



City of Annapolis

160 Duke Of Gloucester
Street
Annapolis, MD 21401

Special Minutes - Final City Council

Monday, July 27, 2020

7:00 PM

Mayor John T. Chambers, Jr.
City Council Chambers

Virtual Meeting

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

Call to Order

Mayor Buckley called the Special Meeting to order at 7:08 p.m.

Invocation

Given by Alderwoman Tierney.

Pledge of Allegiance

Led by Mayor Buckley.

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

Virtual Closed Session Statement:

Pursuant to the requirement of the Annotated Code of Maryland, General Provisions Article§ 3-305 (b) (14). This statement is included in these minutes:

A Virtual Closed Session of the City Council on Thursday, July 23, 2020 at 1:04 p.m.

Members who voted to meet in the Closed Session:

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

Persons attending the Closed Session:

Chief of Staff Smith, Finance Director Dickinson, City Attorney Lyles, City Manager Jarrell, Assistant City Attorney Leonard, City Clerk Watkins-Eldridge, Public Works Director Johnson, Procurement Officer Snyder, and Consultant Eileen Fogarty.

The members present took a roll call vote, and the session closed. The authority under which the session closed was the Annotated Code of Maryland, General Provisions Article§ 3-305((b) (14), the purpose of the meeting was to discuss the Hillman Parking Garage.

Votes taken in the closed session:

Alderman Finlayson moved to continue working with the group selected. **Seconded. CARRIED on voice vote.**

Upon motion duly made, seconded and adopted, the closed session adjourned at 3:08 p.m.

Special Presentation

Mayor Buckley presented City Council Citations to:

Hope Stewart

Stephen Rice

Felicia Nolan

Sam Brice

Eileen Fogarty

Dick Franyo

Roll Call

Tonight's roll call began with Alderman Arnett.

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

Approval of Agenda

Alderman Rodriguez moved to amend the agenda to add a section to tonight's agenda called Legislative Actions on Second Reader. **Seconded. CARRIED on voice vote.**

Approval of Agenda

Alderman Gay moved to amend the agenda to add in the section titled Legislative Actions on Second Reader O-39-19 Accessory Dwelling Units on second reader. **Seconded. CARRIED on voice vote.**

Approval of Agenda

Alderman Gay moved to amend the agenda to add a presentation on Black Lives Matter. **Seconded. CARRIED on voice vote.**

Approval of Agenda

Alderman Savidge moved to approve the agenda as AMENDED. **Seconded. CARRIED on voice vote.**

Petitions, Reports and Communications

A. Update from the Mayor

Mayor Gavin Buckley, City Council Virtual Meeting July 27, 2020 - 7 p.m.

Good evening.

This is our last meeting before we head into our August break, which is mandated by city code. We have a full docket tonight.

That does not mean that the City is on vacation. All City services continue to be delivered. The break in council meetings does give some City staff the opportunity to take a break

and some might use the opportunity to have some vacation time, including me. I want to thank Alderwoman Pindell Charles for her service as Acting Mayor starting tomorrow. I would like to draw your attention to an amazing event that we held this morning, the virtual ribbon cutting of the Truxtun Park Pool. We are so pleased to be bringing this amenity online for residents, especially during a pandemic when recreation and being outdoors is more important than ever.

If you didn't get to see the ribbon cutting live, please go to [Facebook.com/City of Annapolis](https://www.facebook.com/CityofAnnapolis) or [Youtube.com/City of Annapolis](https://www.youtube.com/CityofAnnapolis) to view the video. You will be impressed with this \$4million asset that is going to be a place where a lot of summer memories are made. Thank you to everyone who made that possible.

As we go into our August break, I want to remind residents that we are doing what we can to keep you safe, but you have to do your part too. This is the time that we need to see ourselves as a team.

Please wear your mask when you are out and about. It helps to slow the spread. Please practice physical distancing. Please wash your hands frequently.

If you come into the recovery zones, don't gather and bunch up together, even if you are outdoors, a street party can be a reason for the health department to shut us down.

If the Health Department shuts businesses down, or we have to go back into lockdown, many of our local small businesses won't survive.

It is not a question of economy OR public health. If we don't protect the public health, we won't have businesses or an economy to protect. Please, as your City government, we are asking you to be responsible in your personal actions.

This is hard. This is difficult, but we are a community of smart people. Let's work together to slow the spread and keep Annapolis open.

Thank you.

B. Presentation - Black Lives Matter

Presented by Alderman Gay.

C. Reports by Committee

Pursuant to Article IV - THE CITY COUNCIL, Sec. 4. - Meetings.

(a)The city council shall meet regularly on the second Monday of each month except during the month of August.

D. Public Testimony Web Form

To view the actual comments, please visit www.annapolis.gov/publictestimony

WRITTEN Testimony Received:

1. Dallas Pace, 105 Domino Road, Annapolis, Maryland 21401 – O-39-19
2. Lisa Wilson, 601 Oak Lawn Avenue, Annapolis, Maryland 21401- O-39-19
3. Charles Parker, 141 West Street, Annapolis, MD 21401 – O-39-19
4. Charles Parker, 141 West Street, Annapolis, MD 21401 – R-17-20
5. Willie Ziegler, 327 Windell Avenue, Annapolis, MD 21401 – O-39-19
6. Pearl Green, Ward 3 – Form incomplete – O-39-19
7. Mary Lloyd, 207 Gross Avenue, Annapolis, MD 21401 – O-39-19
8. Jane Lawrence, Email did not contain her address – O-39-19
9. Sharon Henry, 1951 Forest Drive, Annapolis, MD 21401 – O-39-19

LIVE Testimony Requested: N/A

E. Public Testimony Email

Alderman Paone read into the record:

Letter dated and sent via email at 4:35 p.m. on July 27, 2020 to Mayor Gavin Buckley and Alderman Paone from Rebecca Brenia, on behalf of the West Annapolis Civic Association.

Public Hearings

CA-2-20

City of Annapolis Primary Election Date - For the purpose of modifying the date of the Primary Election for City of Annapolis elections.

Sponsors: Savidge

Invited to Participate:

Eileen Leahy, Chair representing the Board of Supervisors of Elections

Public Testimony Web Form - To view the actual comments, please visit <http://www.annapolis.gov/publictestimony>

Written Testimony Received:

Michael Dye, 1315 Hawkins Lane, Annapolis, MD 21401

Mayor Buckley declared the public hearing on CA-2-20 closed.

O-10-20

Zoning Code Applications - Written Notification Requirement - For the purpose of increasing the distance for sending written notification to abutting property owners for Planned Developments, Major Subdivisions, and Major Site Design applications.

Sponsors: Gay, Savidge and Tierney

Public Testimony Web Form - To view the actual comments, please visit <http://www.annapolis.gov/publictestimony>

Written Testimony Received: None

Mayor Buckley accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated June 24, 2020

Mayor Buckley declared the public hearing on O-10-20 closed.

O-18-20

Institutions for the Care of the Aged - For the purpose of adding Institutions for the Care of the Aged as a permitted use in the PM2 Professional Mixed Office Park district; and establishing bulk regulations subject to specific standards for Institutions for the Care of the Aged.

Sponsors: Savidge

Public Testimony Web Form - To view the actual comments, please visit <http://www.annapolis.gov/publictestimony>

Written Testimony Received:

Jon Arason, 707 Glendon Avenue, Annapolis, MD 21403.
Michelle McGregor, 1515 SE 17th Street, Fort Lauderdale, FL 33346.

Mayor Buckley accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated June 24, 2020.

Mayor Buckley declared the public hearing on O-18-20 closed.

[O-24-20](#) **Deadline for Absentee Ballots - For the purpose of changing the deadline for the timeliness of absentee ballots for City of Annapolis elections.**

Sponsors: Buckley

Public Testimony Web Form - To view the actual comments, please visit <http://www.annapolis.gov/publictestimony>>

Written Testimony Received: None

Mayor Buckley declared the public hearing on O-24-20 closed.

[O-25-20](#) **Conveyance of City-Owned Rights-of-Way at Newtowne 20 - For the purpose of approving the conveyance of City-owned rights-of-way within the Newtowne 20 neighborhood; expressly authorizing said conveyance to be made at private sale and not at public auction; expressly finding that the City-owned land to be conveyed is not needed for public use; and matters generally relating to said conveyance.**

Sponsors: Buckley and Finlayson

Public Testimony Web Form - To view the actual comments, please visit <http://www.annapolis.gov/publictestimony>>

Written Testimony Received: None

Mayor Buckley declared the public hearing on O-25-20 closed.

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

Sponsors: Savidge, Gay and Tierney

Public Testimony Web Form - To view the actual comments, please visit <http://www.annapolis.gov/publictestimony>>

Written Testimony Received: None

Mayor Buckley declared the public hearing on O-26-20 closed.

O-27-20

Other Excluded Service Employees - For the purpose of providing policies and practices concerning other excluded service employees, including full-time, temporary, and grant-funded employees; providing definitions; and generally relating to contractual employees.

Sponsors: Buckley

Public Testimony Web Form - To view the actual comments, please visit <http://www.annapolis.gov/publictestimony>>

Written Testimony Received: None

Mayor Buckley declared the public hearing on O-27-20 closed.

O-28-20

Parking Permit Display - For the purpose of requiring that a residential parking permit must be visibly displayed on the vehicle to which it was issued.

Sponsors: Tierney

Public Testimony Web Form - To view the actual comments, please visit <http://www.annapolis.gov/publictestimony>>

Written Testimony Received: None

Mayor Buckley declared the public hearing on O-28-20 closed.

O-30-20

Issuance of General Obligation Bonds and Bond Anticipation Notes - For the purpose of authorizing and empowering the City of Annapolis (the “City”) to issue and sell, upon its full faith and credit, (i) one or more series of its general obligation bonds in the aggregate principal amount not to exceed \$24,278,662 (the “Bonds”), pursuant to Sections 19-301 through 19-309, inclusive, of the Local Government Article of the Annotated Code of Maryland, as amended, and Article VII, Section 11 of the Charter of the City of Annapolis, as amended (the “Charter”), (ii) one or more series of its general obligation bond anticipation notes in anticipation of the issuance of the Bonds in the maximum aggregate principal amount equal to the maximum aggregate principal amount of the Bonds (the “Notes”), pursuant to Sections 19-211 through 19-221, inclusive, of the Local Government Article of the Annotated Code of Maryland, as amended and the Charter and (iii) one or more series of its general obligation bonds to refund specified bonds previously issued by the City in the aggregate principal amount not to exceed 120% of the principal amount of bonds to be refunded (the “Refunding Bonds”), pursuant to Section 19-207 and Sections 19-301 through 19-309, inclusive, of the Local Government Article of the Annotated Code of Maryland, as amended, and the Charter; providing that the Bonds, Notes and Refunding Bonds shall be issued and sold for the public purpose of financing

and refinancing certain capital projects of the City as provided in this Ordinance; prescribing the form and tenor of the Bonds, Notes and Refunding Bonds; providing for the method of sale of the Bonds, Notes and Refunding Bonds and other matters relating to the issuance and sale thereof; providing for the disbursement of the proceeds of the Bonds, Notes and Refunding Bonds; covenanting to levy and collect all taxes necessary to provide for the payment of the principal of and interest on the Bonds, Notes and Refunding Bonds; and generally providing for and determining various matters relating to the issuance, sale and delivery of the Bonds, Notes and Refunding Bonds.

Sponsors: Buckley

Public Testimony Web Form - To view the actual comments, please visit <http://www.annapolis.gov/publictestimony>>

Written Testimony Received: None

Mayor Buckley declared the public hearing on O-30-20 closed.

[R-34-20](#)

Community Development Block Grant Program - 2020 Amended Citizen Participation Plan - For the purpose of adopting an Amended Citizen Participation Plan as it relates to the administration of the Community Planning and Development programs funded by the U.S. Department of Housing and Urban Development.

Sponsors: Buckley

Public Testimony Web Form - To view the actual comments, please visit <http://www.annapolis.gov/publictestimony>>

Written Testimony Received: None

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

Business and Miscellaneous

Supplemental Appropriation

[SA-1-21](#)

CDBG Fund

Revenue:

Federal Operating Grant Revenue

Department of Health and Human Services (\$68,329.00)

Department of Housing and Urban Development (\$156,651.00)

Department of Justice (\$55,434.00)

Transportation Grant Revenue

Federal Transit Administration - through MDOT (\$4,173,899.00)

County Operating Grant Revenue (\$3,197,333.00)

Expenditure:**Federal Operating Grant Expense**

Fire Department - Ambulance Transport (\$68,329.00)

Planning & Zoning - CDBG - Community Services (\$156,651.00)

Police Department - two variable messaging signs for COVID related message (\$55,434.00)

Transportation Grant Expense

Transportation - Transit Operations (\$4,173,899.00)

COVID-19 Response Costs - See Attached (\$3,197,333.00)

Finance Director Dickinson was present and answered questions from the council.

Alderwoman Finlayson moved to approve SA-1-21. Seconded. CARRIED on voice vote.

Consent Calendar**Request for Legislation Re: Consent Calendar - Prohibiting Legislative Actions on Second Reader with Amendments**

Alderman Savidge requested the City Create a policy regarding the Consent Calendar to NOT allow Legislative Actions on Second Reader with AMENDMENT on the 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, Rodriguez, Alderman Savidge, Alderman Arnett and Alderman Gay

First Readers**O-31-20**

Non-motorized wheeled vehicles - For the purpose of setting standards for the use of non-motorized wheeled vehicles on sidewalks; and establishing a definition.

Sponsors: Buckley and Tierney

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

Mayor Buckley referred O-31-20 to the Public Safety Committee.

Mayor Buckley referred O-31-20 to the Transportation Committee.

O-29-20

Small Cell Systems - For the purpose of establishing requirements for small cell systems; adding small cell systems as a use subject to standards in all zoning districts; creating certain definitions; and generally relating to small cell systems.

Sponsors: Buckley and Tierney

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

Mayor Buckley referred O-29-20 to the Planning Commission.

Mayor Buckley referred O-29-20 to the Environmental Matters Committee.

Mayor Buckley referred O-29-20 to the Transportation Committee.

R-41-20

Small Cell Systems - Fees - For the purpose of adding fees to the Fiscal Year 2021 Fees Schedule concerning Small Cell Systems.

Sponsors: Buckley and Tierney

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

Mayor Buckley referred R-41-20 to the Planning Commission.

Mayor Buckley referred R-41-20 to the Environmental Matters Committee.

Mayor Buckley referred R-41-20 to the Transportation Committee.

R-42-20

Small Cell Systems - Fines - For the purpose of adding fines to the Fiscal Year 2021 Fines Schedule concerning Small Cell Systems.

Sponsors: Buckley and Tierney

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

Mayor Buckley referred R-42-20 to the Planning Commission.

Mayor Buckley referred R-42-20 to the Economic Matters Committee.

Mayor Buckley referred R-42-20 to the Transportation Committee.

Second Readers

O-23-20

Payment for City Services -- For the purpose of establishing a fine for dishonored checks and other written instruments; establishing a convenience fee related to accepting payment over the phone or online; and establishing a penalty for late payment of sewer service bills.

Sponsors: Buckley

O-23-20 Adopted on Second Reader as Amended.

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

O-24-20 **Deadline for Absentee Ballots - For the purpose of changing the deadline for the timeliness of absentee ballots for City of Annapolis elections.**

Sponsors: Buckley

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

R-43-20 **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, 2020, through June 30, 2025.**

Sponsors: Buckley, Gay, Tierney and Rodriguez

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

Legislation - Second Reader Postponed until 9/14/20

R-17-20 **Annual Statement of Performance Standards - For the purpose of approving the annual performance statements filed by City agencies and departments.**

Sponsors: Buckley

R-17-20 on second reader postponed until September 14, 2020.

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

O-34-19 **Planning and Zoning - Appeal Procedures - For the purpose of clarifying the procedures governing an appeal of a decision of the Planning and Zoning Director; making stylistic changes; and generally related to appeal procedures.**

Sponsors: Arnett

Alderman Arnett moved to postpone O-34-19 on Second Reader until September 14, 2020. Seconded. CARRIED on voice vote.

End of Consent Calendar

Legislative Actions on Second Reader REMOVED from the Consent Calendar at the Approval of the Agenda

O-39-19 **Accessory Dwelling Units - For the purpose of allowing accessory dwelling units in all zoning districts that allow single-family detached dwellings; establishing use requirements for accessory dwelling units; adding certain definitions; making stylistic changes; and generally related to accessory**

dwelling units.

Sponsors: Rodriguez and Savidge

Alderman Savidge moved to postpone O-39-19 on Second Reader until September 14, 2020.
Seconded. CARRIED on voice vote.

Alderman Pindell Charles referred O-39-19 to the Public Safety Committee.

Legislative Actions on Second Reader REMOVED from the Consent Calendar**O-25-20**

Conveyance of City-Owned Rights-of-Way at Newtowne 20 - For the purpose of approving the conveyance of City-owned rights-of-way within the Newtowne 20 neighborhood; expressly authorizing said conveyance to be made at private sale and not at public auction; expressly finding that the City-owned land to be conveyed is not needed for public use; and matters generally relating to said conveyance.

Sponsors: Buckley and Finlayson

Alderman Arnett moved to adopt O-25-20 on second reader. Seconded. CARRIED on voice vote.

Alderman Finlayson moved to adopt O-25-20 on third reader. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

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

Adjournment

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:33 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk