



City of Annapolis

160 Duke Of Gloucester
Street
Annapolis, MD 21401

Regular Minutes - Final City Council

Monday, July 13, 2015

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 Paone.

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

Alderwoman Finlayson moved to approve the agenda as amended to have the vote on R-19-15 Cardiac Surgery Program on 1st reader, after Comments from the General Public and before the Appointments. Seconded. CARRIED on voice vote.

Approval of Journal of Proceedings

[CCM060815](#) Approval of Regular Meeting Minutes

Attachments: [June 8, 2015.pdf](#)

Alderman Budge moved to approve the Regular Meeting Minutes of June 8, 2015. Seconded. CARRIED on voice vote.

[CCM062215](#) Approval of Special Meeting Minutes

Attachments: [June 22, 2015.pdf](#)

Alderman Budge moved to approve the Special Meeting Minutes of June 22, 2015. Seconded. CARRIED on voice vote.

Martha Wood Leadership Award

[ID-343-15](#) Martha Wood Leadership Award - "HOPE For All"

Attachments: [ID-343-15 Recommendation.doc](#)
[ID-343-15 Citation.doc](#)

This ceremonial Item was presented.

Ceremonial Items

[ID-363-15](#) City Council Proclamation - Frederick Taylor Day
July 15th

This ceremonial Item was presented.

[ID-360-15](#) City Council Citation - Team "Bike Like a Girl"
Race Across America 2015

Attachments: [Bike Like a Girl Citation.doc](#)

This ceremonial Item was presented.

[ID-361-15](#) City Council Citation - Team "Bike US for MS"
Race Across America 2015

Attachments: [Bike US for MS Citation.doc](#)

This ceremonial Item was presented.

[ID-362-15](#) City Council Citation - Team "Beau Babe and Buds"
Race Across America 2015

Attachments: [Beau Babe and Buds Citation.doc](#)

This ceremonial Item was presented.

Petitions, Reports and Communications

A. Reports by Committee

Standing Committee Meeting Dates:
Rules and City Government
Tuesday, July 14, 2015 | 4:00pm - 5:30pm
Environmental Matters Committee
Thursday, July 16, 2015 | 3:00pm - 5:00pm
Public Safety Committee
Monday, July 20, 2015 | 5:00pm - 6:30pm
Economic Matters Committee
Monday, July 20, 2015 | 6:30pm - 8:00pm
Finance Committee
Tuesday, July 21, 2015 | 5:00pm - 6:30pm
Transportation Committee
Tuesday, July 21, 2015 | 6:30pm - 7:30pm
Housing and Human Welfare/Housing and Community Development
Tuesday, July 21, 2015 | 7:30pm - 8:30pm

B. Comments by the General Public

Appointments

Alderman Littmann moved to approve appointments and re-appointments AP-13-15 through AP-32-15 as a group. Seconded. CARRIED on voice vote.

Alderwoman Finlayson requested the record reflect her abstention from the voice vote.

[AP-13-15](#) The Appointment of Charles A. Hurley to the Human Relations Commission

Attachments: [Board and Commissions Appointment Letter and Application](#)

[AP-14-15](#) The Appointment of Matthew O'Neill to the Human Relation Commission

Attachments: [Appointment Letter/ Resume/ B&C Application](#)

[AP-15-15](#) The Appointment of Scott MacMullan to the Human Relations Commission

Attachments: [Appointment Letter and Resume](#)

[AP-16-15](#) The Reappointment of Patience Schenck to the Human Relations Commission

Attachments: [Appointment Letter/ Resume](#)

[AP-17-15](#) The Reappointment of Wanda Mitchell to the Human Relations Commission

Attachments: [Appointment Letter/ Resume](#)

[AP-18-15](#) The Reappointment of Rosemary Katchmar to the Human Relations Commission

Attachments: [Appointment Letter/ Resume](#)

[AP-19-15](#) The Reappointment of Helen Leitch to the Human Relations Commission

Attachments: [Appointment Letter/ Resume](#)

[AP-20-15](#) The Reappointment of Willie Sampson to the Port Warden Board

Attachments: [Appointment Letter/Resume](#)

[AP-21-15](#) The Reappointment of Lawrence W. Littig to the Port Warden Board

Attachments: [Appointment Letter/ Resume](#)

[AP-22-15](#) The Reappointment of Randall W. Adams to the Port Warden Board

Attachments: [Appointment Letter/ Resume](#)

- [AP-23-15](#) The Reappointment of Gene E. Godley to the Port Warden Board
Attachments: [Appointment Letter/ Biography](#)
- [AP-24-15](#) The Reappointment of Kurt W. Riegel to the Annapolis Environmental Commission
Attachments: [Appointment Letter/ Biography](#)
- [AP-25-15](#) The Reappointment of Diane R. Butler to the Annapolis Environmental Commission
Attachments: [Appointment Letter/ Resume](#)
- [AP-26-15](#) The Reappointment of Theodore C. Weber to the Annapolis Environmental Commission
Attachments: [Appointment Letter/ Resume](#)
- [AP-27-15](#) The Reappointment of Anne Palumbo to the Arts in Public Places Commission
Attachments: [Appointment Letter/ Resume](#)
- [AP-28-15](#) The Reappointment of Pamela Bukowski to the Education Commission
Attachments: [Appointment Letter/ Biography](#)
- [AP-29-15](#) The Reappointment of Tricia Irvin to the Education Commission
Attachments: [Appointment Letter/ Resume](#)
- [AP-30-15](#) The Reappointment of Enid Collison- Lee to the Education Commission
Attachments: [Appointment Letter/ Biograhly](#)
- [AP-31-15](#) The Reappointment of Jeffrey Macris to the Education Commission
Attachments: [Appointment Letter/ Bio](#)
- [AP-32-15](#) The Reappointment of Janet Norman to the Education Commission
Attachments: [Appointment Letter/ Resume](#)

Public Hearings Cont.

- [R-33-14](#) **Vehicular Access to and Internal Roadways within Certain Property adjacent to Aris T. Allen Boulevard** - For the purpose of empowering the City of Annapolis to consider, and to potentially allow, vehicular access between Aris T. Allen Boulevard/Maryland 665 and certain adjacent property within the City limits as well as private roadways within said adjacent property.
Sponsors: Pindell Charles and Finlayson

Attachments: [R-33-14](#)[Associated Historical Legislation R-23-04](#)[Associated Historical Legislation R-13-02](#)[R-33-14 Map.pdf](#)[R-33-14 Transportation Board Opposition.pdf](#)[R-33-14 PC Findings.pdf](#)[R-33-14 Fiscal Impact.pdf](#)[R-33-14 Hyatt Presentation 6-22-15 PH.pdf](#)[R-33-14 Hyatt Presentation Maps 6-22-15 PH.pdf](#)[Traffic Impact Study \(Rocky Gorge\).PDF](#)[Proposed Finlayson Amendments to R-33-14](#)[R-33-14 FINAL.pdf](#)[R-33-14 SIGNED.pdf](#)

Spoke on:

Alex Pline, 305 Monterey Avenue, Annapolis, Maryland 21401.

Spoke in opposition:

Bernard L. Turner, 604 Broach Court, Annapolis, Maryland 21401.

Raynaldo Brown, 612 Broach Court, Annapolis, Maryland 21401.

Alan J. Hyatt, Esquire, 200 Westgate Circle, Suite 500, Annapolis, Maryland 21401 representing Hyatt & Weber gave a presentation on R-33-14, and answered questions from Council. Mr Hyatt also requested the following information be added to the official record: A Traffic Impact Study, Rocky Gorge, residential Development City of Annapolis, Maryland dated July 2015 prepared for: McClaren Engineering Group, Prepared by: Traffic Concepts, Inc, 7525 Connelley Drive, Suite B, Hanover, Maryland 21067.

Pete Mellits, Civil Engineer with McLaren Engineering Group and Kenneth Schmid, traffic consultant, with Traffic Concepts, Inc., were present and answered questions from Council.

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

This resolution R-33-14 was referred "back" to the Transportation Board.

Mayor Pantelides declared the public hearing on R-33-14 closed.

The order of the agenda was amended to allow for R-19-15 on first reader.

R-19-15

Cardiac Surgery Program - For the purpose of supporting Anne Arundel Medical Center's application for a Certificate of Need from the Maryland Health Care Commission to offer a cardiac surgery program within Annapolis and Anne Arundel County.

Sponsors: Pantelides, Finlayson, Pindell Charles, Arnett, Budge, Kirby, Littmann, Paone and

Pfeiffer

Attachments: [R-19-15 Cardiac Surgery Program.docx](#)
[R-19-15_SIGNED.pdf](#)

Victoria "Tori" Bayless, President and CEO of Anne Arundel Medical Center gave a brief presentation on the resolution and answered questions from council.

Alderman Paone moved to adopt R-19-15 on first reader. Seconded. CARRIED on voice vote.

Alderman Arnett moved to suspend the rules to allow passage of the resolution R-19-15 at the meeting of its introduction. Seconded. CARRIED on voice vote.

Aldermen Paone, Littmann, Kirby, Pfeiffer and Arnett requested to be added as sponsors to R-19-15.

Alderman Paone moved to adopt R-19-15 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

The order of the agenda was resumed.

Public Hearings

O-23-15

Modifications to the Tables of Uses for Business and Mixed Use Zoning Districts - For the purpose of adding "Personal Fitness Studios" to the tables of uses; defining "personal fitness studios" and "Physical Health Facilities;" and all other matters generally relating to such uses.

Sponsors: Paone and Pantelides

Attachments: [O-23-15 Fitness Studios ZT Uses.docx](#)
[O-23-15 Staff Report.docx](#)
[O-23-15 Fiscal Impact.pdf](#)
[O-23-15 PC Findings.pdf](#)
[O-23-15 PC Amendment 7-2-15.docx](#)
[O-23-15 Signed.pdf](#)

No one 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 7/2/15.

Mayor Pantelides declared the public hearing on O-23-15 closed.

O-30-15

Exempt Service - Positions Included - For the purpose of including the positions of Attorney 1 and Attorney 2 to the Exempt Service set forth in Chapter 3.08 of the Code of the City of Annapolis; and all other matters generally relating to positions

included in the exempt service.

Sponsors: Pantelides

Attachments: [O-30-15 Attorney 1and2.docx](#)
[O-30-15 Staff Report.docx](#)
[O-30-15 Fiscal Impact.pdf](#)
[O-30-15 Attorney1 Job Description.docx](#)
[O-30-15 Attorney2 Job Description.docx](#)
[O-30-15 Signed.pdf](#)

City Attorney Leahy gave a brief presentation on the ordinance and answered questions from council.

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

Mayor Pantelides declared the public hearing on O-30-15 closed.

O-31-15

Title 3 HUMAN RESOURCES - For the purpose of rewriting and revising certain sections of Title 3, Human Resources; to simplify and reorganize that Title for ease of use, to clarify processes, to remove obsolete language, to include substantive changes; and matters generally relating to Title 3.

Sponsors: Pantelides

Attachments: [O-31-15 Title 3.pdf](#)
[O-31-15 Staff Report.docx](#)
[O-31-15 Fiscal Impact.pdf](#)
[O-31-15 Rules Proposed Amendments.docx](#)
[O-31-15 Signed.pdf](#)

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

Mayor Pantelides declared the public hearing on O-31-15 closed.

O-32-15

Annapolis Renewable Energy Park - For the purpose of approving the land lease agreement of certain City-owned property containing the closed City of Annapolis Landfill for the construction and operation of a solar photovoltaic (PV) electricity generating facility to be located at those portions of the closed City of Annapolis Landfill; and matters generally relating to said lease

Sponsors: Pantelides

Attachments: [O-32-15 AREP OrdinanceandLease.docx](#)
[O-32-15 AREP LeaseSynopsis.docx](#)
[O-32-15 Fiscal Impact.pdf](#)
[O-32-15 Signed.pdf](#)

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

Mayor Pantelides declared the public hearing on O-32-15 closed.

[R-15-15](#) Exempt Service - Job Description - For the purpose of approving the updated Job Description for the City Attorney position.

Sponsors: Pantelides

Attachments: [R-15-15 CityAttorney.docx](#)
[R-15-15 CityAttorney Job Description 2015 redline.docx](#)
[R-15-15 Staff Report.docx](#)
[R-15-15 Fiscal Impact.pdf](#)
[R-15-15 RCG Amendments.docx](#)
[R-15-15 Signed.pdf](#)

City Attorney Leahy gave a brief presentation and answered questions from council. No one from the general public spoke in favor of or in opposition to the resolution.

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

[R-17-15](#) Personnel Rules and Regulations - For the purpose of approving updated and modified Rules and Regulations of the Personnel System.

Sponsors: Pantelides

Attachments: [R-17-15 Resolution.docx](#)
[R-17-15 Personnel Rules and Regs Clean Revised Version.pdf](#)
[R-17-15 List of Appendices.docx](#)
[R-17-15 Staff Report.docx](#)
[R-17-15 Appendix-A Transit Drug Alcohol Policy.docx](#)
[R-17-15 Appendix-B FMCSA Drug and Alcohol Testing Policy.docx](#)
[R-17-15 Appendix-C Non DOT Drug and Alcohol Testing Policy.docx](#)
[R-17-15 Appendix-D Drug Alcohol Policy Assignment by Classification.xls](#)
[R-17-15 Appendix-E Employee Benefits Center.pdf](#)
[R-17-15 Appendix-F Employee Recognition and Reward Program.docx](#)
[R-17-15 Appendix-G Employment Non-Discrimination Policy.docx](#)
[R-17-15 Appendix-H Equal Employment Opportunity.pdf](#)
[R-17-15 Appendix-I FMLA - Certification of Health Care Provider for Ee's Serious Hlth Condition.pdf](#)
[R-17-15 Appendix-I FMLA - Certification of Health Care Provider for Family Member's Serious Hlth Condition.pdf](#)
[R-17-15 Appendix-I FMLA - Designation Notice.pdf](#)
[R-17-15 Appendix-I FMLA -Employee Rights & Repsonsibilities.pdf](#)
[R-17-15 Appendix-J Fact Sheet The Health Insurance Portability and Accountability Act \(HIPAA\).mht](#)
[R-17-15 Appendix-K MIT - Electronic Mail Policy.docx](#)
[R-17-15 Appendix-L MIT - Electronic Use Policy.docx](#)
[R-17-15 Appendix-M MIT - Social Media Policy.docx](#)
[R-17-15 Appendix-N MIT - Software and Data Code of Ethics.docx](#)
[R-17-15 Appendix-O Notice to Employees Regarding Rules and Regulations.docx](#)
[R-17-15 Appendix-P Safety Manual.docx](#)
[R-17-15 Appendix-Q WC BROCHURE \(2012-10-23\).xls](#)
[R-17-15 Appendix-R Workplace Violence Policy.docx](#)
[Strikeout Version Rules and Regulations1992.doc](#)
[Appendix-A.Transit Drug Alcohol Policy \(Amended\).doc](#)
[Appendix-M.MIT - Social Media Policy\(Amended\).doc](#)

Human Resources Director Rensted gave a brief presentation on the resolution and answered questions from Council.

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

Alderman Budge requested the Human Resources Department provide the council with document that shows the changes made to the Personnel Rules and Regulations.

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

Business and Miscellaneous

[ID-279-15](#) 9 St. Mary's - The sale or lease of City-owned property.

Attachments: [ID-279-15 Notice of Public Hearing.docx](#)
[ID-279-15 FAC Recommendations 072315.pdf](#)
[ID-279-15 FAC Minority Report.pdf](#)
[ID-279-15 Notice of Public Hearing 072715.docx](#)

City Manager Andrews gave a brief presentation on ID-279-15 and answered questions from Council. City Attorney Leahy gave a brief presentation on the procurement process and answered questions from Council.

ID-279-15 Has been tentatively scheduled for a public hearing and a vote at the Special Meeting to be held on July 27, 2015.

Alderman Paone moved to consider the proposed Institutional uses and then the proposed residential uses for 9 St. Mary's Street. Seconded. CARRIED on voice vote.

Alderman Paone moved to approve St. Mary's as the preferred institutional bid. Seconded. A roll call vote was taken. The motion DEFEATED by the following vote:

- Aye:** 4 - Mayor Pantelides, Alderman Paone, Alderman Kirby and Alderman Arnett
- Nay:** 5 - Alderman Budge, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann and Alderman Pfeiffer

Alderman Littmann moved to approve the University of Maryland Environmental Center as the preferred institutional bid. Seconded. CARRIED on voice vote.

Alderman Budge moved to approve 02 Lafayette as the preferred residential bid. Seconded. CARRIED on voice vote.

The meeting was recessed at 9:30 p.m. and reconvened at 9:43 p.m.

Legislative Action**First Readers**

[O-33-15](#) **Water Service Agreement - Hopkins property** - For the purpose of authorizing a water service agreement providing for the extension of City water

service to certain property located in Anne Arundel County, outside of the boundaries of the City of Annapolis; and matters generally relating to said agreement.

Sponsors: Pantelides

Attachments: [O-33-15 Hopkins Water Service.docx](#)
[O-33-15 Staff Report.docx](#)
[O-33-15 Fiscal Impact.pdf](#)

Alderman Arnett moved to adopt O-33-15 on first reader. Seconded. CARRIED on voice vote.

This ordinance O-33-15 was referred to the Economic Matters Committee.

This ordinance O-33-15 was referred to the Finance Committee.

O-35-15

CITY OF ANNAPOLIS POLICE AND FIRE RETIREMENT PLAN -

For the purpose of adopting the City of Annapolis Police and Fire Retirement Plan Amendment and Restatement, effective July 1, 2015.

Sponsors: Finlayson, Arnett and Pantelides

Attachments: [O-35-15 Police Fire Retirement Plan Ord.docx](#)
[O-35-15 Police and Fire Retirement Plan.docx](#)
[O-35-15 Staff Report.pdf](#)
[O-35-15 Fiscal Impact.doc](#)

Alderman Arnett moved to adopt O-35-15 on first reader. Seconded. CARRIED on voice vote.

This ordinance O-35-15 was referred to the Rules & City Government Committee.

This ordinance O-35-15 was referred to the Finance Committee.

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 and Littmann

Attachments: [O-36-15 APF Schools ZTA.doc](#)
[O-36-15 Staff Report.docx](#)

Alderman Arnett moved to adopt O-36-15 on first reader. Seconded. CARRIED on voice vote.

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

This ordinance O-36-15 was referred to the Rules & City Government Committee.

This ordinance O-36-15 was referred to the Planning Commission.

O-37-15 **Repealing Fifteen-Minute Parking on Northwest Street** - For the purpose of repealing the fifteen-minute parking limit on portions of Northwest Street adjacent to the old Post Office.

Sponsors: Budge and Pantelides

Attachments: [O-37-15 Repeal 15-Minute Parking.docx](#)

[O-37-15 Staff Report.docx](#)

[O-37-15 Fiscal Impact.pdf](#)

Alderman Budge moved to adopt O-37-15 on first reader. Seconded. CARRIED on voice vote.

This ordinance O-37-15 was referred to the Public Safety Committee.

This ordinance O-37-15 was referred to the Transportation Board.

This ordinance O-37-15 was referred to the Transportation Committee.

O-38-15 **Parking Motor Homes** - For the purpose of regulating the parking of Motor Homes on City streets; and matters generally relating to parking Motor Homes.

Sponsors: Budge

Attachments: [O-38-15 Parking Motor Homes.docx](#)

[O-38-15 Staff Report.docx](#)

[O-38-15 Fiscal Impact.pdf](#)

Alderman Arnett moved to adopt O-38-15 on first reader. Seconded. CARRIED on voice vote.

This ordinance O-38-15 was referred to the Public Safety Committee.

This ordinance O-38-15 was referred to the Transportation Board.

This ordinance O-38-15 was referred to the Transportation Committee.

R-18-15 **Amending Fines for Parking on Northwest Street and Parking of Motor Homes**- For the purpose of removing the fine for violating 15-minute parking on portions of Northwest Street and establishing a fine for parking violations specific to motor homes.

Sponsors: Budge

Attachments: [R-18-15 Amending Parking Fines.docx](#)

[R-18-15 Staff Report.docx](#)

[R-18-15 Fiscal Impact.pdf](#)

Alderman Budge moved to adopt R-18-15 on first reader. Seconded. CARRIED on voice vote.

This resolution R-18-15 was referred to the Public Safety Committee.

This resolution R-18-15 was referred to the Transportation Committee.

This resolution R-18-15 was referred to the Finance Committee.

This resolution R-18-15 was referred to the Transportation Board.

Adjournment

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:15 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk