

City of Annapolis

*160 Duke Of Gloucester Street
Annapolis, MD 21401*



Standing Committee Meeting Minutes

Monday, October 12, 2020

2:00 PM

Special Meeting

Mayor John T. Chambers, Jr.

City Council Chambers

Rules & City Government Committee

1. Call To Order

Chairwoman Finlayson called the Special meeting to order at 2:01 p.m.

2. Roll Call

Present: 3 - Finlayson, Savidge and Arnett

3. Approval of Agenda (any changes to the agenda should be made here)

Arnett moved to adopt the Regular Meeting Agenda. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

4. Business before Committee

a. Approval of Minutes

[RCG10.06.2](#) Approval of Minutes for the Regular Meeting
[0](#)

Alderman Arnett moved to approve the regular meeting minutes. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

5. Legislation before Committee

[R-46-20](#)

Maritime Task Force - For the purpose of establishing a Maritime Task Force charged with conducting a comprehensive review of the waterfront maritime zoning districts in the City of Annapolis; assessing the current and projected future landscape of the Annapolis maritime industry; evaluating current programs and initiatives of private and public stakeholders; assessing public safety and uses of Annapolis waterways; and making recommendations to the City Council.

Eileen Fogarty, City Attorney Lyles, and Planning and Zoning Director Nash were present and answered questions from the committee.

Amendment 1. Page 3, line 2; change 12 to 17

Amendment 2. Page 3, line 11; change "two" to "four"

Amendment 3. Page 3, after line 16 insert;

- One member of a Maritime Trades Association
- One representative of the Annapolis Maritime Museum

- One representative of a maritime environmental group

Amendment 4. Page 3: Strike line 28 - 29;

Amendment 5. Page 3 line 31; Strike “establish subcommittees,” and substitute, “working committees including, but not limited to committees on:

- Maritime Zoning Code,
- Maritime Industry, and
- Community Benefits (access to and safety on the water)

Amendment 6. Page 3 line 40: Strike “the City Council shall oversee and direct the Task Force”. Start line 40 with “The City Council shall review”

Amendment 7. Pages 3, 4, and 5; Strike from line 46 page 3 through line 9 page 5.

Amendment 8. Pages 5 and 6; Strike from page 5 line 36 through page 6 line 12

Amendment 9 page 5, line 35 add section D Recommendation from the task force must be delivered must be delivered to the Council no later than the end of May 2021.

Amendments 1-2 - Savidge

Amendment 1:

On page 3, after line 44, insert

“9. The Task Force meetings shall be open to the public and the Task Force shall allow for public comments via oral or written testimony.” and renumber subsequent paragraphs accordingly.

Amendment 2:

On page 3, after line 44, insert

10. The Task Force shall reach out to maritime property owners, business owners, and business tenants in each of the maritime districts.” and renumber subsequent paragraphs accordingly.

**Alderman Arnett moved to recommend with amendments:
Arnett Amendments**

Amendment 1. Page 3, line 2; change 12 to 17

Amendment 2. Page 3, line 11; change "two" to "four"

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Amendment 2:

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10. The Task Force shall reach out to maritime property owners, business owners, and business tenants in each of the maritime districts." and renumber subsequent paragraphs accordingly.

. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

[O-10-20](#)

Zoning Code Applications - Written Notification Requirement - For the purpose of increasing the distance for sending written notification to ~~about~~ NEARBY property owners for Planned Developments, Major Subdivisions, and Major Site Design applications.

Gay Amendment 2
Page 2 Line 33 remove "tenant"

**Alderman Savidge moved to Recommend Favorably-Amendment 2 (Gay):
Page 2, Line 33, Remove "tenant". A roll call vote was taken. The motion
DEFEATED by the following vote:**

- Aye:** 1 - Finlayson
Nay: 2 - Savidge and Arnett

Gay Amendment 3
Page 2, Line 35, Strike 750 and substitute 400

**Alderman Savidge moved to Recommend Favorably-Amendment. 3 (Gay):
Gay Amendment 3
Page 2, Line 35, Strike 750 and substitute 400. Seconded. A roll call vote was
taken. The motion CARRIED by the following vote:**

- Aye:** 3 - Finlayson, Savidge and Arnett

Alderman Savidge Withdrew the Savidge Amendments

Alderman Savidge withdrew the Savidge Amendments.

**Alderman Savidge moved to Recommend Favorably-Amendment 3 (Tierney)
Amendment 3:
On page 2, in lines 11 and 14, strike "property owner" and substitute "PERSON
OR PARTY".
On page 2, in line 12, after "Subsection (A)(3)" insert "AND SECTION
21.10.040(C)". On page
3, in line 11, strike "applicant" and substitute "PERSON OR PARTY
RESPONSIBLE" and on
page 3, in line 13, strike "An applicant" and substitute "THE PERSON OR PARTY
RESPONSIBLE". . A roll call vote was taken. The motion DEFEATED by the
following vote:**

- Nay:** 3 - Finlayson, Savidge and Arnett

**Alderman Savidge moved to Recommend Favorably-Amendment 4 (Tierney)
Amendment 4:
On page 2, in line 33 strike "and tenants" and strike "200" and substitute "300"
and in like 34
strike language beginning with "EXCEPT" down through "APPLICATIONS" in
line 38.
Subparagraph as Amended:
b. Property owners and tenants of property located within two hundred**

200 300 feet of any property boundary of the proposed development, EXCEPT THAT THIS WRITTEN NOTIFICATION REQUIREMENT SHALL BE 750 FEET FOR PLANNED DEVELOPMENTS, SUBDIVISIONS THAT DO NOT MEET THE CRITERIA FOR AN EXEMPTION UNDER SECTION 20.08.030, AND MAJOR SITE DESIGN PLAN APPLICATIONS,

. A roll call vote was taken. The motion DEFEATED by the following vote:

Nay: 3 - Finlayson, Savidge and Arnett

Alderman Arnett moved to Recommend Favorably-Amendment 5 (Tierney)
Amendment 5:

On page 2, in line 43 strike "200" and substitute "300" and also in line 43 strike language

beginning with "EXCEPT" down through "APPLICATIONS" on page 3, in line 1. Subparagraph as Amended:

d. The President or other person in a position of authority of any Community Association, including but not limited to, homeowners associations, condominium associations, resident associations, and business associations whose geographic boundaries lie within 200 300 feet of the proposed development, EXCEPT THAT THIS WRITTEN NOTIFICATION REQUIREMENT SHALL BE 750 FEET FOR PLANNED DEVELOPMENTS, SUBDIVISIONS THAT DO NOT MEET THE CRITERIA FOR AN EXEMPTION UNDER SECTION 20.08.030, AND MAJOR SITE DESIGN PLAN APPLICATIONS.

The list of associations and their contact information, including the name of the association's president or other person in a position of authority, the association's mailing address, and the association's email address shall be maintained by the Office of the Mayor, and,

. A roll call vote was taken. The motion DEFEATED by the following vote:

Nay: 3 - Finlayson, Savidge and Arnett

City Attorney Lyles, Alderman Gay, and Planning and Zoning Director Nash were present and answered questions from the committee.

Alderman Arnett moved to recommend with amendments:

Amendment 1:

On page 1, in lines 3 and 24, and on page 2, in lines 24 and 25 strike "abutting" and substitute

"NEARBY

. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

[O-27-20](#)

Other Excluded Service Employees - For the purpose of providing policies and practices concerning other excluded service employees, including ~~full time~~EMPLOYMENT AGREEMENT AND temporary, ~~and grant funded~~ employees; providing definitions; and generally relating to ~~contractual~~OTHER EXCLUDED SERVICE employees.

**Alderman Arnett moved to Recommend Favorably-Amendment 1-10 (Buckley):
Amendment 1**

On page 1, in 1 lines 2 and 24 strike “full time” and substitute “EMPLOYMENT AGREEMENT AND”; in lines 4 and 24 strike the first “comma” and “grant funded” and in lines 5 and 25 strike “contractual” and substitute “OTHER EXCLUDED SERVICE”

Amendment 2

On page 2, after line 30 insert “‘EMPLOYMENT AGREEMENT’ MEANS A WRITTEN AGREEMENT EXECUTED WITH THE CITY FOR AN INDIVIDUAL TO PROVIDE PERSONAL SERVICES TO THE CITY FOR PAY ON EITHER A PART-TIME OR FULLTIME BASIS.”

Amendment 3

On page 2, in line 31 strike language after “WHO” down through line33 and substitute “IS REQUIRED TO EXECUTE AN EMPLOYMENT AGREEMENT”.

Amendment 4

On page 2, in line 35 after the “semicolon” insert “(3) WHO DOES NOT MEET THE DEFINITION OF A TEMPORARY EMPLOYEE;” and in line 35 after “AND” strike “(3)” and substitute “(4)”.

Amendment 5

On page 3, in line 4 after “rendering” insert “LIMITED-TERM OR” and strike line 6 and substitute “EMPLOYEE SERVICES”

Amendment 6

On page 3, in line 27 after “PER” insert “CITY FISCAL” and also in line 27, after “YEAR.” insert “TEMPORARY EMPLOYEES ARE NOT REQUIRED TO EXECUTE AN EMPLOYMENT AGREEMENT, UNLESS OTHERWISE REQUIRED BY THE APPOINTING AUTHORITY.”

Amendment 7

On page 4, in line 38 after “CITY” insert a “comma” and “AS EVIDENCED BY AN EMPLOYMENT AGREEMENT,”

Amendment 8

On page 5, in line 32 after the second occurrence of “OF” insert “EMPLOYMENT AGREEMENT”
On page 5, strike the language in lines 36 down through page 6, line 11 and

substitute

“A. THE TERM OF EACH EMPLOYMENT AGREEMENT FOR AN EMPLOYMENT AGREEMENT EMPLOYEE SHALL CONSIST OF AN INITIAL TERM OF NO MORE THAN 1 YEAR COINCIDING WITH THE CITY'S FISCAL YEAR, PLUS THE CITY OPTION TO RENEW FOR NO MORE THAN 4 ADDITIONAL 1 YEAR RENEWAL TERMS. EACH RENEWAL TERM SHALL COINCIDE WITH THE CITY'S FISCAL YEAR. EXCEPT AS OTHERWISE PERMITTED BY THIS SECTION, IN NO EVENT SHALL THE COMBINED TERMS OF ALL EMPLOYMENT AGREEMENTS FOR AN EMPLOYMENT AGREEMENT EMPLOYEE, WHICH ARE EFFECTIVE JULY 1, 2020 OR LATER, EXTEND OVER MORE THAN 5 CITY FISCAL YEARS REGARDLESS OF WHETHER AN EMPLOYMENT AGREEMENT EMPLOYEE WORKS PART-TIME, FULL-TIME, AND/OR FOR ONLY A PORTION OF ANY CITY FISCAL YEAR.

B. AT THE END OF THE EARLIER OF THE EMPLOYMENT AGREEMENT TERM OR THE TERM LIMIT SPECIFIED IN SECTION 3.10.020.A, THE EMPLOYMENT AGREEMENT EMPLOYEE MUST EITHER BE CONVERTED TO A CIVIL SERVICE OR EXEMPT POSITION, OR TERMINATED FROM CITY EMPLOYMENT. SUCH INDIVIDUAL IS THEREAFTER PROHIBITED FROM BEING HIRED AS AN EMPLOYMENT AGREEMENT EMPLOYEE OF THE CITY IN THE SAME OR SIMILAR POSITION.

C. THE TERM REQUIREMENTS SET FORTH IN THIS SECTION SHALL NOT APPLY TO

AN EMPLOYMENT AGREEMENT FUNDED THROUGH GRANT SOURCES, AND ANY SUCH GRANT-FUNDED EMPLOYMENT AGREEMENT SHALL TERMINATE AT THE EXPIRATION, OR EARLIER TERMINATION, OF THE GRANT FUNDING.

D. THE TERM REQUIREMENTS SET FORTH IN THIS SECTION SHALL ONLY APPLY TO EMPLOYMENT AGREEMENTS EXECUTED AFTER JULY 1, 2020, AND FOR PURPOSES OF CALCULATING THE TERM LIMIT, ANY TIMES OF EMPLOYMENT WITH THE CITY PRIOR TO JULY 1, 2020 SHALL NOT BE COUNTED.

E. THE TERM REQUIREMENTS SET FORTH IN THIS SECTION SHALL NOT APPLY TO

CIVIL SERVICE, EXEMPT SERVICE, OR TEMPORARY EMPLOYEES.”

Amendment 9

On page 6, in line 21 strike “SERVICES” and substitute “SERVICE” and in line 22 after “THESE”

insert “OTHER EXCLUDED SERVICE”

Amendment 10

On page 6 strike language in lines 32 down through page 7, line 7 and substitute

“2. FULL-TIME EMPLOYMENT AGREEMENT EMPLOYEES (A) SHALL BE ENTITLED TO PARTICIPATE IN THE CITY BENEFIT PROGRAMS, BUT NOT IN ANY PENSION PLANS OR RETIREMENT PLANS; (B) SHALL RECEIVE ALL PAID CITY HOLIDAYS; (C) EXCEPT AS OTHERWISE SPECIFIED BY SECTION 3.10.030.B.3, SHALL RECEIVE PAID ANNUAL LEAVE IN THE AMOUNT OF 10 DAYS PER CITY FISCAL YEAR THROUGHOUT THE EMPLOYMENT AGREEMENT TERM; (D) SHALL RECEIVE SICK LEAVE AS PROVIDED FOR BY LAW; AND (E) UNLESS OTHERWISE REQUIRED BY FEDERAL OR STATE LAW, SHALL NOT BE ENTITLED TO OVERTIME PAY OR COMPENSATORY LEAVE. PAID ANNUAL LEAVE AND PAID CITY HOLIDAYS SHALL BE PRORATED ACCORDINGLY FOR AN INITIAL TERM AND/OR A RENEWAL TERM OF LESS THAN A YEAR. PAID ANNUAL LEAVE SHALL BE GRANTED AS A LUMP SUM AT THE BEGINNING OF EACH CITY FISCAL YEAR DURING THE EMPLOYMENT AGREEMENT TERM, AND SHALL BE AVAILABLE FOR THE

EMPLOYMENT AGREEMENT EMPLOYEE'S IMMEDIATE USE UPON APPROVAL BY THE APPOINTING AUTHORITY OR DESIGNATED CITY SUPERVISOR. ANY PAID ANNUAL LEAVE REMAINING UPON THE END OF EACH CITY FISCAL YEAR DURING THE EMPLOYMENT AGREEMENT TERM, OR EARLIER TERMINATION THEREOF, SHALL BE FORFEITED, UNLESS OTHERWISE REQUIRED BY FEDERAL OR STATE LAW. EXCEPT THAT PAID ANNUAL LEAVE MAY BE ROLLED OVER FROM A PRIOR EMPLOYMENT AGREEMENT WITH THE CITY, OR FROM THE INITIAL TERM OR ANY RENEWAL TERM OF AN EMPLOYMENT AGREEMENT IF, DUE TO A DECLARED LOCAL EMERGENCY OR OTHER FORCE MAJEURE EVENT, THE CITY DOES NOT GRANT PERMISSION TO USE SUCH PAID ANNUAL LEAVE DURING AN ENTIRE CITY FISCAL YEAR DURING THE TERM OF ANY EMPLOYMENT AGREEMENT.

3. NOTWITHSTANDING THE LANGUAGE IN SECTION 3.10.030.B.2 TO THE CONTRARY, EMPLOYMENT AGREEMENT EMPLOYEES WORKING FOR THE CITY PURSUANT TO CITY FISCAL YEAR 2020 EMPLOYMENT AGREEMENTS THAT RECEIVED 15 DAYS OF PAID ANNUAL LEAVE PER CITY FISCAL YEAR UNDER THOSE EMPLOYMENT AGREEMENTS SHALL CONTINUE TO RECEIVE 15 DAYS OF PAID ANNUAL LEAVE PER CITY FISCAL YEAR FOR ANY FUTURE EMPLOYMENT AGREEMENTS AUTHORIZED PURSUANT TO THIS CHAPTER." **Seconded. A roll call vote was taken. The motion CARRIED by the following vote:**

Aye: 3 - Finlayson, Savidge and Arnett

Human Resources Manager Hopkins, and Finance Director Dickinson were present and answered questions from the committee.

Alderman Arnett moved to recommend O-27-20 with amendments. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

[O-37-20](#)

Annual Performance Statements - For the purpose of clarifying the requirement for each City agency and department to file an annual performance statement.

City Attorney Lyles was present and answered questions from the committee.

Alderman Arnett moved to recommend favorably O-37-20. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

6. Adjournment

Upon motion duly made, seconded and adopted, the meeting was adjourned at 4:55 p.m.

**Teekia Green
City Council Associate**