



City of Annapolis

160 Duke Of Gloucester
Street
Annapolis, MD 21401

Regular Meeting Minutes - Final

City Council

Monday, July 12, 2021

7:00 PM

Mayor John T. Chambers, Jr.
City Council Chambers

Call to Order

Mayor Buckley called the Regular Meeting to order at 7:00 p.m.

Invocation

Given by Alderman Savidge.

Pledge of Allegiance

Led by Mayor Buckley.

Closed Session Statement:

Closed Session Statement:

Pursuant to the requirement of the Annotated Code of Maryland, General Provisions Article§ 3-305 (b) (7). This statement is included in these minutes:

A Closed Session of the City Council was held on Tuesday, June 29,2021at 3:11 pm.

Council Members who voted to meet in the Closed Session:

Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Gay, Alderman Savidge, and Alderman Arnett.

City Staff attending the Closed Session:

Chief of Staff Smith, City Attorney Lyles, City Manager Jarrell, City Clerk Watkins-Eldridge, City Council Associate Green, Assistant City Attorney Braithwaite, Finance Director Dickinson, Assistant City Manager Farrow, Deputy Police Chief Branford.

The members present took a roll call vote, and the session closed. The authority under which the session closed was the Annotated Code of Maryland, General Provisions Article§ 3-305(b) (7), Legal Briefing on a Legal Matter.

There were NO votes taken in the closed session.

Upon motion duly made, seconded and adopted, the closed virtual session adjourned at 5:01 p.m.

Roll Call

Tonight's roll call began with Alderman Gay.

Present: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

Approval of Agenda

Alderman Schandelmeier moved to approve the AGENDA as AMENDED TO ADD Resolution R-22-21 on first Reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

Petitions, Reports and Communications**A. Update from the Mayor**

City Council - Mayors Remarks Mayor Gavin Buckley City Council Chambers 2 July 2021 – 7 p.m.

Good evening everyone.

First off, welcome back! Our City Council meetings have returned to being open to the public after being closed due to the pandemic. We welcome everyone back.

I was interested to learn from Gov. Larry Hogan last week that 100 percent of those who have died of Covid-19 in the past two weeks were unvaccinated. Please get the vaccine. It has been given to millions and millions of people. It is safe. It is effective. We don't want to go back to lockdowns.

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We have dozens of city partners to thank for assisting over the Independence Day weekend for the City's come back party. What an amazing celebration it was. I hope that you all had time to take in activities in all corners, from parades in downtown and West Annapolis and Eastport to concerts in Parole to our grand fireworks in the Harbor.

We're back Annapolis!

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I want to congratulate the new business owners who have entrusted the City as the place to put down roots. I have recently been to a dozen (or more!) ribbon cuttings in the past few weeks. These are new businesses, expansions of existing businesses and businesses celebrating with the public after having opened during the pandemic.

We are excited to have you here!

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I hope you all caught the article in the Capital newspaper this weekend about the young people from our community who had an opportunity to travel to Puerto Rico. For some it was their first time on a plane. It was their first time leaving the United States mainland.

I want to acknowledge Brandon Harris, who raised \$38,000 to make it happen. He is a young man with a bright future.

I want to thank Recreation and Parks Director Archie Trader and Acting Transportation Director Kwaku Agyemang-Duah and the Annapolis Police for organizing an amazing send-off for these young people.

I want to thank Annapolis Transit driver Dol Ale for safely getting the team to BWI. Our Annapolis Police officers returned them home after their flight.

I know that a trip like this can change lives. For some of our young people, it will open their eyes to the possibilities the world and life have to offer. A trip like this not only changes lives, it saves lives.

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This week is expected to be hot again and our Office of Emergency Management have opened the Pip Moyer Recreation Center as a cooling center. Please check in on your elderly neighbors or those who might not have air conditioning.

Anne Arundel County Public Libraries are also open and can be used as a place to cool off.

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We are looking for individuals to serve on Annapolis City boards and commissions. These are volunteer positions where you get to have a voice in how the City functions.

Currently, we are in an election year and we are down one Republican member of our board of supervisors of elections. The commission is made up of three members, two Democrats and one Republican. Our GOP member moved out of the City.

Please contact my office if you are interested in serving by emailing ombudsman@annapolis.gov.

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Right before our Independence Day weekend events, one of our Naval Academy mothers, Mrs. Michelle Cummings, in from Houston Texas, was tragically hit by a stray bullet and killed while visiting with friends on a hotel balcony off West Street.

Police Chief Edward Jackson and I have since met with her widower, Leonard Cummings, and her son, Trey, who is a Plebe at the Academy. They are burying Mrs. Cummings this week and I have sent condolences on behalf of this council.

As I said last week, this crime is a heinous aberration to the trend line of crime in our city. But a data point on a graph doesn't help the community feel safe – especially when a crime this horrific is laid at our doorstep.

I know this crime is a shock to our community and our Naval Academy family. It is a shock because this kind of crime is so rare.

This shooting will be solved. It will be solved because Chief Jackson has a strong team in place. Our long-serving police officers and detectives alongside the new team members Chief Jackson has put in place will find the culprits.

In addition, Chief Jackson is building community cooperation, which is one of the key ingredients to solving crime. I am proud of the work of their team and I am confident the killer will be brought to justice.

But I have to ask our residents to please put down their weapons. This wanton discharge of a firearm has resulted in the death of Mrs. Cummings and will likely mean a very long prison term for the perpetrator.

[moment of silence]

B. Reports by Committee

Standing Committee Dates:

Housing and Human Welfare Committee Meeting**July 19, 2021, 6:30 PM - 8:00 PM @ Mayor John T Chamber, Jr. Council Chambers****Special Finance Committee Meeting****July 21, 2021, 10:30 AM - 12:30 PM @ Mayor John T Chamber, Jr. Council Chambers****Environmental Matters Committee Meeting****July 21, 2021, 3:00 PM - 5:00 PM @ Mayor John T Chamber, Jr. Council Chambers****C. Comments by the General Public****Skype:****Martin Etzel, 26 Randall Street, Annapolis, Maryland 21401.****Written:****PUBLIC TESTIMONY WEB FORM – To view the actual comments, please visit www.annapolis.gov/publictestimony****Marlys McDevitt, 202 King George Street, Annapolis, Maryland 21401.****Natalia Abramov, 3285 Milton Avenue, Columbus, OH 43202.****IN Person:****Carl Larkin - 154 Prince George Street, Annapolis, Maryland 21401****Chrissy Holt, 8 Fisk Circle, Annapolis, Maryland 21401 representing Progressive Maryland.****Arthur Holt, 8 Fisk Circle, Annapolis, Maryland 21401.****Toni Strong Pratt, 32 Juliana Circle East, Annapolis, Maryland 21401. R-21-21 in Favor****Rick Glover, 84 Conduit Street, Annapolis, Maryland 21401 representing Ward One Residents associate.****Paige Ferguson, 22 College Avenue, Annapolis, Maryland 21401.****Sally 299 State Street, Annapolis, Maryland 21401.****Phil Dales, 181 Harry Truman Parkway, Annapolis, Maryland 21401.****Peter Bittner, 5 Presidents Point Drive, A-3, Annapolis, Maryland 21403.****Cynthia McBride, 215 Main Street, Annapolis, Maryland 21401.****Ron George, 205 Main Street, Annapolis, Maryland 21401.****Anne Dwyer, 76 Maryland Avenue, Annapolis, Maryland 21401. Emergency Legislation****William Small, 702 Melrose Street, Annapolis, Maryland 21403.****Susan Margulies, 113 Conduit Street, Annapolis, Maryland 21401.****Rusty - Restaurant on Church Circle.****Mike Dye 1315 August Lane, Annapolis, Maryland 21401.****John Hammond, 141 Monticello Avenue, Annapolis, Maryland 21401.****Mayor declared comments from the general public closed.****Appointments****[AP-35-21](#)****The Re-Appointment of Adam G. Cohen to the Public Safety Disability Retirement Board****Alderman Arnett moved to confirm AP-35-21. Seconded. CARRIED on voice vote.**

[AP-36-21](#)

The Re-Appointment of Joseph Semo to the Police and Fire Retirement Commission

Alderwoman Pindell Charles moved to confirm AP-36-21. Seconded. CARRIED on voice vote.

[AP-37-21](#)

The Appointment of Tom Shock to the Transportation Board

Alderwoman Pindell Charles moved to confirm AP-37-21. Seconded. CARRIED on voice vote.

Consent Calendar

Approval of the Consent Calendar

A motion was made by Alderman Arnett to approve the Consent Calendar. The motion carried:unanimously

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

Approval of Journal of Proceedings

[CCM
6.7.2021](#)

Special Meeting Minutes

A motion was made by Alderman Arnett to approve the Consent Calendar. The motion carried:unanimously

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

[CCM
6.14.2021](#)

Regular Meeting Minutes

A motion was made by Alderman Arnett to approve the Consent Calendar. The motion carried:unanimously

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

[CCM
6.28.2021](#)

Special Meeting Minutes

A motion was made by Alderman Arnett to approve the Consent Calendar. The motion carried:unanimously

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

End of Consent Calendar

Public Hearings

O-9-21

Accessory Dwelling Units - For the purpose of establishing accessory dwelling units as an accessory use in certain zoning districts that allow single family dwelling units; establishing the use and bulk requirements for accessory dwelling units; and establishing the procedural requirements for accessory dwelling units.

Sponsors: Schandelmeier and Gay

Skype:

Tom Coale, 5100 Dorsey Hall Drive, Ellicott City, Maryland 21042.

Greg Cantori, 105 Eastern Avenue, Annapolis, Maryland 21403.

Written

PUBLIC TESTIMONY WEB FORM – To view the actual comments, please visit www.annapolis.gov/publictestimony

Martin Etzel, 26 Randall Street, Annapolis, Maryland 21401.

Charlie Szold, 98 Monticello Avenue, Annapolis, Maryland 21401

In Person

Jon Antonelli, 1206 Poplar Avenue, Annapolis, Maryland 21401.

Susan Margulies, 113 Conduit Street, Annapolis, Maryland 21401.

Laura Hanby, 7055 Bay Front Drive, Annapolis, Maryland 21403.

Kati George, 695 Americana Drive, Annapolis, Maryland 21401.

Robert Myer, 1010 Bay Ridge Avenue, Annapolis, Maryland 21403.

Bill Reichhardt, 717 Bay Ridge Avenue, Annapolis, Maryland 21403.

Nushi Carrera, 909 Wells Avenue, Annapolis, Maryland 21403.

Anne Widener, 76 Maryland Avenue, Annapolis, Maryland 21401.

William Small, 702 Melrose Street, Annapolis, Maryland 21403.

Richard Lober, 84 Conduit Street, Annapolis, Maryland 21401.

Vicky Sizzler, 131 Grand View Avenue, Annapolis, Maryland 21401.

John Hammond, 141 Monticello Avenue, Annapolis, Maryland 21401.

Mayor Buckley accepted into the record the Planning Commission Findings dated June 17, 2021.

Mayor Buckley declared the public hearing on O-9-21 closed.

O-24-21

Sewer Service Agreement - Lidl US Operations, LLC - For the purpose of authorizing a sewer service agreement providing for the extension of City sewer service to certain parcels on Bay Ridge Road located in Anne Arundel County; and generally relating to providing said sewer service outside the City limits.

Sponsors: Savidge, Pindell Charles and Paone

Mayor Buckley declared the public hearing on O-24-21 closed.

Legislative Action

First Readers

[O-26-21](#)

Emergency Ordinance - Recovery Zones and Temporary Uses - For the purpose of extending the temporary uses and parking restrictions for outdoor seating at restaurants and outdoor shopping options for retail establishments authorized by certain Executive Orders; providing a termination date; and making this Ordinance an emergency measure.

Sponsors: Buckley, Tierney, Gay, Schandelmeier, Savidge, Pindell Charles and Finlayson

Alderman Savidge moved to adopt O-26-21 on first reader. Seconded. CARRIED on voice vote.

[R-22-21](#)

South Annapolis Yacht Center - Public Water Access - For the purpose of requiring the Department of Planning and Zoning to hold a public meeting for the general public to be heard on the South Annapolis Yacht Center fence application.

Sponsors: Gay, Savidge and Arnett

Alderman Arnett moved to adopt R-22-21 on first reader. Seconded. CARRIED on voice vote.

Second Readers

[O-1-21](#)

Bulk Regulations - R4 and R4-R Residential Zoning Districts - For the purpose of correcting conflicts in the bulk regulations table and the table notes related to attached single family and multifamily dwelling units.

Sponsors: Finlayson and Schandelmeier

Alderman Arnett moved to adopt O-1-21 on second reader. Seconded. CARRIED on voice vote.

Alderman Finlayson moved to adopt O-1-21 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

[O-4-21](#)

Medical Cannabis Dispensaries - For the purpose of allowing medical cannabis dispensaries in certain zoning districts within the City of Annapolis; and adding a definition.

Sponsors: Gay, Schandelmeier and Arnett

Alderman Schandelmeier moved to adopt O-4-21 on second reader. Seconded.

Alderwoman Pindell Charles moved to amend O-4-21 as follows:

Amendment 1:

**On page 1, after line 29 insert "21.64.404"
and on page 3, after line 28, insert "21.64.404 - MEDICAL CANNABIS**

DISPENSARIES.

THIS USE MAY NOT BE LOCATED WITHIN A TWO MILE RADIUS OF ANY OTHER LICENSED PREMISES OF A LICENSED DISPENSARY OF MEDICAL CANNABIS.”
Seconded. A roll call vote was taken. The motion **CARRIED** by the following vote:

- Aye:** 5 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles and Alderwoman Finlayson
- Nay:** 4 - Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

Alderman Gay moved to amend O-4-21 as follows:

Amendments 2-3 – Gay**Amendment 2:**

On page 1, after line 29 insert “21.64.405” and in lines 3 and 24 after the “semi-colon” insert “adding a use subject to standards” followed by a “semi-colon” and on page 3, after line 28 insert:
“SECTION 21.64.405 – MEDICAL CANNABIS DISPENSARY.
THIS USE IS NOT PERMITTED WITHIN 1,000 FEET OF THE LOT LINE OF A PUBLIC OR PRIVATE ELEMENTARY, MIDDLE, OR HIGH SCHOOL.”
and on page 2, before line 1 in the Table of Uses for “Medical Cannabis Dispensary” in each District column strike each occurrence of “P” and substitute “P-Std”. and on page 2, after line 29 in the Table of Uses in Section 21.48.030 for “Medical Cannabis Dispensary” in the “District P” column strike “S” and substitute “P-Std” and in Districts “MX and PM” strike each occurrence of “P” and substitute “P-Std”.

Amendment 3:

corrects the Table of Uses for “Medical Cannabis Dispensary” because the use is not “Subject to Standards”.
On page 2, before line 1 in the Table of Uses for “Medical Cannabis Dispensary” strike “Std” in column “District PM2” **Seconded. A roll call vote was taken. The motion CARRIED by the following vote:**

- Aye:** 6 - Mayor Buckley, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Gay and Alderman Arnett
- Nay:** 3 - Alderwoman Tierney, Alderman Schandelmeier and Alderman Savidge

Alderman Schandelmeier moved to adopt O-4-21 as amended on second reader. Seconded. A roll call vote was taken. The motion DEFEATED by the following vote:

- Aye:** 1 - Alderwoman Pindell Charles

Nay: 8 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Finlayson, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

[O-7-21](#)

Short Term Rental Licenses - Conservation Districts - For the purpose of requiring special exception approval for a new non owner-occupied short term rental license in the R2-NC, C1, and C1-A conservation residence districts; requiring special exception approval for the transfer of any existing non owner-occupied short term rental license in the R2-NC, C1, and C1-A conservation residence districts; providing definitions; providing for the waiver of special exception approval for certain individuals; and generally related to short term rental licenses.

Sponsors: Tierney and Savidge

Alderman Savidge moved to postponed O-7-21 until Monday, July 26, 2021. Seconded. CARRIED on voice vote.

[O-8-21](#)

Dwellings above nonresidential uses in the PM District - For the purpose of creating standards for dwellings permitted above the ground floor of nonresidential uses in the PM zoning district; and matters generally relating to regulation of such dwellings.

Sponsors: Paone, Schandelmeier, Gay, Tierney and Arnett

Alderman Arnett moved to adopt O-8-21 on second reader. Seconded. CARRIED on voice vote.

Alderman Schandelmeier moved to adopt O-8-21 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

Alderman Arnett - Cosponsor added

[O-16-21](#)

Maintaining Chickens - For the purpose of modifying the application and approval procedures for maintaining chickens; providing notice requirements; and generally relating to maintaining chickens.

Sponsors: Buckley and Tierney

Alderman Schandelmeier moved to adopt O-16-21 on second reader. Seconded. CARRIED on voice vote.

Alderman Schandelmeier moved to adopt O-16-21 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 8 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

Nay: 1 - Alderwoman Finlayson

[O-18-21](#)

Municipal Elections - Canvassing - For the purpose of modifying the day on which the Board of Canvassers shall convene following all municipal elections.

Sponsors: Buckley

Alderman Savidge moved to adopt O-18-21 on second reader. Seconded. CARRIED on voice vote.

Alderman Savidge moved to adopt O-18-21 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

[O-24-21](#)

Sewer Service Agreement - Lidl US Operations, LLC - For the purpose of authorizing a sewer service agreement providing for the extension of City sewer service to certain parcels on Bay Ridge Road located in Anne Arundel County; and generally relating to providing said sewer service outside the City limits.

Sponsors: Savidge, Pindell Charles and Paone

Alderman Arnett moved to adopt O-24-21 on second reader. Seconded. CARRIED on voice vote.

Alderman Schandelmeier moved to adopt O-24-21 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

[R-19-21](#)

Itinerant Merchant Sales in the Historic District - 2021 - For the purpose of authorizing hawker, peddler, and itinerant merchant sales in the Historic District in conjunction with certain special events during calendar year 2021.

Sponsors: Tierney

Alderwoman Pindell Charles moved to adopt R-19-21 on second reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

[R-20-21](#)

Water Service Agreement - Lidl US Operations, LLC - For the purpose of authorizing a water service agreement providing for the extension of City water service to certain parcels on the Bay Ridge Road located in Anne Arundel County; and generally relating to providing said water service outside the City limits.

Sponsors: Savidge and Pindell Charles

Alderman Pindell Charles moved to adopt R-20-21 on second reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

R-21-21

Medicare for All - For the purpose of expressing support for Medicare for All, including expansion of the Medicare for All Act of 2021, H.R. 1976, 117th Cong. (2021-2022); supporting comprehensive healthcare to all U.S. residents; and expressing support for the establishment of a Maryland Commission on Universal Health Care.

Sponsors: Savidge, Gay, Pindell Charles and Finlayson

Alderman Savidge moved to adopt R-21-21 on second reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

Adjournment

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:47 p.m.

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

Anyone needing reasonable accommodation to be able to participate in a public meeting held by the City of Annapolis should contact Regina Watkins-Eldridge at 410.263.7942, by MD Relay (711), or by email at cityclerk@annapolis.gov at least five days prior to the meeting date to request assistance.

We encourage citizens to attend and participate in City Council Meetings. If you are unable to attend, the meetings can be viewed live on Channel 99/100 for all Comcast subscribers and on Channel 34 for Verizon customers. The meeting can also be viewed on computer and mobile devices by going to <http://bit.ly/1gCd4pL> during the meetings.