



City of Annapolis

160 Duke Of Gloucester
Street
Annapolis, MD 21401

Special Minutes - Final City Council

Monday, September 26, 2016

7:00 PM

Mayor John T. Chambers, Jr.
City Council Chambers

Call to Order

Mayor Pantelides called the meeting to order at 7:06 p.m.

Invocation

Given by Alderman Pfeiffer.

Pledge of Allegiance

Led by Mayor Pantelides.

Roll Call

Tonight's roll call began with Alderman Pfeiffer.

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. Seconded. CARRIED on voice vote.

Presentation

Proposed Acquisition of Eisenhower Golf Course

[ID-327-16](#)

Eisenhower Golf Course Powerpoint

This Informational Item was presented.

Ceremonial Items

100th Anniversary of Walter S. Mills Parole Elementary School

Presented.

Swearing in of Officer Mildred Taveras

Chief Pristoop, Capitan Amoia and Lieutenant Antal were present.

Pursuant to Article IX - Miscellaneous Provisions, Sec. 1. - Oath of Office, Mayor Pantelides administered the oath of office to Officer Mildred Taveras.

Petitions, Reports and Communications

A. Reports by Committee

Standing Committee Dates:

Finance Committee

Tuesday, October 4, 2016 | 5:00pm - 7:00pm

B. Comments by the General Public

Philip Dales, 200 Westgate Circle, Annapolis, Maryland 21401 spoke on O-22-16.

Mike Klebasko, 1131 Benfield BLVD, Suite C, Annapolis, Maryland 21108 representing Wetland Studies & Solutions Inc spoke on O-22-16.

Robert Eades, 32 Pleasant Street, Annapolis, Maryland 21401 spoke on Mr. Smith owner of the Goodie Bus, giving back to the community, child safety, building business, Michael Brown, Annapolis Housing Authority, a plan to end public housing and the Mayor's proposed appointment to the Housing Authority.

Rick Kissel, 717 Warren Drive, Annapolis, Maryland 21403 Vice Chair representing the Annapolis Environmental Commission spoke in support of O-22-16.

Rick Trott, 54 Madison Place, Annapolis, Maryland 21401 President representing Presidents Hill Community Association spoke on O-26-16.

Stan Newquist, 5 Hill Street, Annapolis, Maryland 21401 Vice President representing Presidents Hill Community Association spoke on O-26-16.

Jesse Iliff, 2822 Solomon's Island Road, Edgewater, Maryland 21037 representing the South River Federation spoke in favor of O-22-16.

Elaine Lutz, 6 Herndon Avenue, Annapolis, Maryland 21403 representing the Chesapeake Bay Foundation spoke in favor of O-22-16 as amended.

Deborah Schwab, 409 Washington Street, Annapolis, Maryland 21403 spoke on O-22-16 and Planning and Zoning Department review of O-22-16.

McLean Smith, 224 Westwood Road, Annapolis, Maryland 21401 spoke on the homicides in Annapolis, Partnerships with local businesses, Work Experiences, Former Alderman Richard Israel, resources to preventing homicides, changing lives and his concerns for the children of Annapolis.

Elvia Thompson, 704 South Cherry Grove Avenue, Annapolis, Maryland 21401 President and Co -Founder representing Annapolis Green spoke on O-22-16 and in favor of the Back Creek Nature Park.

Anthony Clark, 2001 Warners Terrace North, Annapolis, Maryland 21401 representing Galway Bay spoke in favor of O-41-16.

Darius Stanton, 3313 Dunwood Crossing Drive, Bowie, Maryland 20721 spoke on youth development and 400 heroin overdoses, deaths, the 9th homicide in Annapolis, Serving as the Drug Czar for the City of Annapolis, working with family's and the County Executive, the need for therapy for young people, direct and immediate care, his conversation with chief of police, better coordination between city and county, hot topics, economic development, non profits, the establishment of a human services master plan between the city and county and teen programs, skating ring and an arcade, education and jobs.

Virginia Riker, 315 Carriage Run Rd, Annapolis, MD 21403 spoke in favor of O-22-16, her film "The Politics of Trees" environmentalist complaints, comments and a letter from the developers, smart growth and environment resources, over development and the density of Annapolis.

Mayor Pantelides declared petitions, reports and communications closed.

C. Mayor's Update

The proposed appointment of Mr. Dillon to the Annapolis Housing Authority Board of

Commissioners:

Mr. John Dillon is a resident of Annapolis and the founder and former president of Chrysalis, a nonprofit organization in Los Angeles, California responsible for empowering men and women to find jobs and gain access to safe and affordable housing. Chrysalis was named Nonprofit of the year in 2012 and has purchased, financed, renovated, and managed affordable housing for low-income men and women, helping thousands find jobs in the Los Angeles area. Mr. Dillon worked with city officials, top LA law firms, business owners, and professionals to successfully complete the projects.

During his six years in Los Angeles, Mr. Dillon lived in a homeless shelter and in a Single Room Occupancy (SRO) hotel on Skid Row to better understand the needs of low income individuals and evaluate purchasing and renovating housing for low income renters.

"I know Mr. Dillon is serious about finding solutions to the problems our residents in HACA properties deal with on a daily basis," Mayor Pantelides said. "John leads by example and will not only use his past knowledge to help our residents, but will also use his extensive financial and managerial experience to help the HACA administration create a finically sound environment for its day-to-day operations."

John Dillon is a member of the Board of Directors for the Community Preservation and Development Corporation (CPDC) and has served as its Finance Chairman during his twenty years with the organization. CPDC works to provide safe, high-quality, affordable housing to low and moderate-income individuals and has renovated and operates the Wiley H. Bates Heritage Park apartments.

Mr. Dillon is the current owner and president of a management firm, located in Annapolis and Bethesda Maryland, which helps clients plan their financial future.

Presented.

Appointments

AP-15-16 The Reappointment of David Bliden to the Ethics Commission

Alderman Paone moved to confirm the Mayor's reappointment of David Bliden to the Ethics Commission. Seconded. CARRIED on voice vote.

AP-16-16 The Reappointment of James Dolezal to the Ethics Commission

Alderman Arnett moved to confirm the Mayor's reappointments as a group which includes AP-16-16, AP-17-16, AP18-16 and AP-21-16. Seconded. CARRIED on voice vote.

AP-17-16 The Reappointment of Linnell Bowen to the Heritage Commission

Alderman Arnett moved to confirm the Mayor's reappointments as a group which includes AP-16-16, AP-17-16, AP18-16 and AP-21-16. Seconded. CARRIED on voice vote.

AP-18-16 The Reappointment of Sara Phillips to the Historic Preservation Commission

Alderman Arnett moved to confirm the Mayor's reappointments as a group which includes AP-16-16, AP-17-16, AP18-16 and AP-21-16. Seconded. CARRIED on voice vote.

AP-21-16 The Reappointment of Robert Clark to the Heritage Commission

Alderman Arnett moved to confirm the Mayor's reappointments as a group which includes AP-16-16, AP-17-16, AP18-16 and AP-21-16. Seconded. CARRIED on voice vote.

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

Consent Calendar

[GA-9-17](#)

Overtime for AA County Tobacco Sales Compliance Project

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

First Readers

[O-43-16](#)

Issuance of General Obligation Refunding Bonds - For the purpose of authorizing and empowering the City of Annapolis (the "City") to issue and sell, upon its full faith and credit, one or more series of its general obligation bonds in the aggregate principal amount not to exceed \$64,000,000, pursuant to Sections Section 19-207 and 19-301 through 19-309, inclusive, of the Local Government Article of the Annotated Code of Maryland, as amended, and Article VII, Section 11 of the Charter of the City of Annapolis, as amended, to be designated as the "Public Improvements Refunding Bonds, 2016 Series", and to be issued and sold for the public purpose of refunding all or a portion of certain outstanding general obligation bonds of the City, as provided in this Ordinance; prescribing the form and tenor of the Bonds; determining the method of sale of the Bonds and other matters relating to the issuance and sale thereof; providing for the disbursement of the proceeds of the Bonds; covenanting to levy and collect all taxes necessary to provide for the payment of the principal of and interest on the Bonds; and generally providing for and determining various matters relating to the issuance, sale and delivery of the Bonds.

Sponsors: Pantelides

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

Mayor Pantelides referred O-43-16 to the Finance Committee.

[O-44-16](#)

Issuance of General Obligation Bonds- For the purpose of authorizing and empowering the City of Annapolis (the “City”) to issue and sell, upon its full faith and credit, one or more series of its general obligation bonds in the aggregate principal amount not to exceed \$11,000,000, pursuant to Sections 19-301 through 19-309, inclusive, of the Local Government Article of the Annotated Code of Maryland, as amended, and Article VII, Section 11 of the Charter of the City of Annapolis, as amended, to be designated as the “Public Improvements Bonds, 2016 Series” (the “Bonds”) and to be issued and sold for the public purpose of financing and refinancing certain capital projects of the City as provided in this Ordinance; prescribing the form and tenor of the Bonds; determining the method of sale of the Bonds and other matters relating to the issuance and sale thereof; providing for the disbursement of the proceeds of the Bonds; covenanting to levy and collect all taxes necessary to provide for the payment of the principal of and interest on the Bonds; and generally providing for and determining various matters relating to the issuance, sale and delivery of the Bonds.

Sponsors: Pantelides

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

Mayor Pantelides referred O-44-16 to the Finance Committee.

[R-29-16](#)

Establishment of Council Compensation Commission - For the purpose of establishing a Council Compensation Commission to make recommendations to the City Council on the pay and compensation for the Mayor, City Council, and City Manager to be effective for the four year period beginning December 4, 2017; and matters generally relating to said pay and compensation.

Sponsors: Pantelides

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

Second Readers

[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

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

[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

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

[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

[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

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

[R-27-16](#) **Non-Profit Vendors During Fall Boat Shows - For the purpose of authorizing sales by certain vendors in the City Dock area of the Historic District during the Fall 2016 U.S. Sailboat and Powerboat Shows.**

Sponsors: Budge and Finlayson

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

[R-28-16](#) **License for Peddlers, Hawkers, and Itinerant Merchants Not Required for Boat Show Leases from 2016 to 2019 - For the purpose of establishing that a license for peddlers, hawkers, and itinerant merchants pursuant to Chapter 7.40 of the Annapolis City Code is not required from 2016 through 2019 for the United States Sailboat Show, Inc./United States Powerboat Show, Inc., and for Cruisers University, Inc. in association with leases signed with the City of Annapolis.**

Sponsors: Budge

End of Consent Calendar

Business and Miscellaneous**ID-323-16 Administrative Processing of 2017 Primary and General Elections**

Alderman Arnett moved to approve ID-323-16. Seconded. CARRIED on voice vote.

ID-324-16 Approved 2017 City Council Work Session Dates

Alderman Arnett moved to approve ID-324-16. Seconded.

Alderman Littmann moved to approve ID-324-16 as amended to include the following City Council Work Session Dates 2017:

February 16 change to Feb 23.

September 21 change to Sept. 14.

October 19 change to Oct 26. Seconded. CARRIED on voice vote.

ID-325-16 Approved 2017 City Council Meeting Dates

Alderman Littmann moved to approve ID-325-16 as amended to include the following City Council Meeting Dates 2017:

April 10 change to April 3

July 24 change to July 31 Seconded. CARRIED on voice vote.

Alderman Littmann moved to consider Public Hearing items after 10:30 p.m.. Seconded. CARRIED on voice vote.

Public Hearings**O-32-16 Economic Development Division - For the purpose of updating the City Code to reflect the dissolution of the Economic Development Corporation; establish the Economic Development Division; relocate the Economic Development Program from the Mayor's Office to the Department of Planning and Zoning; and matters generally relating to the Economic Development Division.**

Sponsors: Pantelides and Budge

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

Mayor Pantelides declared the public hearing on O-32-16 closed.

O-33-16 Harbor Line at Chester Marina - For the purpose of amending the configuration of the Annapolis harbor line outboard of Chester Marina, 319 Chester Avenue on Back Creek; and all matters relating to said harbor line.

Sponsors: Arnett

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

Mayor Pantelides declared the public hearing on O-33-16 closed.

[O-34-16](#)

Harbor Line at South Annapolis Yacht Centre - For the purpose of amending the configuration of the Annapolis harbor line outboard of South Annapolis Yacht Centre, 1 Walton Lane on Spa Creek; and all matters relating to said harbor line.

Sponsors: Arnett

Recreation and Parks Director Morris and Planning and Zoning Director Gutwald were present and answered questions from council.

Spoke on:

*Thomas Graham Kastendike, 14 B3 President Point Drive, Annapolis, Maryland 21403.
owner of South Annapolis Yacht Center*

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-34-16 closed.

[O-35-16](#)

WYRE Lease Agreement - For the purpose of approving the lease for certain City-owned property at 25 Silopanna Road for the use and maintenance of a radio tower, radio station, radio operations and transmitter space; and matters generally relating to said lease.

Sponsors: Pantelides

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

Mayor Pantelides declared the public hearing on O-35-16 closed.

[O-36-16](#)

Elections - Absentee Ballot Application - For the purpose of amending Chapter 4.28 of the Code of the City of Annapolis concerning the deadline for filing an application for an absentee ballot.

Sponsors: Pantelides

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

Mayor Pantelides declared the public hearing left open until the Special Meeting on October 10, 2016.

Mayor Pantelides also requested O-36-16 be placed on the agenda for the Special Meeting on October 10, 2016 as a second reader.

[O-37-16](#)

Lease of City Property: Fall 2020 Boat Shows - For the purpose of authorizing a lease of certain municipal property located in the general harbor, Dock Street and Edgewood Road areas to United States Sailboat Shows, Inc. and United States Powerboat Shows, Inc., for a certain period of time in October 2020, to conduct boat shows.

Sponsors: Pantelides, Littmann and Budge

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

Mayor Pantelides declared the public hearing on O-37-16 closed.

[O-39-16](#)

Lease of City Property: Spring 2020 Boat Shows - For the purpose of authorizing a lease of certain municipal property located at the City Dock, surrounding areas and boat moorings in Annapolis, Maryland as more fully described in the Lease Agreement with Cruisers University, Inc., t/a Annapolis Spring Sailboat Show, in April 2020, to conduct boat shows.

Sponsors: Pantelides and Budge

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

Mayor Pantelides declared the public hearing on O-39-16 closed.

[O-41-16](#)

Compostable Food Waste - For the purpose of amending the Annapolis City Code definition of "Solid Waste" to exclude compostable food waste; to exempt collectors of compostable food waste from having to obtain a solid waste permit and pay the associated fee; and matters generally relating to the collection of compostable food waste.

Sponsors: Littmann, Pantelides and Budge

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

Mayor Pantelides declared the public hearing on O-41-16 closed.

Alderman Budge requested his name be added as a sponsor of O-41-16.

Legislative Action

Proposed Motion to Postpone R-21-16, R-23-16 and R-24-16 not to exceed 90 days. Sec. 2.16.090B

[R-21-16](#)

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.

Sponsors: Pantelides, Littmann and Pindell Charles

Alderman Arnett moved to postpone R-21-16 until the Regular Meeting on December 12, 2016. Seconded. CARRIED on voice vote.

[R-23-16](#)

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.

Sponsors: Pantelides, Littmann and Pindell Charles

Alderman Pfeiffer moved to postpone R-23-16 until the Regular Meeting on December 12, 2016. Seconded. CARRIED on voice vote

R-24-16

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.

Sponsors: Pantelides, Littmann and Pindell Charles

Alderwoman Finlayson moved to postpone R-24-16 until the Regular Meeting on December 12, 2016. Seconded. CARRIED on voice vote

Second Readers

O-19-16

Traffic Impact Analyses- For the purpose of changing the threshold for when a traffic impact analysis is required from four hundred trips to two hundred fifty trips.

Sponsors: Littmann, Pfeiffer and Pantelides

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

Alderman Arnett moved to adopt O-19-16 on second reader. Seconded. CARRIED on voice vote.

Alderman Pfeiffer moved to adopt O-19-16 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 8 - Mayor Pantelides, Alderman Budge, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

Nay: 1 - Alderman Paone

[O-22-16](#)

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: Littmann, Finlayson, Budge, Arnett and Pantelides

Alderman Arnett moved to adopt O-22-16 on second reader. Seconded.

Alderman Budge moved to amend O-22-16 as follows: O-22-16 Forest Conservation Act Working Group Amendments July 17, 2016

Amendment 1:

Definition of Tract

Page 17, Lines 37-38: Strike “, OR AN AREA OF LAND THAT IS 40,000 SQUARE FEET OR GREATER”

Amendment 2:

Definition of Unwarranted Hardship

Page 18, Line 9 and Line 15: Strike the word “SPECIAL”

Amendment 3:

Page 31, Lines 5 through 7: Strike everything in the paragraph after “YEARS”.

Amendment 4:

Revoking an approved Forest Conservation Plan

Page 36, Lines 6-7: Strike “THROUGH INACTION OF THE CITY CODE” and insert “DUE TO THE APPLICANT’S INACTION AS SPECIFIED IN TITLE 17 OF THE CITY CODE”.

Amendment 5:

Noncompliance Fees

Page 52, Line 9: Insert “MINIMUM” before “NONCOMPLIANCE

Page 52, Line 11: Delete remainder of sentence following “CONSERVATION” and append new sentence: “THE CITY COUNCIL MAY SET A GREATER NONCOMPLIANCE FEE BY RESOLUTION.”

Amendment 6:

Definition of Healthy Forests – remove definitions and references.

Rationale: From DNR’s letter of July 2, 2016, regarding “Healthy Forest”: “Please remove the term and definition as it is not included in the Model Ordinance.”.

Seconded. CARRIED on voice vote.

Alderman Littmann moved to amend O-22-16 as follows:

Amendment #1:

Page 4, line 15: After “CHAPTER” insert “ONLY”

Amendment #2:

Page 6, lines 31-32: After “OF” strike “NEIGHBORHOODS AND ENVIRONMENTAL PROGRAMS” and insert “PLANNING AND ZONING”.

Amendment #3:

Page 13, lines 21-24: After “YEAR.” strike remainder of paragraph.

Amendment #4:

Page 14, line 23-24: After “TECHNICAL MANUAL” strike “DESCRIBED IN PARAGRAPH X OF THESE DEFINITIONS”

Amendment #5:

Page 18, Line 6: After “DEMONSTRATED” delete the colon and insert: “THAT, WITHOUT A VARIANCE, AN APPLICANT WOULD BE DENIED REASONABLE AND SIGNIFICANT USE OF THE ENTIRE PARCEL OR LOT FOR WHICH THE VARIANCE IS REQUESTED.”

Page 18, Strike: Lines 7-16

Amendment #6:

Page 21, Lines 39-40: Strike remainder of paragraph following "CHAPTER" and append “AND THAT IS NOT SUBSEQUENTLY OVERTURNED ON APPEAL “
Page 21, Line 43: Insert "THAT" prior to "HAS", strike the colon
Page 22, Lines 1-5: Strike Lines 1-4, Strike Line 5 through "ii."
Page 22, Lines 5-6: Strike "APPROVAL FROM THE PLANNING COMMISSION"
Page 22, Line 7: After “21.24.070” append “AND THAT IS NOT SUBSEQUENTLY OVERTURNED ON APPEAL “
As amended: 12. A PLAN OF SUBDIVISION OR A GRADING OR SEDIMENT CONTROL PLAN ADMINISTRATIVELY APPROVED BEFORE THE EFFECTIVE DATE OF THIS CHAPTER SO LONG AS THE PROJECT COMPLIES WITH THE PREVIOUSLY APPROVED FOREST CONSERVATION PLAN AND THAT IS NOT SUBSEQUENTLY OVERTURNED ON APPEAL; 13. A PLANNED DEVELOPMENT, PRIOR TO THE EFFECTIVE DATE OF THIS CHAPTER, THAT HAS OBTAINED FINAL PLANNED DEVELOPMENT APPROVAL FROM THE PLANNING COMMISSION IN ACCORDANCE WITH SECTION 21.24.070 AND THAT IS NOT SUBSEQUENTLY OVERTURNED ON APPEAL;

Amendment #7:

Page 24, line 23: Append a new sentence the end of the paragraph: “WHENEVER THE DEPARTMENT ADOPTS OR AMENDS THE MANUAL, IT MUST PROVIDE NOTIFICATION AND INFORMATION ABOUT THE MANUAL AND ANY CHANGES THEREIN TO THE ANNAPOLIS ENVIRONMENTAL COMMISSION, THE CITY COUNCIL, AND THE CITY’S PLANNING COMMISSION.”

Amendment #8:

Page 29, line 12: at paragraph end, append: “A STAY PENDING APPEAL SHALL BE IMPOSED DURING THE TIME ALLOWED TO FILE AN APPEAL, AND IF AN APPEAL HAS BEEN FILED, FOR SIXTY (60) DAYS THEREAFTER.”

Amendment #9:

Page 29, line 14: Insert a new paragraph 2 and re-number the following paragraphs accordingly: “2. THE CITY SHALL USE BEST EFFORTS TO PROVIDE WEEKLY ELECTRONIC MAIL UPDATES TO INTERESTED AND REGISTERED USERS IF APPLICABLE OF NEWLY FILED OR UPDATED FCA DOCUMENTS AND NOTICES THAT ARE REQUIRED UNDER THIS CHAPTER.”

Amendment #10:

Page 29, line 17: after “RETAINED.” append: “THE PRESUMPTION CAN ONLY BE REBUTTED UNDER THE CRITERIA SPECIFIED IN SECTION 21.71.080 (B) OF THIS ACT.”

Amendment #11:

Page 31, Line 18-19: Strike “PRELIMINARY PLAN OF SUBDIVISION OR”
Page 31, Line 19: Strike “PROJECT” and insert “DEVELOPMENT” in its place.

Amendment #12:

Page 35, Line 29: Insert new paragraph: “v. THE DEPARTMENT SHALL POST

THE NOTIFICATIONS DESCRIBED IN THIS SECTION AND THE FINAL FOREST CONSERVATION PLAN ON THEIR WEBSITE.”

Amendment #13:

Page 38, line 43: After:“TREE” strike: “HAVING A DBH OF”

Page 39, line 2: Insert “HAVING A DBH OF” before “THIRTY”.

Amendment #14:

Page 44, Lines 13-14: After “CITY COUNCIL” Strike: “AFTER CONSIDERATION OF LAND ACQUISITION COSTS,” and insert: “SUFFICIENT TO PROVIDE FOR SITE IDENTIFICATION, ACQUISITION, PREPARATION, “

Amendment #15:

Page 44, Lines 23-25: After “PAID” strike: “WITHIN NINETY CALENDAR DAYS AFTER DEVELOPMENT PROJECT COMPLETION” and insert “PRIOR TO THE ISSUANCE OF A GRADING PERMIT”.

Seconded. CARRIED on voice vote.

Alderman Littmann moved to amend O-22-16 as follows: On page 16, in line 2, delete KKK and replace with K1, K2 and K3. Seconded. CARRIED on voice vote.

Alderman Littmann moved to adopt O-22-16 as amended on second reader. Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt O-22-16 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-18-16](#)

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 21.71 of the City Code.

Sponsors: Littmann, Finlayson, Budge, Arnett and Pantelides

Alderman Arnett moved to adopt R-18-16 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-26-16](#)

Extending Hours in Parking Districts 3 and 4 - For the purpose of extending the Special Residential Parking District hours on certain streets in President’s Hill and Murray Hill to midnight, seven days a week.

Sponsors: Budge

Alderman Budge moved to adopt O-26-16 on second reader. Seconded.

Alderman Budge moved to amend O-26-16 as follows:Amendment 4:

Page 5, Line 17: After “effect” insert “FORTY FIVE DAYS”

As amended:

...this Ordinance shall take effect FORTY FIVE DAYS from the date of its passage.

Seconded. CARRIED on voice vote.

Alderman Budge moved to amend O-26-16 as follows: Strike on page 1, in line 28, and on page 2, in line 28 through page 4, in line 19. Seconded. CARRIED on voice vote.

Alderman Budge moved to adopt O-22-16 as amended on second reader. Seconded. CARRIED on voice vote.

Alderman Pfeiffer moved to adopt 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

Adjournment

Upon motion duly made, seconded and adopted, the meeting was adjourned at 12:06 a.m.

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