



# City of Annapolis

160 Duke Of Gloucester  
Street  
Annapolis, MD 21401

## Special Minutes - Final City Council

---

Monday, July 25, 2016

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 Alderman Littmann.

### Pledge of Allegiance

Led by Mayor Pantelides.

### Roll Call

Tonight's roll call began with Alderman Littmann.

**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 Arnett moved to approve the agenda as amended to REMOVE the GT-1-17 DNEP Budget Reorganization, GT-3-17 Transfer from DPW Salaries, DPW Benefits and DNEP Operating transfer to DNEP Salaries, DNEP Benefits and DPW Operating and the HACA Quarterly Report. Seconded. CARRIED on voice vote.

### **Annapolis Rotary Club Presentation**

This was presented.

### **Ceremonial Items**

#### 1. Swearing in of Arjan Van Andel to Transportation Board

Pursuant to Article IX - Miscellaneous Provisions, Sec. 1. - Oath of Office, Mayor Pantelides administered the oath of office to Mr. Arjan Van Andle.

#### 2. Swearing in of Firefighter Lee

Pursuant to Article IX - Miscellaneous Provisions, Sec. 1. - Oath of Office, Mayor Pantelides administered the oath of office to Mr. Vincent R. Lee.

#### 3. Swearing in of Firefighter Riffe

Pursuant to Article IX - Miscellaneous Provisions, Sec. 1. - Oath of Office, Mayor

Pantelides administered the oath of office to Mr. Jonathan E. Riffe.

#### 4. City Council Proclamation

[ID-308-16](#)      **City Council Proclamation - Recreation and Parks Month  
July 2016**

This Ceremonial Item was presented.

#### 5. City Council Citation - Da'Juan Gay

This Ceremonial Item was presented.

### **Petitions, Reports and Communications**

#### **A. HACA Quarterly Report**

[ID-314-16](#)

Alderman Arnett moved to postpone the HACA Quarterly Report. **Seconded.  
CARRIED on voice vote.**

#### **B. Reports by Committee**

**Standing Committee Dates:**

**There will be no meeting in the month of August.**

#### **C. Comments by the General Public**

*Jessica Pachler, 506 President Street, Annapolis, Maryland 21403 spoke on O-8-16 and O-36-15.*

*Don Lamb-Minor, 107 Northwest Street, Annapolis, Maryland 21401 representing the Inner West Street Association and the Businesses on West Street thanked the City Council for allowing Dining Under the Stars.*

*Elly Tierney, 85 East Street, Annapolis, Maryland 21401 representing the Ward One Residents Association spoke on extending Dining Under the Stars to Main Street, SP+ Enforcement Policy, Mom and Pop Shops, the need for green space in public housing developments and the Back Creek Book Store.*

*Philip Dales, 200 Westgate Circle, suite 500, Annapolis, Maryland 21401 spoke in opposition of the O-36-15.*

*Brian Cahalan, 49 West Street, Annapolis, Maryland 21403 thanked the City Council for allowing Wednesday Nights Dining Under the Stars, and spoke on O-36-15, parking downtown, single people moving into the city, city employee parking and children walking to school.*

*Doug Smith, 5 Revel Street, Annapolis, Maryland 21401 Dining Under the Stars, flower baskets on the streets, Sp+ doing a good job.*

*Janet Norman, 787 Old Annapolis Neck Road, Annapolis, Maryland 21401 spoke on the Consent Calendar Items, Revised Community Grant Allocations being posted on line, performance mesurers and requested that the O-27-16 be removed from the Consent Calendar.*

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

### **Consent Calendar**

## Approval of the Consent Agenda

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

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

### [GT-22-16](#) **From Contingency to Police Overtime- APD**

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

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

### [GT-1-17](#) **Transfer from Other Financing Sources Transfer to General Roadways**

Alderman Arnett moved to postpone GT-1-17. **Seconded. CARRIED on voice vote.**

### [GT-2-17](#) **From Public Works R&M Equipment to Fleet Salaries**

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

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

### [GT-3-17](#) **Transfer from Other Financing Sources Transfer to Surveillance Camera-CIP**

Alderman Arnett moved to postpone GT-3-17. **Seconded. CARRIED on voice vote.**

## First Readers

### [O-30-16](#) **Supplemental Allocations - For the purpose of amending the City Code to authorize the City Manager to transfer funds in the annual operating budget without City Council approval where the funds transferred do not exceed thirty-five thousand (\$35,000.00) dollars through July 1, 2018.**

**Sponsors:** Pantelides, Budge, Littmann, Pfeiffer and Pindell Charles

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

**This Ordinance O-30-16 was referred to the Finance Committee.**

### [O-31-16](#) **Annapolis Maritime Museum Lease Agreement for Ellen O. Moyer Nature Park at Back Creek- For the purpose of approving the lease for**

**certain City-owned property known as the Ellen O. Moyer Nature Park at Back Creek, Edgewood Road, Annapolis; and matters generally relating to said lease.**

**Sponsors:** Pantelides

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

**This Ordinance O-31-16 was referred to the Finance Committee.**

**This Ordinance O-31-16 was referred to the Rules & City Government Committee.**

## Second Readers

### [O-27-16](#)

**Elections Code Updates - For the purpose of amending and updating Chapters 4.08; 4.20; 4.24; 4.32; 4.40 and 4.44 of the Code of the City of Annapolis concerning polling places; nominations and candidacy; voting and voting machines; board of canvassers; ballot question procedures; and matters generally relating to these amendments and updates.**

**Sponsors:** Arnett

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

### [R-20-16](#)

**Samaritan House, Inc. Water Connection Fees Waiver - For the purpose of extending City water service to the Samaritan House Campus for Recovery Facility; waiving any water connection fees; and matters generally relating to said water connection waiver of fees.**

**Sponsors:** Pantelides and Finlayson

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

## End of Consent Calendar

## Public Hearings

### [O-28-16](#)

**Annapolis Arts District, Inc. Lease Agreement for Stanton Center - For the purpose of approving the lease for certain City-owned space in the Stanton Center to the Annapolis Arts District, Inc.; and matters generally relating to said lease.**

**Sponsors:** Pantelides

*Spoke in favor:*

*Don Lamb-Minor, 107 Northwest Street, 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-28-16 closed.

[O-29-16](#)

**Alcoholic Beverages - Refillable Container License - For the purpose of adding Class E to those classes of license holders currently authorized to sell draft beer in refillable containers.**

***Sponsors:*** Paone

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

Mayor Pantelides declared the public hearing on O-29-16 closed.

[R-25-16](#)

**Alcoholic Beverages - Refillable Container License Fees - For the purpose of specifying the fees that will be charged for Class E license holders authorized to sell draft beer in refillable containers.**

***Sponsors:*** Paone

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

Mayor Pantelides declared the public hearing on R-25-16 closed.

## **Legislative Action**

Proposed Motion to Postpone R-17-15 to Date Certain.

[R-17-15](#)

**Personnel Rules and Regulations - For the purpose of approving updated and modified Rules and Regulations of the Personnel System.**

***Sponsors:*** Pantelides

Alderman Arnett moved to postpone R-17-15 until the Special Meeting on October 24, 2016. Seconded. CARRIED on voice vote.

## **Second Readers**

[O-36-15](#)

**Adequate Public Facilities - For the purpose of adding review criteria and certification for adequate school facilities to Title 22 of the Code of the City of Annapolis; and matters generally relating to the adequacy of school facilities.**

***Sponsors:*** Arnett, Littmann and Pantelides

*Planning and Zoning Director Gutwald was present and answered questions from council.*

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

Alderman Littmann moved to amend O-36-15 as follows: Amendment No. 1  
Page 6, line 32 strike as follows: THE FOLLOWING ARE EXEMPT FROM THE REQUIREMENTS OF THIS CHAPTER: NON-RESIDENTIAL PROJECTS;RESIDENTIAL SUBDIVISIONS IF NO NEW DWELLING UNIT POTENTIAL IS CREATED; INSTITUTIONS FOR THE CARE OF THE AGED; AND AGE-RESTRICTED RESIDENTIAL PROJECTS.  
and insert:  
THE FOLLOWING ARE EXEMPT FROM THE REQUIREMENTS OF THIS CHAPTER:

A. NON-RESIDENTIAL PROJECTS;  
B. RESIDENTIAL SUBDIVISIONS IF NO NEW DWELLING UNIT POTENTIAL IS CREATED;  
C. INSTITUTIONS FOR THE CARE OF THE AGED;  
D. PROPOSED PROJECTS IN (1) THE ARTS AND ENTERTAINMENT DISTRICT AND (2) THE BOUNDARIES AS ESTABLISHED BY THE MAIN STREET MARYLAND LETTER OF AGREEMENT FOR DESIGNATED COMMUNITIES AS SHOWN ON THE ANNAPOLIS MAIN STREET DISTRICT MAP DATED 3/9/16;  
E. AGE-RESTRICTED RESIDENTIAL PROJECTS; AND  
F. PROPOSED PROJECTS THAT HAVE RECEIVED A CERTIFICATE OF ADEQUATE PUBLIC FACILITIES PRIOR TO THE EFFECTIVE DATE OF ORDINANCE 36-15. **Seconded. CARRIED on voice vote.**

Alderwomen Pindell Charles and Finlayson requested the record reflect their abstention from the vote.

Alderman Littmann moved to amend O-36-15 as follows: Amendment No. 2: Page 6, line 40 strike and insert: PARAGRAPH D OF THIS SECTION, SHALL OCCUR ON JANUARY 1 AND JULY 1 OF EACH YEAR. . **Seconded. CARRIED on voice vote.**

Alderwoman Pindell Charles requested the record reflect her abstention from the vote.

*Planning and Zoning Director Gutwald was present and answered questions from council.*

Alderman Littmann moved to amend O-36-15 as follows: Amendment No. 3 Page 7, lines 4-9 strike and insert: NOTWITHSTANDING THE DEFINITION OF “PROPOSED PROJECT” IN SECTION 22.04.010, RESIDENTIAL DEVELOPMENTS EXCEEDING ELEVEN DWELLING UNITS SHALL NOT BE APPROVED AT LOCATIONS WHERE:  
1. THE ENROLLMENT AT THE ELEMENTARY AND MIDDLE SCHOOLS THAT SERVE THE SITE, PLUS FROM THE DEVELOPMENT PROPOSED BY THE APPLICATION THE NUMBER OF ELEMENTARY AND MIDDLE SCHOOLS STUDENTS EXPECTED TO ATTEND BASED ON THE SCHOOL PUPIL GENERATION FACTORS YIELD PER UNIT CONTAINED IN THE ANNE ARUNDEL COUNTY EDUCATIONAL FACILITIES MASTER PLAN, IS CURRENTLY OR PROJECTED TO BE EQUAL TO OR GREATER THAN 105% OF THE STATE RATED CAPACITY WITHIN THREE YEARS, AND  
2. THE ENROLLMENT AT THE HIGH SCHOOL THAT SERVES THE SITE, PLUS FROM THE DEVELOPMENT PROPOSED BY THE APPLICATION THE NUMBER OF HIGH SCHOOL STUDENTS EXPECTED TO ATTEND BASED ON THE SCHOOL PUPIL GENERATION FACTORS YIELD PER UNIT CONTAINED IN THE ANNE ARUNDEL COUNTY EDUCATIONAL FACILITIES MASTER PLAN, IS CURRENTLY OR PROJECTED TO BE EQUAL TO OR GREATER THAN 120% OF THE STATE RATED CAPACITY WITHIN THREE YEARS. **Seconded. CARRIED on voice vote.**

Alderwoman Pindell Charles requested the record reflect her abstention from the vote.

Alderman Littmann moved to amend O-36-15 as follows: Amendment No. 4: Page 7, line 37, after “REVIEW” remove “APPROVAL” and insert “PROCESS”; strike page 7, line 39, through page 8, line 2, and page 8 lines 9-10. Re-number line 4 accordingly. **Seconded. CARRIED on voice vote.**

Alderwoman Pindell Charles requested the record reflect her abstention from the

vote.

Alderman Littmann moved to amend O-36-15 as follows: Amendment No. 5  
Page 8, line 4 after "LIST" insert "FOR CONSIDERATION". Seconded. CARRIED  
on voice vote.

Alderwoman Pindell Charles requested the record reflect her abstention from the  
vote.

*Planning and Zoning Director Gutwald was present and answered questions from council.*

Alderman Littmann moved to amend O-36-15 as follows: Amendment No. 6  
Page 8, line 7, after "SCHOOLS." insert: FOR THE PURPOSES OF THIS  
CHAPTER, THE SIX-YEAR PERIOD BEGINS WHEN THE APPLICATION FOR  
A CERTIFICATE OF ADEQUATE PUBLIC FACILITIES AND  
CORRESPONDING APPLICATION UNDER TITLE 21 OF THE CITY CODE IS  
DEEMED COMPLETE BY THE DIRECTOR OF PLANNING AND ZONING.  
WITHIN FOURTEEN (14) DAYS OF THE DATE WHEN THEY  
ARE DEEMED COMPLETE, THE DIRECTOR OF PLANNING AND ZONING  
SHALL NOTIFY THE APPLICANT IN WRITING OF WHETHER THE  
APPLICATION HAS BEEN DEEMED COMPLETE FOR THE PURPOSES OF  
THIS CHAPTER. IF THE APPLICATION IS NOT DEEMED COMPLETE, THE  
DIRECTOR SHALL SPECIFY TO THE APPLICANT ANY ADDITIONAL  
INFORMATION NEEDED TO COMPLETE THE APPLICATION. THE  
DIRECTOR MAY EXTEND THE DEADLINE FOR NOTIFICATION FOR AN  
ADDITIONAL FOURTEEN (14) DAYS AS NEEDED WITH WRITTEN NOTICE  
TO THE APPLICANT. Seconded. CARRIED on voice vote.

Alderwoman Pindell Charles requested the record reflect her abstention from the  
vote.

Alderman Littmann moved to amend O-36-15 as follows: Amendment No. 7  
Page 8, line 28, after "WHICH" insert "AT THE TIME OF APPLICATION".  
Seconded. CARRIED on voice vote.

Alderwoman Pindell Charles requested the record reflect her abstention from the  
vote.

Alderwoman Finlayson moved to postpone O-36-15 on second reader. Seconded.  
DEFEATED on voice vote.

*Planning and Zoning Director Gutwald was present and answered questions from council.*

Alderwoman Finlayson moved to amend O-36-15 as follows: Amendment No. 1  
Page 6, line 32 strike as follows: THE FOLLOWING ARE EXEMPT FROM THE  
REQUIREMENTS OF THIS CHAPTER: NON-RESIDENTIAL  
PROJECTS; RESIDENTIAL SUBDIVISIONS IF NO NEW DWELLING UNIT  
POTENTIAL IS CREATED; INSTITUTIONS FOR THE CARE OF THE AGED;  
AND AGE-RESTRICTED RESIDENTIAL PROJECTS.

and insert:

THE FOLLOWING ARE EXEMPT FROM THE REQUIREMENTS OF THIS  
CHAPTER:

- A. NON-RESIDENTIAL PROJECTS;
- B. RESIDENTIAL SUBDIVISIONS IF NO NEW DWELLING UNIT  
POTENTIAL IS CREATED;
- C. INSTITUTIONS FOR THE CARE OF THE AGED;
- D. AGE-RESTRICTED RESIDENTIAL PROJECTS;

**E. PROPOSED DEVELOPMENTS IN (1) THE ARTS AND ENTERTAINMENT DISTRICT AND (2) THE BOUNDARIES AS ESTABLISHED BY THE MAIN STREET PARTNERSHIP AGREEMENT AS OF MARCH 2016;**

**F. PROPOSED DEVELOPMENTS WITHIN THE BOUNDARIES OF THE OUTER WEST STREET OPPORTUNITY AREA IDENTIFIED IN THE 2009 COMPREHENSIVE PLAN OF THE CITY OF ANNAPOLIS; AND**

**G. PROPOSED PROJECTS THAT HAVE RECEIVED A CERTIFICATE OF ADEQUATE PUBLIC FACILITIES OR PLANNED DEVELOPMENT APPROVAL OR SPECIAL EXCEPTION APPROVAL PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE;. Seconded. DEFEATED on voice vote. A roll call vote was taken. The motion DEFEATED by the following vote:**

**Aye:** 4 - Alderman Budge, Alderman Paone, Alderwoman Finlayson and Alderman Kirby

**Nay:** 5 - Mayor Pantelides, Alderwoman Pindell Charles, Alderman Littmann, Alderman Pfeiffer and Alderman Arnett

*Planning and Zoning Director Gutwald was present and answered questions from council.*

**Alderwoman Finlayson moved to amend O-36-15 as follows: Amendment No. 2:  
Page 6, lines 39-42 strike and insert as follows:**

**A. TESTING FOR ADEQUATE SCHOOL CAPACITIES, THE CREATION OF A SCHOOL UTILIZATION CHART IN ACCORDANCE WITH PARAGRAPH C OF THIS SECTION SHALL OCCUR ON JANUARY 1 AND JULY 1 OF EACH YEAR.**

**B. TESTING FOR ADEQUATE SCHOOL CAPACITIES IS THE SCHOOL UTILIZATION CHART SHALL BE PREPARED BY THE DIRECTOR OF PLANNING AND ZONING AND IS BASED ON THE SCHOOL UTILIZATION CHART, AS DESCRIBED IN PARAGRAPH D BELOW. Seconded.**

*The meeting was recessed at 9:23 p.m. and reconvened at 9:32 p.m.*

[O-36-15](#)

**Adequate Public Facilities - For the purpose of adding review criteria and certification for adequate school facilities to Title 22 of the Code of the City of Annapolis; and matters generally relating to the adequacy of school facilities.**

**Sponsors:** Arnett, Littmann and Pantelides

**Alderman Arnett moved to amend O-36-15 as follows: In Finlayson Amendment No. 2:**

**Page 6, lines 39-42 strike and insert as follows:**

**A. TESTING FOR ADEQUATE SCHOOL CAPACITIES, THE CREATION OF A SCHOOL UTILIZATION CHART IN ACCORDANCE WITH PARAGRAPH C OF THIS SECTION SHALL OCCUR ON JANUARY 1 AND JULY 1 OF EACH YEAR. "THE DIRECTOR OF PLANNING AND ZONING WOULD CREATE A SCHOOL UTILIZATION CHART FOR TEST PURPOSES BEFORE BOTH DATES EACH YEAR."**

**B. TESTING FOR ADEQUATE SCHOOL CAPACITIES IS THE SCHOOL UTILIZATION CHART SHALL BE PREPARED BY THE DIRECTOR OF PLANNING AND ZONING AND IS BASED ON THE SCHOOL UTILIZATION CHART, AS DESCRIBED IN PARAGRAPH D BELOW. . Seconded. CARRIED on voice vote.**

**Alderwoman Pindell Charles requested the record reflect her abstention from the vote.**



Aldermen Kirby moved to amend O-36-15 as follows:  
Finlayson Amendment No. 3:

Page 7, lines 4-11 strike and insert as follows:

**C. NOTWITHSTANDING THE DEFINITION OF “PROPOSED PROJECT” IN SECTION 22.04.010, RESIDENTIAL DEVELOPMENTS EXCEEDING ELEVEN DWELLING UNITS SHALL NOT BE APPROVED AT LOCATIONS WHERE:**

**1.THE ENROLLMENT AT THE ELEMENTARY AND MIDDLE SCHOOLS THAT SERVE THE SITE, PLUS FROM THE DEVELOPMENT PROPOSED BY THE APPLICATION THE NUMBER OF ELEMENTARY AND MIDDLE SCHOOLS STUDENTS EXPECTED TO ATTEND BASED ON THE SCHOOL PUPIL GENERATION FACTORS YIELD PER UNIT CONTAINED IN THE ANNE ARUNDEL COUNTY EDUCATIONAL FACILITIES MASTER PLAN, IS PROJECTED TO BE EQUAL TO OR GREATER THAN 110% OF THE STATE RATED CAPACITY WITHIN THREE YEARS FROM THE DATE THE DETERMINATION IS MADE., AND**

**2.THE ENROLLMENT AT THE HIGH SCHOOL THAT SERVES THE SITE, PLUS FROM THE DEVELOPMENT PROPOSED BY THE APPLICATION THE NUMBER OF HIGH SCHOOL STUDENTS EXPECTED TO ATTEND BASED ON THE SCHOOL PUPIL GENERATION FACTORS YIELD PER UNIT CONTAINED IN THE ANNE ARUNDEL COUNTY EDUCATIONAL FACILITIES MASTER PLAN, IS CURRENTLY OR PROJECTED TO BE EQUAL TO OR GREATER THAN 120% OF THE STATE RATED CAPACITY WITHIN THREE YEARS. Seconded.**

Alderwoman Finlayson moved to amend O-36-15 as follows:  
Finlayson Amendment No. 3:  
To strike  
C.

**2.THE ENROLLMENT AT THE HIGH SCHOOL THAT SERVES THE SITE, PLUS FROM THE DEVELOPMENT PROPOSED BY THE APPLICATION THE NUMBER OF HIGH SCHOOL STUDENTS EXPECTED TO ATTEND BASED ON THE SCHOOL PUPIL GENERATION FACTORS YIELD PER UNIT CONTAINED IN THE ANNE ARUNDEL COUNTY EDUCATIONAL FACILITIES MASTER PLAN IS CURRENTLY OR PROJECTED TO BE EQUAL TO OR GREATER THAN 120% OF THE STATE RATED CAPACITY WITHIN THREE YEARS. Seconded. DEFEATED on voice vote.**

**Aye:** 4 - Mayor Pantelides, Alderwoman Finlayson, Alderman Kirby and Alderman Pfeiffer

**Nay:** 4 - Alderman Budge, Alderman Paone, Alderman Littmann and Alderman Arnett

**Abstain:** 1 - Alderwoman Pindell Charles

Alderwoman Finlayson moved to amend O-36-15 as follows:  
Finlayson Amendment # 3  
C.

**1.THE ENROLLMENT AT THE ELEMENTARY AND MIDDLE SCHOOLS THAT SERVE THE SITE, PLUS FROM THE DEVELOPMENT PROPOSED BY THE APPLICATION THE NUMBER OF ELEMENTARY AND MIDDLE SCHOOLS STUDENTS EXPECTED TO ATTEND BASED ON THE SCHOOL PUPIL GENERATION FACTORS YIELD PER UNIT CONTAINED IN THE ANNE ARUNDEL COUNTY EDUCATIONAL FACILITIES MASTER PLAN, IS PROJECTED TO BE EQUAL TO OR GREATER THAN 110%. Seconded. DEFEATED on voice vote.**

**Aye:** 3 - Mayor Pantelides, Alderwoman Finlayson and Alderman Kirby

**Nay:** 5 - Alderman Budge, Alderman Paone, Alderman Littmann, Alderman Pfeiffer and Alderman Arnett

**Abstain:** 1 - Alderwoman Pindell Charles

*Planning and Zoning Director Gutwald was present and answered questions from council.*

**Aldermen Arnett moved to amend O-36-15 as follows: Finlayson Amendment No. 3**

**Page 7, strike lines 11-12, and insert:**

**D. THE SCHOOL CAPACITY OF A SCHOOL USED IN UTILIZATION CHART SHALL INCLUDE THE FOLLOWING AND SHALL NOT VARY IN SUBSTANCE FROM THE INFORMATION INCLUDED IN THE ANNE ARUNDEL COUNTY EDUCATIONAL FACILITIES MASTER PLAN, UNLESS THE VARIATION IS CONFIRMED IN WRITING BY THE SUPERINTENDENT OF THE SCHOOL BOARD OR APPROVED BY RESOLUTION OF THE CITY COUNCIL. Seconded.**

**Aldermen Littmann moved to amend O-36-15 as follows: Finlayson Amendment No. 3**

**Page 7, strike lines 11-12, and insert:**

**D. THE SCHOOL CAPACITY OF A SCHOOL USED IN UTILIZATION CHART SHALL INCLUDE THE FOLLOWING AND SHALL NOT VARY IN SUBSTANCE FROM THE INFORMATION INCLUDED IN THE ANNE ARUNDEL COUNTY EDUCATIONAL FACILITIES MASTER PLAN, UNLESS THE VARIATION IS CONFIRMED IN WRITING BY THE SUPERINTENDENT "OR HIS DESIGNEE" OF THE SCHOOL BOARD OR APPROVED BY RESOLUTION OF THE CITY COUNCIL. Seconded. CARRIED on voice vote.**

**Alderwoman Pindell Charles requested the record reflect her abstention from the vote.**

**Alderwoman Finlayson moved to approve O-36-15 Amendment No. 3 as amended by Alderman Littmann. Seconded. CARRIED on voice vote.**

**Alderwoman Pindell Charles requested the record reflect her abstention from the vote.**

**Alderman Littmann moved to adopt O-36-15 as amended on second reader. Seconded. CARRIED on voice vote.**

**Alderwoman Pindell Charles requested the record reflect her abstention from the vote.**

**Alderman Kirby moved to adopt O-36-15 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:**

**Aye:** 7 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Finlayson, Alderman Littmann, Alderman Pfeiffer and Alderman Arnett

**Nay:** 1 - Alderman Kirby

**Abstain:** 1 - Alderwoman Pindell Charles

[O-08-16](#)

**Title 7 - Business Licenses, Taxes and Regulations - For the purpose of amending Chapter 7.40 to provide for the regulation of peddlers, hawkers, and itinerant merchants within the City.**

Sponsors: Budge

Alderman Arnett moved to adopt O-08-16 on second reader. Seconded.

Alderman Budge moved to amend O-08-16 as follows: Economic Matters & Rules and City Government Proposed Amendments 1-18 dated July 14, 2016. Seconded. CARRIED on voice vote.

Alderman Budge moved to amend O-08-16 as follows: Revised Budge Proposed Amendments dated July 25, 2016

Amendment 1:

Page 13, Line 18: Insert after "DISTRICT": ". MOBILE VENDORS OPERATING UNDER THIS PARAGRAPH MAY NOT REMAIN IN A NEIGHBORHOOD LONGER THAN THIRTY MINUTES DURING A SIX-HOUR PERIOD EXCEPT WITHIN THE BOUNDARIES OF WARD EIGHT"

As amended:

WHEN CONDUCTING DOOR-TO-DOOR SALES IN RESIDENTIAL ZONES, PURSUANT TO CHAPTERS 21.42-21.47, OUTSIDE THE HISTORIC DISTRICT. MOBILE VENDORS OPERATING UNDER THIS PARAGRAPH MAY NOT REMAIN IN A NEIGHBORHOOD LONGER THAN THIRTY MINUTES DURING A SIX-HOUR PERIOD EXCEPT WITHIN THE BOUNDARIES OF WARD EIGHT. Seconded.

Alderman Littmann moved to amend O-08-16 as follows: Revised Budge Proposed Amendments dated July 25, 2016 as follows:

To STRIKE "SIX-HOUR" AND INSERT "THREE-HOUR"

Amendment 1:

Page 13, Line 18: Insert after "DISTRICT": ". MOBILE VENDORS OPERATING UNDER THIS PARAGRAPH MAY NOT REMAIN IN A NEIGHBORHOOD LONGER THAN THIRTY MINUTES DURING A -TO STRIKE "SIX-HOUR" AND INSERT "THREE-HOUR" PERIOD EXCEPT WITHIN THE BOUNDARIES OF WARD EIGHT"

As amended:

WHEN CONDUCTING DOOR-TO-DOOR SALES IN RESIDENTIAL ZONES, PURSUANT TO CHAPTERS 21.42-21.47, OUTSIDE THE HISTORIC DISTRICT. MOBILE VENDORS OPERATING UNDER THIS PARAGRAPH MAY NOT REMAIN IN A NEIGHBORHOOD LONGER THAN THIRTY MINUTES DURING A STRIKE "SIX-HOUR" AND INSERT "THREE-HOUR" EXCEPT WITHIN THE BOUNDARIES OF WARD EIGHT. Seconded. CARRIED on voice vote.

Alderman Budge moved to approve Revised Budge Proposed Amendment 1 as amended by Alderman Littmann. Seconded. CARRIED on voice vote.

Alderman Arnett moved to amend O-08-16 as follows:  
Revised Budge Proposed Amendments dated July 25, 2016

Amendment 2:

Page 13, Lines 40-42: Strike existing language and insert:

As amended:

FOR NOT MORE THAN THIRTY MINUTES AT ONE LOCATION IN OTHER RESIDENTIAL AREAS OUTSIDE THE HISTORIC DISTRICT FOR NOT MORE THAN THIRTY MINUTES AT ONE LOCATION IN A NEIGHBORHOOD DURING A THREE HOUR PERIOD UNLESS IN CONJUNCTION WITH AN APPROVED SPECIAL EVENT;. Seconded. CARRIED on voice vote.

Alderman Budge moved to adopt O-08-16 as amended on second reader. Seconded.

**CARRIED on voice vote.**

**Alderman Paone moved to adopt O-08-16 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:**

**Aye:** 7 - Alderman Budge, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Pfeiffer and Alderman Arnett

**Nay:** 1 - Mayor Pantelides

**Abstain:** 1 - Alderman Kirby

### R-02-16

**Peddlers, Hawkers, and Itinerant Merchants Fees and Fines - For the purpose of setting fees and fines associated with engaging in the business of a peddler, hawker, and itinerant merchant as set forth in Chapter 7.40 of the City Code.**

Sponsors: Budge

**Alderman Arnett moved to adopt R-02-16 on second reader. Seconded.**

**Alderman Budge moved to amend R-02-16 as follows: R-2-16 Peddlers, Hawkers, and Itinerant Merchants Fees and Fines**

**Budge Proposed Amendment dated 7/11/16 Amendment 1. Seconded. CARRIED on voice vote.**

**Alderman Arnett moved to amend. R-02-16 as follows: R-2-16 Peddlers, Hawkers, and Itinerant Merchants Fees and Fines**

**Budge Proposed Amendment dated 7/11/16 Amendment 2. Seconded. CARRIED on voice vote.**

**Alderman Budge moved to adopt R-02-16 as amended on second 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

### O-24-16

**Snow Emergency Routes - For the purpose of establishing that any person who fails to remove a vehicle from a snow emergency route when Phase II or Phase III of the snow emergency plan is in effect shall be in violation of the City Code and subject to the imposition of a fine.**

Sponsors: Pantelides

**Alderman Paone moved to adopt O-24-16 on second reader. Seconded.**

**Alderman Budge moved to amend O-24-16 as follows: O-24-16 Snow Emergency Routes, Transportation Committee Proposed Amendments dated June 21, 2016.**

**Amendment 1:**

**Page 1, Line 41 Amend language as follows:**

**Section 12.40.060 - Authority to remove REMOVAL OF PARKED AND stalled vehicles - PENALTIES.**

**Amendment 2:**

**Page 1, Lines 43-44: strike “the Police Department may take possession of, remove, tow away and impound any vehicle found” and replace with “NO PERSON SHALL LEAVE ANY VEHICLE”.**

Page 1, Line 45: strike "left"

Page 2, Lines 1-2: strike "Before the owner may obtain possession of the vehicle, the owner first shall pay the costs of removing the vehicle and any storage charges."

Amendment 3:

Page 2, Line 7 insert paragraph:

**C. THE POLICE DEPARTMENT OR THE AUTHORIZED AGENT MAY TAKE POSSESSION OF, REMOVE, TOW AWAY AND IMPOUND ANY VEHICLE FOUND UPON A SNOW EMERGENCY ROUTE IN VIOLATION OF PARAGRAPH A. THE OWNER OR OPERATOR OF THE VEHICLE SHALL RECLAIM THE VEHICLE PURSUANT TO THE TERMS OF SECTION 12.20.220. Seconded. CARRIED on voice vote.**

**Alderman Arnett moved to adopt O-24-16 as amended on second reader. Seconded. CARRIED on voice vote.**

**Alderman Arnett moved to adopt O-24-16 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

#### [R-22-16](#)

**Annapolis Neck Road Property Annexation and Public Facilities Agreement Status - For the purpose of examining the implementation of requirements specified in Resolution R-37-05 Revised Amended 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 December 1, 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-37-05 Revised on October 25, 2006.**

**Sponsors:** Pantelides, Littmann and Pindell Charles

**Alderman Arnett moved to adopt R-22-16 on second reader. Seconded. A roll call vote was taken. The motion DEFEATED by the following vote:**

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

#### [ID-299-16](#)

**Revised Community Grant Funding Allocations**

**Alderman Arnett moved to approve ID-299-16 Revised Community Grant Funding Allocations. Seconded. CARRIED on voice vote.**

**Alderman Littmann moved to amend ID-299-16 Revised Community Grant Funding Allocations as follows: 2. Move \$2000 from OIC to COH. As amended:  
Center of Help: get \$14,000 rather than \$12,000  
OIC: get \$10,000 rather than \$12,000. Seconded. DEFEATED on voice vote.**

Adjournment

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:34 p.m.

Regina C. Watkins-Eldridge, MMC  
City Clerk