



# City of Annapolis

160 Duke Of Gloucester  
Street  
Annapolis, MD 21401

## Special Minutes - Final City Council

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Monday, April 24, 2017

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 7:06 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 Littmann moved to approve the agenda as amended to add O-23-17 Certificate of Adequate Public Facilities – Police Protection on first reader. Seconded. CARRIED on voice vote.

### Ceremonial Items

#### City Council Citation - Annapolis Film Festival

This presentation has been postponed until Monday, May 8, 2017.

[ID-171-17](#)

#### Proclamation - Fair Housing Month - April

This Ceremonial Item was presented.

#### Swearing-in of Police Officer Courtney Moore

Pursuant to Article IX - MISCELLANEOUS PROVISIONS, Sec. 1. - Oath of office.  
Mayor Pantelides administered the Oath of Office to Police Officer: Courtney Moore.

### Petitions, Reports and Communications

#### A. Reports by Committee

**Standing Committee Dates:**

4/27/17 Finance Committee 2:00 PM - 4:00 PM

5/1/17 Finance Committee 2:00 PM - 4:00 PM

5/4/17 Finance Committee 2:00 PM - 4:00 PM

5/8/17 Finance Committee 2:00 PM - 4:00 PM

**B. Comments by the General Public**

*Damon J. Brown, Department of the State, Doctor of Education (Ed.d) Candidate, 2600 S. Veitch Street, Arlington, VA 22206 spoke on his application submitted to the city to apply for the Chief of Police Position.*

Mayor Pantelides declared comments by the general public closed.

**C. Update from the Mayor**

This was presented.

**Appointments**[AP-07-17](#)**The Appointment of Margaret Burnett to the Transportation Board**

Alderman Littmann moved to confirm the Mayor's appointment of Margaret Burnett to the Transportation Board. Seconded. CARRIED on voice vote.

[AP-08-17](#)**The Appointment of Jamie Calloway to the Human Relations Commission**

Alderman Littmann moved to confirm the Mayor's appointment of Jamie Calloway to the Human Relations Commission. Seconded. CARRIED on voice vote.

[AP-09-17](#)**The Appointment of Mary Harris to the Commission on Aging**

Alderman Littmann moved to confirm the Mayor's appointment of Mary Harris to the Commission on Aging. Seconded. CARRIED on voice vote.

[AP-10-17](#)**The Appointment of Carole A. Hires to the Commission on Aging**

Alderman Littmann moved to confirm the Mayor's appointment of Carole A. Hires to the Commission on Aging. Seconded. CARRIED on voice vote.

[AP-11-17](#)**The Appointment of Wayne M. Taylor to the Commission on Aging**

Alderman Littmann moved to confirm the Mayor's appointment of Wayne M. Taylor to the Commission on Aging. Seconded. CARRIED on voice vote.

[AP-12-17](#)**The Appointment of Raymond Gerald to the Commission on Aging**

Alderman Littmann moved to confirm the Mayor's appointment of Raymond Gerald to the Commission on Aging. Seconded. CARRIED on voice vote.

[AP-13-17](#)**The Appointment of Deborah Heller-Proctor to the Commission on Aging**

Alderman Littmann moved to confirm the Mayor's appointment of Deborah Heller-Proctor to the Commission on Aging. Seconded. CARRIED on voice vote.

[AP-14-17](#)      **The Appointment of Kimberlee Cornett to the Housing Authority City of Annapolis**

Alderman Littmann moved to confirm the Mayor's appointment of Kimberlee Cornett to the Housing Authority City of Annapolis . Seconded. CARRIED on voice vote.

[AP-15-17](#)      **The Appointment of Juliet Cervellon to the Human Relations Commission**

Alderman Littmann moved to confirm the Mayor's appointment of Juliet Cervellon to the Human Relations Commission. Seconded. CARRIED on voice vote.

## Consent Calendar

### Approval of the Consent Calendar

A motion was made to approve the Consent Calendar. 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

[CCM032717](#)      **Special Meeting Minutes**

A motion was made to approve the Consent Calendar. 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

### Second Readers

[O-14-17](#)      **Lease of City Property to Chesapeake Marine Tours, Inc. - For the purpose of authorizing a lease of certain municipal property located in the City Dock in Annapolis, Maryland to Chesapeake Marine Tours, Inc. for certain periods of time from FY2023 to 2027.**

**Sponsors:** Pantelides, Budge, Littmann, Finlayson, 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

[R-12-17](#)      **City Sponsored Special Events in Fiscal Year 2018 - For the purpose of identifying City Sponsored Special Events and waiving certain related City Fees during Fiscal Year 2018.**

**Sponsors:** Budge

**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-6-17](#) **Food Stores in C2A Districts - For the purpose of introducing Food Stores as a permitted use in C2A zoning districts; and removing the erroneous reference to a standard for Food Stores in the PM2 zoning district.**

**Sponsors:** Budge

*Barrett Lang, 1427 Hole Street, Odenton, Maryland 21112 representing Bear's Honeypot Market.*

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

Mayor Pantelides accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated April 6, 2017, and Memoranda from C. Pete Gutwald, Director of Planning and Zoning, to the Annapolis Planning Commission dated March 27, 2017.

Mayor Pantelides declared the public hearing on O-6-17 closed.

[O-20-17](#) **Transportation Network Service Companies - For the purpose of removing from Section 7.48.610 of the Code of the City of Annapolis the expiration date for imposing an assessment on Transportation Network Service Companies for trips that originate in the City of Annapolis; relocating reference to the fee associated with such trips from Section 7.48.610 to the Fees Schedule; and matters generally relating to imposing said assessment.**

**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-20-17 closed.

[O-21-17](#) **Annual Operating Budget: Fiscal Year 2018 - For the purposes of adopting an operating budget for the City of Annapolis for Fiscal Year 2018; appropriating funds for expenditures for Fiscal Year 2018; defraying all expenses and liabilities of the City of Annapolis and levying same for the purposes specified; specifying certain duties of the Director of Finance; and specifying a rate of interest to be charged upon overdue property taxes.**

**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-21-17 left open until Monday, May 8, 2017.

[R-15-17](#) **Position Classifications and Pay Plan - For the purpose of approving the FY 2018 position classification and pay plan effective July 1, 2017.**

**Sponsors:** Pantelides

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

Mayor Pantelides declared the public hearing on R-15-17 closed.

[R-17-17](#) **FY 2018 Fees Schedule Effective July 1, 2017 - For the purpose of**

**specifying fees that will be charged for the use of City services for FY 2018.**

**Sponsors:** Pantelides

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

Mayor Pantelides declared the public hearing on R-17-17 closed.

[R-18-17](#)

**FY 2018 Fines Schedule Effective July 1, 2017 - For the purpose of specifying fines that will be charged for FY 2018.**

**Sponsors:** Pantelides

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

Mayor Pantelides declared the public hearing on R-18-17 closed.

## **Legislative Action**

### **Second Readers**

[O-5-17](#)

**Equal Protection Of Law In Annapolis - For the purpose of amending the Code of the City of Annapolis to incorporate provisions applicable to City employees in the performance of their duties and to establish an additional mechanism for sanctioning employees failing to fulfill their duties in accordance with applicable City, State and Federal laws.**

**Sponsors:** Pindell Charles

Alderman Paone moved to adopt O-5-17 on second reader. Seconded.

Alderman Paone moved to amend O-5-17 as follows:  
Rules and City Government Committee, Proposed Amendments

**Amendment #1**

Page 4, line 31, strike: "THE HUMAN RESOURCES MANAGER SHALL PROVIDE" and insert "PROVIDING"

**Amendment #2**

Page 4, line 35, after "RESPONSIBILITIES strike "AND THE POTENTIAL DISCIPLINARY SANCTIONS ASSOCIATED WITH A FAILURE TO FULFILL SUCH RESPONSIBILITIES IN ACCORDANCE WITH CHAPTER 3.16.120 HEREIN".

**Amendment # 3**

On page 1, in lines 4-6 and 25-27 "STRIKE" and to establish an additional mechanism for 4 sanctioning employees failing to fulfill their duties in accordance with applicable City, 5 State and Federal laws. Seconded. CARRIED on voice vote.

Alderwoman Pindell Charles moved to adopt O-5-17 as amended on second reader. Seconded. CARRIED on voice vote.

Alderman Paone moved to adopt O-5-17 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 5 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Pindell Charles and Alderman Pfeiffer

**Nay:** 3 - Alderwoman Finlayson, Alderman Littmann and Alderman Kirby

**Abstain:** 1 - Alderman Arnett

[O-16-17](#)      **Market House Tenant Solicitation - For the purpose of establishing a public process for selecting a Market House tenant.**

**Sponsors:** Budge

Alderman Arnett moved to adopt O-16-17 on second reader. Seconded. CARRIED on voice vote.

Alderman Budge moved to adopt O-16-17 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

[O-17-17](#)      **Market House Amendments - For the purpose of amending the Market House policy to reflect a tenant and sub-tenant relationship, clarifying Market House product and service policies, and removing the requirement for an enterprise fund.**

**Sponsors:** Budge

*City Manager Andrews and Finance Director Miller were present and answered questions from the council.*

Alderman Arnett moved to adopt O-17-17 on second reader. Seconded.

Alderman Budge moved to amend O-17-17 as follows: The city shall account for the market house as a revolving fund which will be included as a governmental fund. All revenues and expenditures associated with this fund shall be reflected and further reported to the City Council on an annual basis in conjunction with the annual audit. Seconded. CARRIED on voice vote.

Alderman Littmann moved to amend O-17-17 as follows: On page 4, in line 11, add a "COMMA" between the words "FLOWERS" and "FOOD". Seconded. CARRIED voice vote.

Alderman Littmann moved to amend O-17-17 as follows: On page 4, in line 11, "DELETE" the words "HOUSEHOLD ITEMS". Seconded. DEFEATED on voice vote.

Alderman Budge moved to adopt O-17-17 as amended on second reader. Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt O-17-17 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 Pindell Charles, Alderwoman Finlayson, Alderman Pfeiffer and Alderman Arnett

**Abstain:** 2 - Alderman Littmann and Alderman Kirby

[O-19-17](#)      **Removing Dock and Market House Enterprise Funds - For the purpose of removing the requirement that the annual budget shall contain separate Dock and Market House enterprise fund groups.**

Sponsors: Budge

Alderman Budge moved to postpone O-19-17 on second reader until Monday, May 8, 2017. Seconded. CARRIED on voice vote.

**Proposed Motion to Postpone R-21-16, R-23-16 and R-24-16 not to exceed 90 days or vote to adopt or defeat. 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-21-17 on second reader until Monday, July 10, 2017. 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 Arnett moved to postpone R-23-17 on second reader until Monday, July 10, 2017. 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

**Alderman Arnett moved to postpone R-24-16 on second reader until Monday, July 10, 2017. Seconded. CARRIED on voice vote.**

## **Legislative Action**

### **First Readers**

[O-23-17](#)

**Certificate of Adequate Public Facilities - Police Protection - For the purpose of defining “police officer” as that term is used in connection with review criteria and certification for adequate police protection under Chapter 22.14.**

***Sponsors:*** Littmann and Pfeiffer

**Alderman Littmann moved to adopt O-23-17 on first reader. Seconded. CARRIED on voice vote.**

**Mayor Pantelides referred O-23-17 to the Rules & City Government Committee.**

**Mayor Pantelides referred O-23-17 to the Transportation Committee.**

**Mayor Pantelides referred O-23-17 to the Public Safety Committee.**

### **Adjournment**

**Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:00 p.m.**

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