

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Minutes of

Legislative Session 2021, Legislative Day No. 18

September 20, 2021 - 7:00 P.M.

The meeting was called to order by Chair Lacey at 7:00 P.M. and opened with the Invocation and Pledge of Allegiance led by Ms. Fiedler. The meeting was held in the County Council Chambers, Arundel Center, Annapolis, Maryland. There were approximately 20 persons in the audience.

The following members of the County Council were present:

Sarah F. Lacey	First District
Allison Pickard	Second District
Nathan Volke	Third District
Andrew C. Pruski	Fourth District
Amanda Fiedler	Fifth District
Lisa D.B. Rodvien	Sixth District
Jessica Haire	Seventh District

The County Auditor's Office was represented by the County Auditor, Michelle Bohlayer. Linda Schuett, Legislative Counsel, was also present.

ETHICS STATEMENT

Laura Corby, Administrative Officer, read aloud the Ethics Statement.

INVITATION TO AUDIENCE

The Administrative Officer stated there was one submission of public testimony received for Invitation to Audience, which was posted to the website and is part of the official record.

The following person spoke on Invitation to Audience:

Julie Johnson, Annapolis

There was no one else present who wished to speak, and the Invitation to Audience was concluded.

PRESENTATION – RECREATION AND PARKS

Janice Hayes-Williams spoke on the Port Marker project in Annapolis.

PRELIMINARY MOTION

On motion of Ms. Pickard, seconded by Ms. Rodvien, the Council voted that the partial reading of any bill, resolution, minutes, or amendment constitutes the reading of the whole.

APPROVAL OF MINUTES

On motion of Ms. Pickard, seconded by Mr. Pruski, the minutes of the meeting of September 7, and September 13, 2021 were approved as presented.

INTRODUCTION OF BILLS

BILL NO. 77-21 – AN ORDINANCE concerning: Transfer of Control of Cable Franchisee – Anne Arundel Broadband, LLC – FOR the purpose of approving the transfer of control of the cable franchisee Anne Arundel Broadband, LLC, from WideOpenWest Mid-Michigan Holdings, LLC, a wholly-owned subsidiary of WideOpenWest Finance, LLC to Starpower Communications, LLC and generally relating to the cable franchise held by Anne Arundel Broadband, LLC.

By Ms. Lacey, Chair

(by request of the County Executive)

BILL NO. 78-21 – AN ORDINANCE concerning: Purchasing – Acquisition of real property by gift – FOR the purpose of approving acceptance of a gift of real property totaling 6.18 acres of land, more or less, in Crownsville, Maryland, from Kevin J. Page (“Page”) and Michelle F. Page Cooper (“Cooper”).

By Ms. Lacey, Chair

(by request of the County Executive)

BILL NO. 79-21 – AN ORDINANCE concerning: Pensions – Deferred Retirement Option Program – Term of Participation Period – FOR the purpose of exempting Battalion Chiefs in the Fire Service Retirement Plan from the requirement for approval of the sixth year of DROP participation; and generally relating to pensions.

By Ms. Lacey, Chair

(by request of the County Executive)

BILL NO. 80-21 – AN ORDINANCE concerning: Floodplain Management, Erosion and Sediment Control, and Stormwater Management – Violation, Enforcement, and Penalties – Civil Fines – Clearing Trees of Significant Size – FOR the purpose of making it a Class A civil offense to clear trees of significant size in violation of County erosion and sediment control law; amending the factors to be used when determining a fine for a Class A civil offense; and generally relating to floodplain management, erosion and sediment control, and stormwater management.

By Ms. Pickard and Ms. Rodvien

BILL NO. 81-21 – AN ORDINANCE concerning: General Provisions – Prohibition against Use of County Funds or Resources to Promote or Require Discrimination – FOR the purpose of defining “discrimination” and “employee”; adding prohibitions on the use of County funds or resources; and generally relating to general provisions.

By Mr. Volke

BILL NO. 82-21 – AN ORDINANCE concerning: Licenses and Registrations – Towing Companies – Towing or Removal of Vehicles from Parking Lots – Placement of Signs – Regional Malls – FOR the purpose of defining “regional mall”; requiring towing signage be placed at each entrance to a regional mall parking lot; and generally relating to licenses and registrations.

By Ms. Lacey

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 45-21 – RESOLUTION appointing a member to the Anne Arundel County Ethics Commission

By Ms. Lacey, Chair
(by request of the County Executive)

RESOLUTION NO. 46-21 – RESOLUTION approving a nomination of a member to the Anne Arundel County Human Relations Commission

By Ms. Lacey, Chair
(by request of the County Executive)

RESOLUTION NO. 47-21 – RESOLUTION approving the determination of certain non-buildable County-owned properties known as part of Drum Point Avenue and Crain Highway in Glen Burnie, Maryland as surplus property

By Ms. Lacey, Chair
(by request of the County Executive)

RESOLUTION NO. 48-21 – RESOLUTION approving the application to the United States Department of Justice, Office of Justice Programs, for a grant under the Edward Byrne Memorial Justice Assistance Grant Program federal FY 2021 Local Solicitation and recognizing the County Executive's authority to act in connection with the grant

By Ms. Lacey, Chair
(by request of the County Executive)

RESOLUTION NO. 49-21 – RESOLUTION in support of a replacement bridge at the current crossing of the William Preston Lane Jr. Memorial Bridge otherwise known as the Chesapeake Bay Bridge

By Ms. Fiedler

The Chair stated Resolution Nos. 45-21 and 46-21 would be voted on at the end of the meeting.

PUBLIC HEARINGS AND CALL OF BILLS FOR FINAL READING AND/OR VOTE

BILL NO. 66-21 (As Amended)

The Chair called Bill No. 66-21, as amended, An Ordinance concerning: Zoning – Parking, Nonresidential Outdoor Lighting, and Signage – Prohibited Signs and Temporary Signs – For the purpose of amending the definition of “sign”; allowing wind signs and animated signs ~~and signs painted on the roof of a structure~~; repealing the limitation on temporary real estate and construction signs; allowing temporary signs for particular uses to exceed the normal size; limiting the number of temporary wind signs allowed on a private property; allowing temporary signs to be displayed for a certain period of time; allowing temporary event signs to be displayed for a certain period of time; making technical changes; and generally relating to zoning; and the Administrative Officer read the title.

Ms. Haire, Sponsor, noted the bill does not change the location restrictions for signs and that temporary/wind signs are already permitted under the Code.

Pete Baron, Director, Government Affairs, was accompanied by Steven Kaii-Zeigler, Director, Office of Planning and Zoning, and Kelly Kenney, Senior Assistant County Attorney, Office of Law.

Mr. Baron explained the importance of businesses using temporary signs.

Mr. Volke confirmed that the bill applied to private property, not right-of-ways.

Ms. Kenney agreed.

The Chair opened the public hearing on Bill No. 66-21, as amended.

The Administrative Officer stated there was one submission of public testimony received for Bill No. 66-21, as amended, which was posted to the website and is part of the official record.

The following individuals spoke on Bill No. 66-21, as amended:

Julie Johnson, Annapolis

There was no one else present who wished to speak and the hearing was concluded.

The Chair called Bill No. 66-21, as amended, An Ordinance concerning: Zoning – Parking, Nonresidential Outdoor Lighting, and Signage – Prohibited Signs and Temporary Signs; and the Administrative Officer read a portion of the title.

Mr. Volke asked if removing the phrase “wind signs” from the bill would reach the same goal.

Ms. Kenney agreed.

Ms. Haire gave more context to the bill.

Bill No. 66-21, as amended, was passed by the following roll call vote:

Aye – Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Lacey

Nay – Mr. Volke

BILL NO. 67-21

The Chair called Bill No. 67-21, An Ordinance concerning: Public Ethics – Financial Disclosure – Legislative Counsel to the County Council – For the purpose of adding financial disclosure requirements applicable to the position of Legislative Counsel to the County Council; and generally relating to public ethics; and the Administrative Officer read the title.

Michael Botsaris, Director, Ethics Commission, was accompanied by Greg Swain, County Attorney.

Mr. Botsaris explained the bill.

The Chair stated the public hearing was concluded at the last meeting.

Amendment No. 2

The Chair called for Amendment No. 2, and the Administrative Officer read the description:

This amendment delays the effective date of the bill until the terms of the next succeeding members of the County Council begin or the official appointment of a Legislative Counsel, whichever is sooner.

Ms. Lacey, Sponsor, explained the reasoning behind the amendment.

Mr. Botsaris stated the Ethics Commission is opposed to the delay.

Ms. Lacey described the relationship between the Legislative Counsel and the Council.

Ms. Haire expressed her opinion of the amendment.

Ms. Pickard asked why the Ethics Commission was bringing this issue up now.

Mr. Botsaris stated there was an inquiry that caused a need for a financial statement for the position and the Ethics Commission was planning for future inquiries.

Mr. Volke asked when the Legislative Counsel position was created.

Mr. Botsaris answered.

Mr. Swain explained the history of the Legislative Counsel position.

Ms. Lacey expressed her concerns with passing the bill.

Mr. Botsaris explained the Ethics Commission's desire to plan for the future.

Mr. Volke asked for clarification about the ongoing investigation.

Mr. Botsaris responded with the need for a financial statement in the future if there ever was an investigation.

The amendment was withdrawn by the sponsor.

Amendment No. 3

The Chair called for Amendment No. 3, and the Administrative Officer read the description:

This amendment requires that an Administrative Officer to the County Council file a financial disclosure statement.

Mr. Volke, Co-Sponsor, explained the origin of the amendment.

The Administrative did not oppose the amendment.

Ms. Pickard, Co-Sponsor, expressed her reasoning behind the amendment.

Ms. Lacey gave her thoughts on the amendment.

Ms. Fiedler expressed her outlook on the amendment.

On motion of Mr. Volke, seconded by Ms. Pickard, Amendment No. 3 was defeated by the following roll call vote:

Aye – Ms. Pickard, Mr. Volke

Nay – Ms. Haire, Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Lacey

Bill No. 67-21 was defeated by the following roll call vote:

Aye – None

Nay – Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler, Ms. Rodvien,
Ms. Lacey

BILL NO. 68-21

The Chair called Bill No. 68-21, An Ordinance concerning: Public Safety – Animal Care and Control – Authority to Impound – Tethering of Dogs – For the purpose of amending the circumstances under which an animal may be impounded; amending the circumstances under which a dog may be tethered outdoors; and generally relating to animal care and control; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, was accompanied by Robin Catlett, Animal Care and Control, Captain Jeff Adams, Police, and Curran Ritter, Office of Law.

Mr. Baron reiterated the Administration's support of the bill.

The Chair stated the public hearing was concluded at the last meeting

Amendment No. 2

The Chair called for Amendment No. 2, and the Administrative Officer read the description:

This amendment reduces the age requirement for a person to supervise a tethered dog.

Ms. Haire explained the amendment.

Mr. Baron expressed the concern of the age of the person. The Administration supports the amendment.

On motion of Ms. Rodvien, seconded by Ms. Fiedler, Amendment No. 2 was adopted by the following roll call vote:

Aye – Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler, Ms. Rodvien,
Ms. Lacey

Nay – None

Amendment No. 3

The Chair called for Amendment No. 3, and the Administrative Officer read the description:

This amendment allows for one period of 15 minutes each day that a dog may be tethered outdoors and not supervised.

Ms. Rodvien, Sponsor, explained the bill.

Mr. Baron shared the Administration's agreement.

Mr. Pruski asked for clarification on the Animal Care and Control's opinion of the amendment.

Ms. Catlett explained the enforcement process for the bill.

On motion of Ms. Haire, seconded by Ms. Pickard, Amendment No. 3 was adopted by the following roll call vote:

Aye – Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler, Ms. Rodvien,
Ms. Lacey

Nay – None

The Chair stated Bill No. 68-21, as amended, would be heard on October 4, 2021.

BILL NO. 71-21(As Amended)

The Chair called Bill No. 70-21, as amended, An Ordinance concerning: Licenses and Registrations – Swimming Pools – Pool Operator and Lifeguard Licenses – For the purpose of repealing the requirement for a lifeguard license; increasing the fee for a pool operator license; increasing the term of a pool operator license; making technical changes; and generally relating to licenses and registrations; and the Administrative Officer read the title.

Ms. Fiedler explained the bill.

Pete Baron, Director, Government Affairs, was accompanied by Don Curtian, Health Department, and Kelly Kenney, Senior Assistant County Attorney, Office of Law.

The Administration supports the bill.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 71-21, as amended.

There was no one present who wished to speak and the hearing was concluded.

The Chair called Bill No. 71-21, as amended, An Ordinance concerning: Licenses and Registrations – Swimming Pools – Pool Operator and Lifeguard Licenses; and the Administrative Officer read a portion of the title.

Bill No. 71-21, as amended, was passed by the following roll call vote:

Aye – Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler, Ms. Rodvien,
Ms. Lacey
Nay – None

HEARING AND OR VOTE ON RESOLUTIONS

RESOLUTION NO. 36-21

The Chair called Resolution No. 36-21, Resolution in support of the County Executive of Anne Arundel County promptly entering into an agreement with Robert A. Pascal Youth and Family Services, Inc. to lease and make fully available County owned property located at 41 Community Place in Crownsville, Maryland; and the Administrative Officer read the title.

Ms. Fiedler, Co-Sponsor, explained the reasoning behind the resolution and the reason for withdrawing it.

Resolution No. 36-21 was withdrawn by both sponsors with no opposition from the rest of the Council.

RESOLUTION NO. 45-21

The Chair called Resolution No. 45-21, Resolution appointing a member to the Anne Arundel County Ethics Commission; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, was accompanied by Kelley Kenney, Senior Assistant County Attorney, Office of Law.

Mr. Baron explained the resolution.

Mr. Pruski, Ms. Pickard, and Ms. Rodvien shared their connection to the applicant.

Ms. Haire asked if there would be a problem with the applicant working for the Ethics Commission for the AACPS and the Ethics Commission for the County.

Ms. Kenney stated she would have to research this.

On motion of Mr. Volke, seconded by Ms. Haire, the Council voted to hold the vote on Resolution No. 45-21 until the October 4, 2021 Council meeting by the following roll call vote:

Aye – Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler, Ms. Rodvien,
Ms. Lacey

Nay – None

RESOLUTION NO. 46-21

The Chair called Resolution No. 46-21, Resolution approving a nomination of a member to the Anne Arundel County Human Relations Commission; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, was accompanied by Kelley Kenney, Senior Assistant County Attorney, Office of Law.

Mr. Baron explained the resolution.

Mr. Volke asked for the qualifications needed to be appointed.

Mr. Baron answered.

Ms. Fiedler clarified the reasoning behind the early appointment.

Mr. Baron responded.

Resolution No. 46-21 was adopted by the following roll call vote:

Aye – Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler, Ms. Rodvien,
Ms. Lacey

Nay – None

OTHER BUSINESS

The Chair announced that the Council will be sitting as the Board of Health at the October 12, 2021 work session.

The Chair discussed holding virtual work sessions through the month of December.

ADJOURNMENT

There being no further business, on motion of Ms. Pickard, seconded by Mr. Volke, the meeting adjourned at 8:82 P.M.

Respectfully submitted,

/s/ Anna Macaulay

By Anna Macaulay

/s/ Laura Corby

For Laura Corby
Administrative Officer