



City of Annapolis

160 Duke Of Gloucester
Street
Annapolis, MD 21401

Special Minutes - Draft City Council

Monday, October 23, 2017

7:00 PM

Mayor John T. Chambers, Jr.
City Council Chambers

Call to Order

Mayor Pantelides called the meeting to order at 7:00 p.m.

Invocation

Given by Alderman Kirby.

Pledge of Allegiance

Led by Mayor Pantelides.

Roll Call

Tonight's roll call began with Alderman Pfeiffer.

Present: 9 Mayor Pantelides, Mayor Pantelides, Alderman Budge, 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. Seconded. CARRIED on voice vote.

THE MRE DECLARATION OF WAR - 20TH ANNIVERSARY

Presented.

Ceremonial Items

City Council Citation - Yevola S. Peters

Presented.

City Council Citation - New Breed Social Club

Presented.

Petitions, Reports and Communications

A. Reports by Committee

Last meeting of the City Council for term ending 12/4/17.

B. Comments by the General Public

Jacky Wells, 203 Bloomsbury Square, Annapolis, Maryland 21401 spoke on the resident of public housing, HACA, Beverly Wilbourn Executive Director, HUD Requirements and the RAD Program.

Sandra Chapman, Morris Blum Senior Apartments, Annapolis, Maryland 21401 stated for the record the Board of Commissioners did not meeting to discuss removal of Beverly Wilbourn as Executive Director of the Housing Authority, spoke on the RAD Process and gaining trust of the residents.

Bishop Craig Coates, 62 Harbor Heights Drive, Annapolis, Maryland 21401 spoke on the resignation of Ms. Beverly Wilbourn as executive Director of the Housing Authority, obtaining signatures of residents who want Ms. Wilbourn to continue as the Executive of the Housing Authority, the tail of 2 cities, having a working relationship between the HACA Board and the Residents Council.

William Rowe, 2134 Mulberry Hill Road, Annapolis, Maryland 21409 spoke on a statement made by Mayor Pantelides about Gavin Buckley and assignation of his caricature.

Jon Hodgson, 524 Horn Point Drive, Annapolis, Maryland 21403 spoke on O-26-17.

Joseph Lyon, 34 Lafayette Ave, Annapolis, Maryland 21401 representing New Market spoke on having a 5 year lease, people living here in the community and Harvey Blonder.

Mary Biro, 31 West Washington Street Annapolis, Maryland 21401 representing the First Baptist Church spoke on Illeagle Election Election Signs.

Mayor Pantelides declared comments from the general public closed.

C. Update from the Mayor

Mayor Pantelides presented his biweekly update:

Appointments

[AP-24-17](#)

The Appointment of Corey Johnson to the Housing Authority of the City of Annapolis.

Alderman Arnett moved to confirm the Mayor's Appointment of Corey Johnson to the Housing Authority of the City of Annapolis. Seconded. CARRIED on voice vote.

Consent Calendar**Approval of the Consent Calendar**

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

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

[CCM092517](#)

Special Meeting Minutes

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

[CCM100917](#) **Regular Meeting Minutes**

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

End of Consent Calendar

Public Hearings Cont.

[O-35-17](#) **Revisions to Development Review - For the purpose of providing a uniform review process for all significant projects and requiring early public input on substantial projects by requiring that a community meeting be held for subdivision applications that contain a new street, Major Site Design Plan Applications and Planned Development Applications; clarifying preliminary application procedures; expanding the notice requirements under Division II of the Zoning Code; revising the procedures for major site design plan applications and planned development applications; and matters generally relating to the review process for all significant and substantial projects.**

Sponsors: Budge and Arnett

Spoke on:

Robert Waldman 1001 Poplar Avenue, Annapolis, Maryland 21401.

Leo Wilson, 109 Chesapeake Avenue, Annapolis, Maryland 21403.

Vic Pasco, 308 Chester Avenue, Annapolis, Maryland 21403.

Spoke in favor:

Jacky Wells, 2017 Severn Avenue, Annapolis, Maryland 21401.

Diane Butler, 408 King George Street, Annapolis, Maryland 21401.

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-35-17 closed.

Business and Miscellaneous

[ID-330-17](#) **FY2017 Unpaid Invoices**

Alderman Pfeiffer moved to approve ID-330-17. Seconded. CARRIED on voice vote.

[GT-5-18](#) **Transfer From: Fund Balance Transfer To: Parkside Preserve Acquisition of Property**

Alderman Pfeiffer moved to approve GT-5-18. Seconded. CARRIED on voice vote.

[GT-6-18](#)**Transfer From: Market House Renovations Transfer To: City Facility Improvements**

Alderman Pfeiffer moved to approve GT-6-18. Seconded. CARRIED on voice vote.

[GT-7-18](#)**Transfer From: Stormwater Mgmt Retrofit Transfer To: Dorsey Ave Storm Drain**

Alderman Pfeiffer moved to approve GT-7-18. Seconded. CARRIED on voice vote.

[GA-20-18](#)**POS City of Annapolis Nature Area**

Alderman Pfeiffer moved to approve GA-20-18. Seconded. CARRIED on voice vote.

[GA-21-18](#)**Overtime for AA County Tobacco Sales Compliance Project**

Alderman Pfeiffer moved to approve GA-21-18. Seconded. CARRIED on voice vote.

Legislative Action**Second Readers**[O-26-17](#)

Zoning District Boundary Adjustments - For the purpose of removing the requirement that the Board of Appeals shall not extend the regulations to an extent greater than the lesser of twenty percent of the total area of the tract or five thousand square feet; removing consideration of “unique conditions” from the review criteria and findings requirements; and matters generally relating to applications concerning zoning district boundary adjustments involving a zoning district boundary that divides a tract in single ownership.

Sponsors: Arnett

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

Alderman Arnett moved to adopt O-26-17 on second reader. Seconded.

Alderman Arnett moved to amend O-26-17 as follows:

Amendment 1

21.20.030 - Review criteria and findings.

The Board of Appeals may grant a zoning district boundary adjustment based upon the following findings:

A. Unique Conditions. The conditions upon which an application for a zoning district boundary adjustment are unique to the property and are not applicable, generally, to other property within the same zoning classification. OWING TO CONDITIONS PECULIAR TO THE PROPERTY AND NOT BECAUSE OF ANY ACTION TAKEN BY THE APPLICANT, A LITERAL ENFORCEMENT OF THE ZONING LAW WOULD RESULT IN UNNECESSARY HARDSHIP OR PRACTICAL DIFFICULTY AS SPECIFIED IN THE ZONING LAW.

B. Public Welfare and Safety. The granting of the district boundary adjustment will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

C. Surrounding Properties. The proposed adjustment will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values with the neighborhood.

Amendment 2

21.20.010 - Purpose and authority.

Where a zoning district boundary divides a tract in single ownership, the Board of Appeals, in accordance with the procedures below, may approve an application to extend the zoning district regulations for either portion **THE MAJORITY** of the tract to any contiguous portion of the tract included in a zoning district listed in the same subsection of Section 21.06.010 as the regulations being extended; provided, however, that the Board shall not extend the regulations to an extent greater than twenty percent of the total area of the tract or five thousand square feet, whichever is less.

An additional amendment is to update Section 21.06.040 to read the same as Amendment 2. This section of the code has similar language as Section 21.20.010, however it appears in Chapter 21.06 - Zoning Districts and Mapping. The Planning Commission recommends the following code section is changed from:

21.06.040 - Lots divided by zoning district boundaries.

Where a district boundary divides a tract in single ownership, the Board of Appeals, in accordance with the procedures established in Division II, Chapter 21.20 may approve an application to extend the regulations for either portion of the tract to any contiguous portion of the tract included in a zoning district listed in the same subsection of Section 21.06.010 as the regulations being extended; provided, however, that the Board shall not extend the regulations to an extent greater than twenty percent of the total area of the tract or five thousand square feet, whichever is less.

Amendment 3:

21.06.040 - Lots divided by zoning district boundaries.

Where a **ZONING** district boundary divides a tract in single ownership, the Board of Appeals, in accordance with the procedures established in Division II, Chapter 21.20 may approve an application to extend the regulations for either portion **THE MAJORITY** of the tract to any contiguous portion of the tract included in a zoning district listed in the same subsection of Section 21.06.010 as the regulations being extended; provided, however, that the Board shall not extend the regulations to an extent greater than twenty percent of the total area of the tract or five thousand square feet, whichever is less. **Seconded. CARRIED on voice vote.**

Alderman Arnett moved to amend O-26-17 as follows:

To apply only in Ward 8. Seconded. CARRIED on voice vote.

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

Alderman Budge abstained from the discussion and the vote on O-26-17.

Alderman Arnett moved to adopt O-26-17 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 7 - Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby, Alderman Pfeiffer and Alderman Arnett

Nay: 1 - Mayor Pantelides

Abstain: 1 - Alderman Budge

[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

Alderman Arnett moved to adopt O-34-17 on second reader. Seconded.

Alderman Budge moved to adopt O-34-17 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-35-17](#)

Revisions to Development Review - For the purpose of providing a uniform review process for all significant projects and requiring early public input on substantial projects by requiring that a community meeting be held for subdivision applications that contain a new street, Major Site Design Plan Applications and Planned Development Applications; clarifying preliminary application procedures; expanding the notice requirements under Division II of the Zoning Code; revising the procedures for major site design plan applications and planned development applications; and matters generally relating to the review process for all significant and substantial projects.

Sponsors: Budge and Arnett

Alderman Arnett moved to adopt O-35-17 on second reader. Seconded.

Alderman Budge moved to amend O-35-17 as follows:

Amendment 1:

Page 3, Line 15: Following “meeting summary” insert “to the Planning and Zoning Director”

Page 3, Line 16: Strike “shall also be submitted with the application”

Page 3, Line 16: Following “which” insert “response the Planning and Zoning Director shall include with the application file”

As amended:

ANYONE ATTENDING THE COMMUNITY MEETING MAY SUBMIT A WRITTEN RESPONSE TO THE SUBDIVIDER'S MEETING SUMMARY TO THE PLANNING AND ZONING DIRECTOR, WHICH SHALL ALSO BE SUBMITTED WITH THE APPLICATION RESPONSE THE PLANNING AND ZONING DIRECTOR SHALL INCLUDE WITH THE APPLICATION FILE.

Page 5, Line 44: Following “prospective applicant’s summary” insert “to the Planning and Zoning Director”

Page 5, Lines 44-45: Strike “shall also be submitted with the application”

Page 5, Line 44: Following “which” insert “response the Planning and Zoning Director shall include with the application file”

As amended:

ANYONE ATTENDING THE COMMUNITY MEETING MAY SUBMIT A WRITTEN RESPONSE TO THE PROSPECTIVE APPLICANT'S SUMMARY TO THE PLANNING AND ZONING DIRECTOR, WHICH SHALL ALSO BE SUBMITTED WITH THE APPLICATION RESPONSE THE PLANNING AND ZONING DIRECTOR SHALL INCLUDE WITH THE APPLICATION FILE.

Amendment 2:

Page 8, Line 1: Following "Property owners" insert "and tenants"

As amended: "b. Property owners AND TENANTS within two hundred feet of each property boundary,"

Amendment 3:

Page 1, Line 44: Insert "Section 21.22.120"

Page 11, Line 9: Insert:

"Section 21.22.120 - Appeal.

A. Any appeals of a decision of the Planning and Zoning Director must be made to the Board of Appeals in conformance with the provisions of Chapter 21.30.

B. AN APPEAL FROM A DECISION OF THE PLANNING COMMISSION UNDER THIS CHAPTER SHALL BE MADE TO THE CIRCUIT COURT OF MARYLAND FOR ANNE ARUNDEL COUNTY."

Amendment 4:

Page 13, Line 3: 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 but not yet approved shall be evaluated and approved based on the Title 20 and Title 21

Chapters amended by this ordinance as they 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 Title 20 and Title 21 as amended by this ordinance."

Page 13, Line 4: Strike "SECTION II" and insert "SECTION III".

Seconded. CARRIED on voice vote.

Alderman Budge moved to amend O-35-17 as follows:

Hyatt Amendment #2:

Page 8, Lines 4-18: Set forth that the Department of Planning and Zoning will provide to the applicant certain contact information to ensure that adequate notice is sent by the applicant to interested persons.

As amended:

d. THE PRESIDENT OR OTHER PERSON IN A POSITION OF AUTHORITY OF EACH HOMEOWNERS ASSOCIATION, COMMUNITY ASSOCIATION, CONDOMINIUM ASSOCIATION, RESIDENT ASSOCIATION, AND BUSINESS ASSOCIATION FUNCTIONING WITHIN GEOGRAPHICAL PROXIMITY TO THE PROPOSED DEVELOPMENT, WHICH LIST OF ASSOCIATIONS SHALL BE PROVIDED BY THE DEPARTMENT OF PLANNING AND ZONING TO THE APPLICANT, SUCH THAT THE PERSONS REPRESENTED BY THE ASSOCIATION POTENTIALLY COULD BE AFFECTED BY THE PROPOSED DEVELOPMENT,

e. ALL PERSONS WHO HAVE SPOKEN OR PROVIDED WRITTEN COMMENTS AT A COMMUNITY MEETING, PUBLIC MEETING, OR PUBLIC HEARING THAT HAS OCCURRED REGARDING THE APPLICATION, WHICH LIST OF PERSONS, WITH

THE EXCEPTION OF THE SPEAKERS AT THE APPLICANT-LED COMMUNITY MEETING, SHALL BE PROVIDED BY THE DEPARTMENT OF PLANNING AND ZONING TO THE APPLICANT, AND

f. ALL PERSONS, OTHER THAN CITY STAFF, WHO HAVE PROVIDED WRITTEN COMMENTS TO THE DEPARTMENT OF PLANNING AND ZONING REGARDING THE APPLICATION, WHICH LIST OF PERSONS SHALL BE PROVIDED BY THE DEPARTMENT OF PLANNING AND ZONING TO THE APPLICANT. Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt O-35-17 as amended on second reader. Seconded. CARRIED on voice vote.

Alderman Budge moved to adopt O-35-17 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 5 - Alderman Budge, Alderwoman Pindell Charles, Alderman Littmann, Alderman Pfeiffer and Alderman Arnett

Nay: 4 - Mayor Pantelides, Alderman Paone, Alderwoman Finlayson and Alderman Kirby

O-37-17

Parking Places and Parking Lots - For the purpose of repealing in its entirety AMENDING Chapter 12.28 concerning registration of parking places and parking lots; and matters generally relating to parking places and parking lots.

Sponsors: Pantelides and Budge

Alderman Budge moved to adopt O-37-17 on second reader. Seconded.

Alderman Budge moved to amend O-37-17 as follows:

Amendment 1:

Page 1 Line 2 and Line 22: Strike “repealing in its entirety” and insert “amending”.

Amendment 2:

Page 1: Strike Line 28 and Line 32.

Page 1, Line 43: Insert “By repealing and reenacting the following portions of the Code of the City of Annapolis, 2016 Edition:

Section 12.28.010

Section 12.28.050”

Amendment 3:

Page 1, Line 43: Insert “By inserting the following portions of the Code of the City of Annapolis, 2016 Edition:

Section 12.28.160

Section 12.28.170”

Amendment 4:

Page 2: Unstrike Line 4

Amendment 5:

Page 2: Unstrike Lines 7 through 29 and amend as follows:

12.28.010 - Definitions.

For the purpose of this chapter, the following words or terms shall have the meanings indicated:

A. "Parking place" means any PRIVATELY OWNED garage or other building or part of a

building, or any PRIVATELY OWNED premises, plot, piece or parcel of land in or upon which a business of storing more than ten THREE motor vehicles in a twenty-four-hour period is conducted for eight TWO months or more in any calendar year, where the owner or person storing a vehicle is charged a fee, but excluding rental of private garages and the all-night storing of vehicles upon the premises of and in connection with the operation of regularly established gasoline stations.

B. "Receiving station" means any garage or a parking lot which is guarded by an attendant at all times, to which cars may be removed, under regulations set forth in this chapter, when not called for by the owner before the hour of closing of a parking lot or before the hour at which the parking lot becomes unattended.

CB. "Sign" or "signs" means a durable and legible sign, the lettering of which shall be not less than five ONE inches in height and which shall be THAT IS erected in a conspicuous place. In outdoor parking places signs shall be not less than eight feet above the sidewalk level or more than twelve feet above the sidewalk level, and shall not bear any advertising or other matter than the substance required by this chapter.

Comments: Change to three or more vehicles aligns city code with Maryland Transportation Code Ann. § 21-10A-01 Towing or Removal of Vehicles from Parking Lots. Change to two months allows for boat shows, commissioning week and football games. One-inch lettering on signs is the standard used in City garages.

Amendment 6:

Page 3: Unstrike Lines 27 through 41 (Section 12.28.050 Information Sign) and amend as follows:

12.28.050 - Information sign.

A. Every person operating a parking place shall erect at each entrance to the parking place a sign bearing the following information:

A1. The rate by day or hour and whether or not there is a difference in rates on certain days or times of day;

B2. The name, TELEPHONE NUMBER and business address of the operator of the parking place, together with the number of the operator's license or permit;

C. In case of an outdoor parking lot, the sign shall disclose what, if any, hours during the day the parking lot will be unguarded by an attendant and, if the operator of the lot provides a receiving station for cars left during unguarded hours, the sign shall indicate the address of the receiving station.

B. EVERY PERSON OPERATING A PARKING PLACE THAT IS GATED OR WHO IMMOBILIZES VEHICLES OR WHO PREVENTS VEHICLES FROM LEAVING THE PARKING PLACE IN ANY OTHER WAY FOLLOWING UNPAID OR UNAUTHORIZED PARKING SHALL ERECT ONE OR MORE SIGNS THAT:

1. DESCRIBE THE METHOD OF VEHICLE RETENTION AT THE PARKING PLACE;

2. PROVIDE THE TELEPHONE NUMBER OF A PERSON WHO CAN BE CONTACTED TO ARRANGE FOR THE VEHICLE'S RELEASE;

3. STATE THE MAXIMUM AMOUNT THAT THE OWNER OF THE VEHICLE MAY BE CHARGED FOR ITS RELEASE; AND

4. PROVIDE AT LEAST 1 SIGN FOR EVERY 7,500 SQUARE FEET OF PARKING PLACE.

Amendment 7:

Page 6, Line 33: Insert the following:

12.28.160 – Parking Operator Response.

EVERY PERSON OPERATING A PARKING PLACE THAT IS GATED OR WHO IMMOBILIZES VEHICLES OR WHO PREVENTS VEHICLES FROM LEAVING THE PARKING PLACE IN ANY OTHER WAY FOLLOWING UNPAID OR UNAUTHORIZED PARKING SHALL:

A. MAINTAIN AN ATTENDANT AT THE PARKING PLACE WHO IS AUTHORIZED TO

**RELEASE THE VEHICLE IMMEDIATELY UPON PAYMENT OF POSTED FEES; OR
B. MAINTAIN A TELEPHONE NUMBER THAT IS ANSWERED BY A HUMAN
OPERATOR SEVEN DAYS PER WEEK AND 24 HOURS PER DAY AND DISPATCHES A
REPRESENTATIVE TO COLLECT FEES, IF APPLICABLE, AND TO RELEASE
VEHICLES WITHIN ONE HOUR OF RECEIVING A CALL.**

12.28.170 PARKING PLACE VIOLATION

**A PERSON WHO VIOLATES THIS CHAPTER IS GUILTY OF A MISDEMEANOR AND
SUBJECT TO A FINE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL.**

Seconded. CARRIED on voice vote.

Alderman Budge moved to adopt O-37-17 as amended. Seconded. CARRIED on voice vote.

Alderman Budge requested his name be added as a sponsor of O-37-17.

**Alderman Arnett moved to adopt O-37-17 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**

R-24-17

**Parking Places and Parking Lots - Fees - For the purpose of repealing the
annual fee for a certificate of registration for parking lots and parking
places; and the annual license fee for conducting a parking lot or parking
station incident to another business.**

Sponsors: Pantelides and Budge

**Alderman Budge moved to adopt R-24-17 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-33-17

**Parking Places and Parking Lots - Fine - For the purpose of establishing a
fine for a violation of Chapter 12.28 of the Code of the City of Annapolis
concerning the operation of parking places and parking lots.**

Sponsors: Budge

Alderman Budge moved to adopt R-33-17 on second reader. Seconded.

**Alderman Budge moved to amend R-33-17 as follows: Public Safety Committee Proposed
Amendment**

AMENDMENT #1

Section in Code

Section Name

Fine for Initial Offense

Fine for Repeat or continuous Violations

12.28.170

PARKING PLACES AND PARKING LOTS.

Strike "\$250.00" and insert "\$500.00". Seconded. CARRIED on voice vote.

**Budge moved to adopt R-33-17 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

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

Alderman Arnett moved to withdraw O-36-17 on second reader without objection. Seconded. CARRIED on voice vote.

R-23-17 Wheel Immobilization Devices - Fine - For the purpose of establishing the fine for use of wheel immobilization devices in the City of Annapolis.

Sponsors: Pantelides

Alderman Arnett moved to withdraw R-23-17 without objection. Seconded. CARRIED on voice vote.

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 Pindell Charles moved to adopt O-38-17 on second reader. Seconded.

Alderwoman Pindell Charles moved to amend O-38-17 as follows:
Alderwoman Pindell Charles Proposed Amendment

Amendment No. 1:

Delete "Theaters, indoor" from 21.48.030 - Table of Uses—Office and Mixed Use Zoning Districts and add "Theaters, indoor, with less than 100 seats" and "Theaters, indoor, with 100 or more seats" Both would be subject to standards, but the second category would require a special exception.

Uses District P District MX District PM District C2P Theaters, indoor P-Std THEATERS, INDOOR, WITH LESS THAN 100 SEATS P-STD P-STD THEATERS, INDOOR, WITH 100 OR MORE SEATS SE-STD P-STD

Amendment No. 2::

Add "-STD" to indicate that the use will be subject to standards. (The standard is existing in the code). Scended. CARRIED on voice vote.

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

Alderwoman Finlayson moved to adopt O-38-17 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-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

Alderman Budge moved to adopt O-40-17 on first reader. Seconded.

Alderman Budge moved to amend O-40-17 as follows: Transportation Committee Proposed Amendments
September 20, 2017

Amendment 1:

Page 1, Line 3: Strike “in Parking Districts 1 and 2”

Page 1, Line 22: Strike “in Parking Districts 1 and 2”

Amendment 2:

Page 2, Line 1: Strike “IN SPECIAL RESIDENTIAL PARKING DISTRICTS 1 AND 2”

Page 2, Line 3: Insert “OR” after the semicolon

Page 2 Strike lines 4 through 6

Page 2 Line 7: Renumber Paragraph 3 to 2. Seconded. CARRIED on voice vote.

Alderman Budge moved to adopt O-40-17 as amended. second reader Seconded. CARRIED on voice vote.

Alderman Budge moved to adopt O-40-17 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-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

City Manager Andrews was present and answered questions from council.

Alderman Arnett moved to adopt O-41-17 on second reader. Seconded.

Alderman Pfeiffer moved to amend O-41-17 as follows:

Finance Committee Proposed Amendment

AMENDMENT #1

Page 2, line 6, before “all” insert “IF THE CITY MANAGER DECLARES THAT NEGOTIATIONS FOR A LEASE FOR THE MARKET HOUSE HAVE COME TO AN IMPASSE,”. Seconded. CARRIED on voice vote.

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

Alderman Arnett moved to adopt O-41-17 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-45-17](#)

Garbage and Refuse Collection at Food-Handling Establishments - For the purpose of requiring that garbage and refuse shall be collected from

food-handling establishments no later than 8:00AM.

Sponsors: Budge

Alderman Arnett moved to adopt O-45-17 as follows:
on second reader. Seconded.

Alderman Arnett moved to amend O-45-17 as follows:
Rules & City Government Committee Proposed Amendment

AMENDMENT #1

Page 2, line 12, after "DAY" insert "IN THE HISTORIC DISTRICT". Seconded.
CARRIED on voice vote.

Alderman Arnett moved to adopt O-45-17 as amended on second reader. Seconded.
CARRIED on voice vote.

Alderman Budge moved to adopt O-45-17 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

Abstain: 1 - Alderman Kirby

O-46-17**Temporary Class C Alcoholic Beverage License - Theaters - For the purpose of establishing criteria for the issuance of a Temporary Class C Alcoholic Beverage License to Theaters CLUBS.**

Sponsors: Pantelides

Alderman Arnett moved to adopt O-46-17 on second reader. Seconded.

Alderman Budge moved to amend O-46-17 as follows: with O-46-17 - ABCB Findings and Proposed Amended Ordinance. Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt O-46-17 as amended on second reader. Seconded.
CARRIED on voice vote.

Alderman Arnett moved to adopt O-46-17 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

R-31-17**Proposed Amendment to FY 2018 Fees Schedule - For the purpose of establishing a Temporary Special Class C Alcoholic Beverage License Fee for Theaters.**

Sponsors: Pantelides

Alderman Arnett moved to adopt R-31-17 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-27-17](#)

Hate Free Zone - For the purpose of declaring Annapolis as a Hate-Free Zone; condemning any and all groups operating within the United States that use hate as their motivation, including white supremacists, neo-Nazis, the KKK, and other hate groups whose rallies most recently led to the violence, death, and injuries in Charlottesville, Virginia; and putting such groups on notice that the City of Annapolis is hereby declared a Hate-Free Zone, and that any attempt to divide this city through hateful or violence actions will not be tolerated.

Sponsors: Pantelides

Alderman Arnett moved to adopt R-27-17 on second reader. **DEFEATED - LACK OF A SECOND.**

[O-44-17](#)

Exempt Service - Economic Development Manager - For the purpose of including the position of Economic Development Manager to the Exempt Service set forth in Chapter 3.08 of the Code of the City of Annapolis; and correcting re-codification omissions to Chapter 3.08.

Sponsors: Pantelides

Human Resources Manager Hopkins was present and answered questions from council.

Alderman Arnett moved to adopt O-44-17 on second reader. **Seconded. CARRIED on voice vote.**

Alderman Arnett moved to adopt O-44-17 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

Adjournment

Upon motion duly made, seconded and adopted, the meeting was adjourned at 11:10 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk