

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Minutes of
Legislative Session 2022, Legislative Day No. 9
April 18, 2022 - 7:00 P.M.

The meeting was called to order at 7:00 P.M. by Ms. Rodvien, followed by the Invocation and Pledge of Allegiance led by Ms. Haire. The meeting was held in the County Council Chambers, Arundel Center, Annapolis, Maryland. There were approximately 75 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 Michelle Bohlayer.

ETHICS STATEMENT

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

ITEMS NOT APPEARING ON AGENDA

Ms. Pickard presented representatives from Anne Arundel County Public Schools, the Board of Education, and Glen Burnie High School with Council citations in recognition of the record breaking graduation rates for the Class of 2021.

FISCAL YEAR 2021 FINANCIAL AUDIT PRESENTATION

The annual financial audit was presented for Fiscal Year 2021 to the Council by William Seymour, SB & Company, Karin McQuade, County Controller, and Michelle Bohlayer, County Auditor.

Mr. Pruski thanked Mr. Seymour and the panel for their hard work.

Ms. Lacey thanked Ms. Bohlayer for her contribution towards the 2021 fiscal audit.

INVITATION TO AUDIENCE

The Chair opened Invitation to Audience.

The Administrative Officer stated there was 1 submission of public testimony received for Invitation to Audience portion of the meeting.

The following person spoke on Invitation to Audience:

Richard Willis, Edgewater

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

PRELIMINARY MOTION

On motion of Ms. Pickard, seconded by Mr. Pruski, 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 April 4, 2022 were unanimously approved.

INTRODUCTION OF BILLS

BILL NO. 34-22 – AN ORDINANCE concerning: Current Expense Budget – Transfer of Appropriation – Chief Administrative Office – Department of Public Works.
Introduced by Ms. Rodvien (by request of the County Executive)

BILL NO. 35-22 – AN ORDINANCE concerning: Gibson Island Special Community Benefit District – Approval of Loan and Assignment Agreement.
Introduced by Ms. Rodvien (by request of the County Executive)

BILL NO. 36-22 – AN ORDINANCE concerning: Licenses and Registrations – Amusements – Linked Bingo Games.
Introduced by Ms. Rodvien (by request of the County Executive)

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 8-22 – RESOLUTION appointing a member to the Charter Revision Commission to serve the remainder of a term.
Introduced by Ms. Rodvien

RESOLUTION NO. 9-22 – RESOLUTION recognizing Anne Arundel County Public Schools for its high graduation rate and its continued commitment to excellence in education.
Introduced by Ms. Rodvien and Mr. Pruski

RESOLUTION NO. 10-22 – RESOLUTION supporting the Caucus of African American Leaders of Anne Arundel County in condemning all acts of racism and the many forms of discrimination and intolerance that have deprived people of their human rights.
Introduced by Ms. Rodvien and Ms. Lacey

MOTION TO CHANGE THE ORDER

Ms. Rodvien stated her intention to have Resolution No. 8-22 and 9-22 voted on out of order.

On motion of Ms. Rodvien, seconded by Mr. Pruski, a motion to vote on Resolution No. 8-22 and Resolution No. 9-22 out of order was passed by the following roll call:

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

Nay – None

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

RESOLUTION NO. 8-22

The Chair called for Resolution No. 8-22, a Resolution appointing a member to the Charter Revision Commission to serve the remainder of a term.

The Administrative Officer read a portion of the title.

Ms. Rodvien, as a sponsor, explained the purpose behind Resolution No. 8-22, and continued on to introduce the new appointee, Mr. Patric Enright.

Mr. Pruski expressed his support for the nominee.

Resolution No. 8-22 was adopted by the following roll call vote:

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

Nay – None

RESOLUTION NO. 9-22

The Chair called for Resolution No. 9-22, a Resolution recognizing AACPS for its high graduation rate and its continued commitment to excellence in education.

The Administrative Officer read a portion of the title.

Ms. Pickard, as a sponsor, explained the purpose of Resolution No. 9-22.

Mr. Pruski expressed his support for Resolution No. 9-22.

Mr. Volke thanked Dr. Arlotto for their dedication towards the success of AACPS.

Resolution No. 9-22 was adopted by the following roll call vote:

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

Nay – None

BILL NO. 16-22 (As Amended) (Amendments Proposed)

The Chair called for Bill No. 16-22, as amended, an Ordinance concerning: Police Accountability Board.

The Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Chief Amal Awad, and David Morris, Police Department, Lori Blair Klasmeier and Ethan Hunt, Office of Law, and Rhonda McCoy and Kerry Berger, City of Annapolis. Pete Hill, Director, Equity, Diversity, and Inclusion, and Asha Smith, Equal Opportunity & Human Relations Officer, remained seated in the audience.

Mr. Baron summarized some of the previous deliberations on the bill.

Chief Awad thanked the Council for their work on Bill No. 16-22.

The Chair called for the public hearing on Bill No. 16-22, as amended.

The Administrative Officer stated there were 3 submissions of public testimony received ahead of time for Bill No. 16-22.

The following persons spoke on Bill No. 16-22:

Jennifer Sell, Severna Park

Steven Waddy, Severn

Lynda Davis, Linthicum

Phil Ateto, Annapolis

Arthur Holt, Annapolis

Victor Smith, Severn

Rev. Marguerite Morris, Odenton

Emma Buchman, Severna Park

Mike Mattia, Edgewater

James Teal, Bryans Road

LeAnna Harrison, CASA, Baltimore

There was no one else present who wished to speak and the hearing was concluded. The Chair called for the title of Bill No. 16-22, as amended, to be read and the Administrative Officer read a portion of the title.

Amendment No. 67

This amendment exempts up to two appointees to the Police Accountability Board, excluding the Chair, from the prohibition to appointment for prior criminal history.

Ms. Lacey explained the purpose of the Amendment No. 67.

Mr. Baron stated that the Administration opposed Amendment No. 67.

Ms. Lacey outlined why she supported Amendment No. 67 and continued to explain the importance of allowing people the opportunity with certain prior convictions on the Police Accountability Board.

Ms. Rodvien spoke about her experience working with people with prior felony convictions.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 67 was defeated by the following roll call vote:

Aye – Mr. Pruski, Ms. Lacey, and Ms. Rodvien

Nay – Ms. Fiedler, Ms. Haire, Ms. Pickard, and Mr. Volke

Amendment Nos. 68 and 69

Amendment Nos. 68 and 69 were withdrawn by Ms. Rodvien.

Amendment No. 70

This amendment removes the prohibition against a person being appointed as a voting member of the Police Accountability Board if they have been convicted of certain crimes; and prohibits a person being appointed as Chair of the Board if they have been convicted of certain crimes.

Ms. Lacey, a sponsor, explained the amendment.

Mr. Baron stated that the Administration did not support Amendment No. 70.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 70 was defeated by the following roll call vote:

Aye – Mr. Pruski, Ms. Lacey, and Ms. Rodvien

Nay – Ms. Fiedler, Ms. Haire, Ms. Pickard, and Mr. Volke

Amendment No. 71

This amendment removes the prohibition against a person being appointed as a voting member of the Police Accountability Board if they have been convicted of certain crimes; and prohibits a person being appointed as a voting member of the Administrative Charging Committee if they have been convicted of certain crimes.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 71 was defeated by the following roll call vote:

Aye – Ms. Lacey and Ms. Rodvien

Nay – Mr. Pruski, Ms. Fiedler, Ms. Haire, Ms. Pickard, and Mr. Volke

Amendment No. 72

This amendment removes the prohibition against a person being appointed as a voting member of the Police Accountability Board if they have been convicted of certain crimes; and prohibits a person being appointed as a voting member of a Hearing Board if they have been convicted of certain crimes.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 72 was defeated by the following roll call vote:

Aye – Ms. Lacey and Ms. Rodvien

Nay – Mr. Pruski, Ms. Fiedler, Ms. Haire, Ms. Pickard, and Mr. Volke

Amendment No. 73

This technical amendment removes the reference of a non-existent “vice chair” position; and moves certain requirements of the Administrative Charging Committee and Hearing Boards to be under the proper section in the bill.

On motion of Ms. Rodvien, seconded by Mr. Pruski, Amendment No. 73 was adopted by the following roll call vote:

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

Nay – None

Bill No. 16-22, as amended, was passed by the following roll call vote:

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

Nay – Ms. Lacey

BILL NO. 24-22 (Hearing Concluded) (Eligible for Vote)

The Chair called for Bill No. 24-22, as amended, an Ordinance concerning: Positions in the Exempt Service.

The Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Anne Budowski, Department of Personnel, and Lori Blair Klasmeier, Office of Law.

Mr. Baron explained the bill.

Ms. Fiedler asked Mr. Baron a question about the bill.

Mr. Baron replied to Ms. Fiedler.

Ms. Haire questioned how the salary was determined for the Executive Director position proposed in Bill No. 24-22.

Mr. Baron responded to Ms. Haire.

Mr. Volke questioned the staffing needs of the Police Accountability Board and asked for further explanation.

Mr. Baron replied to Mr. Volke.

Ms. Fiedler asked another question.

Ms. Haire followed up with another question about the estimated workload.

Mr. Baron responded.

Ms. Haire pointed out that the Executive Director of the Ethics Committee Board does not make a comparable salary to the proposed Executive Director of the Police Accountability Board.

Ms. Budowski explained how the level of pay grade was reached.

Ms. Haire shared her concerns for the high level of pay grade.

Mr. Baron replied to Ms. Haire.

Mr. Volke compared salary grades between different positions.

Mr. Baron replied to Mr. Volke.

Ms. Pickard stated she supported the pay grade.

The Chair reminded the audience that the public hearing on Bill No. 24-22 was concluded on March 21, 2022.

Bill No. 24-22 was passed by the following roll call vote:

Aye – Mr. Pruski, Ms. Lacey, Ms. Pickard, and Ms. Rodvien

Nay – Ms. Fiedler, Ms. Haire, and Mr. Volke

BILL NO. 30-22

The Chair called for Bill No. 30-22, An Ordinance concerning: Anne Arundel County Open Data Act.

The Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Lori Blair Klasmeier, Office of Law, and Elizabeth Funsch of Arundel Stat.

Mr. Baron explained Bill No. 30-22.

The Chair called for the public hearing on Bill No. 30-22.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 30-22.

There was no one else present who wished to speak and the hearing was concluded. The Chair called for the title of Bill No. 30-22 to be read and the Administrative Officer read a portion of the title.

Bill No. 30-22 was passed by the following roll call vote:

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

Nay – None

BILL NO. 31-22

The Chair called for Bill No. 31-22, An Ordinance concerning: Zoning – BRAC Mixed Use Development.

The Administrative Officer read a portion of the title.

Pete Baron, Director, and Lori Rhodes, Government Affairs, accompanied by Lori Blair Klasmeier, Office of Law, and Lynn Miller, Office of Planning and Zoning.

Mr. Pruski explained the significance of Bill No. 31-22.

Ms. Lacey explained her support of the bill.

Mr. Baron thanked the Council and stated that the Administration supports Bill No. 31-22.

The Chair called for the public hearing on Bill No. 31-22.

The Administrative Officer stated there was 1 submission of public testimony received ahead of time for Bill No. 31-22.

The following persons spoke on Bill No. 31-22:

David Plott, Esq., Yumkas, Vidmar, Sweeney & Mulrenin
Thomas Fahs, Corporate Office Properties Trust
Marilee Tortorelli, Morris & Ritchie Associates, Inc.
Kinley Bray, Esq., Yumkas, Vidmar, Sweeney & Mulrenin

There was no one else present who wished to speak and the hearing was concluded. The Chair called for the title of Bill No. 31-22 to be read and the Administrative Officer read a portion of the title.

On motion by Ms. Haire, seconded by Ms. Rodvien, the Council voted to hold the vote until May 2, 2022 by the following roll call vote:

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

Nay – None

BILL NO. 32-22 (Amendments Proposed)

The Chair called for Bill No. 32-22, An Ordinance concerning: Finance, Taxation, and Budget – Admissions and Amusement Tax – Tax Holiday.

The Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Hujia Hasim, Budget Office, Karin McQuade, Office of Finance, and Lori Blair Klasmeier, Office of Law.

Ms. Haire explained the purpose of Bill No. 32-22.

Mr. Baron shared concerns the Administration had with Bill No. 32-22.

Ms. McQuade followed up with data related to County amusement tax.

Mr. Hasim followed up with data related to the amusement tax.

The Chair called for the public hearing on Bill No. 32-22.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 32-22.

There was no one present who wished to speak and the hearing was concluded. The Chair called for the title of Bill No. 32-22 to be read and the Administrative Officer read a portion of the title.

Amendment No. 1

This amendment rewrites Bill No. 32-22 to remove the “tax holiday” and instead repeal the County’s Admissions and Amusement Tax all together.

Mr. Volke explained the purpose of the amendment.

Mr. Baron stated that the Administration opposed Amendment No. 1.

Mr. Volke expressed why he opposes the amusement tax in general.

Mr. Baron responded to Mr. Volke.

Ms. Pickard explained why she opposed Bill No. 32-22.

Ms. Haire followed up with why she supports the amendment.

Ms. Fiedler rejected Mr. Baron’s remarks.

On motion of Mr. Volke, seconded by Ms. Fiedler, Amendment No. 1 was defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire, and Mr. Volke

Nay – Mr. Pruski, Ms. Lacey, Ms. Pickard, and Ms. Rodvien

Ms. Lacey asked if the questions about the amusement tax could be held until the Council had the FY23 proposed budget in front of them.

Ms. Haire explained why the bill cannot be held.

Ms. Rodvien agreed that seeing the FY23 budget might help to understand the impact of Bill No. 32-22.

Ms. McQuade responded to Ms. Rodvien, and Ms. Blair Klasmeier agreed with Ms. McQuade.

Bill No. 32-22 was defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire, and Mr. Volke

Nay – Mr. Pruski, Ms. Lacey, Ms. Pickard, and Ms. Rodvien

RESOLUTION NO. 6-22

The Chair called for Resolution No. 6-22, a Resolution approving the terms and conditions of the acquisitions of real properties in Severn, Maryland from Ribera Development, LLC, utilizing funds from the Advance Land Acquisition Capital Project.

The Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Tom Burke, Department of Public Works, Erica Jackson Matthews, Recreation and Planning, Christine Neiderer, Office of Law, and Alex Szachnowicz, Board of Education.

Mr. Baron explained the purpose of Resolution No. 6-22.

Ms. Pickard asked to be added as a co-sponsor, and continued to explain the importance of needing recreational land in the northern part of the County.

Mr. Pruski thanked Parks and Recreation for their work related to the resolution.

Ms. Rodvien added her support and gratitude for the resolution.

The Chair called for the public hearing on Resolution No. 6-22.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Resolution No. 6-22.

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

Resolution No. 6-22 was adopted by the following roll call vote:

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

Nay – None

ADJOURNMENT

There being no further business, on motion of Mr. Pruski, seconded by Ms. Lacey, the meeting adjourned at 9:45.

Respectfully submitted,

/s/ Ann Aluisse

By Ann Aluisse

/s/ Laura Corby

For Laura Corby
Administrative Office