

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Minutes of

Legislative Session 2022, Legislative Day No. 13

June 21, 2022 - 7:00 P.M.

The meeting was called to order at 7:00 P.M. by Ms. Rodvien. The Invocation was followed by the Pledge of Allegiance, both led by Ms. Haire. The meeting was held in the County Council Chambers, Arundel Center, Annapolis, Maryland. There were approximately 60 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.

PRESENTATION OF CITATIONS

Ms. Pickard presented Council citations to a group of Anne Arundel County police officers who participated in the annual Police Unity Tour.

ETHICS STATEMENT

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

INVITATION TO AUDIENCE

The Chair opened Invitation to Audience.

The Administrative Officer stated there were no submissions of public testimony received for Invitation to Audience portion of the meeting.

The following persons spoke:

Julie Johnson, Annapolis

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

PRELIMINARY MOTION

On motion of Mr. Pruski, seconded by Ms. Pickard, 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 Ms. Fiedler, the minutes of June 6, 9, and 14, 2022 were unanimously approved.

INTRODUCTION OF BILLS

BILL NO. 64-22 – AN ORDINANCE concerning: Public Works – Heritage Harbour Condominium Phases 1 through 10 Water and Wastewater Petition – Assessment Correction – FOR the purpose of repealing Bill No. 23-19 and the special “per-unit” front foot benefit assessment rate for the County’s takeover of the Heritage Harbour Condominium, Phases 1 through 10 Water and Wastewater Systems; and providing for an assessment rate for the County’s takeover of the Heritage Harbour Condominium, Phases 1 through 10 Water and Wastewater Systems.

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

BILL NO. 65-22 – AN ORDINANCE concerning: Payment in Lieu of Taxes – Eagle Park Vista and Eagle Park Village, Jessup, Maryland – FOR the purpose of approving exemptions from County real property taxes for a certain property located in Jessup, Maryland; authorizing the County Executive to enter into certain agreements for payment of a negotiated amount in lieu of County real property taxes; and providing for the time and terms under which the tax exemptions will take effect.

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

BILL NO. 66-22 – AN ORDINANCE concerning: Payment in Lieu of Taxes – Blue Oaks at North Odenton Apartments, Odenton, Maryland – FOR the purpose of approving exemptions from County real property taxes for a certain property located in Odenton, Maryland; authorizing the County Executive to enter into certain agreements for payment of a negotiated amount in lieu of County real property taxes; and providing for the time and terms under which the tax exemptions will take effect.

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

BILL NO. 67-22 – AN ORDINANCE concerning: Payment in Lieu of Taxes – The Villages at Marley Station, Glen Burnie, Maryland – FOR the purpose of approving exemptions from County real property taxes for a certain property located in Glen Burnie, Maryland; authorizing the County Executive to enter into a certain agreement for payment of a negotiated amount in lieu of County real property taxes; and providing for the time and terms under which the tax exemptions will take effect.

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

BILL NO. 68-22 – AN ORDINANCE concerning: Payment in Lieu of Taxes – The Village at Little Patuxent, Gambrills, Maryland – FOR the purpose of approving exemptions from County real property taxes for a certain property located in Gambrills, Maryland; authorizing the County Executive to enter into a certain agreement for payment of a negotiated amount in lieu of County real property taxes; and providing for the time and terms under which the tax exemptions will take effect.

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

BILL NO. 69-22 – AN ORDINANCE concerning: Payment in Lieu of Taxes – Willows at Forest Drive, Annapolis, Maryland – FOR the purpose of approving exemptions from County real property taxes for a certain property located in Annapolis, Maryland; authorizing the County Executive to enter into a certain agreement for payment of a negotiated amount in lieu of County real property taxes; and providing for the time and terms under which the tax exemptions will take effect.

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

BILL NO. 70-22 – AN ORDINANCE concerning: Public Safety – Security Measures for the Sale of Firearms – Effective Date Contingency – FOR the purpose of adding an effective date contingency for the application of County provisions relating to security measures for the sale of firearms; and generally relating to public safety.

Introduced by Mr. Pruski

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 16-22 – RESOLUTION appointing an Anne Arundel County citizen to serve on the Chesapeake Bay Bridge Reconstruction Advisory Group.

Introduced by Ms. Fiedler

RESOLUTION NO. 17-22 – RESOLUTION adopting the Debt Management Policy for Anne Arundel County, Maryland.

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

RESOLUTION NO. 18-22 – RESOLUTION proposing an amendment to the Charter of Anne Arundel County to allow a Councilmember to serve up to three consecutive terms of office.

Introduced by Mr. Volke

RESOLUTION NO. 19-22 – RESOLUTION proposing an amendment to the Charter of Anne Arundel County to require that the compensation paid to each member of the County Council be in accordance with recommendations of the Salary Standard Commission that are approved by ordinance of the County Council.

Introduced by Mr. Pruski and Ms. Lacey

RESOLUTION NO. 20-22 – RESOLUTION proposing an amendment to the Charter of Anne Arundel County to change the term “Chairman” to “Chair”.

Introduced by Mr. Pruski and Ms. Lacey

RESOLUTION NO. 21-22 – RESOLUTION proposing an amendment to the Charter of Anne Arundel County to remove the requirement that copies of bills and notices of public hearings be posted on a bulletin board and to require that electronic copies of bills and notice of any public hearing be published to the County Council website and printed copies be made available to the public and press.
Introduced by Mr. Pruski and Ms. Lacey

RESOLUTION NO. 22-22 – RESOLUTION proposing an amendment to the Charter of Anne Arundel County to clarify the differences between the two types of emergency ordinances allowed under the Charter and the legislative procedure that applies to each.
Introduced by Mr. Pruski and Ms. Lacey

RESOLUTION NO. 23-22 – RESOLUTION proposing an amendment to the Charter of Anne Arundel County to allow the County Council to assign additional functions, duties, and personnel to the County Auditor that are related to the finances and financial affairs of the County.
Introduced by Mr. Pruski and Ms. Lacey

RESOLUTION NO. 24-22 – RESOLUTION proposing an amendment to the Charter of Anne Arundel County to change the name of the Charter Revision Commission to the Redistricting and Charter Revision Commission and to amend the date by which a decennial Redistricting and Charter Revision Commission must be appointed by the County Council.
Introduced by Mr. Pruski and Ms. Lacey

MOTION TO CHANGE THE ORDER

Ms. Fiedler asked the Council to vote on Resolution No. 16-22 at the start of the meeting.

On motion of Ms. Fiedler, seconded by Mr. Pruski, a motion to vote on Resolution No. 16-22 out of order was passed by the following roll call:

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

Nay – None

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

RESOLUTION NO. 16-22

The Chair called for Resolution No. 16-22, a Resolution appointing an Anne Arundel County citizen to serve on the Chesapeake Bay Bridge Reconstruction Advisory Group.

The Administrative Officer read a portion of the title.

Ms. Fiedler explained the reasoning behind Resolution 16-22 and asked for support from the Council.

Resolution 16-22 was adopted by the following roll call:

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

Nay – None

BILL NO. 51-22 (As Amended) (Hearing Concluded) (Eligible for Vote)

The Chair called for Bill No. 51-22, an Ordinance concerning: Personnel – Classified Service; Exempt Service – FOR the purpose of adding new pay schedules for certain classified employees; providing the method for certain classified employees to move to a new pay schedule; providing for increases in pay for certain employees; providing for lump sum payments for certain employees; modifying advancement to new rate of pay for certain employees; modifying pay on promotion, reclassification or grade reallocation for certain employees; removing certain employees removing certain employees eligible for allowances; removing certain employees eligible for overtime pay; modifying disability leave for certain employees; modifying education assistance for certain employees; adding new pay schedules for certain exempt employees; confirming applicability of certain terms related to pay in memoranda of agreements; providing for the application of this Ordinance; and generally relating to personnel.

The Administrative Officer read a portion of the title.

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

Mr. Baron explained the background on Bill No. 51-22.

The Chair called for the public hearing on Bill No. 51-22.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 51-22.

There was no one present who wished to speak and the hearing was concluded. The Chair called for the title of Bill No. 51-22 to be read and the Administrative Officer read a portion of the title.

Bill No. 51-22 was passed by the following roll call:

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

Nay – None

BILL NO. 52-22 (As Amended)

The Chair called for Bill No. 52-22, an Ordinance concerning Personnel – Positions in the Classified Service – Positions in the Exempt Service – FOR the purpose of modifying minimum qualifications for a certain position in the classified service; modifying the pay grade for Police

Communications Operators III and IV job classifications to correspond with a new pay scale; adding certain positions in the classified service; providing for the pay grade, work week, and minimum qualifications applicable to positions added to the classified service; modifying the pay grade for certain positions in the exempt service; providing for the elimination of certain exempt positions under certain circumstances; making certain technical and stylistic changes; and generally relating to personnel.

The Administrative Officer read a portion of the title.

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

Mr. Baron explained the purpose of Bill No. 52-22.

The Chair called for the public hearing on Bill No. 52-22.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 52-22.

There was no one present who wished to speak and the hearing was concluded. The Chair called for the title of Bill No. 52-22 to be read and the Administrative Officer read a portion of the title.

Bill No. 52-22 was passed by the following roll call:

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

Nay – None

BILL NO. 56-22

The Chair called for Bill No. 56-22, an Ordinance concerning: Personal Property Tax Credits – Foreign Trade Zones – FOR the purpose of extending the termination date established by Bill No. 87-01, as amended by Bill Nos. 38-07, 19-12, and 1-17, of a certain personal property tax credit for personal property located in foreign trade zones; and providing for the application of this Ordinance.

The Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Wes MacQuilliam, Anne Arundel Economic Development Corporation, Billie Penley, Office of Finance, and Lori Blair Klasmeier, Office of Law.

Mr. Baron explained the purpose of Bill No. 56-22.

Mr. Volke asked a clarifying question.

Mr. MacQuilliam responded to Mr. Volke.

Mr. Baron added onto the response from Mr. MacQuilliam.

Ms. Fiedler replied to Mr. MacQuilliam and asked a qualifying question.

Mr. MacQuilliam replied to Ms. Fiedler.

Ms. Haire asked a follow up question for clarification.

Mr. MacQuilliam responded to Ms. Haire.

Mr. Pruski spoke about the benefits of Bill No. 56-22.

Mr. Volke asked another clarifying question.

Mr. MacQuilliam responded.

Ms. Pickard spoke about her experience in relation to Bill No. 56-22.

The Chair called for the public hearing on Bill No. 56-22.

The Administrative Officer stated there was 1 submission of public testimony received ahead of time for Bill No. 56-22.

There was no one else present who wished to speak and the hearing was concluded. The Chair called for the title of Bill No. 56-22 to be read and the Administrative Officer read a portion of the title.

Ms. Lacey spoke on Bill No. 56-22.

Bill No. 56-22 was passed by the following roll call:

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

Nay – None

BILL NO. 57-22 (Amendments Proposed)

The Chair called for Bill No. 57-22, an Ordinance concerning: Zoning – Nurseries with Landscaping and Plant Sales – FOR the purpose of amending the definition of “nurseries with landscaping and plant sales”; adding a conditional use requirement for “nurseries with landscaping and plant sales” to allow the storage and display of certain materials on a portion of the lot; and generally relating to zoning.

The Administrative Officer read a portion of the title.

Pete Baron, Director, and Lori Rhodes, Government Affairs, was accompanied by Lynn Miller, Office of Planning and Zoning, and Kelly Kenney, Office of Law.

Ms. Rodvien requested to be added as a Co-Sponsor to Bill No. 57-22.

Ms. Haire began by clarifying the purpose of Bill No. 57-22.

Mr. Baron expressed pre-emptive support for Bill No. 57-22, in light of amendments that would be offered.

Ms. Rhodes thanked Ms. Haire, Sponsor, and explained why the Administration believed certain amendments were needed.

Ms. Haire clarified the purpose she intended with Bill No. 57-22.

Ms. Fiedler supported Ms. Haire's explanation.

Mr. Volke asked a qualifying question.

Ms. Haire responded to Mr. Volke.

There was continued discussion between Council members and the Administration.

The Chair called for the public hearing on Bill No. 57-22.

The Administrative Officer stated there were 120 submissions of public testimony received ahead of time for Bill No. 57-22.

The following persons spoke on Bill No. 57-22:

Robert Leib, Hardwood
Craig Berger, Riva
Susan Margulies, Riva
Joe Devlin, Annapolis
Lori Alton, Bay Ridge Nursery
Jack Alton, Bay Ridge Nursery
Nancy Lowry Moitrier, Annapolis
Loni Moyer, Annapolis
Timothy Cook, Riva
Berry D, Edgewater
Beverly MacWilliams, Riva
Doug Waters, Davidsonville
Larry V, Edgewater
Julie Johnson, Annapolis
Tonya Hartman, Riva
Travis Lowman, Riva
Kevin Doyle, Crofton
Doris Williams, Riva

David Moorehead, Riva

There was no one else present who wished to speak and the hearing was concluded. The Chair called for the title of Bill No. 57-22 to be read and the Administrative Officer read a portion of the title.

Amendment No. 1

This amendment makes the effective date for “nurseries with landscaping and plant sales” located in the RCA of the critical area contingent upon certain approval of the Maryland Critical Area Commission.

Mr. Baron and Ms. Rhodes explained the purpose of the amendment.

There was additional discussion between the Council and representatives for the Administration regarding “nurseries with landscaping and plant sales” located in the RCA.

On motion of Ms. Pickard, seconded by Mr. Volke, Amendment No. 1 was adopted by the following roll call:

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

Nay – None

Amendment No. 2

This amendment modifies the definition of “nurseries with landscaping and plant sales”; modifies the conditional use requirements for “nurseries with landscaping and plant sales” to restrict accessory uses to the lesser of 45% of the area used for the nursery operation or one acre; and provides that “nurseries with landscaping and plant sales” in existence as of April 7, 2014 will be considered a lawful use if certain requirements are met.

Mr. Baron and Ms. Rhodes explained the purpose of the amendment.

Ms. Haire shared her concerns with the amendment.

Ms. Rhodes responded to Ms. Haire.

There was additional discussion between the Council and representatives for the Administration regarding the intent behind the amendment and the effect it would have on the bill.

Ms. Haire stated her opposition to Amendment No. 2 and asked to work with the Administration further to address the issues.

On motion of Ms. Pickard, seconded by Mr. Volke, Amendment No. 2 was defeated by the following roll call:

Aye – Ms. Pickard and Mr. Volke

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

Amendment No. 3

This amendment clarifies that the change to the definition of “nurseries with landscaping and plant sales” and certain other conditions apply to conditional uses granted and in use as of April 7, 2014.

Ms. Haire explained the purpose of the amendment.

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

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

Nay – None

The Chair stated that Bill 57-22, as amended, would be heard on July 5, 2022.

RESOLUTION NO. 11-22

The Chair called for Resolution No. 11-22, a Resolution approving the determination of certain County-owned property, located on the North side of Overlea Drive in Severna Park, Maryland, as surplus property.

The Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Chris Daniels, Office of Central Service, and Christine Neiderer, Office of Law.

Mr. Baron explained the purpose of Resolution No. 11-22.

Ms. Fiedler asked a question about Resolution No. 11-22.

Ms. Neiderer responded to Ms. Fiedler.

The Chair called for the public hearing of Resolution No. 11-22.

There was no one present who wished to speak and the hearing was concluded. The Chair called for the title of Resolution No. 11-22 to be read and the Administrative Officer read a portion of the title.

Resolution No. 11-22 was adopted by the following roll call vote:

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

Nay – None

RESOLUTION NO. 15-22

The Chair called for Resolution No. 15-22, a Resolution approving appointments to the Police Accountability Board.

The Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Lori Blair Klasmeier, Office of Law.

Mr. Baron explained the history behind Resolution No. 15-22.

The Chair called for the public hearing on Resolution No. 15-22.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Resolution No. 15-22.

The following persons spoke on Resolution No. 15-22:

Steven Waddy, NAACP

There was no one else present who wished to speak and the hearing was concluded. The Chair called for the title of Resolution No. 15-22 to be read and the Administrative Officer read a portion of the title.

Ms. Lacey read a portion of online testimony received from the Anne Arundel County Coalition for Police Accountability and asked that it be added to the record.

Ms. Rodvien shared her concerns.

Ms. Fiedler thanked the people who applied for the Police Accountability Board.

Resolution No. 15-22 was adopted by the following roll call:

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

ADJOURNMENT

There being no further business, on motion of Ms. Pickard, seconded by Mr. Volke, the meeting adjourned at 9:43 P.M.

Respectfully submitted,

/s/ Ann Aluise

By Ann Aluise

/s/ Laura Corby

For Laura Corby
Administrative Office