



# City of Annapolis

160 Duke Of Gloucester  
Street  
Annapolis, MD 21401

## Special Minutes - Final City Council

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Monday, April 25, 2016

7:00 PM

Mayor John T. Chambers, Jr.  
City Council Chambers

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### Call to Order

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

### Invocation

Given by Alderman Pfeiffer.

### Pledge of Allegiance

Led by Mayor Pantelides.

### Roll Call

Tonight's Roll Call began with Alderman Kirby.

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

### Closed Session Statement

Pursuant to the requirement of the Annotated Code of Maryland, General Provisions Article, Section 3-305(b) (7) and (8), this statement is included in these minutes:

A closed session of the City Council was held on Thursday, April 21, 2016 at 4:30 p.m., in the Mayor John T. Chambers, Jr., City Council Chamber.

**Present:** Mayor Pantelides, Aldermen Budge, Paone, Alderwomen Pindell Charles, Finlayson, Aldermen Littmann, Kirby, Pfeiffer, Arnett

**Staff Present:** City Manager Andrews, City Attorney Leahy, Assistant City Attorney Elson, City Clerk Watkins-Eldridge

A roll call vote was taken by the members present, and the session was closed. The authority under which the session was closed was the Annotated Code of Maryland, General Provisions Article, Section 3-305(b) (7) and (8). The following is a list of the topics to be discussed: to consult with counsel to obtain legal advice about pending or potential litigation

No Actions were taken in closed session.

Upon motion duly made, seconded and adopted, the closed session was adjourned at 5:26 p.m.

### Approval of Agenda

**Alderman Paone moved to postpone O-36-15 until the Special Meeting of June 20, 2016.  
The motion was CARRIED by the following vote:**

**Aye:** 5 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Finlayson and Alderman Kirby

**Nay:** 3 - Alderman Littmann, Alderman Pfeiffer and Alderman Arnett

**Abstain:** 1 - Alderwoman Pindell Charles

## Approval of Agenda

**Alderman Budge moved to approve the agenda as amended to WITHDRAW THE REFERRALS of O-17-16 AND to ADD O-17-16 LEASE OF PUBLIC PARKING LOTS TO FRESHFARM MARKETS, INC ON SECOND READER TO TONIGHT'S AGENDA . Seconded. CARRIED on voice vote.**

## Ceremonial Items

[ID-89-16](#)

### **Annapolis Proclamation - Municipal Clerk's Week**

This Ceremonial Item was presented.

## Petitions, Reports and Communications

### **A. HACA Quarterly Report**

This informational item was presented.

### **B. Reports by Committee**

#### **Standing Committee Dates:**

#### **Finance Committee**

**Tuesday, April 26, 2016 | 2:00pm - 5:00pm**

#### **Finance Committee**

**Thursday, April 28, 2016 | 2:00pm - 5:00pm**

#### **Finance Committee**

**Tuesday, May 3, 2016 | 5:00pm - 7:00pm**

#### **Finance Committee**

**Thursday, May 5, 2016 | 9:30am - 12:00pm**

### **C. Comments by the General Public**

*Ted Weber, 1022 Park Avenue, Annapolis, Maryland 21403 played a recording containing the sound of gun fire in his neighborhood on Sunday at about 4:10 a.m., and spoke on four bullets hitting his house, dining room and bedroom walls, four persons being shot on President and Madison Streets, a report from the Annapolis Police Department stating there were 57 shooting incidents reported in the President and Madison Street Area in 2015, 4 people being shot, being told the Annapolis Police Department "APD" would be placing cameras in the Harbor House Parking Lots, assistance with parking permits, having no security staff, the city's proposed action plan to deal with the random shootings and requested a copy of the letter from the American Civil Liberties Union "ACLU" to the Annapolis Housing Authority regarding the banning list.*

*Jessica Pachler, 506 President Street, Annapolis, Maryland 21403 spoke on living across the street from the Harbor House Community, active shooter situations in Eastport,*

requested action from the council, domestic incidents, a shooting that happened Friday Night, 2 people who were killed, the new director of HACA, the Adequate Public Facilities Ordinance, cameras on Madison Street not being properly positioned, camera quality, drug dealers, living here her entire life and moving out of the city.

Joel Bunker, 202 Woods Drive, Annapolis, Maryland 21403 spoke in favor of R-16-16, spoke on his dog being allergic to bees and his daughter loving them, Adequate Public Facilities Ordinance, 9 St Mary's Street property being turned into condos, being an employee at Anne Arundel County Public Schools, frustration in addressing the council, concessions being made for developers, tax credits and the Bywater Road Park Deed of transef to the city.

Donna Elboit, 415 Jefferson Street, Annapolis, Maryland 21403 spoke on security issues in the Eastport Area and the community meeting she attended not being organized, policing, social services, requested a plan and substation for officers.

Janet Norman, 787 Annapolis Neck Road, Annapolis, Maryland 21401 spoke on the postponement of O-36-15, city wide gun fire, heroin dealers on her street, communities not being functional, school lunch times and the cafeteria, the need for skills to address conflict management, Spa Road and Young's Farm Road, kids hiding on busses so they do not get hit with rocks, sewage pipes needing renovation, the Crystal Springs Development, Tyler Heights Elementary School Students working in mobile classrooms, the use of cell phones in schools and the Coal Tar Ban.

Alice Kane, 426 Ferry Point Road, Annapolis, Maryland 21403 spoke on being happy with the quality of the public school, overcrowding in schools, mobile units, African Americans and Hispanics, students with special needs, decreased learning times and the prevention of over crowding.

**Chief Pristoop gave a brief presentation and answered questions from Council.**

**Mayor Pantelides declared petitions, reports and communications closed.**

*The meeting was recessed at 9:08 p.m. and reconvened at 9:28 p.m.*

## **Consent Calendar**

### **Approval of the Consent Agenda**

**Alderman Budge moved to approve the Consent Calendar. Seconded. A roll call vote was taken. The motion CARRIED**

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

**Nay:** 1 - Alderman Arnett

### **Second Readers**

#### **O-15-16**

**Lease of City Dock Space to Chesapeake Marine Tours - For the purpose of authorizing for fiscal year 2022 the lease of certain municipal property located at the City Dock to Chesapeake Marine Tours, Inc. for the docking and mooring of certain boats.**

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

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

Nay: 1 - Alderman Arnett

**R-07-16 City Sponsored Special Events in Fiscal Year 2017 - For the purpose of identifying City Sponsored Special Events and waiving certain related City Fees during Fiscal Year 2017.**

**Sponsors:** Budge

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

**Nay:** 1 - Alderman Arnett

**First Readers**

**O-19-16 Traffic Impact Analyses- For the purpose of changing the threshold for when a traffic impact analysis is required from four hundred trips to two hundred fifty trips.**

**Sponsors:** Littmann and Pfeiffer

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

**Nay:** 1 - Alderman Arnett

**This Ordinance O-19-16 was referred to the Planning Commission.**

**This Ordinance O-19-16 was referred to the Rules & City Government Committee.**

**This Ordinance O-19-16 was referred to the Transportation Committee.**

**This Ordinance O-19-16 was referred to the Transportation Board.**

**O-20-16 Title 17 Updates and Amendments - For the purpose of updating and amending Chapters 17.04 and 17.08 of the Annapolis City Code to prohibit the use and sale of coal tar pavement products; and matters generally relating to prohibiting the use and sale of coal tar pavement products.**

**Sponsors:** Littmann, Pfeiffer and Pantelides

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

**Nay:** 1 - Alderman Arnett

**This Ordinance O-20-16 was referred to the Economic Matters Committee.**

**This Ordinance O-20-16 was referred to the Environmental Matters Committee.**

**Mayor Pantelides requested his name be added as a Co-sponsor of O-20-16.**

**End of Consent Calendar**

**Public Hearings Cont.**

[O-08-16](#) **Title 7 - Business Licenses, Taxes and Regulations - For the purpose of amending Chapter 7.40 to provide for the regulation of peddlers, hawkers, and itinerant merchants within the City.**

**Sponsors:** Budge

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

Mayor Pantelides declared the public hearing on ordinance O-08-16 closed.

[O-13-16](#) **Annual Operating Budget: Fiscal Year 2017 - For the purposes of adopting an operating budget for the City of Annapolis for Fiscal Year 2017; appropriating funds for expenditures for Fiscal Year 2017; defraying all expenses and liabilities of the City of Annapolis and levying same for the purposes specified; specifying certain duties of the Director of Finance; and specifying a rate of interest to be charged upon overdue property taxes.**

**Sponsors:** Pantelides

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

Mayor Pantelides declared the public hearing on O-13-16 left open until the Regular Meeting on May 9, 2016.

[R-01-16](#) **Comprehensive Maritime Review - For the purpose of conducting a comprehensive economic and zoning review of all maritime zones.**

**Sponsors:** Budge and Arnett

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

Mayor Pantelides declared the public hearing on R-01-16 closed.

[R-10-16](#) **Position Classifications and Pay Plan - For the purpose of approving the FY 2017 position classification and pay plan effective July 1, 2016.**

**Sponsors:** Pantelides

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

Mayor Pantelides declared the public hearing on R-10-16 left open until the Regular Meeting on May 9, 2016.

[R-12-16](#) **FY 2017 Fees Schedule Effective July 1, 2016 - For the purpose of specifying fees that will be charged for the use of City services for FY 2017.**

**Sponsors:** Pantelides

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

Mayor Pantelides declared the public hearing on R-12-16 left open until the Regular Meeting on May 9, 2016.

[R-13-16](#) **FY 2017 Fines Schedule Effective July 1, 2016 - For the purpose of specifying fines that will be charged for FY 2017.**

**Sponsors:** Pantelides

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

Mayor Pantelides declared the public hearing on R-13-16 left open until the Regular Meeting on May 9, 2016.

## **Public Hearings**

### **O-17-16**

**Lease of Public Parking Lots to FRESHFARM Markets, Inc. - For the purpose of authorizing a Lease of municipal property located at Parcel 1246, Parcel 1248, and Parcel 1256 as indicated on Attachment A of the lease, each and every Sunday from May 1, 2016 through November 20, 2016 from 6 a.m. to 1 p.m., expressly excluding April 24, 2016 (which is reserved for the Spring 2016 Boat Show), and further expressly excluding October 9, 2016 and October 16, 2016 (which are reserved for the Fall 2016 Boat Show) to FRESHFARM Markets, Inc.**

**Sponsors:** Budge, Pantelides and Pindell Charles

*Spoke in Favor:*

*Tara Boil, 825 Chesapeake Avenue, Annapolis, Maryland 21403 representing FreshFarm Markets*

Mayor Pantelides declared the public hearing on O-17-16 closed.

### **O-18-16**

**Amendment No. 1 to Eisenhower Golf Course Lease Agreement - For the purpose of approving an Amendment No. 1 to the Lease for certain City-owned property to Anne Arundel County; and matters generally relating to said lease.**

**Sponsors:** Pantelides

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

Mayor Pantelides declared the public hearing on O-18-16 closed.

## **Items REVOMED from Consent Calendar:**

### **GT-19-16**

**Transfer from: Fire Equipment Transfer to: UPWP Fleet- Salary- Fire**

*Finance Director Miller present and answered questions from council.*

Alderman Pfeiffer moved to approve GT-19-16. Seconded. CARRIED on voice vote.

### **GT-20-16**

**Transfer from: Salaries Transfer to: Accounting Services- Finance**

*Finance Director Miller was present and answered questions from council.*

Alderman Pfeiffer moved to approve GT-20-16. Seconded. CARRIED on voice vote.

## **Legislative Action**

## Second Readers

### [R-16-16](#)

**BEE CITY USA® - For the purpose of accepting the designation and committing to the standards of BEE CITY USA.**

**Sponsors:** Pantelides

**Alderman Paone moved to adopt on second reader. Seconded.**

**Alderman Littmann moved to amend R-16-16 to include:**

**Amendment # 1**

**On page 3, line 34, Insert "BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL THAT THE LAST WHEREAS CLAUSE IS INCORPORATED INTO THE BODY OF THE ACTIONS UNDERTAKEN HERE. Seconded. CARRIED on voice vote.**

**Alderman Paone moved to adopt R-16-16 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

### [R-08-16](#)

**Itinerant Merchant Sales in the Historic District - 2016 - For the purpose of authorizing hawker, peddler, and itinerant merchant sales in the Historic District in conjunction with certain special events during calendar year 2016.**

**Sponsors:** Budge

*City Manager Andrews and Development & Special Projects Coordinator Nolan were present and answered questions from council.*

**Alderman Budge moved to adopt R-08-16 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

### [O-17-16](#)

**Lease of Public Parking Lots to FRESHFARM Markets, Inc. - For the purpose of authorizing a Lease of municipal property located at Parcel 1246, Parcel 1248, and Parcel 1256 as indicated on Attachment A of the lease, each and every Sunday from May 1, 2016 through November 20, 2016 from 6 a.m. to 1 p.m., expressly excluding April 24, 2016 (which is reserved for the Spring 2016 Boat Show), and further expressly excluding October 9, 2016 and October 16, 2016 (which are reserved for the Fall 2016 Boat Show) to FRESHFARM Markets, Inc.**

**Sponsors:** Budge, Pantelides and Pindell Charles

**Alderman Budge moved to adopt O-17-16 on second reader. Seconded. CARRIED on voice vote.**

**Alderman Budge moved to adopt O-17-16 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

**Alderwoman Pindell Charles requested her name be added as a Co-sponsor of ordinance O-17-16.**

*The order of the agenda was resumed.*

### **For the Good of the Order**

Proposed Motion to Postpone to Date Certain not to exceed 90 days pursuant to Section 2.16.090.B

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

**Sponsors:** Pantelides

**Alderman Arnett moved to postpone R-17-15 until the Special Meeting on July 25, 2016. Seconded. CARRIED on voice vote.**

[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, Littmann and Pantelides

**Alderman Paone moved to postpone O-36-25 until the Special Meeting on June 20, 2016. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:**

**Aye:** 5 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Finlayson and Alderman Kirby

**Nay:** 3 - Alderman Littmann, Alderman Pfeiffer and Alderman Arnett

**Abstain:** 1 - Alderwoman Pindell Charles

**Mayor Pantelides requested his name be added as a Co-Sponsor of ordinance O-36-15.**

Adjournment

**Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:08 p.m.  
Regina C. Watkins-Eldridge, MMC  
City Clerk**