



City of Annapolis

160 Duke Of Gloucester
Street
Annapolis, MD 21401

Special Meeting Minutes - Final City Council

Monday, March 22, 2021

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 Virtual Meeting to order at 7:00 pm.

Invocation

Given by Alderman Arnett.

Pledge of Allegiance

Led by Mayor Buckley.

Roll Call

Tonight's roll call began with Alderman Gay.

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

Approval of Agenda

City Manager Jarrell and Transportation Director Gordon were present and answered questions from the council.

Alderman Gay moved to approve the agenda as amended to remove R-9-21 Filing of Grant Application with the Maryland Transit Administration on first reader from tonight's agenda. Seconded. DEFEATED on voice vote.

Approval of Agenda

Alderman Arnett moved to approve the agenda. 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 Schandelmeier, Alderman Savidge and Alderman Arnett

Nay: 1 - Alderman Gay

Ceremonial Items

[ID-9-21](#)

City Council Citations - "International Women's Day"

Mayor Buckley invited Alderwoman Finlayson to present the City Council Citations to:

LIVE: Testimony:

Pastor Carletta Allen, 87 West St, Annapolis, MD 21401 - Asbury United Methodist Church
Annapolis

Pastor Patricia Johnson, 612 Second St, Annapolis, MD 21403 – Mount Zion United Methodist
Church

Pastor Sheryl Menendez, 9 3rd Avenue, SW, Glen Burnie, MD 21061 - Light of The World
Family Ministries

Petitions, Reports and Communications

A. Update from the Mayor

Mayor Gavin Buckley
Council Remarks
March 22, 2021 - 7 p.m.
Virtual City Council Meeting

Good evening! We had such nice weather this weekend. You can feel that Annapolis is ready to get back to our new normal. I want to thank everyone who came out for the Bertina Nick cleanup at Adams Park on Saturday. In addition, I want to thank Janice Hayes Williams and Carl Snowden for organizing the event. The park is ready for spring enjoyment.

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We are working on updates to our Recovery Zones, which not only proved popular with the public, but were effective at maintaining the public health. These zones provide added capacity for businesses while allowing patrons to maintain social distance.

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It is a favorite week in Annapolis! It's Restaurant Week. I want to give a shout out to Erik Evans and Downtown Annapolis Partnership who have worked hard to organize this year's event.

Many of the menus include take away food, all include dine-in. either way, and support your Annapolis restaurants this week! It is less than \$40 for a three-course dinner menu. Less than \$20 per person for a two-course lunch. If you have been itching to try something new, this is the week to do it!

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While you are out, please remember that the governor's mask mandate remains in effect. If you are in a store, a restaurant - unless you are at your table eating - at the gym, in a religious facility, at your office or workplace and even outdoors in places where you cannot maintain six feet from others, wear your mask!

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Yesterday, the Capital Gazette ran a story on our office's health equity outreach team and their work. I spoke about them last month, but the work they are doing in the community has tremendous reach and value. We are so proud of their effort!

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Starting in April, our Office of Emergency Management with the Anne Arundel Department of Health will be opening the Pip Moyer Recreation Center as a vaccination clinic site.

This is something I have been pushing for since the vaccines were approved back in December. Vaccine supply has been limited and that kept us from moving forward on an Annapolis location.

It is critically important for our City to get as many people vaccinated as quickly as possible so we can find our new normal and get back to business. The work of government is often dismissed, but it is just these kinds of initiatives, bringing testing into the City, running vaccine clinics at senior homes at churches, reaching into communities of color to upend health disparities and outcomes, bringing vaccinations clinics to our community on a regular schedule - this is what government does. We are here to provide resources and services to residents as our primary function.

Public health is a very necessary component piece of that effort. For a long time all we had to offer was “stay home, wear your mask, and watch your distance.” That was a terribly frustrating message.

We were able to bring testing here last spring and that was helpful to know where the virus was and how much of it was spreading in our community. A useful bit of information, but when that positivity rate and the case rates ticked up last fall, it was information nobody wanted to hear.

Now we are giving people a real light at the end of the tunnel. The vaccine is safe; millions of people have taken it. I have taken it. Our council has taken it.

Vaccinations - and staying one-step ahead of the variants - that is our path out of this pandemic. Being able to administer the vaccines at local churches including Mt Olive, Asbury, Mt Zion and Iglesia Hispana Emmanuel, bringing Pip Moyer online as a site, these are all the ways government is working to serve the people and to move our City out of the year that has been COVID-19.

None of this is easy. However, we are fighting for our residents and our businesses every day. I thank our City staff for working to move us forward!

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Now for a little bit of solemn news:

First, William Rowel, from my office, has some health challenges and will be out for the rest of the year. I would like you all to keep him in your thoughts and, if you can, say a prayer for him. Will is a strong man. I saw him and his partner Amy yesterday and he has good humor and a good support system in place.

But, he could use all your positive energy as he heads into battle. Godspeed Will!

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A real friend to our City, Jim Muldoon, lost his brother quite suddenly over the weekend. Jim, we are so sorry for your loss. If we could take a moment of silence in memory of George Muldoon.

[Moment of silence]

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Last week, City staff was rocked with the news of the sudden passing of MIT specialist Patrick McAllister. Patrick was the person who showed up when your computer was not working and with speed and competence and his gentle manner, he would always take care of business and quietly leave you better off than he found you.

Patrick started work with the City of Annapolis in 2005 as an intern. Over the course of 16 years, he grew in the job and worked on a variety of projects in our MIT department, managing desktops and troubleshooting, but also building systems, including a response system after the Capital Gazette shooting.

He was a kind and gentle man who leaves behind a young son, Brendan.

Our MIT staff has been on the job since the pandemic began. They have been called on to ensure that everyone could work remotely, but they did not get that luxury. We all expect them to be there to solve problems quickly and efficiently. Right now, they are grieving. To our MIT staff, please know that we grieve with you.

I am sorry for the rest of the city staff and members of our community who knew and loved Patrick.

For his friends, family and loved ones who now have a hole in their lives where Patrick once was, I'd like to read a piece of poetry by WS Merwin. It is called "Separation."

Your absence has gone through me,
Like thread through a needle.
Everything I do is stitched with its color.

May Patrick's memory be a blessing to us all.

Now, I would like for us to take a moment of silence for us each to hold tight to the memory of Patrick.

[Moment of silence].

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Let us continue with tonight's meeting...

B. Reports by Committee

Standing Committee Dates:

Public Safety Committee

April 5, 2021, 4:00 PM - 5:30 PM

Rules and City Government Committee Meeting

April 6, 2021, 4:00 PM - 6:00 PM

Finance Committee Meeting

April 7, 2021, 10:30 AM - 12:30 PM

Transportation Committee Meeting

April 8, 2021, 6:00 PM - 7:30 PM

C. Comments by the General Public

Mayor:

LIVE: Testimony Received:

**1. Susan Margulies, 113 Conduit Street, Annapolis, Maryland 21401.
O-7-21 and O-9-21.**

2. Frederick and Beverly Naragon, 2350 Merle Road, Salem, Ohio 44460. O-7-21.

WRITTEN: Testimony Received:

1. Robert Meyer, 1010 Bay Ridge Avenue, Annapolis, Maryland 21403.
O-9-21 Accessory Dwelling Units

2. Ted Sheila, 728 N Riverside Drive, Crownsville, Maryland 21032.
O-9-21 Accessory Dwelling Units

3. Anne Peacher, 45 Cornhill Street, Annapolis, Maryland 21401.
O-26-20 Rent Increases During State of Emergency

4. Beryle Downs, 650 Greenbriar Lane, Annapolis, Maryland 21401.
O-4-21 Medical Cannabis dispensaries

5. Terence Wright, 1789 – A Belle Drive, Annapolis, Maryland 21401.
O-4-21 Medical Cannabis dispensaries

6. Townsend McNitt, 26 Franklin Street, Annapolis, Maryland 21401.
O-4-21 Medical Cannabis dispensaries

Written testimony on O-7-21 Short Term Rental Licenses - Conservation Districts

1. Cynthia H Chase, 8 Revell Street, Annapolis, Maryland 21401. - Hand
Delivered 3/19/21

2. Sharon Judith Jones, 10 Fleet Street, Annapolis, Maryland 21401.

3. Robert Clark, 18 Pinkney Street, Annapolis, Maryland 21401.

4. Gerry Perham, 954 Creek Drive, Annapolis, Maryland 21403.

5. Carl Larkin, 154 Prince George Street, Annapolis, Maryland 21401.

6. Richard Garrity, 2 Taney Avenue, Annapolis, Maryland 21401.

7. Norma Milio, 114 Smith Avenue, Annapolis, Maryland 21401.

8. William Dyott, 221 King George Street, Annapolis, Maryland 21401.

9. George and June Davis, 219 Lockwood Court, Annapolis, Maryland
21403.

10. Diane Roche, 129 Spa View Avenue, Annapolis, Maryland 21401.

11. Maggie Deglau, 12605 Amber Terrace, Richmond, Virginia 23233.

12. Elizabeth Higgins, 96 East Street, Annapolis, Maryland 21401.

13. Larry and Ruth Claussen, 160 Prince George Street, Annapolis,
Maryland 21401.

14. Kelly Fitzgerald, 30 Munroe Court, Annapolis, Maryland 21401.

15. Amy Clements, 17 Southgate Avenue, Annapolis, Maryland 21401.
16. Antoinette Royer-Berger, 170 Duke of Gloucester Street, Annapolis, Maryland 21401.
17. Edward Reid, 161 Conduit Street, Annapolis, Maryland 21401.
18. Marlys Sandve McDevitt, 202 King George Street, Annapolis, Maryland 21401.
19. James McNeal, 145 Prince George Street, Annapolis, Maryland 21401.
20. Carolyn Mitchell, 33 Pinkney Street, Annapolis, Maryland 21401.
21. Noelle Richmond, 142 Monticello Avenue, Annapolis, Maryland 21401.
22. Debra Connors, 58 Franklin Street, Annapolis, Maryland 21401.
23. Lyle Fowlkes, 76 East Street, Annapolis, Maryland 21401.
24. Mark Mhley, 123 Conduit Street, Annapolis, Maryland 21401.
25. Thomas Rekus, 5603 Condon Road, Cambridge, Maryland 21613.
26. Jason Brand, 1521 Ritchie Highway, #300, Arnold, Maryland 21012.

Legislative Action

First Readers

O-8-21

Dwellings above nonresidential uses in the PM District - For the purpose of creating standards for dwellings permitted above the ground floor of nonresidential uses in the PM zoning district; and matters generally relating to regulation of such dwellings.

Sponsors: Paone, Schandelmeier, Gay and Tierney

Alderman Paone moved to adopt O-8-21 on first reader. Seconded. CARRIED on voice vote.

Mayor Buckley referred O-8-21 to the Planning Commission.

Mayor Buckley referred to the Rules & City Government Committee.

O-9-21

Accessory Dwelling Units - For the purpose of establishing accessory dwelling units as an accessory use in certain zoning districts that allow single family dwelling units; establishing the use and bulk requirements for accessory dwelling units; and establishing the procedural requirements for accessory dwelling units.

Sponsors: Schandelmeier and Gay

Alderman Schandelmeier moved to adopt O-9-21 on first reader. Seconded. CARRIED on voice vote.

Mayor Buckley referred O-9-21 to the Planning Commission.

Mayor Buckley referred O-9-21 to the Rules & City Government Committee.

Mayor Buckley referred O-9-21 to the Economic Matters Committee.

Mayor Buckley referred O-9-21 to the Housing and Human Welfare Committee.

[R-8-21](#)

The Digital Connectivity Act - For the purpose of expressing support for the Maryland Digital Connectivity Act.

Sponsors: Buckley, Pindell Charles, Schandelmeier, Tierney, Finlayson, Gay and Paone

City Manager Jarrell was present and answered questions from the council.

Alderman Arnett moved to adopt R-8-21 on first reader. Seconded. CARRIED on voice vote.

Alderman Gay - Cosponsor Added

Mayor Buckley - Cosponsor Added

Alderman Paone - Cosponsor Added

[R-9-21](#)

Filing of Grant Application with the Maryland Transit Administration - For the purpose of authorizing the filing of an application with the Maryland Transit Administration of the Maryland Department of Transportation for a Section 5303, 5304, 5307, 5309, 5310, 5311, 5316 and/or 5317 grant(s) under the Federal Transit Act for a total amount of \$3,890,545, consisting of \$2,554,554 for fixed route transit operations; \$215,232 for ADA complementary paratransit services; \$427,500 capital grant for transit vehicle maintenance; and \$693,259 capital grant for the purchase of two (2) heavy duty buses for replacement purposes.

Sponsors: Buckley, Tierney and Pindell Charles

City Manager Jarrell and Finance Director Dickinson were present and answered questions from the council.

Alderman Arnett moved to adopt R-9-21 on first reader. Seconded. CARRIED on voice vote.

Alderwoman Pindell Charles - Cosponsor Added

Second Readers

[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, Tierney, Schandelmeier, Gay, Pindell Charles, Paone and Finlayson

Alderman Schandelmeier moved to adopt on second reader. Seconded.

Alderman Schandelmeier moved to amend O-29-20 as follows:

AMENDMENT 1:

On page 2, after line 7 insert new subparagraph:

“A. SUBJECT TO REGULATION, SMALL CELL SYSTEMS LOCATED IN THE CITY OF ANNAPOLIS SHALL BE SUBJECT TO THE STANDARDS AND REQUIREMENTS OF THE ZONING CODE AND MUST BE IN ACCORDANCE WITH THE ANNAPOLIS SMALL CELL SYSTEM GUIDELINES AND REGULATIONS AS PROMULGATED BY THE DEPARTMENT OF PLANNING AND ZONING.” and sequentially re-letter subsequent subparagraphs.

AMENDMENT 2:

On page 6 strike lines 24 down through page 8 line 10 and insert:

“SMALL CELL SYSTEMS ARE SUBJECT TO THE FOLLOWING STANDARDS, RULES AND GUIDELINES AS PROMULGATED BY THE DEPARTMENT OF PLANNING AND ZONING. THE STANDARDS, RULES AND GUIDELINES SHALL INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING SUBJECTS:

- A. NOTICE OF INSTALLATION TO ABUTTING PROPERTY OWNERS.**
- B. APPROVAL REQUIRED BEFORE INSTALLATION OR MODIFICATION.**
- C. PLANS REQUIRED FOR PERMIT APPLICATION.**
- D. CONSOLIDATED APPLICATIONS AND CO-LOCATIONS.**
- E. DEADLINES AND REQUIREMENTS FOR OPERABILITY AND ABANDONMENT.**
- F. CERTIFICATION OF WIND LOAD.**
- G. CERTIFICATION OF COMPLIANCE WITH FEDERAL STANDARDS.**
- H. COPIES OF COMMUNICATIONS WITH FEDERAL AGENCIES.**
- I. VIOLATIONS OF THIS SECTION OR FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION OR ANY CONDITIONS ATTACHED TO A PERMIT OR CERTIFICATE OF USE SHALL CONSTITUTE A MUNICIPAL INFRACTION AND IS SUBJECT TO A FINE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL. NOTHING HEREIN CONTAINED SHALL PREVENT THE CITY OF ANNAPOLIS FROM TAKING SUCH OTHER LAWFUL ACTION AS IS NECESSARY TO PREVENT OR REMEDY ANY VIOLATION.”**

Amendment 3:

On page 8, strike lines 16 down through line 29 and substitute:

“REVISOR’S NOTE: In this Section “Micro Wireless Facility” and “Small Cell System” are is added.

No other changes are made.

“MICRO WIRELESS FACILITY.” MICRO WIRELESS FACILITY MEANS:

1. ANY EQUIPMENT OTHERWISE WITHIN THE DEFINITION OF “SMALL WIRELESS SYSTEM” WHOSE RADIO TRANSCEIVER AND ASSOCIATED HOUSING EQUIPMENT HAS DIMENSIONS NO LARGER THAN 24 INCHES IN LENGTH, 15 INCHES IN WIDTH, AND 12 INCHES IN HEIGHT AND AN EXTERIOR ANTENNA, IF ANY, NO LONGER THAN 11 INCHES; AND

2. WHERE SUCH EQUIPMENT IS SUSPENDED ON STRAND STRUNG BETWEEN EXISTING UTILITY POLES IN COMPLIANCE WITH APPLICABLE CODES BY A COMMUNICATIONS SERVICE PROVIDER AUTHORIZED TO OCCUPY THE RIGHTS-OF-WAY.

"SMALL CELL SYSTEM." SMALL CELL SYSTEM MEANS ANY SHORT RANGE EQUIPMENT INSTALLED FOR THE PURPOSE OF SUPPLEMENTING OR EXTENDING WIRELESS COMMUNICATIONS COVERAGE IN A LOCALIZED AREA. "SMALL CELL SYSTEM" INCLUDES:

- 1. ANY POLE, STRAND, OR OTHER STRUCTURE USED TO SUPPORT A SYSTEM OR TO WHICH A SYSTEM IS ATTACHED; AND**
- 2. ANY RADIO TRANSCEIVER, ANTENNA, COAXIAL OR FIBER-OPTIC CABLE, REGULAR OR BACK-UP POWER SUPPLY, AND COMPARABLE EQUIPMENT, REGARDLESS OF TECHNOLOGICAL CONFIGURATION; AND ANY ANCILLARY OR ACCESSORY STRUCTURE OR EQUIPMENT TO HOUSE ANY PART OF THE SYSTEM.**

"SMALL CELL SYSTEM" DOES NOT INCLUDE A MICRO WIRELESS FACILITY."

Seconded. CARRIED on voice vote.

Alderman Schandelmeier moved to adopt O-29-20 as amended on second reader. Seconded. CARRIED on voice vote.

Alderman Schandelmeier moved to adopt O-29-20 on third 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 Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

Alderman Paone - Cosponsor Added

Alderwoman Finlayson - Cosponsor Added

[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, Tierney, Schandelmeier, Gay, Pindell Charles and Finlayson

Alderman Schandelmeier moved to adopt R-41-20 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 Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

[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, Tierney, Schandelmeier, Gay and Pindell Charles

Alderman Schandelmeier moved to adopt R-42-20 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 Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

[R-4-21](#)

Annapolis Ward Boundary and Redistricting Commission - For the purpose of establishing a Commission that the City historically forms after each federal decennial census to reevaluate the boundaries of its wards;

and generally relating to said Commission.

Sponsors: Buckley

Alderman Gay moved to withdraw R-4-21 without objection. Seconded. CARRIED on voice vote.

R-5-21

Itinerant Merchant Sales in the Historic District - 2021 - For the purpose of authorizing hawker, peddler, and itinerant merchant sales in the Historic District in conjunction with certain special events during calendar year 2021.

Sponsors: Tierney and Pindell Charles

Alderman Tierney moved to adopt R-5-21 on second reader. Seconded.

Alderman Tierney moved to amend R-5-21 as follows:

Amendment 1:

On page 1, after line 40 insert:

“ Youth Entrepreneurship Fair – Susan Campbell Park – May 8, 2021” . Seconded. DEFEATED on voice vote.

Alderman Schandelmeier moved to adopt R-5-21 on second 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, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

R-6-21

Non-Profit Vendors During Fall 2021 Boat Shows - For the purpose of authorizing sales by certain vendors in the City Dock area of the Historic District during the Fall 2021 U.S. Sailboat and Powerboat Shows.

Sponsors: Tierney

Alderman Arnett moved to adopt R-6-21 on second 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, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

R-7-21

Annual Reports - For the purpose of receiving the combined annual reports of the Annapolis committees, commissions, boards, and authorities.

Sponsors: Buckley

Alderman Paone moved to adopt R-7-21 on second 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, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

[R-9-21](#)

Filing of Grant Application with the Maryland Transit Administration - For the purpose of authorizing the filing of an application with the Maryland Transit Administration of the Maryland Department of Transportation for a Section 5303, 5304, 5307, 5309, 5310, 5311, 5316 and/or 5317 grant(s) under the Federal Transit Act for a total amount of \$3,890,545, consisting of \$2,554,554 for fixed route transit operations; \$215,232 for ADA complementary paratransit services; \$427,500 capital grant for transit vehicle maintenance; and \$693,259 capital grant for the purchase of two (2) heavy duty buses for replacement purposes.

Sponsors: Buckley, Tierney and Pindell Charles

Alderman Paone moved to suspend the rules to allow passage of resolution at the meeting of its introduction. 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 Gay, Alderman Schandelman, Alderman Savidge and Alderman Arnett

City Manager Jarrell and Transportation Director Gordon were present and answered questions from the council.

Alderman Paone moved to adopt R-9-21 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 Pindell Charles, Alderwoman Finlayson, Alderman Schandelman and Alderman Savidge

Nay: 1 - Alderman Gay

Abstain: 1 - Alderman Arnett

Alderwoman Pindell Charles - Cosponsor Added

Adjournment

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:16 p.m.

**Regina C. Watkins-Eldridge, MMC
City Clerk**