steele 2018 Award:

Chief Charles H. Steele Public Safety Award is awarded to captain Philip A. Morris for his outstanding committment to improve public safety for the citizens of Annapolis. Annapolis Fire Department September 2018.

Fire Chief Stokes presented the 4th Annual Chief Charles H. Steele Public Safety Award to Captain Philip A. Morris.

Ceremonial Items

Swearing-in of Annapolis Firefighter

Fire Chief Stokes, Deputy Chiefs Simmons and Remaley were present.

Pursuant to Article IX - MISCELLANEOUS PROVISIONS, Sec. 1 - Oath of Office which states:

"Each officer before entering upon the duties of the respective office, shall take and subscribe before the mayor."

Acting Mayor Henson administered the Oath of Office to the firefighter present.

The firefighter present signed the City of Annapolis Official Oath Book.

City Council Citation - 30th Anniversary of the Annapolis Conservancy Board

Presented.

City Council Citation - Men Aiming Higher Wiley H. Bates Leadership Academy Summer Basketball League

Presented.

City Council Citation - Prayze in the City 2

Presented.

City Council Citation - Back to Nature Health and Wellness

Presented.

Petitions, Reports and Communications

A. Reports by Committee

Standing Committee Dates:

10/9/18 Rules and City Government Committee

When:4:00 PM - 5:30 PM

10/11/18 Economic Matters Committee

When:4:00 PM - 5:30 PM

10/11/18 Transportation Committee

When:6:00 PM - 7:30 PM

10/16/18 Housing and Human Welfare Committee

When:6:00 PM - 7:30 PM

10/17/18 Finance Committee Meeting

When:10:30 AM - 12:00 PM

10/17/18 Environmental Matters Committee

When:3:00 PM - 4:30 PM

10/18/18 Rules and City Government Committee

When:1:00 PM - 2:50 PM

B. Comments by the General Public

Comments from the general public speakers:

John Turgeon, 1038 Spa Road, Annapolis Maryland 21403 representing the Environmental Commission.
Arthur Greenbaum, 124 Roselawn Road, Annapolis, Maryland 21403.
David Barker, 154 Quiet Watters Place, Annapolis, Maryland 21403 representing the Back Creek Conservancy.
Elvia Thompson, 704 S. Cherry Grove Avenue, Annapolis, Maryland 21403.
Judy Billaze, 524 Burnside Street, Annapolis, Maryland 21403 representing Eastport Civic Association.
Mike Levy, 700 Second Street, N.E., Washington, DC 20002.
Amy Clemmons, 17 Southgate Avenue, Annapolis, Maryland 21401.
Paul Murphy, 105 North West Street, Annapolis, Maryland 21403.

Acting Mayor Henson declared comments from the general public closed.

C. Update from the Mayor

- *Tonight, I would like to start by wishing Mayor Buckley safe travels while he visits with his ailing MUM in Australia.*
- *We know this was a difficult journey for the Mayor and we are thinking of him and his mom, Pauline.*
- *We hope she is feeling better having her son by her side.*
- *Mr. Mayor – we are holding down the fort while you are gone.*
- *This past week has been a busy one in our city.*
- *I had the honor of firing the cannon to start this year's United States Sailboat Show last Thursday.*
- *I would like to thank Paul Jacobs, owner of the Boat Shows, for his personal tour of the huge production.*
- *I was amazed by how much goes into making these shows successful – from the 1.5 miles of temporary floating docks to the power stations and fire suppression systems that help power and protect the show.*
- *I would highly recommend that my fellow council members who have never been able to see the show in person take some time to see what happens down there at City Dock. It's remarkable.*
- *The boat shows are a huge economic boom for our little city and it's an honor to host such an international, world class event.*
- *And good luck to everyone at the Boat Shows Office as the show turns over from sailboats to power boats for the United States Power Boat Show that begins this coming Thursday.*
 - o *I would also like to give a huge shout out of gratitude to our City police and fire who keep this city moving along while the thousands of visitors flock to City Dock for the shows.*
- *Later this week, the City of Annapolis will welcome mayors and city and town*

officials to the fall conference of the Maryland Municipal League.

- *I have the honor of representing Mayor Buckley as we welcome them all to our city. I look forward to seeing some of you there.*
- *Since our last council meeting, Mayor Buckley and I had the pleasure of attending an outstanding Kunta Kinte Festival at City Dock. The weather was amazing and helped bring a huge crowd to the festivities. I would like to congratulate the event organizers for their hard work. Let's top it next year at the 30th Anniversary of this important festival celebrating our heritage here in the City.*
- *On Saturday, we honored this year's Fannie Lou Hamer award winners — Amy Cruice, Argo Duenas, Leah Frazier, Vickie Gipson, Erika Johnson and Kathleen Johnson – Six outstanding women who exemplify the spirit of a great leader in civil, voting and women's rights – Miss Fannie Lou Hamer. Thank you to the MLK Jr. Committee for their work to carry forward her legacy in these awards. I would also like to thank Mrs. Julie Buckley for attending the awards dinner.*
- *Finally, this evening, I would like to honor the late Bruce Michalec – who died Saturday evening after serving as the Anne Arundel County Food Bank's only executive director. I would like to quote Mrs. Sylvia Jennings, founding president of the county food bank, who said, "He was hugely responsible for the growth and expansion of the food bank. He had been incredibly involved with the needy and the poor in this county, and helping to support and care for them all these years."*

Acting Mayor's Opening Remarks City Council Meeting October 8, 2018.

Consent Calendar

Approval of the Consent Calendar.

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

Aye: 8 - Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

Absent: 1 - Mayor Buckley

Appointments

[AP-28-18](#) The Appointment of Elizabeth W. Ramirez to the Arts in Public Places Commission

Aye: 8 - Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

Absent: 1 - Mayor Buckley

[AP-29-18](#) The Appointment of Darin Gilliam to the Arts in Public Places Commission

Aye: 8 - Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

Absent: 1 - Mayor Buckley

[AP-30-18](#) The Appointment of RaQuelle Blake to the Arts in Public Places Commission

Aye: 8 - Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

Absent: 1 - Mayor Buckley

[AP-31-18](#) The Appointment of Genevieve Teresa Torri to the Arts in Public Places Commission

Aye: 8 - Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

Absent: 1 - Mayor Buckley

[AP-32-18](#) The Appointment of Chrisa Rich to the Arts in Public Places Commission

Aye: 8 - Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

Absent: 1 - Mayor Buckley

[AP-33-18](#) The Re-Appointment of Cynthia Towle-Krewson to the Arts in Public Places Commission

Aye: 8 - Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

Absent: 1 - Mayor Buckley

[AP-34-18](#) The Re-Appointment of David Arthur to the Arts in Public Places Commission

Aye: 8 - Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

Absent: 1 - Mayor Buckley

[AP-35-18](#) The Re-Appointment of Barbara Salazar Torreon to the Arts in Public Places Commission

Aye: 8 - Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

Absent: 1 - Mayor Buckley

[AP-36-18](#) The Re-Appointment of Robert Henry Waldman to the Planning Commission

Aye: 8 - Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

Absent: 1 - Mayor Buckley

[AP-37-18](#) The Re-Appointment of Faye B. Currie to the Financial Advisory Commission

Aye: 8 - Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

Absent: 1 - Mayor Buckley

Business and Miscellaneous

[ID-285-18](#)

Sponsors: City Council

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

Aye: 8 - Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

Absent: 1 - Mayor Buckley

End of Consent Calendar

The order of the agenda was amended to allow for the swearing in of the appointed / re-appointed Members of the Arts in Public Places Commission.

Swearing in of Arts in Public Places Members

Pursuant to Article IX - MISCELLANEOUS PROVISIONS, Sec. 1 - Oath of Office which states:

"Each member of a commission, board or committee, before entering upon the duties of the respective office, shall take and subscribe before the mayor "

Acting Mayor Henson administered the Oath of Office to the Members of the Arts in Public Places Commission present.

The Members of the Arts in Public Places Commission present signed the City of Annapolis Official Oath Book.

Public Hearings

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

Sponsors: Buckley

No one from the general public spoke in favor of or in opposition to the charter amendment.

Acting Mayor Henson declared the public hearing on CA-1-18 closed.

[O-27-18](#) **Forest Conservation - No Net Loss** - For the purpose of amending the Code of the City of Annapolis concerning reforestation to maintain the City's current tree canopy percentage.

Sponsors: Savidge, Arnett, Tierney, Rodriguez, Paone and Henson

Spoke in favor:

Amy Clemmons, 17 Southgate Avenue, Annapolis, Maryland 21403 representing the Spa Creek Conservancy.

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

Nancy Plaxico, 3303 Shore Drive, Annapolis, Maryland 21403.

Dianne Butler, 407 Third Street, Annapolis, Maryland 21403 representing the Environmental Commission.

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

Elva Thompson, 704 South Cherry Grove Avenue, Annapolis, Maryland 21401 representing Annapolis Green.

Spoke in opposition:

Alan Hyatt, 200 Westgate Circle, Suit 500, Annapolis, Maryland 21401.

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

Acting Mayor Henson declared the public hearing on O-27-18 closed.

[O-34-18](#) **Demolition by Neglect** - For the purpose of revising the definition of "demolition by neglect" set forth in Chapter 21.56; revising the procedures for investigating a property that may meet the definition of "demolition by neglect"; providing for a review process by the Historic Preservation Commission and a public hearing requirement; providing for an appeal process; and matters generally relating to demolition by neglect.

Sponsors: Tierney, Pindell Charles and Rodriguez

Spoke in favor:

Bill Kardash, 1 Action Place, Annapolis, Maryland 21401 representing Historic Annapolis Commission.

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

Acting Mayor Henson declared the public hearing on O-34-18 closed.

[O-41-18](#)

Emergency Procurement - For the purpose of authorizing the appropriation of funds for an emergency procurement; and for establishing a procedure for the procurement of goods and services during an emergency.

Sponsors: Buckley

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

Acting Mayor Henson declared the public hearing on O-41-18 closed.

[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

Spoke on:

Amy Clements, 17 Southgate Avenue, Annapolis, Maryland 21401 representing the Spa Creek Conservancy.

Alex Kodizki, 706 Giddings, Annapolis, Maryland 21403.

EJ Rumpkey, 1101 Poplar Avenue, Annapolis, Maryland 21403.

Dianne Butler, 407 Third Street, Annapolis, Maryland 21403.

Paul Murphy, 105 Northwest Street, Annapolis, Maryland 21401.

Spoke in opposition:

Tom Baum, 121 Spa View Avenue, Annapolis, Maryland 21401 representing Bozzuto Homes.

Wayne Newton, 7 Old Solomon's Island Road, #202, Annapolis, Maryland 21401.

Alan Hyatt, 200 Westgate Circle, Suite 500, Annapolis, Maryland 21401.

Jeremy Parks, 9 State Circle, Annapolis, Maryland 21401.

Terry Shuman, 1604 Homewood Avenue, Annapolis, Maryland 21401 representing Bay Engineering.

Pete Mellits, 601 E. Pratt Street, #302, Baltimore, Maryland 21202 representing McLean Engineering Group.

Leo Wilson, 109 Chesapeake Avenue, Annapolis, Maryland 21403.

Spoke in favor:

Bevin Buchheister, 5 Wagner Street, Annapolis, Maryland 21401 representing the Environmental Commission.

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

Acting Mayor Henson declared the public hearing on R-46-18 closed.

Legislative Action

Second Readers

[O-22-18](#)

Food Handling Establishments - Polystyrene Food Service

Products - Prohibition - For the purpose of prohibiting the sale and use of expanded polystyrene foam products at food service businesses located in the City; providing certain definitions; and providing for a penalty for violations.

Sponsors: Savidge, Buckley, Henson, Tierney and Arnett

Alderman Arnett moved to adopt O-22-18 on second reader. Seconded.

Alderman Savidge moved to amend O-22-18 as follows:

Amendment #1

Page 1, line 27, insert "10.12.140" before "10.12.160"; Page 1, line 34 insert "10.12.140 - Administration and enforcement.

A. The provisions of this chapter shall be administered and enforced by the Department of Planning and Zoning except with regard to those matters administered and enforced by the Health Officer, and except with regard to Section 10.12.160, which matters shall be administered and enforced by the Office of Environmental Policy.

B. Violation of or failure to comply with any provision of this chapter is declared to be a municipal infraction punishable by a fine not to exceed one hundred dollars for any single, initial violation, and an additional fine of two hundred dollars for each repeat or continuing violation.

**C. The Director of Planning and Zoning and the Director of Environmental Policy, or the directors their designee, shall have the power to enforce the provisions of this chapter through the issuance of a municipal citation or through any other appropriate action or proceedings at law or equity.
Page 2, strike lines 24-26.**

Amendment #2

Page 2, line 4 strike "service ware".

Amendment #3

**"Page 2, strike lines 17-22; insert "A Food Service Business shall not sell, or offer food for sale in, Expanded Polystyrene food service products.".
Seconded. CARRIED on voice vote.**

Alderwoman Finlayson requested a written confirmation from the Anne Arundel County Health Office when ordinance O-22-18 is adopted by the city the county will provide enforcement.

**Alderman Arnett moved to adopt O-22-18 as amended on second reader.
Seconded. CARRIED on voice vote.**

Alderman Arnett moved to adopt O-22-18 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 8 - Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

Absent: 1 - Mayor Buckley

Council Specific Rule

Alderman Arnett moved to consider items of business after 11:00 p.m. Seconded. CARRIED on voice vote.

R-47-18

No Discharge Zone - For the purpose of supporting the establishment of a “No Discharge Zone” for the Annapolis waterways.

Sponsors: Savidge, Arnett, Henson, Tierney, Rodriguez, Buckley, Paone, Finlayson and Pindell Charles

Alderman Arnett moved to adopt R-47-18 on second reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 8 - Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

Absent: 1 - Mayor Buckley

The order of the agenda was amended to allow for items removed from Consent Calendar.

Legislative Action**Second Readers****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 O-36-18 on second reader. Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt O-36-18 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 6 - Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson and Alderman Savidge

Nay: 2 - Alderwoman Tierney and Alderman Arnett

Absent: 1 - Mayor Buckley

The order of the agenda was resumed.

Adjournment

Upon motion duly made, seconded and adopted, the meeting was adjourned at: 11:10 p.m.

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