



City of Annapolis

160 Duke Of Gloucester
Street
Annapolis, MD 21401

Special Meeting Minutes - Draft City Council

Tuesday, September 29, 2020

7:00 PM

Mayor John T. Chambers, Jr.
City Council Chambers

Virtual Meeting

A virtual meeting is when people, regardless of their location, use video and audio to link up online. Virtual Meetings allow people to share information and data in real-time without being physically located together.

Call to Order

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

Invocation

Given by Alderwoman Pindell Charles.

Pledge of Allegiance

Led by Mayor Buckley.

Swearing-in of Alderman/Alderwoman for Ward 5

Mayor Buckley administered the Oath of Office to Brooks Schandelmeier, Alderman of Ward 5 pursuant to Article IX, Sec. 1., and in accordance with Article II, Sec. 7 (a) (5), the attendance roll call was taken and the Alderman was immediately seated.

Roll Call

Tonight's roll call began with Alderwoman Pindell Charles.

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

Approval of Agenda

Alderman Arnett moved to approve the agenda. Seconded. **CARRIED** on voice vote.

Ceremonial Items

City Council Citations - Annapolis Community Emergency Response Team

Mr. Joseph C Dorffner Jr, and Mr. Bruce Morgenstern were present and thanked the council for the City Council Citation in recognition of the Annapolis Community Emergency Response Team.

Mayor Buckley read into the record the City Council Citation that will be delivered to each members of the Annapolis Community Emergency Response Team.

The order of the agenda was amended to allow for.....

COVID Update from Dr. Nilesh Kalyanaraman, Anne Arundel County's Health Officer

Dr. Nilesh Kalyanaraman, Anne Arundel County's Health Officer presented the council with a video update on COVID-19 and answered questions from the council.

The order of the agenda was resumed.

Petitions, Reports and Communications

A. Update from the Mayor

Good evening!

Since August, we have had a lot going on with our recovery zones, the continuation of our state of emergency -- all while following the reopening sequence set out by the governor and county executive Steuart Pittman.

I want to thank Dr. Nilesh Kalyanaraman for his partnership in helping us navigate this very difficult time, ensuring that our county resources are our City resources too.

We look forward to establishing standards for the colder weather and balancing the needs of the business community with the requirements of the public health.

Please check out the Halloween guidance that the Department of Health issued earlier today. If you are planning a neighborhood party or to take your children trick or treating, we want you to take the necessary precautions to keep your family and our community safe.

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Annapolis Fire Chief Douglas Remaley asked me to acknowledge Recruit Class 60, our recent graduates of the fire academy. The City welcomes Firefighter/Emergency Medical Technicians:

- Caelan Peabody,
- Caleb Ward, and
- Nathan Westlake.

Annapolis Police Chief Edward Jackson welcomed Brady Collins, a recent graduate of the police academy. I had the honor of swearing him in last month.

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Coming up next week, do not forget to wish the US Naval Academy a happy

birthday. They are turning 175 years old on Oct. 10! The US Navy turns 245 years old a few days later on Oct. 13. Go Navy!

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Census - Oct. 5 is the last day to fill out the census. Please, if you have not; go to 2020census.gov to answer the questions for your household. It means funding for important things our community needs: educational opportunities, health care, roads, transportation, federal, state and local representation -- and more. We have just a few days left. Please fill out your census!

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We got to present City council citations tonight to our CERT volunteers, but even while we were out over the last few months, I have been able to go onsite to locations and recognize some folks who went beyond. I would like to mention their names tonight. We call these people our Covid HEROES:

- Covid Hero Deena Bradbury who runs Grumps café and has done so much to support our community with food giveaways and community service was recognized in June.
- Covid Hero Justin Schaffner who manages Latitude 38 and throughout the pandemic has hosted numerous food giveaways was recognized in July.
- Covid Heroes Amy Marshall and Diana Love who opened a pantry for not just food, but health care and other family items like diapers and formula in West Annapolis. They were recognized in August
- COVID Hero Pastor Sheryl Menendez, who has hosted weekly food giveaways at People's Park, Pip Moyer Recreation and other locations. She brings in a truckload of food and dozens of volunteers. Pastor Menendez was recognized in September.

We thank these covid heroes, they are part of what makes Annapolis a caring community. Please let my office know if there is a covid hero you would like recognized. Email ombudsman@annapolis.gov <<mailto:ombudsman@annapolis.gov>>.

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We are seeing an uptick in substance use and overdoses in the City. Please know that every police and fire station is a safe station, you can go and get help and access to treatment and recovery. Visit Annapolis.gov and use the keyword of free to learn about free narcans distribution, fentanyl test strips, mobile wellness, crisis response and more.

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A community service item coming up on October 10 at Brewer Hill Cemetery. There will be a community cleanup from 9 a.m. to 4 p.m.

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The last thing for my remarks tonight, I want to offer a huge thank you to the staff of the City of Annapolis.

Since the start of the State of Emergency back in March, department heads and City staff and workers have not missed a beat.

There have been many demands on peoples' time and routines. Every person has stepped up. Trash has been picked up, streets swept and public works attended to. Transportation has helped get people to essential jobs, police and fire have run covid calls.

Economic development worked to create recovery zones out of nothing.

We watched as a city hit hard by the economic downturn and unemployment like the one we've never seen and our City has stepped up to help. Our finance office helping people navigate utility payments, my staff doing outreach and taking on responsibilities to go into communities with newly hired health navigators.

Our office of emergency management running food giveaways and covid testing sites. Recreation and parks doing childcare and operating camps. The office of law navigating all the intricacies of city closures and aligning with the directives of the federal, state and county government.

We have seen the staff at Planning and Zoning continuing the work to ensure that where we can, we keep this city moving forward.

HR and MIT have made sure our employee needs are being met and that work can continue whether we are working in City Hall or from home. The procurement office to acquire the things we needed to keep City workers safe.

I know that City Manager David Jarrell and I are both grateful to be able to lead a workforce of conscientious and dedicated people.

Lastly, I want to thank David Jarrell. He has been a tremendous partner throughout all of this.

Thank you!

Mayor Gavin Buckley
September 29, 2020 – 7 p.m.
Annapolis City Council Meeting
Virtual Update:

B. Reports by Committee

Standing Committee Meeting:
10/5/2020: Public Safety Committee
When: 4:00 PM - 5:30 PM
10/6/2020: Rules and City Government Committee
When: 4:00 PM - 6:00 PM
10/7/2020: Finance Committee

When: 10:30 AM - 12:00 PM
10/8/2020: Economic Matters Committee
When: 4:00 PM - 5:30 PM
Transportation Committee
When: 6:00 PM - 7:30 PM

C. Comments by the General Public

WRITTEN Testimony Received:
1. Charles Parker, 141 West Street, Unit 202, Annapolis, Maryland 21401
R-51-20.

Public Hearings

[O-31-20](#) **Non-motorized wheeled vehicles - For the purpose of setting standards for the use of non-motorized wheeled vehicles on sidewalks; and establishing a definition.**

Sponsors: Buckley and Tierney

Mayor Buckley declared the public hearing on O-31-20 closed.

[O-32-20](#) **Vessels and Persons using City Waters - For the purpose of establishing noise level standards for vessels on City waters; and establishing swimming and water skiing restrictions for persons using City waters.**

Sponsors: Tierney

Mayor Buckley declared the public hearing on O-32-20 closed.

[O-33-20](#) **Towing of Vehicles - For the purpose of clarifying when a stopped, standing, or parked vehicle is subject to towing.**

Sponsors: Tierney

Mayor Buckley declared the public hearing on O-33-20 closed.

[O-34-20](#) **Chesapeake Region Accessible Boating, Inc. Lease Agreement - For the purpose of approving the lease for certain City-owned property located at the Port Williams Marina, 7040 Bembe Beach Road, Annapolis, MD 21403, between Chesapeake Region Accessible Boating, Inc. and the City of Annapolis; and matters generally relating to said lease.**

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

City Manager Jarrell was present and answered questions from the council.

Public Testimony Web Form

WRITTEN Testimony Received:
1. Matthew Schaaf, 3104 Drogue Court, Annapolis, Maryland 21403.
2. Frieda Wildey, 403 Chesapeake Avenue, Annapolis, Maryland 21403.

LIVE Testimony Requested:

1. Paul Bollinger, 177 Defense Highway, Suite 9, Annapolis, Maryland 21401, Executive Director Chesapeake Region Accessible Boating

Mayor Buckley declared the public hearing on O-34-20 closed.

[O-35-20](#)

Critical Area Overlay - For the purpose of updating and amending the City of Annapolis critical area overlay district code provisions in accordance with State law; streamlining enforcement provisions and appeal procedures; relocating and updating definitions; adding reasonable accommodations provisions for the needs of disabled citizens pursuant to State law; adding Buffer Management Plan and Buffer Exemption Area policies; adding references to the Critical Area 10 percent Rule Guidance Manual, adding lot coverage percentages for certain zoning districts; adding lot consolidation provisions; consolidating grandfathering provisions; adding applicability and identification of water-dependent facilities; clarifying the types of applications that are required to be submitted to the Critical Area Commission; and making certain stylistic changes.

Sponsors: Buckley

Mayor Buckley declared the public hearing on O-35-20 closed.

[O-36-20](#)

Site Development - Prohibited Discharges - For the purpose of improving the protections of City waterways and public thoroughfares from harmful discharges from development sites during non-business hours.

Sponsors: Savidge, Paone, Arnett, Pindell Charles, Gay and Buckley

Mayor Buckley declared the public hearing on O-36-20 closed.

[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.

Sponsors: Buckley, Savidge and Tierney

Mayor Buckley declared the public hearing on O-37-20 closed.

[O-38-20](#)

Building Code Updates - For the purpose of adopting certain building codes in accordance with the Code of Maryland; updating building code standards; correcting technical errors; specifying enforcement procedures; specifying appeal procedures; and generally related to the Annapolis Building Code.

Sponsors: Buckley and Tierney

Mayor Buckley declared the public hearing on O-38-20 closed.

[O-39-20](#)

False Alarms - For the purpose of clarifying the procedure and penalty for excessive false alarms.

Sponsors: Buckley, Gay and Tierney

Mayor Buckley declared the public hearing on O-39-20 closed.

Alderman Gay - Cosponsor Added

[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.

Sponsors: Arnett, Savidge and Pindell Charles

Public Testimony Web Form

WRITTEN Testimony Received:

1. Charles Parker, 141 West Street, Unit 202, Annapolis, Maryland 21401.
2. Rodrick Jabin, 7310 Edgewood Road, Annapolis, Maryland 21403.
3. Justin Lehner, 102 Eastern Avenue, Annapolis, Maryland 21403.
4. Bret Anderson, 750 Boucher Avenue, Annapolis, Maryland 21403.

LIVE Testimony Requested:

1. Phil Dales, 181 Harry S. Truman Parkway, Suite 200 | Annapolis, Maryland 21401 representing Liff, Walsh & Simmons, Eagle Title

Mayor Buckley declared the public hearing on R-46-20 closed.

Alderman Pindell Charles - Cosponsor Added.

Consent Calendar

Approval of the Consent Calendar

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

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

Appointments

[AP-30-20](#)

The Re-Appointment of Joanna Bounds Ogburn to the Annapolis Conservancy Board

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

[AP-31-20](#) **The Appointment of Arthur W. Edwards to the Housing Authority of the City of Annapolis Board.**

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

[AP-32-20](#) **The Re-Appointment of Charles Hurley to the Human Relations Commission**

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

[AP-33-20](#) **The Re-Appointment of Michael J. Keller to the Human Relations Commission**

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

[AP-35-20](#) **The Re-Appointment of Brianna Becker to the Education Commission**

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

[AP-36-20](#) **The Re-Appointment of Deborah Heller-Proctor to the Commission on Aging**

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

[AP-37-20](#) **The Re-Appointment of Judith Branham to the Commission on Aging**

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

[AP-38-20](#) **The Re-Appointment of Wayne Taylor to the Commission on Aging**

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

[AP-39-20](#) **The Re-Appointment of Bruce Morgenstern to the Commission on Aging**

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

[AP-40-20](#) **The Re-Appointment of Mary Harris to the Commission on Aging**

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

Business and Miscellaneous

[SA-6-21](#) **Mayor's Office**

Revenue: State Operating Grant - Crime Control and Prevention (\$55,337.00) Expenditure: State Operating Expense - Crime Control and Prevention (\$55,337.00)

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

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

[SA-11-21](#)

Mayor's Office - Source of Surplus Funds: Forward Brewing Revenue: Miscellaneous (\$1,187.00) Expenditure: Supplies and Other (\$1,187.00)

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

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

Legislative Actions

First Readers

[O-41-20](#)

Alcoholic Beverages - For the purpose of updating citations to the Maryland State Code in Chapter 7.12 of the Code of the City of Annapolis.

Sponsors: Paone

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

Mayor Buckley referred O-41-20 to the Economic Matters Committee.

[R-52-20](#)

Council Compensation Commission - For the purpose of establishing a Council Compensation Commission to review the compensation and allowances of the City Manager, Mayor, and Aldermen/Alderwomen during the next succeeding terms of office; setting a due date; and generally relating to said compensation and allowances

Sponsors: Buckley

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

[R-53-20](#)

Appeal to Board of Appeals -Fee - For the purpose of specifying the fee in the Fiscal Year 2021 Fees Schedule for filing an appeal to the Board of Appeals.

Sponsors: Buckley

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

Mayor Buckley referred R-53-20 to the Finance Committee.

[R-54-20](#) **Autonomous Urbanism - For the purpose of expressing the sense of the City Council in recognizing the importance of the “Blueprint for Autonomous Urbanism” developed by the National Association of City Transportation Officials.**

Sponsors: Tierney, Pindell Charles and Savidge

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

[R-55-20](#) **Indigenous Peoples Day - For the purpose of recognizing the second Monday in October as Indigenous Peoples Day in the City of Annapolis.**

Sponsors: Savidge, Gay, Tierney and Pindell Charles

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

Second Readers

[R-34-20](#) **Community Development Block Grant Program - 2020 Amended Citizen Participation Plan - For the purpose of adopting an Amended Citizen Participation Plan as it relates to the administration of the Community Planning and Development programs funded by the U.S. Department of Housing and Urban Development.**

Sponsors: Buckley

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

[R-47-20](#) **Budget Process for Fiscal Year 2022 - For the purpose of approving a timeline for the Fiscal Year 2022 budget development and approval process.**

Sponsors: Arnett, Paone, Finlayson, Tierney and Savidge

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

[R-49-20](#) **Position Classifications - Amendment - For the purpose of amending the Fiscal Year 2021 position classifications.**

Sponsors: Buckley

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

End of Consent Calendar

Amend the Agenda

Alderman Gay moved to add a section to the agenda titled: Legislative Actions - First Reader - and to add in that section - R-51-20 City Sponsored Special Events in Fiscal Year 2021 – Amended removed from the consent calendar & Second Reader - and to add in that section - O-26-20 Rent Increases during State of Emergency Prohibited removed from the Consent Calendar. Seconded. CARRIED on voice vote.

Legislative Actions - Removed from the Consent Calendar

First Reader

[R-51-20](#) **City Sponsored Special Events in Fiscal Year 2021 - Amended - For the purpose of adding the Juneteenth Parade to the approved FY 2021 City Sponsored Special Events; and waiving certain related City Fees.**

Sponsors: Buckley, Pindell Charles and Tierney

Alderman Finlayson moved to postpone R-51-20 until Monday, October 12, 2020. Seconded. CARRIED on voice vote.

Second Reader

[O-26-20](#) **Rent Increases During State of Emergency - Prohibited - For the purpose of prohibiting certain rent increases during a State of Emergency; and generally related to the rent increase prohibition.**

Sponsors: Savidge, Gay and Tierney

Alderman Gay moved to adopt O-26-20 on second reader. Seconded.

Alderman Arnett moved to amend O-26-20 as follows:

Tierney Amendment 1:

On page 1, after line 25, insert:

“WHEREAS, on March 5, 2020, Maryland Governor Lawrence J. Hogan, Jr. proclaimed a state of emergency and a catastrophic health emergency for the entire State of Maryland pursuant to Title 14 of the Public Safety Article of the State Code, due to the impending threat and continuing impact of the contagious disease known as COVID-19; and

WHEREAS, the Governor’s proclamation continues for thirty days, unless renewed by the Governor or terminated by the Maryland General Assembly; and

WHEREAS, by Executive Order No. 16, dated March 13, 2020, the County Executive proclaimed a civil emergency in Anne Arundel County, pursuant to 19 Article 1, Title 6 of the Anne Arundel County Code (2005, as amended); and

WHEREAS, on March 12, 2020, the Mayor of the City of Annapolis proclaimed a local state of

emergency in the City of Annapolis, in accordance with Section 11.48.030 of the City Code; and

WHEREAS, by resolution, which became effective on July 9, 2020, the City Council extended the proclamation of a local state of emergency in the City of Annapolis through the date the Governor's proclamation is renewed, extended, or terminated; plus 30 days; and

WHEREAS, the City Council enacts local public laws for the economic health and welfare of the City; and

WHEREAS, financial well-being plays a major role in physical well-being and have a detrimental effect on overall attitude and our business climate; and

WHEREAS, the City Council declares that this legislation is necessary for the immediate and short term protection of the public interest; and

WHEREAS, the City Council determines that a reasonable ceiling on rent increases during the state of emergency is necessary to stabilize rental rates and to protect persons with relatively fixed incomes and others from undue impairment of their standard of living; and

WHEREAS, as reported in media outlets on July 9, 2020, Maryland's labor department received the highest number of new unemployment filings in nine weeks; and

WHEREAS, the goal of this legislation is to prevent landlords from increasing a tenant's rent during a state of emergency that may impact the ability of tenants to pay that increase."

Amendment 2:

On page 1, in lines 36 and 40 after "FOR A" insert "LEASED" and in line 41 after "OR A" insert "LEASED"

On page 1, in line 38 after "THEREAFTER." insert "THIS SECTION SHALL NOT APPLY TO RESIDENTIAL PROPERTY BEING RENTED AS A SHORT-TERM RENTAL IN ACCORDANCE WITH CHAPTER 17.44." Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt O-26-20 as amended.on second reader Seconded. CARRIED on voice vote.

Alderman Gay moved to adopt O-26-20 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 Schandelmeier, Alderman Gay, Alderman Savidge and Alderman Arnett

Adjournment

Upon motion duly made, seconded and adopted, the meeting was adjourned at 8:43 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk