



City of Annapolis

160 Duke Of Gloucester
Street
Annapolis, MD 21401

Special Minutes - Final City Council

Monday, May 21, 2018

7:00 PM

Mayor John T. Chambers, Jr.
City Council Chambers

Call to Order

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

Invocation

Given by Alderwoman Tierney.

Pledge of Allegiance

Led by Mayor Buckley.

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 Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

Approval of Agenda

Alderman Arnett moved to approve the agenda as amended to **POSTPONE** the HACA Report until July 23, 2018, to **ADD R-27-18 Tyler Heights Elementary School Renovation and Expansion Project – Waiver of Permitting Fees on 1st Reader and O-25-18 Exempt Service Position Updates on 1st Reader. Seconded. CARRIED on voice vote.**

Petitions, Reports and Communications

A. HACA Quarterly Report

Alderman Arnett moved to postpone HACA Quarterly Report until July 23, 2018. Seconded. CARRIED on voice vote.

B. Report of the Financial Advisory Board on the FY2019 Capital Budget and CIP

[ID-176-18](#) Financial Advisory Board Report on Annual and Capital Budgets

Sponsors: City Council

The report of the Financial Advisory Commission on the FY2019 Capital Budget and CIP was presented by Mr. Bourden.

C. Reports by Committee

Standing Committee Dates:**6/4/18 Public Safety Committee****When:6:00 PM - 7:30 PM****6/6/18 Finance Committee****When:10:30 AM - 12:00 PM****6/12/18 Rules and City Government Committee****When:4:00 PM - 5:30 PM****6/14/18 Economic Matters Committee****When:3:00 PM - 4:30 PM****6/14/18 Transportation Committee****When:6:00 PM - 7:30 PM****D. Comments by the General Public***Speakers:*

Robert C. Clark, 9 South Street, Annapolis, Maryland 21401 representing Historic Annapolis spoke on O-23-18 and the National Trust for Historic Preservation.

Grant DeHart, 138 Lafayette Avenue, Annapolis, Maryland 21401 representing the National Trust for Historic Preservation spoke in opposition to O-23-18, and spoke on the Historic District, Historic Preservation Commission, the City Dock Master Plan, Dock Street and Prince George Street and selling land property to a private developer.

Larry Claussen, 160 Prince George Street, Annapolis, Maryland 21401 spoke in opposition to O-23-18, spoke on the National Parks Service, the National Trust Watch List, Historic Preservation, Tax Credits, the National Historic Preservation Act, the Historic District and the preservation of Historic Buildings.

Bill Kardash, 1 Action Place, Annapolis, Maryland 21401 representing Historic Annapolis Board of Trustees spoke on O-23-18, the capacity and occupancy rate in hotels in the city, Air B&B's, Annapolis being a Charter City and the History of Annapolis.

Mike Farmer, 142 Prince George Street, Annapolis, Maryland 21401 representing the Ward One Residents Association spoke on O-23-18, Historic Preservation, MX Mixed Use District, MX Bulk Regulations, the City's Site Plan Review, Roof Top Dining, Historic District and Historic Preservation in the City.

Pete Chamblis, 121 Prince George Street, Annapolis, Maryland 21401 spoke on O-23-18, increased traffic, pedestrians crossing the streets, Craig Street and Prince George Street, traffic on the Eastport Bridge, beer trucks, food trucks, having underground parking, and spoke in favor of removing the parking from the City Dock Area and the giving away of public property.

John Jacobson, 94 Market Street, Annapolis, Maryland 21401 spoke on O-23-18, the removal of green space, the Historic Districts, property values decreasing, parking problems and zoning approvals.

David Frankel, 929 King James Landing Road, Annapolis, Maryland 21403 spoke on a campaign promise made by the Mayor Buckley to move Annapolis towards Non Partisan Elections.

Judi Jones, 10 Fleet Street, Annapolis, Maryland 21401 spoke on living in Annapolis for 35 years, Dock Street Annapolis, presentation regarding the proposed hotel at the City Dock, Water Mark Tours, working at Historic Annapolis, workshops for children, City Dock Area and parking, and spoke in opposition to O-23-18, 110 compromise, a proposed garage where children can play on the roof, and not being able to see the water while walking her dog.

Steven Strawn, 51 Murray Avenue, Annapolis, Maryland 21401 spoke on changing the view of Annapolis, Historical Annapolis, the Boat show and use of the parking lot at the City Dock and the Annapolis Boat Shows.

Gary Schwerzler, 421 Fourth Street, Annapolis, Maryland 21403 representing Fourth

Street Design Studio spoke on O-23-18, the formation of the Historic District, C1 and C2 Zoning, development in the Historic District, Dennis Callahan, Eileen Fogarty, the City Dock Committee, lawyers and developers and being under a development seige, historic building and the City Dock Water Front.

Liz Ruben, 5 Park Place, Annapolis, Maryland 21401 spoke on O-23-18, visiting the water front, Susan Campbell Park, 4th of July Fire Works, Down Town Business Owners and taking away the view of the water at the City Dock.

Ann Fligsten, 1337 Kinloch Circle, Arnold, Maryland 21012 representing Growth Action Network spoke on the City Dock being the heart of the Historic District, Historic Annapolis, height and bulk regulations, the composition of districts in the Historic District.

Anne Clemmons, 11 Southgate Avenue, Annapolis, Maryland 21401 spoke in opposition to O-23-18.

Cecil Cummings, 15 A Boucher Place, Annapolis, Maryland 21401 spoke on O-23-18.

Robert "Bob" O'Shea, 129 Grandville Avenue, Annapolis, Maryland 21401 spoke on the Planning Commission.

Anne Small, 730 Mills Way, Annapolis, Maryland 21401 spoke on percentage of tax payers in Annapolis.

Mayor Buckley declared comments from the general public closed.

E. Update from the Mayor

Commissioning Week in Annapolis and the Blue Angels

President Trump

OEM Director Simmons

Mayor Buckley presented his biweekly report.

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 Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

First Readers

[O-19-18](#)

2018 Zoning Code Updates and Amendments - For the purpose of updating and amending the zoning code by eliminating the restriction on existing lot width or area for variance applications; removing the “finished side out” fence installation requirement; removing the retail and/or office requirement for multi-family residential projects in the BCE zoning district; removing the sign permit application requirement outside of the Historic District; extending the time-period for displaying exempt temporary community, civic, or public interest signs from sixty to ninety days; permitting free-standing signs in certain zoning districts; removing the minimum lot width requirement for freestanding signs in certain zoning

districts; removing obsolete language; and matters generally relating to updating and amending the zoning code.

Sponsors: Buckley, Rodriguez, Tierney and Paone

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

This Ordinance O-19-18 was referred to the Planning Commission.

This Ordinance O-19-18 was referred to the Rules & City Government Committee.

R-21-18

Recognizing and Remembering Racial Injustice - An Apology - For the purpose of supporting the Equal Justice Initiative; moving toward a more complete history of race relations; and affirming the City's commitment to truth, freedom and equity.

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

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

R-22-18

Watershed Restoration Fund - Appropriation and Use - For the purpose of reaffirming the commitment of the City Council concerning the appropriation and use of monies in the Watershed Restoration Fund.

Sponsors: Savidge, Buckley, Rodriguez, Tierney and Arnett

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

This Resolution R-22-18 was referred to the Environmental Matters Committee.

R-23-18

Creek Restoration Partnership - For the purpose of expressing the City Council's commitment to partnering with local watershed organizations to achieve the restoration of our Creeks, and to streamlining its laws and processes to facilitate restoration project approval, completion, and perpetual maintenance.

Sponsors: Savidge, Buckley, Rodriguez, Tierney and Arnett

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

This Resolution R-23-18 was referred to the Environmental Matters Committee.

R-24-18

Equal Protection Task Force - African-American Residents - For the purpose of establishing a temporary advisory Task Force commissioned to provide the Mayor and City Council with a public forum for studying and preparing reports about the issues of African-American residents of

the City of Annapolis; and matters generally relating to said Task Force.

Sponsors: Rodriguez, Paone, Tierney, Henson, Buckley, Savidge and Pindell Charles

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

This Resolution R-24-18 was referred to the Public Safety Committee.

This Resolution R-24-18 was referred to the Housing and Human Welfare Committee.

R-25-18**Dedication of City Property - For the purpose of dedicating the City Hall Gallery to former Mayor Ellen O. Moyer and installing a plaque in the Gallery to commemorate said dedication.**

Sponsors: Buckley

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

This Resolution R-25-18 was referred to the Historic Preservation Committee.

This Resolution R-25-18 was referred to the Heritage Commission.

This Resolution R-25-18 was referred to the Finance Committee.

Business and Miscellaneous**GA-36-18****State of Maryland Department of Natural Resources Critical Area Commission for the Chesapeake and Atlantic Coastal Bays Grant-in-Aid Program**

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

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

GA-37-18**State Homeland Security Grant Program**

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

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

GA-38-18**Maryland Smart Energy Communities Grant**

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

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

GT-18-18

Transfer From: Transportation Admin Benefits (15,000), Transportation Vehicle Op's Salaries (100,000), Transportation Vehicle Op's Overtime (10,000), Transportation Vehicle Op's Benefits (140,000), Transportation Maintenance Salaries (30,000), Transportation Maintenance Overtime (10,000), Transportation Maintenance Benefits (20,000)

Transfer To: Transportation Admin Salaries (5,000), Transportation Admin Telephone (3,000), Transportation Admin Electricity (7,000), Transportation Vehicle Op's Supplies (35,000), Transportation Vehicle Op's Equipment (35,000), Transportation Vehicle Op's R&M Fuel & Oil (145,000), Transportation Vehicle Op's R&M Vehicles (35,000), Transportation Maintenance Fuel & Oil (60,000)

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

Aye: 9 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

End of Consent Calendar

Public Hearings Cont.

O-16-18

Annual Operating Budget: Fiscal Year 2019 - For the purposes of adopting an operating budget for the City of Annapolis for Fiscal Year 2019; appropriating funds for expenditures for Fiscal Year 2019; 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: Buckley

Spoke on:

Donna Andekim, 801 Chase Street, Annapolis, Maryland 21401 representing MD Hall for the Creative Arts.

Tom Riekus, 163 Prince George Street, Annapolis, Maryland 21401 representing the Ward One residents Association.

Allan Furth, 3 King Charles Place, Annapolis, Maryland 21401.

David Frankel, 929 King James Landing Road, Annapolis, Maryland 21401.

Peter Bittner, 5 A-3 President Point Drive, Annapolis, Maryland 21403

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

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

O-17-18

Capital Budget Fiscal Year 2019 - For the purpose of adopting a capital budget for Fiscal Year 2019; and appropriating funds for expenditures for the Fiscal Year 2019 capital budget.

Sponsors: Buckley

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

Mayor Buckley declared the public hearing on O-17-18 closed.

[R-13-18](#)

Capital Improvement Program Fiscal Years 2019 - 2024 - For the purpose of adopting a capital improvement program for Fiscal Years 2019-2024 (July 1, 2018 - June 30, 2024).

Sponsors: Buckley

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

Mayor Buckley declared the public hearing on R-13-18 closed.

[R-14-18](#)

Position Classifications and Pay Plan - For the purpose of approving the FY 2019 position classification and pay plan effective July 1, 2018.

Sponsors: Buckley

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

Mayor Buckley declared the public hearing on R-14-18 closed.

[R-15-18](#)

FY 2019 Fees Schedule Effective July 1, 2018 - For the purpose of specifying fees that will be charged for the use of City services for FY 2019.

Sponsors: Buckley

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

Mayor Buckley declared the public hearing on R-15-18 closed.

[R-16-18](#)

FY 2019 Fines Schedule Effective July 1, 2018 - For the purpose of specifying fines that will be charged for FY 2019.

Sponsors: Buckley

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

Mayor Buckley declared the public hearing on R-16-18 closed.

Public Hearings

[O-21-18](#)

Parking Fund - Appropriations - For the purpose of authorizing the City Council to appropriate any excess revenue from the Parking Fund for any lawful City purpose during the annual budget process.

Sponsors: Buckley

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

Mayor Buckley declared the public hearing on O-21-18 closed.

[O-22-18](#)

Food Handling Establishments - Polystyrene Food Service Products – Prohibition – For the purpose of prohibiting the sale and use of expanded

**polystyrene foam products at food service businesses located in the City;
providing certain definitions; and providing for a penalty for violations.**

Sponsors: Savidge, Buckley, Henson, Tierney and Arnett

Speakers in favor of:

Diane Butler, 417 Third Street, Annapolis, Maryland 21401.

Alice Cain, 426 Ferry Point Road Annapolis, Maryland 21403.

Tom Zalper, 798 B Fairview Avenue, Annapolis, Maryland 21403 representing the Chesapeake Bay Foundation.

Rick Kissel, 717 Warren Drive, Annapolis, Maryland 21403 representing the Sierra Club.

Clair Jordon, 3002 Laurel Avenue, Cheverly, Maryland 20785 representing Trash Free Maryland 20785.

Spoke in opposition to:

Josh Young 700 Second Street, North East Nash, PC 2002

Lorenzo Bellamy, 220 Prince George Street, Annapolis, Maryland 21401.

Cailey Locklair, 171 Conduit Street, Annapolis, Maryland 21401.

Kate Aritola, 171 Conduit Street, Annapolis, Maryland 21401

Melvin Thompson, 6301 Hillside Court, Columbia, Maryland 21046

Molly Cook, 124 North Luzerne, Baltimore, Maryland 21224.

Louise Taylor, 28 Williams Drive, Annapolis, Maryland 21401.

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

Mayor Buckley declared the public hearing on O-22-18 closed.

Alderman Arnett moved to consider new business after 11:00 p.m.. Seconded. CARRIED on voice vote.

Legislative Action

Second Readers

R-17-18

Weather It Together: Cultural Resources Hazard Mitigation Plan - For the purpose of adopting the Weather It Together: Cultural Resources Hazard Mitigation Plan for the City of Annapolis, as an amendment to the Natural Hazard Mitigation Plan to document vulnerable cultural and historic resources in the City.

Sponsors: Buckley and Tierney

Alderman Arnett moved to adopt R-17-18 on second 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 Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

R-18-18

Equal Protection Task Force - For the purpose of establishing a temporary advisory Task Force commissioned to provide the Mayor and City Council with a public forum for studying and preparing reports about

the issues of foreign-born residents of the City of Annapolis; and matters generally relating to said Task Force.

Sponsors: Pindell Charles, Rodriguez, Tierney, Buckley, Henson and Savidge

Alderman Rodriguez moved to adopt R-18-18 on second reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

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

Nay: 1 - Alderman Arnett

First Reader

[O-23-18](#)

Rezoning the City Dock to the Mixed Use (MX) Zoning District - For the purpose of implementing the recommendations of the City Dock Master Plan by rezoning the City Dock area to the Mixed Use (MX) Zoning District.

Sponsors: Buckley

Alderman Rodriguez moved to adopt O-23-18 on first reader. FAILED for lack of a Second.

[O-24-18](#)

Fee Refunds and Waivers - For the purpose of establishing a procedure whereby certain permit or license fees may be waived by resolution of the City Council for a project constructed by or on behalf of Anne Arundel County Public Schools.

Sponsors: Rodriguez and Henson

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

Alderwoman Henson moved to adopt on O-24-18 first reader. Seconded. CARRIED on voice vote.

Alderwoman Pindell Charles asked that the record reflect her abstention from the vote on O-24-18 on first reader.

Alderman Rodriguez moved to suspend the rules to dispense with the fiscal impact note, the referral to standing committee and third reading on O-24-18. Seconded. CARRIED on voice vote.

Alderman Rodriguez moved to adopt O-24-18 on second reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 7 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson and Alderman Savidge

Abstain: 2 - Alderwoman Pindell Charles and Alderman Arnett

[R-27-18](#)

Tyler Heights Elementary School Renovation and Expansion Project - Waiver of Permitting Fees - For the purpose of waiving City permitting fees for the Tyler Heights Elementary School renovation and expansion project.

Sponsors: Buckley

Alderwoman Tierney moved to adopt R-27-18 on first reader. Seconded. CARRIED on voice vote.

Alderwoman Pindell Charles asked that the record reflect her abstention from the vote on R-27-18 on first reader.

Alderwoman Finlayson moved to suspend the rules to allow passage of the resolution at the meeting of its introduction. Seconded. CARRIED on voice vote.

Alderwoman Henson moved to adopt R-27-18 on second reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 8 - Mayor Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Finlayson, Alderman Rodriguez, Alderwoman Henson, Alderman Savidge and Alderman Arnett

Abstain: 1 - Alderwoman Pindell Charles

O-25-18

Exempt Service Position Updates - For the purpose of modifying and updating certain position titles based on corresponding duties; amending certain position grades; clarifying reporting and salary approval requirements; and matters generally relating to the exempt service.

Sponsors: Buckley

Alderwoman Finlayson moved to adopt O-25-18 on first reader. Seconded. CARRIED on voice vote.

This Ordinance O-25-18 was referred to the Finance Committee.

This Ordinance O-25-18 was referred to the Rules & City Government Committee.

Adjournment

Upon motion duly made, seconded and adopted, the meeting was adjourned at 12:38 a.m.

Regina C. Watkins-Eldridge, MMC
City Clerk