



City of Annapolis

160 Duke Of Gloucester
Street
Annapolis, MD 21401

Regular Minutes - Final City Council

Monday, December 22, 2014

7:00 PM

Mayor John T. Chambers, Jr.
City Council Chambers

Call to Order

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

Invocation

Given by Mayor Pantelides.

Pledge of Allegiance

Led by Mayor Pantelides.

Roll Call

Tonight's roll call began with Alderwoman Pindell Charles.

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

Absent: 1 - Alderman Kirby

Approval of Agenda

Alderman Budge moved to approve the agenda as amended postpone O-31-14 on 2nd reader until the Regular Meeting on January 12, 2014. Seconded. CARRIED on voice vote.

Ceremonial Items

[ID-465-14](#)

City Council Citation Honoring Sally Nash

Attachments: [ID-465-14 citation sally nash.doc](#)

On behalf of the citizens of the City of Annapolis, we are pleased to confer upon you this City Council Citation in recognition of being the Acting Planning and Zoning Director. Dr. Nash's experience and professional manner served the City well as she accomplished the duties and fulfilled the responsibilities of the office. Dr. Nash was unwavering in her commitment to the Mayor, City Council and the department, as she made herself available at all hours of the day and night. Dr. Nash will return to her position as Chief of Comprehensive Planning, where she will build on the many accomplishments in her department. We thank her for her service and applaud her commitment to the City of Annapolis and its citizens.

This Ceremonial Item was presented

[ID-466-14](#) City Council Citation Honoring Cynthia Gudenius

Attachments: [ID-465-14 citation Cynthia Gudenius.doc](#)

On behalf of the citizens of the City of Annapolis, we are pleased to confer upon you this City Council Citation in recognition of being the Assistant to the Acting Director of Planning and Zoning. Ms. Gudenius' experience and professional manner served the City well as she accomplished the duties and fulfilled the responsibilities of the office. Ms. Gudenius was unwavering in her commitment to the Mayor, City Council and the department, as she made herself available at all hours of the day and night. Cynthia will return to her position as Planner, where she will build on the many accomplishments in her department. We thank her for her service and applaud her commitment to the City of Annapolis and its citizens.

This Ceremonial Item was presented

[ID-467-14](#) City Council Citation Honoring J.P. "Flip" Walters

Attachments: [ID-465-14 citation Flip Walters.doc](#)

On behalf of the citizens of the City of Annapolis, we are pleased to confer upon you this City Council Citation in recognition of being the Acting Recreation and Parks Director. Mr. Walters' experience and professional manner served the City well as he accomplished the duties and fulfilled the responsibilities of the office. Mr. Walters was unwavering in his commitment to the Mayor, City Council and the department, as he made himself available at all hours of the day and night. Mr. Walters will return to his position of Harbormaster, where he will build on the many accomplishments in his department. We thank him for his service and applaud his commitment to the City of Annapolis and its citizens.

This Ceremonial Item was presented

[ID-468-14](#) City of Annapolis, Office of Emergency Management

"Poster Design Contest Winners" - Christina Androus, Isabella Cerza, and Karly Jones

Attachments: [ID-468-14 PosterDesigns.pdf](#)

[ID-468-14 Andous.doc](#)

[ID-468-14 Cerza.doc](#)

[ID-468-14 Jones.doc](#)

Mayor Pantelides invited Alderwoman Finlayson and Deputy Chief Mandell to present to Christina Androus, Isabelle Cerza, and Karly Jones on behalf of the citizens of the City of Annapolis, this City Council Citation in recognition of your superior entry in the 2014 Severe Weather Awareness Poster Contest. We honor you as an Emergency Manager for the Day as part of National Preparedness Month.

Petitions, Reports and Communications

A. After Action Report for Rally Acts of Civil Disobedience in Annapolis

Police Chief Pristoop presented the report: AFTER ACTION REPORT FOR RALLY AND ACTS OF CIVIL DISOBEDIENCE IN ANNAPOLIS - December 12, 2014
Background:

After the death of two unarmed men in Ferguson Missouri and New York City there have been a number of protests across the Nation decrying the treatment of African-Americans by police. Protestors have occasionally clashed with police during demonstrations.

In August, 2014 and for several ensuing months, the Annapolis Police Chief met with the Mayor, the Chairwoman of and the Public Safety Committee, the City Manager and key Annapolis department directors to discuss national and local concerns surrounding highly publicized, recent incidents involving citizen deaths by police. Conversations dealt with race-relations – locally and nationally— and our local preparedness and communication with the community. The Police Chief and other department members met with members of the clergy in a town-hall meeting and have had several meetings with clerical leadership in Annapolis. Further, the Police Chief helped organize a roundtable discussion in Annapolis involving nearly 40 police chiefs and sheriffs to discuss the impact and lessons derived from the August 9, 2014 incident in Ferguson, MO. On December 9, 2014, the Annapolis Police Department (APD) became aware of a march that was to take place along Main Street on December 12, 2014. The march was organized by the Annapolis Interdenominational Ministerial Alliance (AIMA). Initially there was no indication that acts of civil disobedience were to take place. APD later learned that acts of civil disobedience – by a different organization – were to take place on the same day. APD remained the lead agency.

The Event

There were two planned events. The first would take place at two locations: (1) Forest Drive and (2) Rowe Boulevard and involve acts of civil disobedience. The participants intended to shut down major traffic arteries in the City to cause traffic delays. The event was scheduled to begin at 1430 hours on December 12th. The first planned event on Forest Dr. took place; however, the Rowe Blvd. event did not.

The second event was to begin at 1730 hours. Participants were to gather at the City Dock for prayer, then march on Main Street toward Church Circle, then School Street, State Circle, and finally Lawyer's Mall. The event was to last 2-3 hours.

Preparation

Conversations were held with the various police agencies that have jurisdiction in Annapolis. These included:

- Anne Arundel County Police Department*
- Anne Arundel County Sheriff's Office*
- Maryland Capital Police Department*
- Maryland State Police*

All agencies were asked to participate in the event and provide police personnel. Non law enforcement agencies were involved as well. These included:

- Annapolis Fire Department*
- Office of Emergency Management*
- Department of Transportation*
- Department of Public Works*
- State Highway Administration*
- Anne Arundel County Fire*
- MEMA*
- Mayor's Office*
- Anne Arundel Medical Center*

During the period between December 9th and December 12th a number of meetings were scheduled. These meetings included:

- Command staff meetings*
- Chief meeting with City officials*
- Chief meeting with the ministry*
- Command staff meeting with organizer's security*
- Two operational roll-calls*

In addition to the meetings, many phone calls were made and many texts and emails were sent to those involved. The idea was to establish lines of communication with all parties, obtain a commitment from all involved and begin the planning process for the event.

On Thursday, December 11, 2014 a meeting was held at the Annapolis Police Department to brief all agencies regarding the rally and planned civil disobedience. An intelligence briefing was also provided to all law enforcement agencies.

Law Enforcement Commitments

Total Personnel

	Command	Sergeants	Corporals	Officers	
APD	8	6	7	29	
AA Co P.D.	3	4	0	16	
AA Co. Sheriff	3	3	0	17	
MD Capitol Police		2	5	0	6
State Police	2	4	0	28	
Total-	143	18	22	7	96

Only the Annapolis Police Department and the Maryland Capital Police were deployed for this event. The other agencies remained at staging areas throughout the City.

Non Law Enforcement Commitments

Department of Public Works – 2

Department of Transportation – 5

State Highway Administration – 2

Overtime Cost for APD

APD regularly scheduled leave for employees. This came with less than 10 days notice and therefore required the payment of overtime. Those scheduled to work had their hours changed with enough notice to avoid overtime. The estimated overtime cost for the event is \$8,172. Additional expenses approximately \$600. (Message sign rental).

Public Relations

On December 10th, information was provided to the Annapolis Business Association and Ward One concerning the rally on Main Street. The same information was later given to the general public on December 11th after more information was available.

On December 11th Variable Message Boards were staged throughout the City and on Route 665. The message displayed was “Expect delays on 12-12 from 1:00 p.m. – 8:00 p.m.”

During the event the Annapolis Police Department used Twitter and Facebook to provide the public with real-time information about street closings and openings. In addition, the Office of Emergency Management broadcasted information from APD posts using Code Red texts and emails. The Anne Arundel County Police Department also actively used Twitter during the event.

Lessons Learned

There were several lessons learned from this event that should help in preparing for similar incidents. None of the issues discussed below had a negative affect on the overall plan or the outcome of the event. First, additional cameras on Forest Drive would have provided those who were not at the scene with a better view of the events as they unfolded. Instead there was one camera feed from a traffic light, upward of three blocks away, which provided little coverage. Recommendation: The Annapolis Police Department should store two portable cameras that can be tied into our existing viewer for similar events.

Second, although the communication within APD was very good and personnel were working hard to prepare for the event, some took on responsibilities without knowing others had been tasked with same duty. This led to multiple calls to the same agency, or the same person, from different people within the APD. Recommendation: At the initial command meeting it must be emphasized that tasks will be delegated to each person, and they are only to complete those tasks assigned. Should someone believe they have

another resource, or that a task has been overlooked, they should clear it with the organizer prior embarking on their own.

COMMAND POST LOG

Time	Event
1400	Roll Call Radio
1410	Received MSP Roster
1415	Protesters Forest @ American Legion
1440	Group approaching S. Cherry Grove, Bywater and Greenbrier
1458	Spoke to SHA about Detour Bernard 443-829-1551
1508	15 vehicles at American Legion
1520	15-20 walking to Hilltop and Forest
1522	Hilltop and Forest closed Forest and Greenbrier closed
1525	Wagon staged on Chinquapin Round Rd
1534	Group is splitting
1547	Request OEM have DPW move VMB on 665
1552	Possible protest at APD – unfounded
1556	AACO on 665 directing traffic to Riva Road
1602	Wagon called for Forrest
1607	Group leaves intersection
1610	Forest Drive Open
1615	AACO PD opens 665
1617	Report of buses moving downtown
1637	Redploy APD from Rowe to downtown
1701	PEOs off duty
1728	Move officers off of Main. Officers move in businesses
1745	March begins
1755	Church Circle Closed
1801	Church Circle Open March on State Circle
1812	Opened side streets along Main St except Frances State Circle closed
1817	MSP released March moves to Lawyers' Mall
1819	Goode picking up radio from MSP
1820	Sheriffs released
1826	State Circle reopened
1831	OT Officers released AACO released
1903	Command Post Shut Down

This was reported

B. Reports by Committee

Standing Committee Meeting:

Finance Committee - January 6, 2014 @ 5:00 p.m.

C. Comments by the General Public

Speaker:

Antoinette Royer-Berger, 170 Duke of Gloucester Street, Annapolis, Maryland 21401 representing Ward One Residents Association, thanked Acting Planning and Zoning Director Nash and Assistant to the Acting Director of Planning and Zoning Gudenius for serving the City well.

Mayor Pantelides declared petitions, reports and communication closed.

Appointments

[AP-31-14](#) Confirmation of the Planning & Zoning Director

Attachments: [AP-30-14 Clement \(Pete\) Gutwald.pdf](#)

Human Resources Director Rensted and Mr. Gutwald were present and answered questions from Council.

Alderman Paone moved to confirm the Mayor's appointment of Clement "Pete" Gutwald as Planning and Zoning Director. Seconded. CARRIED on voice vote.

[AP-26-14](#) Appointment of James Praley III, Esquire to the Alcohol Beverage Control Board

Attachments: [Praley Resume.pdf](#)

[Praley Appointment Letter](#)

Alderman Budge moved to confirm the Mayor's appointment of James Praley to the Alcoholic Beverage Control Board. Seconded. CARRIED on voice vote.

[AP-27-14](#) The Appointment of Judy Gorski to the Annapolis Education Commission

Attachments: [Appointment Letter & Resume](#)

Alderman Littmann moved to confirm the Mayor's appointment of Judy Gorski to the Annapolis Education Commission. Seconded. CARRIED on voice vote.

[AP-28-14](#) Appointment of Amy Jones to the Transportation Board

Attachments: [Appointment Letter & Bio](#)

Alderman Budge moved to confirm the Mayor's appointment of Amy Jones to the Transportation Board. Seconded. CARRIED on voice vote.

Public Hearings

[O-34-14](#) **Local Zoning Map Amendment** - For the purpose of rezoning parcel 0056, Grid 0017, Tax Map 051C, known as 61 West Washington Street, Annapolis, Maryland, to be zoned in its entirety as BR, "Business Revitalization" Zoning District.

Sponsors: Paone

Attachments: [O-34-14 BR Map Amendment.doc](#)

[O-34-14 Staff Report.docx](#)

[O-34-14 Staff Report to PC.pdf](#)

[O-34-14 PC Findings.pdf](#)

[O-34-14 Fiscal Impact Note.pdf](#)

Spoke on the ordinance:

Denice Smith, 6163 West Washinton Street, Annapolis, Maryland 21401 representing Bowman Community Development Corporation.

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 12/4/2014, and Memoranda from Acting Planning and Zoning Director Nash, to the Planning Commission dated 11/24/2014. Mayor Pantelides declared the public hearing closed.

The public hearing on O-34-14 was declared closed.

Legislative Action

A. Second Readers

O-7-14

City Budget: Referrals to the Financial Advisory Commission -

For the purpose of authorizing the referral of the annual operating budget and capital budget with the capital improvement program to the Financial Advisory Commission upon introduction of the ordinances before the City Council.

Sponsors: Littmann and Pantelides

Attachments: [O-7-14.docx](#)

[Staff Report.docx](#)

[Fiscal Impact Note.pdf](#)

[Budge Amendment.docx](#)

[Comments from Urban Design Venture on O714.docx](#)

[O-7-14 Rules Committee Amendment.docx](#)

[O-7-14 Signed.pdf](#)

Alderman Arnett moved to adopt O-7-14 on second reader. Seconded.

Alderman Budge moved to amend O-7-14 on page 2, in line 11, strike "off street". Seconded. CARRIED on voice vote.

Alderman Arnett moved to amend O-7-14 on page 3, in line 1: strike the language beginning on page 3, in line 1, and ending on page 4, in line 36. Seconded. CARRIED on voice vote.

Alderman Littmann moved to adopt O-7-14 as amended on 2nd reader. Seconded. CARRIED on voice vote.

Alderman Littmann moved to adopt O-7-14 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

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

Absent: 1 - Alderman Kirby

O-10-14

Legal Counsel to Board of Supervisors of Elections - For the purpose of authorizing the Board of Supervisors of Elections to engage outside legal counsel during specified periods of time in the municipal election cycle.

Sponsors: Pantelides and Arnett

Attachments: [O-10-14.docx](#)
[Staff Report.doc](#)
[Fiscal Impact Note.pdf](#)
[Board of Supervisors of Elections](#)
[0-10-14 Rules Committee amendments](#)
[O-10-14 Budge Amendment.docx](#)
[O-10-14 Finance Cmte Amendment.docx](#)

Alderman Arnett moved to adopt O-10-14 on second reader. Seconded.

Alderman Pfeiffer moved to amend O-10-14 on Page 2, in line 20 insert:
4.08.120 - TRANSFERS TO/FROM RESTRICTED FUND BALANCE FOR MUNICIPAL ELECTIONS ANNUALLY, OR FROM TIME TO TIME AS REQUIRED, THE FINANCE DIRECTOR UNDER CONSULTATION WITH THE CITY COUNCIL AND MAYOR SHALL PREPARE A TRANSFER REQUEST TO RESTRICTED FUND BALANCE FOR MUNICIPAL ELECTIONS. THE FUNDING SOURCE FOR THIS REQUEST CAN BE FROM AVAILABLE FUNDS WITHIN THE THEN CURRENT YEAR'S OPERATING BUDGET, UNRESTRICTED FUND BALANCE, OR FROM OTHER AVAILABLE FUNDS AS IDENTIFIED BY THE FINANCE DIRECTOR. IN ORDER TO MAKE SAID TRANSFER, THE REQUEST MUST BE APPROVED BY A MAJORITY VOTE OF THE CITY COUNCIL. FURTHERMORE, IN ORDER TO MAKE EXPENDITURES FROM THIS RESTRICTED FUND BALANCE ACCOUNT, THE CITY COUNCIL SHALL APPROPRIATE SAID FUNDS AND APPROVE A BUDGET TRANSFER PREPARED BY THE FINANCE DIRECTOR MADE BETWEEN RESTRICTED FUND BALANCE FOR MUNICIPAL ELECTIONS AND THE ANNUAL OPERATING BUDGET CATEGORIZED UNDER ELECTIONS. THE AMOUNT TO BE TRANSFERRED TO RESTRICTED FUND BALANCE FOR MUNICIPAL ELECTIONS SHALL BE AN ESTIMATE NECESSARY TO PAY FOR FUTURE ELECTIONS, INCLUDING ASSOCIATED LEGAL EXPENDITURES. Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt O-10-14 as amended on 2nd reader. Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt O-10-14 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

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

Absent: 1 - Alderman Kirby

[O-31-14](#) **Technical Corrections to the Zoning Code-** For the purpose of amending sections of Title 2, Title 20, and Title 21 to be consistent with the Land Use Article of the Annotated Code of Maryland.

Sponsors: Budge

Attachments: [O-31-14 Staff Report](#)
[O-31-14 PC Findings.pdf](#)
[O-31-14 PC Staff Report.pdf](#)
[O-31-14 PC Proposed 21.34 Amendment.pdf](#)
[O-31-14 Technical Corrections to the Zoning Code](#)
[O-31-14 Fiscal Impact Note.pdf](#)
[O-31-14 Rules Committee Amendment.docx](#)
[O-31-14 Hyatt Letter 12,22,14.PDF](#)
[O-31-14 P&Z Table.pdf](#)
[O-31-14 Budge Amendment.docx](#)

Alderman Budge moved to postpone O-31-14 on 2nd reader until the Regular Meeting on January 12, 2014. Seconded. CARRIED on voice vote.

O-33-14

Revisions to the City Code Designating the Risk Management Responsibility to the City of Annapolis Finance Department- For the purpose of amending the provisions of the City Code to reflect that Risk Management responsibility is designated to the City of Annapolis Finance Department.

Sponsors: Pantelides

Attachments: [O-33-14 RM to Finance.doc](#)
[O-33-14 Fiscal Impact Note.pdf](#)

Alderman Arnett moved to adopt O-33-14 on second reader. Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt O-33-14 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

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

Absent: 1 - Alderman Kirby

R-37-14

The City Budget Process - For the purpose of transitioning to a new budget process for the development and preparation of the Fiscal Year 2016 City Budget.

Sponsors: Arnett, Pfeiffer, Paone and Pantelides

Attachments: [R-37-14 City Budget Process.doc](#)
[R-37-14 FAC Report.doc](#)
[R-37-14 Fiscal Impact Note.docx](#)
[R-37-14 Staff Report.docx](#)

Alderman Budge moved to adopt R-37-14 on second reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

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

Absent: 1 - Alderman Kirby

Approval of Meeting Location

Alderman Budge moved to approve the meeting location for proposed work session on January 5, 2014 at the Roger "Pip" Moyer Recreation Center pursuant to City Code Sec. 2.16.020 - Place of Meeting. Seconded. CARRIED on voice vote.

Adjournment

*Upon motion duly made, seconded and adopted, the meeting was adjourned at 8:22 p.m.
Regina C. Watkins-Eldridge, MMC
City Clerk*