



City of Annapolis

160 Duke Of Gloucester
Street
Annapolis, MD 21401

Regular Minutes - Final City Council

Monday, May 11, 2015

7:00 PM

Mayor John T. Chambers, Jr.
City Council Chambers

Call to Order

Mayor Pantelides called the meeting to order at 7:03 p.m.

Invocation

Given by Alderman Littmann.

Pledge of Allegiance

Led by Mayor Pantelides.

Roll Call

Tonight's roll call began with Alderman Littmann.

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

Approval of Agenda

**Alderwoman Finlayson moved to approve the agenda as submitted. Seconded.
CARRIED on voice vote.**

Approval of Journal of Proceedings

[CCM041315](#) Approval of Regular Meeting Minutes

Attachments: [April 13, 2015.pdf](#)

Alderman Paone moved to approve the Regular Meeting Minutes for April 13, 2015. Seconded. CARRIED on voice vote.

[CCM042715](#) Approval of Special Meeting Minutes

Attachments: [April 27, 2015.pdf](#)

Alderman Budge moved to approve the Special Meeting Minutes of April 27, 2015. Seconded. CARRIED on voice vote.

Martha Wood Leadership Award

[ID-159-15](#) Martha Wood Leadership Award - "Anne Arundel County Literacy Council"

Attachments: [ID-159-15 Recommendation.doc](#)
[ID-159-15 Citation.doc](#)

This Informational Item was reported.

Ceremonial Items

[ID-244-15](#) City Council Citation - Lee Anderson, Patti White & Debra Fortier
Annapolis Film Festival Founders and Festival Directors

Attachments: [ID-244-15 Citation.docx](#)

This Informational Item was reported.

Petitions, Reports and Communications

A. Reports by Committee

Standing Committee Dates:
Rules and City Government
Tuesday, May 12, 2015 | 4:00pm - 5:30pm
Public Safety Committee
Monday, May 18, 2015 | 5:00pm - 6:30pm

B. Report from the Finance Committee on FY2016 Budget and related legislation

[ID-245-15](#) O-14-15 Finance Committee Report

Attachments: [O-14-15 FY 2016 Budget Report and Amendments of the Finance Committee 5.7.15Final.docx](#)

Alderman Pfeiffer as Chairman of the Finance Committee presented the committees report.

C. Plymyer Report - Phase II

[ID-189-15](#) Plymyer Report - Phase II

Attachments: [Plymyer Report](#)

This Informational Item was reported

D. Comments by the General Public

Speakers: Robert Eades, 32 Pleasant Street, Annapolis, Maryland 21401 representing Neet and Klean Taxi Service and the Taxi Cab Drivers Association spoke in favor of the Stanton Community Center, spoke on the removal of the furniture in the hallway of the Stanton Community Center, the proposed uprising in Annapolis and the discussion which ended the situation, Uber X and the Public Service Commissions recent decision. Walt Klein, 17 Victor Parkway, Annapolis, Maryland 21403 representing his small business spoke on the Public Service Commissions policy decision and the payment of taxi cab licensing fees. Steve Rogers, 139 Eastern Avenue, Annapolis, Maryland 21403 spoke on assessments

and taxation and setting the tax rate, the constant yield tax rate increase of 48 % and violations of the law.

Philip Dales, 200 West Gate Circle, Annapolis, Maryland 21401 representing Crystal Springs Development, LLC., spoke on the implementation of the Forest Conservation Act.

Larry Griffin, 1202 Bay Holland Drive, Annapolis, Maryland 21403 representing We Care and Friends, 92 W. Washington Street, Annapolis, Maryland 21401 spoke on O-12-15 We Care Lease Agreement for Stanton Center and having a key to the building. Julie Johnson, P. O. Box 6634, Annapolis, Maryland 21401 spoke in favor of the work of We Care and Friend, spoke on Uber being a problem, taxi cab drivers and the use of her property for the installation of water pipes, trespassing and the payment of rent.

Mayor Pantelides accepted into the record a letter dated May 11, 2015 to the Mayor and City Council of Annapolis, Maryland 21401 from Philip C. Dales, Esq., of Hyatt & Weber, P.A. Attorneys at Law, Severn Bank Building, 200 Westgate Circle, Suite 500, Annapolis, Maryland 21401.

Mayor Pantelides declared petitions, reports and communications closed.

Public Hearings on FY2016 Annual Budget and related Legislation

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

Attachments: [O-14-15 Annual Operating Budget Ordinance.docx](#)

[Priority Programs and Summary FY2016 3_9_25.pdf](#)

[O-14-15 FY2016 Annual Operating Budget ProForma.pdf](#)

[O-14-15 Fiscal Impact.pdf](#)

[O-14-15 FAC Ltr dated 5-1-15.pdf](#)

[O-14-15 Finance Cmte FY2016 Budget Report and Amendments 5.7.15Final.docx](#)

[O-14-15 Pantelides Amendments.docx](#)

[O-14-15 Budge Amendments.docx](#)

[O-14-15 Pfeiffer Amendment.docx](#)

[O-14-15 FY2016 Budget ADOPTED.pdf](#)

[O-14-15 Signed.pdf](#)

Spoke on: Mark Leone, 5057 Overlook Road, Washington, DC 20076 representing University of Maryland, Archaeology in Annapolis co-sponsored by Historic Annapolis Foundation. Ann Ford, 240 S. River Landing Road, Edgewater, Maryland 21037 representing Back Pack Buddies Program at Heritage Baptist Church.

Carol Benson, 44 Calvert Street, Annapolis, Maryland 21401 representing Four Rivers Heritage Area.

Fay Mauro, 2666 Riva Road, Unit #130, Annapolis, Maryland 21401 representing the Anne Arundel County Volunteer Center.

Melissa Sherwood, 4 Rockwell Court, Annapolis, Maryland 21403 representing Feed a Healthy Mind

. Deborah Smith, 2625 Masque Farm Road, Annapolis, Maryland 21403 representing Annapolis Wellness Corporation trading as the Annapolis Wellness House

. Edward A. Greene, 2600 Solomans Island Road, Edgewater Maryland 21037 representing OIC Training and Job Skills Placement Services.

Doug Smith, 5 Revell Street, Annapolis, Maryland 21401 representing Main Street Program. Sean O'Neil, 423 Halsey Road, Annapolis, Maryland 21401 representing Annapolis Business Association.

Robert Clark, 18 Pinkney Street, Annapolis, Maryland 21401 representing Historic Annapolis.

Alice Estrada, 723 Second Street, Annapolis, Maryland 21403 representing Annapolis Maritime Museum. Loise Novochadlo, 3116 Munz Drive, Annapolis, Maryland 21403 representing the Center for Help

. Reynaldo Rodriguez, 3116 Munz Drive, Annapolis, Maryland 1403 representing the Center for Help

. Sheryl Menendez, 1812 Virginia Street. Annapolis, Maryland 21401 representing Restoration Community Development Youth Health Program. Elizabeth Kinney, 10 Hudson Street, Annapolis, Maryland 21401 representing the Light House Shelter. Kirk Noonan, 2610 Greenbriar Lane, Annapolis, Maryland 21401 representing the Samaritan House.

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

Attachments: [O-15-15 Capital Budget FY 2016.docx](#)

[O-15-15 and R-11-15 PC Findings.pdf](#)

[O-15-15 Fiscal Impact.pdf](#)

[O-15-15 FAC Findings.pdf](#)

[O-15-15 Signed.pdf](#)

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

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

Attachments: [R-11-15 CIP Resolution.docx](#)
[R-11-15 Proposed CIP.pdf](#)
[R-11-15 FY16 AmendedProposed CIP CSC.pdf](#)
[O-15-15 and R-11-15 PC Findings.pdf](#)
[R-11-15 Fiscal Impact.pdf](#)
[R-11-15 FAC Findings.pdf](#)
[R-11-15 Signed.pdf](#)

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

Mayor Pantelides declared the public hearing closed.

Public Hearings

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

Attachments: [O-20-15 Fair Housing.docx](#)
[O-20-15 Staff Report.docx](#)
[O-20-15 Fiscal Impact.pdf](#)

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

Mayor Pantelides declared the public hearing closed.

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

Attachments: [O-21-15 Nonstandard Vehicles.docx](#)
[O-21-15 Staff Report.docx](#)
[O-21-15 Fiscal Impact.pdf](#)

*Spoke on: Michael J. Keller, 310 Riverview Avenue, Annapolis, Maryland 21403.
No one else 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-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

Attachments: [O-10-15 AAMC Stanton Center Ordinance.docx](#)

[O-10-15 EXHIBIT A AAMC Stanton Center.pdf](#)

[O-10-15 Staff Report.docx](#)

[O-10-15 Fiscal Impact.pdf](#)

[O-10-15_Signed.pdf](#)

Alderman Arnett moved to adopt O-10-15 on second reader. Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt O-10-15 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-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

Attachments: [O-11-15 Annapolis Youth Stanton Center Ordinance.docx](#)

[O-11-15 EXHIBIT A AnnapYouth Stanton Center.pdf](#)

[O-11-15 Staff Report.docx](#)

[O-11-15 Fiscal Impact.pdf](#)

[O-11-15_Signed.pdf](#)

Alderman Arnett moved to adopt O-11-15 on second reader. Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt O-11-15 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-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

Attachments: [O-12-15 WeCare Stanton Center Ordinance.docx](#)
[O-12-15 EXHIBIT A WeCare Stanton Center.pdf](#)
[O-12-15 Staff Report.docx](#)
[O-12-15 Fiscal Impact.pdf](#)
[O-12-15 Signed.pdf](#)

Alderman Littmann moved to adopt O-12-15 on second reader. Seconded. CARRIED on voice vote.

Alderwoman Finlayson moved to adopt O-12-15 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-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

Attachments: [O-19-15 OPEB Trust Ordinance.docx](#)
[O-19-15 Exhibit A Executed Trust Agreement.PDF](#)
[O-19-15 Staff Report.docx](#)
[O-19-15 Fiscal Impact.pdf](#)
[O-19-15 FAC Findings.pdf](#)
[O-19-15 Signed.pdf](#)

Alderman Paone moved to adopt O-19-15 on second reader. Seconded. CARRIED on voice vote.

Alderman Paone moved to adopt O-19-15 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-7-15 **City Sponsored Special Events in Fiscal Year 2016 - For the purpose of identifying City Sponsored Special Events and waiving certain related City Fees during Fiscal Year 2016.**

Sponsors: Budge

Attachments: [R-7-15 City Sponsored Special Events.docx](#)
[R-7-15 Staff Report.doc](#)
[R-7-15 Fiscal Impact.pdf](#)
[R-7-15 Special Events Cost Analysis](#)
[R-7-15 FC Amendments.docx](#)
[R-7-15 Signed.pdf](#)

Alderman Budge moved to adopt R-7-15 on second reader. Seconded.

Alderman Pfeiffer moved to amend R-7-15 as follows:

Amendment #1

Page 3, after line 20 insert "City Fair."

Amendment #2

Page 3, line 25 add: "AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that an account be set up in the Budget to be used by the Administration to defray the cost to the departments." Seconded. CARRIED on voice vote.

Alderman Budge moved to adopt R-7-15 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-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

Attachments: [R-13-15 Fair Housing Impediments Analysis.docx](#)
[R-13-15 Executive Summary.docx](#)
[R-13-15 Signed.pdf](#)

Alderman Arnett moved to adopt R-13-15 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-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

Attachments: [R-14-15 CDBG Consolidated Plan.docx](#)
[R-14-15 Executive Summary.docx](#)
[R-14-15 Signed.pdf](#)

Alderman Arnett moved to adopt R-14-15 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

B. First Readers

O-22-15

Lease of 145 Gorman Street - Amended and Restated Agreement of Lease between KDBA, LLC and the City of Annapolis for the use of non-city-owned property by the City of Annapolis.

Sponsors: Pantelides

Attachments: [O-22-15 Ordinance.docx](#)
[O-22-15 KDBA-Exhibits.docx](#)
[O-22-15 KDBA-2006 Lease-145Gorman.pdf](#)
[O-22-15 Summary.doc](#)
[O-22-15 KDBA-LeaseExtOptnLtr.pdf](#)
[O-22-15 KDBALeaseOptnSummary.docx](#)
[O-22-15 Staff Report.docx](#)
[O-22-15 Fiscal Impact.pdf](#)

Alderman Arnett moved to adopt O-22-15 on first reader. Seconded. CARRIED on voice vote.

This Ordinance O-22-15 was referred to the Economic Matters Committee.

This Ordinance O-22-15 was referred to the Finance Committee.

O-23-15

Modifications to the Tables of Uses for Business and Mixed Use Zoning Districts - For the purpose of adding “Personal Fitness Studios” to the tables of uses; defining “personal fitness studios” and “Physical Health Facilities;” and all other matters generally relating to such uses.

Sponsors: Paone and Pantelides

Attachments: [O-23-15 Fitness Studios ZT Uses.docx](#)
[O-23-15 Staff Report.docx](#)
[O-23-15 Fiscal Impact.pdf](#)

Alderman Paone moved to adopt O-23-15 on first reader. Seconded. CARRIED on voice vote.

This Ordinance O-23-15 was referred to the Economic Matters Committee.

This Ordinance O-23-15 was referred to the Rules & City Government Committee.

This Ordinance O-23-15 was referred to the Planning Commission.

O-25-15 **Environmental Commission** - For the purpose of establishing a quorum of the Environmental Commission.

Sponsors: Littmann

Attachments: [O-25-15 Environmental Cmmn Quorum.docx](#)

[O-25-15 Staff Report.docx](#)

[O-25-15 Fiscal Impact.pdf](#)

[AEC Amendment](#)

Alderman Littmann moved to adopt O-25-15 on first reader. Seconded. CARRIED on voice vote.

This Ordinance O-25-15 was refered to the Economic Matters Committee.

This Ordinance O-25-15 was refered to the Rules & City Government Committee.

Business and Miscellaneous

Proposed Motion to Postpone pursuant to City Code Section 2.15.090B

O-32-14 **Forest Conservation Requirements and Standards in the City of Annapolis** - For the purpose of adopting requirements and standards for forest conservation in the City of Annapolis; providing forest stand delineation and forest conservation plan requirements; providing exceptions to Chapter 17.13 of the City Code; providing for variance procedures; and all other matters generally relating to forest conservation in the City of Annapolis.

Sponsors: Littmann, Arnett and Pantelides

Attachments: [O-32-14 FCA.docx](#)

[O-32-14 DNEP Staff Report.docx](#)

[O-32-14 Staff Reports DNEP and P&Z.pdf](#)

[O-32-14 Fiscal Impact.pdf](#)

[O-32-14 PC Findings.pdf](#)

[O-32-14 FCA PC Amendments Clean Copy.docx](#)

[O-32-14 FCA PC Trackchanges of Amended First Reader.docx](#)

[O-32-14 Supplemental Materials Submitted by DNEP - FCA Model Ordinance.pdf](#)

[O-32-14 Supplemental Materials Submitted by DNEP - Comparison of FCA Ordinances.pdf](#)

Alderman Littmann moved to postpone O-32-14 until the Special Meeting on May 18, 2015. Seconded. CARRIED on voice vote.

R-38-14 **Forest Conservation Act Fees and Fines** - For the purpose of setting fees and fines associated with the City's Forest Conservation Act set forth in Chapter 17.13 of the City Code

Sponsors: Littmann and Arnett

Attachments: [R-38-14 FCA Fees and Fines.docx](#)
[R-38-14 FCA Attach Fee Schedule Comparison.docx](#)
[R-38-14 PC Findings.pdf](#)

Alderman Littmann moved to postpone R-38-14 until the Special Meeting on May 18, 2015. Seconded. CARRIED on voice vote.

GT-16-15 Transfer From Parking OPS/Overtime Transfer to Parking Ops Supplies- Parking & Transportation

Attachments: [Budget Revision.pdf](#)
[GT-16-15.pdf](#)

Alderman Arnett moved to approve GT-16-15. Seconded. CARRIED on voice vote.

GT-17-15 Office of Emergency Management- Contract Services to Salaries

Attachments: [GT-17-15.pdf](#)
[GT-17-15.pdf](#)

Alderman Arnett moved to approve GT-17-15. Seconded. CARRIED on voice vote.

GT-18-15 Department of Public Works- Contract Services to Salaries

Attachments: [GT-18-15.pdf](#)
[GT-18-15.pdf](#)

Alderman Arnett moved to approve GT-18-15. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:36 p.m.

Regina C. Watkins-Eldridge, MMC

City Clerk