



City of Annapolis

160 Duke Of Gloucester
Street
Annapolis, MD 21401

Special Minutes - Final City Council

Monday, April 27, 2015

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 Alderwoman Finlayson.

Pledge of Allegiance

Led by Mayor Pantelides.

Roll Call

Present: 8 - Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Pfeiffer and Alderman Arnett

Absent: 1 - Alderman Kirby

Approval of Agenda

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

Ceremonial Items

[ID-202-15](#)

City Council Citation - C. Ed Hartman, II

This Informational Item was reported

Petitions, Reports and Communications

A. Reports by Committee

Standing Committee Meeting Dates:
Finance Committee Meeting
Wednesday, April 29, 2015 | 2:00pm - 5:00pm
Finance Committee Meeting (Tentative)
Monday, May 4, 2015 | 2:00pm - 5:00pm
Rules and City Government Committee
Tuesday, May 5, 2015 | 4:00pm - 5:00pm
Finance Committee
Tuesday, May 5, 2015 | 5:00pm - 7:00pm

B. Comments by the General Public

Steven Conn, 111 Van Buren Street, Annapolis, Maryland 21403 spoke on the repaving, potholes on President, Grant and Colony Streets, payment of taxes, fire trucks and natural gas leaks on Van Buren Street.

Gail Casale, 1206 Sterling Drive, Annapolis, Maryland 21403 spoke in favor of Mr. Conn's comments.

Tom Huening, 1223 Monterey Avenue, Annapolis, Maryland 21403 spoke on pothole problems in his neighborhood.

Mayor Pantelides declared petitions, reports and communication closed.

Appointments

AP-6-15

The Appointment of Herbert M. Sachs to the Civil Service Board

Alderman Pindell Charles moved to confirm the Mayor's appointment of Mr. Sachs to the Civil Service Board. Seconded. CARRIED on voice vote.

AP-7-15

The Appointment of Kevin A. Chase to the Ethics Commission

Alderman Paone moved to confirm the Mayor's appointment of Mr. Chase to the Ethics Commission. Seconded. CARRIED on voice vote.

AP-8-15

The Reappointment of Edith Knight to the Human Relations Commission

Alderman Arnett moved to confirm the Mayor's reappointment of Ms. Knight to the Human Relations Commission. Seconded. CARRIED on voice vote.

AP-9-15

The Reappointment of Diane Graham to the Human Relations Commission

Alderman Arnett moved to confirm the Mayor's reappointment of Ms. Graham to the Human Relations Commission. Seconded. CARRIED on voice vote.

AP-10-15

The Reappointment of Martha Scott to the Human Relation Commission

Alderman Pfeiffer moved to confirm the Mayor's reappointment of Ms. Scott to the Human Relations Commission. Seconded. CARRIED on voice vote.

AP-11-15

The Reappointment of Idamae Sims to the Human Relation Commission

Alderman Pindell Charles moved to confirm the Mayor's reappointment of Ms. Sims to the Human Relations Commission. Seconded. CARRIED on voice vote.

Public Hearings

R-8-15

Position Classifications and Pay Plan - For the purpose of approving the FY 2016 position classification and pay plan effective July 1, 2015.

Sponsors: Pantelides

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

Mayor Pantelides declared the public hearing closed.

R-10-15

FY 2016 Fees Schedule Effective July 1, 2015 - For the purpose of specifying fees that will be charged for the use of City services for FY 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 closed.

[R-11-15](#)

Capital Improvement Program Fiscal Years 2016 - 2021 - For the purpose of adopting a capital improvement program for Fiscal Years 2016-2021 (July 1, 2015 - June 30, 2021).

Sponsors: Pantelides

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

Mayor Pantelides accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 4/15/15.

Mayor Pantelides declared the public hearing closed.

[R-12-15](#)

FY 2016 Fines Schedule Effective July 1, 2015 - For the purpose of specifying fines that will be charged for FY 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 closed.

[O-14-15](#)

Annual Operating Budget: Fiscal Year 2016 - For the purposes of adopting an operating budget for the City of Annapolis for Fiscal Year 2016; appropriating funds for expenditures for Fiscal Year 2016; 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

Spoke on:

Bill Kardash, 1 Acton Place, Annapolis, Maryland 21401 representing Annapolitians for a Better Community.

Brian Callahan, 49 West Street, Annapolis, Maryland 21401 represent 49 West Coffeehouse, Winebar & Gallery.

Eli Terney, 85 East Street, Annapolis, Maryland 21403 representing Ward One Resident Association.

Steven Conn 111 Van Buren Street, Annapolis, Maryland 21403.

Pat Zeno,

57 Corn Hill Street, Annapolis, Maryland 21401 representing Ward One Residents Association.

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

Mayor Pantelides declared the public hearing closed.

[O-15-15](#)

Capital Budget Fiscal Year 2016 - For the purpose of adopting a capital budget for Fiscal Year 2016; and appropriating funds for expenditures for

the Fiscal Year 2016 capital budget.

Sponsors: Pantelides

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

Mayor Pantelides declared the public hearing closed.

O-19-15**Maryland Association of Counties Pooled OPEB Trust Fund - For the purpose of authorizing the adoption and establishment of a non-pension post employment benefits trust.**

Sponsors: Pantelides

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

Mayor Pantelides declared the public hearing closed.

Legislative Action**A. Second Readers****O-30-14****A Modification To Parking Requirements And Adding As A Permitted Use In The B1 District The Use: Commercial, Trade, Vocational, Music, Dance, Or Art Schools - For the purpose of implementing the West Annapolis Sector Study.**

Sponsors: Paone

Chief of Comprehensive Planning Nash was present and answered questions from Council.

Alderman Paone moved to adopt O-30-14 on second reader. **Seconded.**

Alderman Paone moved to amend O-34-14 as follows: Alderman Paone Amendment to O-30-14

A Modification To Parking Requirements And Adding As A Permitted Use In The B1 District The Use: Commercial, Trade, Vocational, Music, Dance, Or Art Schools Amendment #1

Page 1, amend the Title as follows:

Modification To Parking Requirements strike “And Adding As A Permitted Use In The B1 District The Use: Commercial, Trade, Vocational, Music, Dance, Or Art Schools”

Amendment #2

Page 1, lines 28 and 29, strike:

Strike “WHEREAS, the community additionally expressed a desire to allow Pilates and yoga studies as a use in the B1 District;”

Amendment #3

Page 1, lines 34 through 35, amend as follows:

BY repealing and reenacting with amendments the following portion of the Code of the City of Annapolis, 20103 Edition, strike “Section 21.48.020, and” Section 21.66.130.

Amendment #4

Page 1, line 40 through Page 3, line 15, strike language and Use Table. **Seconded.**

CARRIED on voice vote.

Alderman Paone moved to adopt O-30-14 as amended on second reader. **Seconded.**

CARRIED on voice vote.

Alderman Arnett moved to adopt O-30-14 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

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

Absent: 1 - Alderman Kirby

[O-35-14](#) **Planning Commission Member Qualifications - For the purpose of amending the membership qualifications of the Planning Commission so that at least one member has a working knowledge in the fields of forest conservation and environmental matters.**

Sponsors: Littmann

Alderman Littmann moved to withdrawn without objection O-35-14 on second reader. Seconded. CARRIED on voice vote.

[O-36-14](#) **Building Board of Appeals Member Qualifications - For the purpose of amending the membership qualifications of the Building Board of Appeals so that at least one member has a working knowledge in the fields of forest conservation and environmental matters.**

Sponsors: Littmann

Alderman Littmann moved to postpone O-36-14 on second reader until the Special Meeting on May 18, 2015. Seconded. CARRIED on voice vote.

[O-3-15](#) **Risk Management - For the purpose of providing that the City Council may establish written rules and regulations as necessary in the interest of risk management.**

Sponsors: Finlayson, Paone and Pindell Charles

Alderman Arnett moved to postpone O-3-15 on second reader until the Special Meeting on May 18, 2015. Seconded. CARRIED on voice vote.

This Ordinance O-3-15 was referred to the Rules & City Government Committee.

[O-4-15](#) **Building Permits - For the purpose of removing the Five Hundred Dollar construction project value requirement for the issuance of certain permits.**

Sponsors: Pantelides

Alderman Arnett moved to adopt on second reader. Seconded.

**Alderman Budge moved to amend O-4-15 with O-4-15 EMC Amendment:
AMENDMENT #1 – Section 17.12.022**

Page 1, line 35 through Page 2, line 9 shall be amended as follows:

A. All construction projects of a value of Five Hundred Dollars or more shall require a building permit from the Director of Neighborhood and Environmental Programs or his or her designee. No building permit is needed, regardless of value, on residential construction projects that are non-structural replacements and/or repair of windows, doors, and siding. Compliance with the applicable provisions of the Code of the City of Annapolis is required regardless of the requirements for a building permit. All other

applicable permits, regardless of value are still required. ANY OWNER OF REAL PROPERTY OR AUTHORIZED AGENT WHO INTENDS TO CONSTRUCT, ENLARGE, ALTER, REPAIR, MOVE, DEMOLISH, OR CHANGE THE OCCUPANCY OF A BUILDING OR OTHER STRUCTURE, OR TO ERECT, INSTALL, ENLARGE, ALTER, REPAIR, REMOVE, CONVERT OR REPLACE ANY ELECTRICAL, GAS, MECHANICAL OR PLUMBING SYSTEM, OR TO CAUSE ANY SUCH WORK TO BE PERFORMED, THE INSTALLATION OF WHICH IS REGULATED BY THIS CODE, OR TO CAUSE ANY SUCH WORK TO BE DONE, SHALL FIRST MAKE APPLICATION TO THE DIRECTOR OF NEIGHBORHOOD AND ENVIRONMENTAL PROGRAMS OR HIS OR HER DESIGNEE AND OBTAIN THE FOR ANY REQUIRED PERMIT REQUIRED BY THE CITY CODE TO ENGAGE IN SUCH WORK AND PAY ANY APPLICABLE PERMIT FEES. AN AUTHORIZED AGENT OF THE OWNER MAY MAKE APPLICATION ON BEHALF OF THE OWNER. NO BUILDING PERMIT IS REQUIRED ON RESIDENTIAL CONSTRUCTION PROJECTS THAT ARE NON-STRUCTURAL REPLACEMENTS AND/OR REPAIR OF WINDOWS, DOORS, AND SIDING. COMPLIANCE WITH THE APPLICABLE PROVISIONS OF THE ANNAPOLIS CITY CODE IS REQUIRED REGARDLESS OF THE REQUIREMENTS FOR A BUILDING PERMIT.

AMENDMENT 2 – Section 17.12.022

Page 2, beginning at line 11 shall be amended as follows:

Page 2

B. All exterior projects in the Historic District, whether or not exempted from a building permit under subsection A of this section, still require a certificate of approval in accordance with Chapter 21.62. C. No building or OTHER structure shall be demolished or moved until a permit has been obtained from the Director or his or her designee. If, in the judgment of the Director or his or her designee, the proposed new location of the building or OTHER structure would significantly increase the fire hazard to surrounding buildings or OTHER structures, a permit for moving the building OR OTHER STRUCTURE shall not be issued.

SECTION 17.12.023 – BUILDING PERMIT – EXEMPTIONS

A. THE EXEMPTIONS FROM THE REQUIREMENT OF A BUILDING PERMIT ARE PROVIDED IN THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, AND THE INTERNATIONAL EXISTING BUILDING CODE AS APPLICABLE.

B. NO BUILDING PERMIT IS REQUIRED ON RESIDENTIAL CONSTRUCTION PROJECTS THAT ARE NON-STRUCTURAL REPLACEMENTS AND/OR REPAIR OF WINDOWS, DOORS, AND SIDING. COMPLIANCE WITH THE APPLICABLE PROVISIONS OF THE ANNAPOLIS CITY CODE IS REQUIRED REGARDLESS OF THE REQUIREMENTS FOR A BUILDING PERMIT. **Seconded. CARRIED on voice vote.**

Alderman Paone moved to adopt O-4-15 as amended on second reader. **Seconded. CARRIED on voice vote.**

Alderman Paone moved to adopt O-4-15 on third reader. **Seconded. A roll call vote was taken. The motion CARRIED by the following vote:**

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

Absent: 1 - Alderman Kirby

[O-5-15](#)

Floodplain Management in the City of Annapolis - For the purpose of amending certain sections of Chapter 17.11 of the Annapolis City Code to comply with updates to new Flood Insurance Rate Maps delineated by the Federal Emergency Management Agency; and all other matters

generally relating to floodplain management in the City of Annapolis.

Sponsors: Pantelides

Alderman Arnett moved to adopt on second reader. Seconded.

Alderman Budge moved to amend O-5-15 with O-5-15 EMC Proposed Amendment: AMENDMENT #1

Page 6, Line 42: Insert: REFER ALL APPLICANTS WITHIN THE COASTAL A ZONE TO THE CHIEF OF HISTORIC PRESERVATION FOR A DETERMINATION OF: (i) HISTORIC STRUCTURE STATUS AS DEFINED IN SECTION 17.11.209; AND (ii) ANY APPLICABLE TAX CREDITS PURSUANT TO SECTION 6.04.230. Seconded. CARRIED on voice vote.

Alderman Budge moved to adopt O-5-15 as amended on 2nd reader. Seconded. CARRIED on voice vote.

Alderman Budge moved to adopt O-15-15 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

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

Absent: 1 - Alderman Kirby

O-7-15**City Grants to Non-Profit Organizations - For the purpose of revising City priorities for making operating and/or capital grants to non-profit organizations under the Community Grant Program; and revising the qualifying criteria and reporting process for recipients of operating and/or capital Community Grant Program grants.**

Sponsors: Littmann, Arnett, Finlayson and Pindell Charles

Alderman Littmann moved to adopt O-7-15 on second reader. Seconded.

Alderman Arnett moved to amend O-7-15 with O-7-15 Pindell Charles Amendment: Amendment #1:

Page 2, lines 13 through 15 amend as follows: "PROVIDES SERVICES THAT SUSTAIN AND EMPOWER YOUTH, FAMILIES AND INDIVIDUALS TO MOVE TOWARDS AN IMPROVED QUALITY OF LIFE AND SELF-SUFFICIENCY." Seconded. CARRIED on voice vote.

Alderman Arnett moved to amend O-7-15 with O-7-15 Finance Cmte Amendment: AMENDMENT #1

Page 3, Line 24, insert:

E. GRANTS COMMITTEE RECOMMENDATIONS TO FINANCE COMMITTEE. THE GRANTS COMMITTEE SHALL MAKE RECOMMENDATIONS TO THE FINANCE COMMITTEE FOR ITS CONSIDERATION AS PART OF THE ANNUAL BUDGET PROCESS. Seconded. CARRIED on voice vote.

Alderman Pfeiffer moved to adopt O-7-15 as amended on second reader. Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt O-7-15 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

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

Absent: 1 - Alderman Kirby

[O-10-15](#) **AAMC Lease Agreement for Stanton Center - For the purpose of approving the lease for certain City-owned space in the Stanton Center to Anne Arundel Medical Center; and matters generally relating to said lease.**

Sponsors: Pantelides

Alderman Littmann moved to postpone O-10-15 on second reared until the Regular Meeting on May 11, 2015. Seconded. CARRIED on voice vote.

[O-11-15](#) **Annapolis Youth Services Bureau Lease Agreement for Stanton Center - For the purpose of approving the lease for certain City-owned space in the Stanton Center to Annapolis Youth Services Bureau; and matters generally relating to said lease.**

Sponsors: Pantelides

Alderman Littmann moved to postpone O-11-15 on second reared until the Regular Meeting on May 11, 2015. Seconded. CARRIED on voice vote.

[O-12-15](#) **We Care Lease Agreement for Stanton Center - For the purpose of approving the lease for certain City-owned space in the Stanton Center to We Care and Friends, Inc.; and matters generally relating to said lease.**

Sponsors: Pantelides

Alderman Littmann moved to postpone O-12-15 on second reared until the Regular Meeting on May 11, 2015. Seconded. CARRIED on voice vote.

[O-13-15](#) **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 from May 3, 2015 through November 22, 2015 (with the exception of October 11, 2015 and October 18, 2015 for the Fall Boat Shows) to FRESHFARM Markets, Inc.**

Sponsors: Budge and Pantelides

Alderman Arnett moved to adopt on second reader. Seconded. CARRIED on voice vote.

Alderman Budge moved to adopt O-13-15 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

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

Absent: 1 - Alderman Kirby

At 9:11 p.m., Mayor Pantelides requested Alderman Arnett preside over the meeting during his absence.

At 9:23 p.m., Mayor Pantelides resumed the duties of the Chair.

[R-9-15](#)

City Debt and Financial Administration Policies - For the purpose of formally amending and approving the debt and financial administration policies for the City of Annapolis.

Sponsors: Pantelides

Alderman Arnett moved to adopt R-9-15 on second reader. Seconded.

Alderman Arnett moved to amend R-9-15 with Rules Committee Amendment #1
On page 1 line 35 add THERE SHALL BE A REVIEW OF THE CITY'S FINANCIAL POLICIES EVERY FOUR YEARS AT THE SEATING OF A NEW CITY COUNCIL..
Seconded. CARRIED on voice vote.

Alderman Arnett moved to amend R-9-15 with Rules Committee Amendment #2
On page 2 line 4 after (BAN'S) strike OF, and on line 5 after YEARS insert AFTER THE COMPLETION OF A PROJECT. Seconded. CARRIED on voice vote.

Alderman Arnett moved to amend R-9-15 with Rules Committee Amendment #3
On page 2 line 15 after FIFTEEN PERCENT insert OF UNDESIGNATED FUND BALANCE. Seconded. CARRIED on voice vote.

Alderman Paone abstained from the vote on Rules Committee Amendment #3
On page 2 line 15 after FIFTEEN PERCENT insert OF UNDESIGNATED FUND BALANCE.

Alderman Arnett moved to amend With Rules Committee Amendment #4
On page 2 line 18 after NOT strike ESTABLISH A TREND OF USING insert USE.
Seconded. DEFEATED on voice vote.

Absent: 1 - Alderman Kirby

Alderman Arnett moved to amend R-9-15 with Arnett Amendment to R-9-15 Amendment # 1
On page 3, line 30, after OF restore " Ten (10%)" and strike "Twelve (12%)" and on line 31, restore "Eight (8%) strike Ten (10 %,)". Seconded. A roll call vote was taken. The motion DEFEATED by the following vote:

Aye: 3 - Alderman Paone, Alderman Littmann and Alderman Arnett

Nay: 5 - Mayor Pantelides, Alderman Budge, Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Pfeiffer

Absent: 1 - Alderman Kirby

Alderman Arnett moved to adopt R-9-15 as amended on second reader. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 6 - Mayor Pantelides, Alderman Budge, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Pfeiffer and Alderman Arnett

Nay: 2 - Alderman Paone and Alderman Littmann

Absent: 1 - Alderman Kirby

B. First Readers

[O-20-15](#)

Fair Housing in the City of Annapolis - For the purpose of adding gender identity to the protected classes set forth in Chapter 11.32 of the Code of the City of Annapolis.

Sponsors: Arnett

Alderman Budge moved to adopt O-20-15 on first reader. Seconded. CARRIED on voice vote.

This Ordinance O-20-15 was referred to the Housing and Human Welfare Committee.

O-21-15

Nonstandard Vehicles Definition - For the purpose of amending the definition of Nonstandard Vehicles to include all such vehicles including pedicabs and for-hire Segways.

Sponsors: Budge

Alderman Budge moved to adopt O-21-15 on first reader. Seconded. CARRIED on voice vote.

This Ordinance O-21-15 was referred to the Transportation Board.

This Ordinance O-21-15 was referred to the Transportation Committee.

This Ordinance O-21-15 was referred to the Public Safety Committee.

R-13-15

Analysis of Impediments to Fair Housing - For the purpose of adopting an Analysis of Impediments to Fair Housing.

Sponsors: Kirby, Budge and Littmann

Alderman Budge moved to adopt R-13-15 on first reader. Seconded. CARRIED on voice vote.

This Resolution R-13-15 was referred to the Housing and Human Welfare Committee.

R-14-15

Five-Year Consolidated Housing and Community Development Strategic Plan - For the purpose of adopting a Five-Year Consolidated Housing and Community Development Strategic Plan for the period beginning July 1, 2016, through June 30, 2020.

Sponsors: Kirby, Budge and Littmann

Alderman Budge moved to adopt R-14-15 on first reader. Seconded. CARRIED on voice vote.

This Resolution R-14-15 was referred to the Housing and Human Welfare Committee.

Business and Miscellaneous

GT-15-15

Transfer From Salaries to Contract Services- DNEP

Alderman Pfeiffer moved to approve budget revision request GT-15-15. Seconded. CARRIED on voice vote.

O-18-15

Police and Fire Retirement Plan Cost of Living Adjustments - For the purpose of providing that effective July 1, 2013, and each July 1st thereafter, each Retired Member or survivor of any such Retired Member of the New Plan or New Plan Revised, entitled to receive a retirement benefit as of June 30th of any year, shall receive a fixed annual two-percent

(2%) increase above the amount the Retired Member or survivor had received on June 30th of the same year.

Sponsors: Arnett and Finlayson

Alderwoman Finlayson moved to withdrawn O-18-15 on first reader without objection. Seconded. CARRIED on voice vote.

Adjournment

**Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:34 p.m.
Regina C. Watkins-Eldridge, MMC
City Clerk**