



City of Annapolis

160 Duke Of Gloucester
Street
Annapolis, MD 21401

Special Minutes - Final City Council

Monday, July 31, 2017

7:00 PM

Mayor John T. Chambers, Jr.
City Council Chambers

Call to Order

Mayor Pantelides called the meeting to order at 7:05 p.m.

Invocation

Given by Alderman Paone.

Pledge of Allegiance

Led by Mayor Pantelides.

Roll Call

Tonight's roll call began with Alderwoman Pindell Charles.

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 Arnett moved to approve the agenda as amended to include O-42-17 Certificate of Adequate Public Facilities and O-41-17 Market House Tenant Lease Extension on first reader. Seconded. CARRIED on voice vote.

Ceremonial Items

[ID-278-17](#) City Council Citation - Sam's Club

This Ceremonial Item was presented.

[ID-279-17](#) City Council Citation - Harbor Master's Office, Police Department and Fire Department

This Ceremonial Item was presented.

Petitions, Reports and Communications

A. Reports by Committee

B. Comments by the General Public

Arthur Roberts, 108 Duke of Gloucester Street, Annapolis, Maryland 21401 spoke on his

grandchildren being the 7th generation in the city, riding his bike, gas smell from the trash in storm drains, runoff on Monticello Road, pollution fine sign on General's Highway, sewer blockage and controlling the traffic flow.

Lucinda Merry-Browne, 1511 Gordon Cove, Annapolis, Maryland 21403 representing the Compass Road Theatre spoke in favor of the theatre, on the Stanton Center, being a full time business in the city and requested a space for the theatre, the Eastport Shopping Center, and the rent being \$4000.00 a month.

Michael A. Farmer, 142 Prince George Street, Annapolis, Maryland 21401 representing the Ward One Residents Association spoke on the Market House RFP.

Thomas Rekus, 163 Prince George Street, Annapolis, Maryland 21401 spoke on the RFP Package, fresh versus prepared foods, customer base and residents needs, home consumption, diverse clientele, Alcoholic Beverages, local produce, craft beer, fresh meat poultry or produce, spoke on all proposals.

Keith Bouchard, 18 Brice Road, Annapolis, Maryland 21401 spoke on New Market and his wife Michelle, Mr. Farmer and Mr. Rekus, and the concerns from the Ward One Residents Association, the offering of Raw Foods, Chicken, Beef and Produce, grab and go meals, down town residents and workers and lunch time. the RFP, having 8 Stalls, Facebook likes and followers on the website.

Jody Danek, 2981 Friends Road, Annapolis, Maryland 21401 spoke on the New Market Proposal.

Joe Lyon, 34 Lafayette Avenue, Annapolis, Maryland 21401 spoke in favor of the New Market Proposal, prepared foods for moms and wives, whole food and Trader Joes, fresh and prepared foods, 7 Ward One Residents in support of the New Market Proposal.

Denise Smith, 31 W. Washington Street, Annapolis, Maryland 21401 representing the First Baptist Church spoke on a public right of way, pleasant court and pleasant street, parking in the right of way, requested a sign be posted stating "do not block the right of way".

Elly Tierney, 85 East Street, Annapolis, Maryland 21401 Aldermanic Candidate for Ward One, spoke on O-34-17, 72 hour notice of the ordinance, HPC concerns and residents of the Historic district.

Judi Jones, 10 Fleet Street, Annapolis, Maryland 21401 spoke on being 50 feet away from the market house, hours, what will be in the stalls, the tenants, having an advisory board, having a long term lease, beer, wine and cocktails, Mr. Blonder's Band outside of the Market House to attract business playing at 10:30 at night, Market house history and a market having the best a market can offer, asked what's happening to the concept of family.

Laure Lyon, 34 Lafayette Avenue, Annapolis, Maryland 21401 spoke on the Ward One supporters of the New Market Proposal, Market House Lease, community activities, events and being open and vibrant.

Brian Calahan, 49 West street, Annapolis, Maryland 21401 thanked Alderman Littmann for his statement at the last City Council Meeting, Annapolis having a reputation for not being business friendly and the "CRABBLE Committee.

Orlie Reid, 106 Magnolia Lane, Annapolis, Maryland 21401 spoke on being a therapist in the area, Gavin Buckley and Ideas that incorporates everyone.

Alexas Viegas, Aldermanic Candidate Ward 7 spoke on the term food vendor, young families, shopping at CVS and 711, and in support of fresh food.

Mark McGeever, 6 German Street, Annapolis, Maryland 21401 spoke on the Teddy Turner, and Teddy Turner, Jr., supporting developers in the town and in favor of the New Market Proposal.

Bill Kardash, 1 Action Place, Annapolis, Maryland 21401 spoke on trash collections downtown, blocked the street while 8 cars waited to pass, visitors, Fedrerel House Staff washing off the sidewalks with the run off going into the bay, the Market House and the Dock Street Restaurants, downtown residents and the noise from the trash trucks, request early trash collection and the Market House tenant adding a restaurant and having them

pay Market Rent, \$50.00 per square feet and pay property taxes.

Gavin Buckley, 6 Stewart Street, Annapolis, Maryland 21401 spoke on having support, asked how much more does the New Market Applicant have to do, square footage, having a single operator with having and liquor license.

Peter Fillat, 112 Main Street, Annapolis, Maryland 21401 representing the Annapolis Oyster Company spoke in favor of the proposal, Mr. Blonder, 5000 square foot space in side the Market House, having 6 vendors and Hopkins Plaza.

Andrew Pettit, 519 Horn Point Drive, Annapolis, Maryland 21401 spoke on not delaying the vote on the Market House.

Chris Stelzig, 10 Montecello Avenue, Annapolis, Maryland 21401 spoke on the New Market Proposal, turning fresh food to prepared food and requested the Council vote tonight.

Harvey Blonder, 112 Main Street, Annapolis, Maryland 21401 spoke on having the proposed Market House applicants join together to reopen the Market House.

C. Update from the Mayor

Bond Rating - Upgrade from an AA3 to AA2

Opioid Epidemic Workshop

Annapolis Renewal Energy Park

On Line parking Permits

Bloomsbury Square Unity Day

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 Pantelides, Alderman Budge, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

First Readers

[O-34-17](#)

Approvals of Exterior Changes in the Historic District - For the purpose of clarifying the scope of factors the Historic Preservation Commission may consider in reviewing applications for exterior changes to buildings in the Historic District of Annapolis.

Sponsors: Littmann and Budge

Aye: 9 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

Mayor Pantelides referred O-34-17 to the Historic Preservation Committee.

Mayor Pantelides referred O-34-17 to the Planning Commission.

Mayor Pantelides referred O-34-17 to the Rules & City Government Committee.

[O-39-17](#)

Clean Energy Loan Program and Property Tax Surcharge - For the

purpose of defining certain terms; amending the scope of and eligibility for the Clean Energy Loan Program; amending qualifying criteria; establishing a calculation of the clean energy loan surcharge; providing for a recorded agreement and certain notices; and matters generally related to the Clean Energy Loan Program and real property taxes.

Sponsors: Pantelides

Aye: 9 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

Mayor Pantelides referred O-39-17 to the Environmental Matters Committee.

Mayor Pantelides referred O-39-17 to the Finance Committee.

O-40-17 Residential Parking Permit Amendments - For the purpose of requiring a parking sticker in addition to a registered license plate in Parking Districts 1 and 2.

Sponsors: Budge

Aye: 9 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

Mayor Pantelides referred O-40-17 to the Public Safety Committee.

Mayor Pantelides referred O-40-17 to the Transportation Committee.

Mayor Pantelides referred O-40-17 to the Transportation Board.

R-25-17 Non-Profit Vendors During Fall Boat Shows 2017 - For the purpose of authorizing sales by certain vendors in the City Dock area of the Historic District during the Fall 2017 U.S. Sailboat and Powerboat Shows.

Sponsors: Budge and Finlayson

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-13-17 Parking Enforcement and Rulemaking Responsibilities - For the purpose of updating parking enforcement and rulemaking responsibilities in Chapters 2.36, 12.08 and 12.32 in the Code of the City of Annapolis; and matters generally relating to updating parking enforcement and rulemaking responsibilities.

Sponsors: Pantelides

Aye: 9 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

[O-27-17](#) **Special Parking Permits for Transport and Contractors - For the purpose of establishing parking shuttle eligibility for special parking permits; limiting special parking permits within the Historic District; and clarifying conditions for issuing special parking permits.**

Sponsors: Budge

Aye: 9 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

[O-33-17](#) **Stormwater Utility Fund - For the purpose of renaming the Stormwater Utility Fund, which shall be known henceforth as the Watershed Restoration Fund, to more accurately reflect the functionality of the Fund.**

Sponsors: Littmann, Pfeiffer, Finlayson, Pindell Charles and Arnett

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-36-17](#) **Wheel Immobilization Devices - Prohibited - For the purpose of prohibiting the use of wheel immobilization devices on vehicles parked on public or private property in the City of Annapolis.**

Sponsors: Pantelides

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

Mayor Pantelides declared the public hearing on O-36-17 closed.

[O-37-17](#) **Parking Places and Parking Lots - For the purpose of repealing in its entirety Chapter 12.28 concerning registration of parking places and parking lots; and matters generally relating to parking places and parking lots.**

Sponsors: Pantelides

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

Mayor Pantelides declared the public hearing on O-37-17 closed.

Business and Miscellaneous

[ID-257-17](#) **R. F. P. 17-21 - Lease of The Annapolis Market House at City Dock**

Assistant City Attorney Elson spoke on abstaining from voting and what makes a quorum of the council.

Public Works Director Jarrell gave brief overview on the creation of the RFP, the negotiations of the lease terms and the financial aspects.

Alderman Littmann moved to rank the proposals as follows:

1. New Market, LLC

2. Annapolis Oyster Company

Marquis as Non responsive. Seconded. A roll call vote was taken. The motion DEFEATED by the following vote:

Aye: 2 - Alderman Littmann and Alderman Pfeiffer

Nay: 7 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Kirby and Alderman Arnett

Alderman Paone moved to postpone action on ID-257-17- Lease of The Annapolis Market House at City Dock until September 11, 2017. Seconded. CARRIED on voice vote.

Alderman Littmann moved to amend council specific rule "No new business after 11:00 p.m. to consider new business after 11:00 p.m. Seconded. CARRIED on voice vote.

Legislative Action

Second Readers

O-28-17

Removing City Employee Parking from Hillman Garage - For the purpose of improving parking availability in the downtown commercial area by relocating most City employee parking from Hillman Garage to satellite parking facilities; and providing transportation to and from said satellite parking facilities.

Sponsors: Budge and Pantelides

Public Works Director Jarrell was present and answered questions from council.

Alderman Budge moved to adopt on second reader. Seconded.

Alderman Budge moved to amend O-28-17 as follows:

Amendment 1:

Page 2, Line 32 insert: "THE CITY SHALL LIMIT EMPLOYEE PARKING IN HILLMAN GARAGE 90 DAYS AFTER THE GARAGE OPERATOR REPORTS THE GARAGE HAS BEEN AT 95% OR GREATER OCCUPANCY FOR THREE WORK DAYS PER WEEK, ON AVERAGE, IN A CALENDAR QUARTER. EMPLOYEE PARKING AT HILLMAN GARAGE SHALL BE AS FOLLOWS:"

Amendment 2:

P.2, line 33: Strike "TWENTY" and insert "SIXTY"

Amendment 3:

P.3, line 22: Strike "on July 1, 2017" and insert "from the date of its passage.". Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt O-26-17 as amended on second reader. Seconded. DEFEATED on voice vote.

[O-30-17](#)

Audit Committee - For the purpose of establishing an Audit Committee; authorizing the powers and duties of the Audit Committee; and matters generally relating to said Audit Committee.

Sponsors: Littmann, Finlayson and Arnett

Alderman Arnett moved to adopt o-30-17 on second reader. Seconded.

Alderman Arnett moved to amend O-30-17 as follows:
Rules and City Government Proposed Amendments

Amendment #1

Page 2, Line 24, delete "AND" insert a comma; after "CIVILIANS" insert "AND ONE MEMBER OF THE FINANCIAL ADVISORY COMMISSION. Seconded. CARRIED on voice vote.

Alderwoman Finlayson moved to amend O-30-17 as follows:

Amendment #2

Page 2, Line 25, after "EXPERIENCE." insert "THE FINANCE DIRECTOR AND CITY MANAGER WILL BE NON-VOTING MEMBERS OF THE COMMITTEE.". Seconded. CARRIED on voice vote.

Alderwoman Finlayson moved to amend O-30-17 as follows:

Amendment #3

Page 3, line 31, strike "ANNUALLY" insert "NO LESS THAN QUARTERLY". Seconded. CARRIED on voice vote.

Alderman Arnett moved to amend O-30-17 as follows:
Littmann Proposed Revised Amendments (amendments from

Amendment No. 1

Page 2, line 24, delete "TWO" insert "THREE"; Page 2, line 30 after "OFFICE." insert "THE INITIAL TERMS OF OFFICE FOR THE THREE CIVILIAN MEMBERS SHALL BE TWO, THREE AND FOUR YEARS RESPECTIVELY. THEREAFTER,"
Paragraph as amended: THE AUDIT COMMITTEE SHALL CONSIST OF THREE ALDERPERSONS AND strike "TWO" and insert "THREE" VOLUNTEER CIVILIANS WHO HAVE FINANCIAL REPORTING, AUDIT COMMITTEE OR AUDITING EXPERIENCE. THE ALDERPERSON MEMBERS SHALL BE APPOINTED BY THE MAYOR AND CONFIRMED BY THE CITY COUNCIL. THE CIVILIAN MEMBERS SHALL BE APPOINTED BY THE ALDERPERSONS ON THE COMMITTEE AND CONFIRMED BY THE CITY COUNCIL. THE TERMS OF THE ALDERPERSONS SHALL BE IDENTICAL WITH THEIR TERMS OF OFFICE. THE INITIAL TERMS OF OFFICE FOR THE THREE CIVILIAN MEMBERS SHALL BE TWO, THREE AND FOUR YEARS RESPECTIVELY. THEREAFTER, EACH CIVILIAN MEMBER SHALL SERVE FOR A TERM OF THREE YEARS, OR UNTIL THE MEMBER'S SUCCESSOR IS APPOINTED AND QUALIFIED, COMMENCING ON THE FIRST DAY OF JUNE, THE TERM OF NO MORE THAN ONE CIVILIAN MEMBER EXPIRING EACH YEAR. ALL MEMBERS OF THE AUDIT COMMITTEE SHALL HAVE EQUAL VOTING RIGHTS. THE AUDIT COMMITTEE SHALL REPORT TO THE CITY COUNCIL. Seconded. CARRIED on voice vote.

Alderman Littmann moved to amend O-30-17 as follows:
Littmann Proposed Revised Amendments

Amendment No. 2

Page 2, line 43 strike "AUDITOR" insert "AUDIT SERVICES"

Paragraph as amended: **THE PURPOSE OF THE AUDIT COMMITTEE IS TO PROVIDE INDEPENDENT REVIEW AND OVERSIGHT OF THE CITY'S FINANCIAL REPORTING PROCESSES, INTERNAL CONTROLS, EXTERNAL/INDEPENDENT AUDITORS, AND CITY INTERNAL** strike "AUDITOR" **AUDIT SERVICES. Seconded. CARRIED on voice vote.**

Alderman Littmann moved to amend O-30-17 as follows:
Littmann Proposed Revised Amendments

Amendment No. 3

Page 3, line 9 strike "FINANCE DIRECTOR, MAYOR,,"; after "COUNCIL" strike the comma and insert "AND"; after "MANAGER" strike the comma and strike "AND ANY AFFECTED DEPARTMENT DIRECTOR"

Paragraph as amended: **A. THE AUDIT COMMITTEE SHALL BE RESPONSIBLE FOR THE RETENTION AND OVERSIGHT OF THE WORK OF ANY EXTERNAL INDEPENDENT AUDITORS ENGAGED FOR THE PURPOSE OF PREPARING OR ISSUING AN INDEPENDENT AUDIT REPORT OR PERFORMING OTHER INDEPENDENT AUDIT, REVIEW, OR ATTEST SERVICES. ALL EXTERNAL, INDEPENDENT AUDITORS SHALL REPORT DIRECTLY TO THE AUDIT COMMITTEE, BUT SHALL PROVIDE COPIES OF ALL REPORTS AND RECOMMENDATIONS TO THE** strike "FINANCE DIRECTOR, MAYOR," **CITY COUNCIL, AND CITY MANAGER,** strike "AND ANY AFFECTED DEPARTMENT DIRECTOR". **AN EXTERNAL INDEPENDENT AUDITOR SHALL BE HIRED IN ACCORDANCE WITH THE CITY'S STANDARD PROCUREMENT PROCEDURES AND IN COORDINATION WITH THE PROCUREMENT OFFICER.**

Amendment No. 4

Page 3, line 16 after "OF" strike "AN INTERNAL AUDITOR" insert "INDIVIDUALS WHO PERFORM INTERNAL AUDIT SERVICES"; line 18 after "HIRING" insert "OR CONSULTANT RETENTION"; line 23 after "OVER" strike "THE WORK OF THE"; after "INTERNAL" change "AUDITOR" to "AUDIT" insert "SERVICES"; line 23 strike "THE INTERNAL AUDITOR" insert "INDIVIDUALS PERFORMING INTERNAL AUDIT SERVICES"; line 23 after "SHALL" insert ": (i)"; line 24 after "COMMITTEE" insert "; (ii) delete "AND SHALL"; line 26 after "CHAPTER" strike ". THE INTERNAL AUDITOR SHALL" insert "; and (iii)"

Paragraph as amended: **B. THE AUDIT COMMITTEE SHALL MAKE RECOMMENDATIONS TO THE CITY MANAGER FOR THE APPOINTMENT AND RETENTION OF AN INTERNAL AUDITOR INDIVIDUALS WHO PERFORM INTERNAL AUDIT SERVICES IN ACCORDANCE WITH THE CITY'S STANDARD HIRING OR CONSULTANT RETENTION PRACTICES AND IN COORDINATION WITH THE HUMAN RESOURCES MANAGER OR PROCUREMENT OFFICE, AS APPROPRIATE. THE CITY MANAGER SHALL ACCEPT THE RECOMMENDATIONS OF THE AUDIT COMMITTEE UNLESS THERE ARE COMPELLING REASONS TO THE CONTRARY. THE AUDIT COMMITTEE SHALL HAVE OVERSIGHT OVER THE WORK OF THE INTERNAL AUDITOR SERVICES. THE INTERNAL AUDITOR INDIVIDUALS PERFORMING INTERNAL AUDIT SERVICES SHALL: (i)**

REPORT DIRECTLY AND EXCLUSIVELY TO THE AUDIT COMMITTEE; (ii) AND SHALL PERFORM THE DUTIES SET FORTH IN SECTION 2.48.430 OF THIS CHAPTER. THE INTERNAL AUDITOR SHALL; AND (iii) PROVIDE COPIES OF ALL REPORTS AND RECOMMENDATIONS TO THE FINANCE DIRECTOR, MAYOR, CITY MANAGER, AND ANY AFFECTED DEPARTMENT DIRECTOR.

Amendment No. 5

Page 3, line 40 after “RESPONSIBILITIES” strike the remainder of the sentence.

Paragraph as amended: D. THE AUDIT COMMITTEE MAY ESTABLISH WRITTEN RULES AND REGULATIONS FOR THE GOVERNANCE OF ITS MEETINGS AND RESPONSIBILITIES, WHICH, IF ESTABLISHED, SHALL BE ADOPTED AS SPECIFIED IN SECTION 2.48.020.F BELOW. SUCH WRITTEN RULES AND REGULATIONS SHALL, AT A MINIMUM, INCLUDE A PROCEDURE FOR THE RECEIPT, RETENTION, AND TREATMENT OF COMPLAINTS REGARDING ACCOUNTING, INTERNAL CONTROLS, FRAUD, WASTE, ABUSE, OR OTHER AUDITING MATTERS, AND PROCEDURES TO PROTECT THE CONFIDENTIALITY OF ANONYMOUS COMPLAINANTS.

Amendment No. 6

Page 4, line 10, after “A.” strike “THE” insert “INDIVIDUALS PERFORMING” after “SERVICES” insert “HEREINAFTER ‘INTERNAL AUDITOR’”; Page 4, line 11, after “ACCOUNTANT” insert “, CERTIFIED INTERNAL AUDITOR, CERTIFIED FRAUD EXAMINER OR CERTIFIED GOVERNMENT AUDIT PROFESSIONAL,”

Paragraph as amended: A. THE INDIVIDUALS PERFORMING INTERNAL AUDIT SERVICES (HEREINAFTER “INTERNAL AUDITOR”) SHALL BE PERFORMED BY A CERTIFIED PUBLIC ACCOUNTANT, CERTIFIED INTERNAL AUDITOR, CERTIFIED FRAUD EXAMINER OR CERTIFIED GOVERNMENT AUDIT PROFESSIONAL, AND A MEMBER OF A FIRM LICENSED FOR THE PRACTICE OF HIS OR HER PROFESSION UNDER THE LAWS OF THE STATE OF MARYLAND, AND SHALL HAVE AT LEAST FIVE YEARS EXPERIENCE IN GOVERNMENTAL ACCOUNTING AND AUDITING.

Amendment No. 7

Page 5, line 11 after “action” insert “IN ACCORDANCE WITH THEIR RESPECTIVE POWERS AND AUTHORITIES AS SET FORTH IN THE ANNAPOLIS CHARTER AND CODE”

Paragraph as amended: 4. PROMPT REPORTING TO THE AUDIT COMMITTEE, MAYOR AND CITY COUNCIL, WITH NOTICE TO ANY AFFECTED DEPARTMENT DIRECTOR OF ANY PERCEIVED OR ACTUAL IRREGULARITY OR IMPROPER PROCEDURE. THE AFFECTED CITY DEPARTMENT DIRECTOR SHALL BE PROVIDED WITH AN OPPORTUNITY TO RESPOND TO SUCH REPORT AND TO PROVIDE ADDITIONAL INFORMATION OR EVIDENCE, AS APPLICABLE. THE AUDIT COMMITTEE SHALL CONSIDER WHETHER ANY CORRECTIVE ACTION IS WARRANTED BASED ON ALL INFORMATION PRESENTED, AND SHALL MAKE RECOMMENDATIONS TO THE MAYOR AND CITY COUNCIL AS TO ANY CORRECTIVE ACTION. THE MAYOR AND CITY COUNCIL SHALL MAKE A FINAL DECISION CONCERNING ANY CORRECTIVE ACTION IN ACCORDANCE WITH THEIR RESPECTIVE POWERS AND AUTHORITIES AS SET FORTH IN THE ANNAPOLIS CHARTER AND CODE;

Amendment No. 8

Page 5, line 26 after “effect” strike “from the date of its passage” insert “DECEMBER 4, 2017” Seconded. CARRIED on voice vote.

Alderman Arnett requested his name be added as a co-sponsor of O-30-17.

Alderman Littmann moved to adopt O-30-17 as amended on second reader. Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt O-30-17 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-32-17

Moderately Priced Dwelling Unit Amendments - For the purpose of ensuring that the construction of Moderately Priced Dwelling Units is consistent with their community, limiting fees in lieu of constructing Moderately Priced Dwelling Units, and improving sales of Moderately Priced Dwelling Units.

Sponsors: Budge, Finlayson, Arnett and Pindell Charles

Planning and Zoning Director Gutwald was present and answered questions from council.

Alderman Arnett moved to adopt on second reader. Seconded.

Alderman Budge moved to amend O-32-17 as follows:
Budge Proposed Amendment 7/18/17

Amendment #1:

Page 13, Line 38: Insert “SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL THAT ANY DEVELOPMENT APPLICATIONS SUBMITTED PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE SHALL BE EVALUATED BASED ON CHAPTER 20.30 AS IT EXISTED AT THE TIME THE APPLICATION WAS SUBMITTED TO PLANNING AND ZONING; AND DEVELOPMENT APPLICATIONS SUBMITTED AFTER THE EFFECTIVE DATE OF THIS ORDINANCE SHALL BE GOVERNED BY CHAPTER 20.30 AS AMENDED BY THIS ORDINANCE.”

Page 13, Line 40: Strike “SECTION II” insert “SECTION III”. Seconded. CARRIED on voice vote.

Alderman Budge moved to amend O-32-17 as follows:

PROVIDED BY - ALD. BUDGE ON MEETING NIGHT. -

"Department of Planning and Zoning's intent to apply existing rules to their review of development applications that have already been filed with the Department"

Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt o-32-17 as amended on second reader. Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt O-32-17 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

Alderman Arnett requested that his name be added as a Co-sponsor of O-32-17.

[R-21-17](#)

Stormwater Management INVENTORY AND Watershed Improvement Plan - For the purpose of adopting a Stormwater Management INVENTORY AND Watershed Improvement Plan dated March 2017.

Sponsors: Pantelides and Arnett

Director Office of Environmental Policy Broadbent was present and answered questions from council.

Alderman Arnett moved to adopt R-21-17 on second reader. Seconded.

Alderman Arnett moved to amend R-21-17 as follows:

Littmann Proposed Amendments

AMENDMENT #1

Page 1, line 2, after “Management” insert “INVENTORY AND”; line 3 after “Management” insert “INVENTORY AND”; line 17 after “Management” insert “INVENTORY AND”; line 19 after “Management” insert “INVENTORY AND”.

AS AMENDED:

Stormwater Management INVENTORY AND Watershed Improvement Plan - For the purpose of adopting a Stormwater Management INVENTORY AND Watershed Improvement Plan dated March 2017.

AMENDMENT #2

Page 2, line 8 after the second “the” strike “Annapolis” insert “STORMWATER MANAGEMENT INVENTORY and”

AS AMENDED:

BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the STORMWATER INVENTORY AND Annapolis Watershed Improvement Plan dated March 2017 is hereby adopted. Seconded. CARRIED on voice vote.

Alderman Arnett moved to amend R-21-17 as follows:

Pantelides Proposed Amendment

AMENDMENT #1

Page 2, line 10, insert:

“AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the watershed improvement plans of the non-profit organizations representing watersheds within the Annapolis jurisdictional limits shall be considered adopted as appendices to the Stormwater Management Watershed Improvement Plan adopted through this resolution.”.

Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt R-21-17 as amended 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

Alderwoman Pindell Charles requested her name be added as a Co-sponsor.

[R-22-17](#)

United Nations Paris Climate Agreement - For the purpose of adopting, honoring, and upholding the commitments to the goals enshrined in the United Nations Paris Climate Agreement as they apply in the City of Annapolis.

Sponsors: Littmann, Pfeiffer, Arnett, Budge, Finlayson and Pindell Charles

Alderman Arnett moved to adopt R-22-17 on second reader. Seconded.

Alderman Littmann moved to amend R-22-17 as follows:

AMENDMENT NO 1:

Page 3, lines 14-20, amend as follows:

BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the City of Annapolis re-affirms its commitment to taking action to reduce climate pollution in alignment with reducing our greenhouse gas emissions AND PROVIDE INFORMATION AND INCENTIVES FOR PRIVATE CITIZENS AND BUSINESS TO DO LIKEWISE; CONTINUING ITS COMMITMENT TO REPLACE ITS AUTOMOTIVE AND TRUCK FLEETS WITH ELECTRIC OR HYBRID EQUIVALENTS AS STATED IN SECTION 10.36.030 OF THE ANNAPOLIS CITY CODE; and proactively working on adaptation.

AMENDMENT NO 2:

Page 3, lines 31-39, amend as follows:

AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the City of Annapolis will take new steps to protect and enhance the resiliency of the City, its residents and businesses; strengthen the City's zoning, floodplain and construction codes to integrate current and anticipated changes in climate; create an interconnected network of green spaces that support biodiversity and water quality management; EXPAND AND PROTECT OUR WETLANDS AND LIVING SHORELINES; integrate solar with GEOTHERMAL (PREFERRED) and battery backup (SECONDARY) into new development projects; integrate climate change and natural hazards planning into all City plans and capital improvement processes; continue to pursue a goal of a 50% tree canopy by 2036.

AMENDMENT NO 3:

Page 3, line 41 insert:

AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL THAT IT IS THE SENSE OF THE CITY COUNCIL THAT THE MAYOR SHALL ENDORSE THE MAYORS NATIONAL CLIMATE ACTION AGENDA ON BEHALF OF THE CITY COUNCIL. Seconded. CARRIED on voice vote.

Alderman Littmann moved to amend R-22-17 as follows:

Environmental Matters Committee Proposed Amendments

Amendment # 1

Page 3, line 17, and insert:

AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL THAT THE CITY OF ANNAPOLIS CONTINUES TO SUPPORT BENCHMARKING ITS CITY-WIDE EMISSIONS AND COMMITS TO DOING AN UPDATE AND REPORT BACK TO THE ENVIRONMENTAL MATTERS COMMITTEE OF THE CITY COUNCIL BY THE END OF 2018.

Amendment # 2

Page 3, line 28, after "steps" insert: WITH ADEQUATE FUNDING

AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the City of Annapolis will take new steps WITH ADEQUATE FUNDING to protect and enhance the

resiliency of the City, its residents and businesses; strengthen the City's zoning, floodplain and construction codes to integrate current and anticipated changes in climate; create an interconnected network of green spaces that support biodiversity and water quality management; integrate solar with battery backup into new development projects; integrate climate change and natural hazards planning into all City plans and capital improvement processes; and continue to pursue a goal of a 50% tree canopy by 2036. Seconded. CARRIED on voice vote.

Alderman Littmann moved to adopt R-22-17 as amended 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

Alderwoman Finlayson requested her name be added as a Co-sponsor of R-22-17.

Alderman Littmann left the meeting for the evening at 12:19 a.m.

[O-41-17](#)

Market House Tenant Lease Extension - For the purpose of extending all current tenant leases of the Market House for one-year.

Sponsors: Pantelides

Alderman Arnett moved to adopt O-41-17 on first reader. Seconded. CARRIED on voice vote.

Mayor Pantelides referred O-41-17 to the Economic Matters Committee.

Mayor Pantelides referred O-41-17 to the Finance Committee.

[O-38-17](#)

Allowing Indoor Theaters in the Professional Office Zoning District- For the purpose of adding a theater use in the P Zoning District.

Sponsors: Finlayson

Alderwoman Finlayson moved to adopt O-38-17 on first reader. Seconded. CARRIED on voice vote.

Mayor Pantelides referred O-38-17 to the Planning Commission.

Mayor Pantelides referred O-38-17 to the Rules & City Government Committee.

[O-42-17](#)

Certificate of Adequate Public Facilities - Timing of Certification - For the purpose of amending the Code of the City of Annapolis concerning approval of a Certificate of Adequate Public Facilities; requiring compliance review of a Certificate of Adequate Public Facilities no later than five years after the date of execution of the corresponding agreement; and clarifying circumstances whereby a Certificate of Adequate Public Facilities, or new or amended Adequate Public Facilities agreement, would expire after ten years.

Sponsors: Pantelides

Alderman Arnett moved to adopt O-42-17 on first reader. Seconded. CARRIED on voice vote.

Mayor Pantelides referred O-42-17 to the Rules & City Government Committee.

Mayor Pantelides referred O-42-17 to the Transportation Board.

Mayor Pantelides referred O-42-17 to the Transportation Committee.

Adjournment

Upon motion duly made, seconded and adopted, the meeting was adjourned at 12:28 a.m.

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