



City of Annapolis

160 Duke Of Gloucester
Street
Annapolis, MD 21401

Regular Meeting Minutes - Final

City Council

Monday, September 13, 2021

7:00 PM

Mayor John T. Chambers, Jr.
City Council Chambers

Call to Order

Mayor Buckley called the Regular Meeting to order at 7:00 pm.

Invocation

Given by Mayor Buckley.

Pledge of Allegiance

Led by Mayor Buckley.

Roll Call

Tonight's roll call began with Alderman Arnett.

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

Alderman Arnett moved to approve the agenda. 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

Ceremonial Items

[ID-70-21](#)

City Council Citation - Phyllis Adams

This Ceremonial Item was presented by Alderwoman Finlayson.

[ID-203-21](#)

This Ceremonial Item was presented by Alderman Arnett.

Petitions, Reports and Communications

A. Report of the Charter Revision Commission

[ID-212-21](#)

Mayor Buckley accepted the Report from the Charter Revision Commission.

B. Update from the Mayor

Mayor Gavin Buckley
City Council Remarks
Sept 13, 2021 - 7 p.m.
City Council Chambers

Good evening and welcome back!

Our last meeting was at the end of July. I hope everyone had a little time to relax with family and friends or to do a little campaigning. I was lucky to get some time with my family.

As we moved through August, things seemed to get busier and busier, culminating with the devastating tornado in Parole on September 1. I want to say right up front that I am so proud of our City staff.

I'd like to thank our Office of Emergency Management Director Kevin Simmons whose team was instrumental in mobilizing the City's response. In my office, Hilary Raftovich and Erin Lee, from the City Manager's office, stood up a resource center to give hands-on support to residents and connect them to resources.

Alderwoman Rhonda Pindell Charles showcased her leadership - and I think for a couple of days right after she didn't seem to sleep at night, firing off emails to coordinate things at 3 a.m.!

Thankfully, nobody was injured or killed, and that we were spared the heartache of casualties on top of all the property loss. We can - and we will - rebuild.

Annapolis is a resilient City and it is full of residents who step in when they are called to service. When Sen. Sarah Elfreth's office helped to organize a cleanup, we had more than 100 people show up.

For those who have to rebuild, the City is waiving permit fees for tornado damage for one year. Once your insurance has assessed the damage and your contractor is hired, please inform the permit office for expedited service.

There is a lot of love in this City and I am grateful for each and every person who came out to help, who donated, who worked to restore this historic community. We have a lot of work remaining, but I am awed by the outpouring and network of support.

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Our children are back at school, many for the first time since the shutdown in

March of 2020. I know that most of the kids are happy to be back with their friends and in a traditional learning environment. I think that most parents are happy about this too!

I want to thank Annapolis Recreation and Parks, One Annapolis and Annapolis Police for the camps they ran not only throughout the pandemic, but over this summer.

I am grateful to all the groups who partnered to get children sailing and fishing, using technology, enhancing sports and other skills.

I also want to tell everyone that Annapolis Department of Transportation is playing a part in an interim plan to get all kids bused at this time where the school district does not have enough drivers. We have been involved in the planning and have offered bus assets.

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A few weeks ago, the City and county hosted a visit with United States Senator Chris Van Hollen. We talked infrastructure and federal funding and our plans for City Dock.

We are hoping to draw down some of those federal dollars for resiliency projects here in the City. But coming up first is our rebuild of Hillman Garage. That is starting in January with the demolition of the existing structure, which is well beyond its service life. The City Dock group and particularly Eileen Fogarty have been instrumental in their outreach and I encourage you to check out any of their presentations to community groups, businesses and residents on the City's YouTube channel.

The City Dock project is a wonderful example of our work with partners at the County, state, federal level as well as non profit and private sector. We will continue to seek out these partnerships.

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On Saturday, I was honored to participate in a wreath laying ceremony to commemorate the 20th anniversary of 9-11. Annapolis Fire Department sent personnel to New York City in the aftermath of the terror attacks to assist in the recovery efforts. We continue to be grateful for their service and professionalism. At the event, I read a proclamation declaring 9-11 a Day of Service and Remembrance in the City of Annapolis.

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Lastly, we see events and activities in the City coming back. In August, we hosted a celebration for Alex Haley's 100th birthday. The Caucus of African American leaders held a meeting and vaccination clinic at Bates Senior Center in honor of Robert Eades. We see Navy Football back on the schedule and I got to attend the season opening of the Annapolis Symphony with an outdoor concert at Quiet Waters Park.

All of these things are possible because Maryland has a high rate of vaccination. If you haven't been vaccinated, please take the shot.

Of the 10 ICU patients at Anne Arundel Medical Center as of last week, 8 were on ventilators and ALL were unvaccinated. The vaccines are free. They prevent serious illness. They are available at clinics, pharmacies, grocery stores and your doctor's office. We can continue our recovery with a meaningful focus on the public health.

Take the vaccine, wear your mask indoors when appropriate and let's try to stay healthy as more people move indoors with the weather turning cooler.

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Thank you and let's get on with tonight's meeting!

C. Reports by Committee

Standing Committee Dates:

Special Finance Committee Meeting

Wednesday, September 15, 2021- Time:10:30 AM - 12:30 PM

Environmental Matters Committee Meeting

Wednesday, September 15, 2021 Time: 3:00 PM - 5:00 PM

D. Comments by the General Public

PUBLIC TESTIMONY WEB FORM – To view the actual comments, please visit www.annapolis.gov/publictestimony

1. Robert Kinsler, 1823 Pendennis Drive, Annapolis, Maryland 21409.
2. Michael Farmer, 142 Prince George Street, Annapolis, Maryland 21401.
3. Bill Kardash, 17 South Street, Annapolis, Maryland 21401.
4. Earl Bradley, 940 Bay Forest Court, Annapolis, Maryland 21403.

Mayor Buckley declared comments from the General Public closed.

Appointments

[AP-11-21](#)

The Appointment of Leslie Xavier to the Historic Preservation Commission

Alderwoman Tierney moved to confirm AP-11-21. **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 Buckley, Alderwoman Tierney, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

Approval of Journal of Proceedings

[CCM](#)
[7.26.2021](#)

Special Meeting Minutes

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 Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

[CCM](#)
[7.29.2021](#)

Special Meeting Minutes

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 Gay, Alderman Schandelmeier, Alderman Savidge and Alderman Arnett

End of Consent Calendar

Business and Miscellaneous

Supplemental Appropriations

[SA-3-22](#)

Grant Fund - Mayor - Maryland Department of Health

Revenue: State Grant Revenue (\$100,000.00) Expenditure: State Grant Expenses (\$100,000.00)

Alderman Arnett moved to approve SA-3-21. Seconded. CARRIED on voice vote.

[SA-4-22](#)

Grant Fund (Contingency) - Office of Emergency Management Department

Revenue: Transfer From General Fund (\$65,000.00) County Grant Revenue ((\$59,000.00)) Expenditure: County Grant Expense (\$6,000.00)

Director of the Office of Emergency Management Simmons and Fire Chief Remaley were present and answered questions from the Council.

Alderman Arnett moved to approve SA-4-21. Seconded. CARRIED on voice vote.

Fund Transfers

[FT-2-22](#)

General Fund - Contingency Account

Transfer From: Contingency - Contingency Fund (\$65,000.00) Transfer To: General - Transfer to Grant Fund (\$65,000.00)

Alderman Arnett moved to approve FT-2-22. Seconded. CARRIED on voice

vote.

Public Hearings

[O-19-21](#) **Development Application Procedures** - For the purpose of providing for community benefit input in the review of proposed development applications.

Sponsors: Arnett and Savidge

Mayor Buckley accepted into the record the Planning Commission Findings dated August 23, 2021.

Mayor Buckley declared the public hearing on O-19-21 closed.

[O-27-21](#) **Cellco Partnership, d/b/a Verizon Wireless - Lease Agreement** - For the purpose of approving the lease for certain City-owned property within the City of Annapolis between Cellco Partnership, d/b/a Verizon Wireless and the City of Annapolis; and matters generally relating to said Lease Agreement.

Sponsors: Buckley

Mayor Buckley declared the public hearing on O-27-21 closed.

[O-29-21](#) **City Holidays - Juneteenth** - For the purpose of designating Juneteenth National Independence Day as a City paid holiday.

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

Mayor Buckley declared the public hearing on O-29-21 closed.

[O-30-21](#) **Market Space Lease Agreements** - For the purpose of approving the leases for certain City-owned property located at Market Space, Annapolis, Maryland 21401, between Bembe Beach, LLC, d/b/a Federal House and the City of Annapolis, Iron Rooster-Annapolis, LLC and the City of Annapolis, New Market House, LLC and the City of Annapolis, McGarvey's Annapolis, LLC and the City of Annapolis, and Middleton's Tavern, Ltd. and the City of Annapolis; providing an effective date; and matters generally relating to said Lease Agreements.

Sponsors: Buckley, Tierney and Schandelmeier

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

Speakers:

Jodi Danek, 25 Market Space, Annapolis, Maryland 21401 representing NEW MARKET HOUSE LLC.

Jeremy Black, 20 Market Space, Annapolis, Maryland 21401 representing BEMBE BEACH, LLC (D/B/A FEDERAL HOUSE)

Kevin Havens, 8 Market Space, Annapolis, Maryland 21401 representing McGARVEY'S ANNAPOLIS, LLC.

Carl Werner, 12 Market Space, Annapolis, Maryland 21401 representing IRON ROOSTER-ANNAPOLIS, LLC

Mayor Buckley declared the public hearing on O-30-21 closed.

Alderman Schandelmeier - Cosponsor added

[O-31-21](#)

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 \$36,358,768 (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

Mayor Buckley declared the public hearing on O-31-21 closed.

[O-33-21](#)

Tree removal on private property - For the purpose of requiring a permit for the removal of certain trees located on private property anywhere within the City limits; and generally relating to the removal of trees on private property.

Sponsors: Savidge, Tierney and Arnett

Speakers:

- 1. Susan Wheatley, 109 Monticello Avenue, Annapolis, Maryland 21401.**
- 2. Sandra M. Elwood, 1420 Catlyn Place, Annapolis, Maryland 21401.**

PUBLIC TESTIMONY WEB FORM – To view the actual comments, please visit

www.annapolis.gov/publictestimony

1. Robert Gallagher, 113 Spa View Avenue, Annapolis, Maryland 21401

Mayor Buckley declared the public hearing on O-33-21 closed.

[R-23-21](#)

Tree Removal on Private Property - Fines - For the purpose of establishing fines for the removal of certain trees; and providing an effective date.

Sponsors: Savidge, Tierney and Arnett

Mayor Buckley declared the public hearing on R-23-21 closed.

Legislative Action

First Readers

[O-35-21](#)

Acceptable Forms of Signature - For the purpose of authorizing use of automated or computer generated electronic or digital signatures for certain official City documents; authorizing the City Manager to delegate signature authority for certain contracts; providing certain definitions; and generally relating to signatures.

Sponsors: Buckley

Alderman Schandelmeier moved to adopt O-35-21 on first reader. Seconded. CARRIED on voice vote.

Mayor Buckley referred O-35-21 to the Rules & City Government Committee.

Mayor Buckley referred O-35-21 to the Finance Committee.

[R-26-21](#)

Maritime Task Force “Strategy: Strengthening the Maritime Industry” - For the purpose of adopting the Strategy of the Maritime Task Force.

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

Alderman Schandelmeier moved to adopt R-26-21 on first reader. Seconded. CARRIED on voice vote.

Alderman Savidge referred R-26-21 to the City Council Public Hearing.

Second Readers

[O-13-21](#)

Urban Renewal Projects - Repeal - For the purpose of repealing the Annapolis City Code provisions relating to urban renewal projects; providing provisions for the exercise of state law powers relating to development or redevelopment of certain property, including comprehensive renovation or rehabilitation; requiring the Affordable Housing and Community Equity Development Commission to review certain development projects; providing

certain definitions, providing for the application of this Ordinance; providing that existing obligations or contract rights may not be impaired by this Ordinance; and generally relating to the repeal of such provisions.

Sponsors: Tierney, Buckley, Pindell Charles, Savidge, Finlayson and Schandelmeier

Alderman Arnett moved to adopt O-13-21 on second reader. Seconded.

Planning and Zoning Director Dr. Nash was present and answered questions from the council.

Alderwoman Finlayson moved to amend O-13-21 as follows:

Amendment 1:

on page 2, in line 29 and on page 3, in line 27 strike "SLUM AREAS AND"; and on page 2, in line 32 after "CHAPTER," strike down through line 41 and in line 43 strike "2" and substitute "1"

Amendment 2:

On page 1, after line 40 insert "17.48.020" and on page 14, after line 9 insert "TITLE 17 – BUILDINGS AND CONSTRUCTION

Chapter 17.48 - NONRESIDENTIAL PROPERTY MAINTENANCE

Section 17.48.020 - Findings—Purpose.

A. There exists in the City structures used for nonresidential use which are, or may become in

the future, substandard with respect to structure, equipment or maintenance.

These conditions,

which include, but are not limited to, structural deterioration, lack of maintenance and

appearance of exterior of premises, infestation, lack of essential heating and plumbing, lack

of maintenance or upkeep of essential utilities and facilities, existence of fire hazards,

inadequate provisions for light and air, and insanitary conditions, constitute a menace to the

health, safety, welfare and reasonable comfort of the citizens and inhabitants of the City. It is

found and declared further that by reason of lack of maintenance, and because of progressive

deterioration, certain properties have the further effect of creating blighting conditions and

initiating slums and that if these are not curtailed and removed, the conditions will grow and

spread and will necessitate in time the expenditure of large amounts of public funds to correct

and eliminate. Through timely regulations and restrictions, as contained in this chapter, the

growth of slums and blight may be prevented, the neighborhood and property values

maintained, the desirability and amenities of residential and nonresidential uses and

neighborhoods enhanced, and the public health, safety, and welfare are

protected and fostered.

B. The purpose of this chapter is to protect the public health, safety, and welfare by establishing minimum standards governing the maintenance, appearance, condition, and occupancy of nonresidential premises; to establish minimum standards governing utilities, facilities, and other physical components and conditions essential to make the facilities fit for occupancy and use; to fix certain responsibilities and duties upon owners and operators, and distinct and separate responsibilities and duties upon occupants; to fix penalties for the violations of this chapter; to provide for the right of access across adjoining premises to permit repairs; and to provide for the repair, demolition, or vacation of premises unfit for use. This chapter is remedial and essential for the public interest and it is intended that this chapter be construed liberally to effectuate the purposes as stated in this section.”
and on page 1, after line 41 insert “21.02.030” and on page 14 after line 34 insert

“TITLE 21 – PLANNING AND ZONING

Chapter 21.02 - INTRODUCTORY PROVISIONS

Section 21.02.030 - Purpose.

The Zoning Code is adopted for the purpose of promoting the public health, safety and general welfare of the citizens of the City of Annapolis. Additional specific purposes of the Zoning Code are as follows:

- A. To promote the public comfort, convenience and prosperity.
- B. To ensure the integrity of, and help implement, the Comprehensive Plan.
- C. To foster a more rational pattern of relationships among different types of land uses for the mutual benefit of all.
- D. To zone all properties with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City.
- E. To avoid the inappropriate development of lands and provide for adequate drainage, curbing of erosion and reduction of flood damage.
- F. To lessen and relieve street congestion.
- G. To secure safety from fire and other dangers.
- H. To provide adequate standards of light, air and open space.
- I. To prevent the overcrowding of land and buildings and thereby to ensure proper living and working conditions and to prevent blight and slums.
- J. To avoid undue concentration of population.
- K. To facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.
- L. To maintain and protect residential, business, commercial and manufacturing areas alike from harmful encroachment by incompatible uses and to ensure that land

allocated to a class of uses shall not be changed to inappropriate uses.

M. To protect those community facilities which require a residential environment and which provide essential health and welfare services for residents.

N. To protect and provide locations for Federal, State, County and municipal governmental buildings and their various departments and related activities.

O. To preserve the historic and the general environment of the historic district.

P. To fix reasonable standards to which buildings and structures shall conform.

Q. To prevent additions to, and alterations or remodeling of, existing buildings or structures as would not comply with the restrictions and limitations imposed in this Zoning Code.

R. To provide for adequate off-street parking and loading areas.

S. To isolate or control the location of unavoidable nuisance-producing uses.

T. To define the powers and duties of the administrative and enforcement officers and bodies.

U. To prescribe penalties for any violations of the provisions of this Zoning Code.

V. To promote appropriate use of waterfront properties.”

. Seconded. CARRIED on voice vote.

Alderman Schandelmeier moved to adopt O-13-21 as amended on second reader. Seconded. CARRIED on voice vote.

Alderman Arnett moved to adopt O-13-21 on third 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 Schandelmeier, Alderman Savidge and Alderman Arnett

Nay: 1 - Alderman Gay

Alderman Schandelmeier - Cosponsor added

[O-21-21](#)

Public Ethics - Statement of Compliance - For the purpose of repealing the requirement to file a Statement of Compliance for certain individuals.

Sponsors: Buckley

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

Alderman Schandelmeier moved to adopt O-21-21 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

[R-25-21](#)

Position Classifications - Amendments - For the purpose of amending

the Fiscal Year 2022 position classifications.

Sponsors: Buckley

Alderman Arnett moved to adopt R-25-21 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 Gay, Alderman Savidge and Alderman Arnett

Out of Room: 1 - Alderman Schandelmeier

Adjournment

Upon motion duly made, seconded and adopted, the special meeting was adjourned at 8:56 p.m.

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