

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Minutes of

Legislative Session 2022, Legislative Day No. 16

September 6, 2022 - 7:00 P.M.

The meeting was called to order by Chair Rodvien at 7:00 P.M. and opened with the Invocation given by Mr. Volke, and was followed by the Pledge of Allegiance. The meeting was held in the County Council Chambers, Arundel Center, Annapolis, Maryland. There were approximately 40 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. Matthew Bennett, Legislative Counsel, was also present.

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 was one submission of written public testimony received for Invitation to Audience through the online testimony tool, which was shared with the Council and posted on the County Council website.

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

ITEMS NOT APPEARING ON AGENDA

Mr. Volke withdrew Bill No. 74-22 without objection.

Mr. Volke also added Bill No. 84-22 to the agenda.

PRELIMINARY MOTION

On motion of Ms. Fielder, 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 Mr. Pruski, seconded by Mr. Volke, the minutes of the meeting of July 18, 2022 and August 4, 2022 was approved as presented.

INTRODUCTION OF BILLS

BILL NO. 78-22 – AN ORDINANCE concerning: Current Expense Budget – Supplementary Appropriations – Grants Special Revenue Fund – CAO Contingency Fund – Capital Budget and Program – Woodland Beach Vol FS Reloc – Amending Scope and Description of Project – FOR the purpose of making supplementary appropriations from unanticipated revenues to certain offices, departments, institutions, boards, commissions or other agencies and in certain special funds of the County for the current fiscal year; amending the Capital Budget by amending the scope and description of the Woodland Beach Vol FS Reloc capital project; amending the Capital Program and Capital Projects Bond Ordinance; and generally relating to making supplementary appropriations of funds to the current expense budget for the fiscal year ending June 30, 2023, and the Woodland Beach Vol FS Reloc capital project.
Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

BILL NO. 79-22 – AN ORDINANCE concerning: Construction and Property Maintenance Codes – Nuisance Properties – Enforcement – FOR the purpose of defining “nuisance property”; authorizing the County to declare a property a nuisance property; requiring notice to a property owner prior to a declaration; requiring nuisance properties be safeguarded in a certain manner; requiring the County to monitor certain nuisance properties; allowing for the rescission of a declaration of nuisance property; providing for civil penalties for violations; and generally relating to Construction and Property Maintenance Codes.
Introduced by Mr. Volke, Ms. Pickard, and Ms. Fiedler

BILL NO. 80-22 – AN ORDINANCE concerning: Recreation and Parks – Civil Offenses in County Parks – Enforcement – FOR the purpose of making violations of provisions that prohibit specific conduct in County parks a Class E civil offense; making a violation of the time limit on mooring a boat at a pier in a County park a Class E civil offense; and generally relating to recreation and parks.
Introduced by Mr. Volke, Ms. Fiedler, and Ms. Pickard

BILL NO. 81-22 – AN ORDINANCE concerning: Zoning – Carwash Facilities – FOR the purpose of allowing a carwash as a conditional use in C1 and C2 commercial zoning districts; adding the conditional use requirements for carwashes; and generally relating to zoning.
Introduced by Mr. Pruski and Ms. Pickard

BILL NO. 82-22 – AN ORDINANCE concerning: Subdivision and Development – Modifications – Notice – FOR the purpose of allowing a certain notice requirement to be satisfied by mailing notice to the president of any community or homeowners’ association of any subdivision that is located within a certain distance of a property that

is the subject of an application for a modification; and generally relating to subdivision and development.

Introduced by Ms. Fiedler

BILL NO. 83-22 – AN ORDINANCE concerning: Scenic and Historic Roads – Designation of Roads – Furnace Avenue and Ridge Road – FOR the purpose of amending the map entitled “Scenic and Historic Roads, 2006” to include certain roads; adopting an amended map; and generally relating to scenic and historic roads.

Introduced by Ms. Lacey

BILL NO. 84-22 – AN ORDINANCE concerning: General Provisions – Flags on County Property – FOR the purpose of prohibiting the County from authorizing private persons or entities to fly flags on County flagpoles; and generally relating to general provisions.

Introduced by Mr. Volke

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 33-22 – RESOLUTION recognizing Childhood Cancer Awareness Month in Anne Arundel County

Introduced by the Entire Council

RESOLUTION NO. 34-22 – RESOLUTION confirming the appointment of a resident of the County to serve on the Pension Oversight Commission for Anne Arundel County

Introduced by Ms. Rodvien, Chair

(by request of the County Executive)

RESOLUTION NO. 35-22 – RESOLUTION reappointing members to the Anne Arundel County Adult Public Guardianship Review Board

Introduced by Ms. Rodvien, Chair

(by request of the County Executive)

RESOLUTION NO. 36-22 – RESOLUTION confirming the appointment of the Executive Director of the Police Accountability Board

Introduced by Ms. Rodvien, Chair

(by request of the County Executive)

RESOLUTION NO. 37-22 – RESOLUTION approving Anne Arundel County’s 2022 Financial Assurance Plan for compliance with the National Pollutant Discharge Elimination Phase I Municipal Separate Storm Sewer System Permit

Introduced by Ms. Rodvien, Chair

(by request of the County Executive)

RESOLUTION NO. 38-22 – RESOLUTION authorizing the filing of an application with the Maryland Transit Administration of the Maryland Department of Transportation for an Annual Transportation Plan grant and other funds under the Federal Transit Act for federal fiscal year 2023

Introduced by Ms. Rodvien, Chair

(by request of the County Executive)

RESOLUTION NO. 39-22 – 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 2022 Local Solicitation and recognizing the County Executive’s authority to act in connection with the grant
Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

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

On motion by Mr. Pruski, seconded by Ms. Pickard, the motion to vote on Resolution No. 33-22 first was passed by the following roll call vote:

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

RESOLUTION NO. 33-22

The Chair called for Resolution No. 33-22, a Resolution recognizing Childhood Cancer Awareness Month in Anne Arundel County; and the Administrative Officer read the title.

Ms. Rodvien, Co-sponsor, acknowledged those who have suffered through childhood cancer.

Ms. Fiedler, Co-sponsor, expressed her appreciation of the resolution and spoke on awareness.

Peter Baron, Director, Government Affairs, expressed his appreciation of the resolution.

Resolution No. 33-22 was adopted by the following roll call:

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

BILL NO. 71-22

The Chair called for the public hearing on Bill No. 71-22, An Ordinance concerning: Zoning – Critical Area Overlay – Growth Allocation – For the purpose of modifying the critical area growth allocation process; removing the growth allocation application acceptance schedule; modifying the criteria for rescission of growth allocation; making the effective date of this Ordinance contingent on the approval of the Maryland Critical Area Commission; and generally relating to zoning; and the Administrative Officer read a portion of the title.

Peter Baron, Director, Government Affairs, was accompanied by Kelly Krinetz, Office of Planning and Zoning, and Kelly Kenney, Senior Assistant County Attorney.

Mr. Baron explained the bill.

The Chair called for the public hearing on Bill No. 71-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 71-22.

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

The Chair called Bill No. 71-22, An Ordinance concerning: Zoning – Critical Area Overlay – Growth Allocation; and the Administrative Officer read a portion of the title.

Amendment No. 1

This amendment provides that requests for growth allocations are limited to nonresidential uses or nonresidential zoning districts.

Mr. Baron explained the amendment.

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

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

Amendment No. 2

This technical amendment corrects a numbering error.

Mr. Baron explained the amendment.

On motion of Mr. Pruski, seconded by Mr. Volke, Amendment No. 2 was adopted by the following roll call vote:

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

The Chair stated that Bill No. 71-22, as amended, will be heard on September 19, 2022.

BILL NO. 72-22

The Chair called for Bill No. 72-22, An Ordinance concerning: Bay Ridge Shore Erosion Control District – For the purpose of authorizing a certain shore erosion control project in the Bay Ridge Shore Erosion Control District; and the Administrative Officer read a portion of the title.

Peter Baron, Director, Government Affairs, was accompanied by Chris Trumbauer, Budget Officer, and Lori Blair Klasmeier, Deputy County Attorney.

Mr. Baron explained the bill.

The Chair called for the public hearing on Bill No. 72-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 72-22.

The following persons spoke on Bill No. 72-22:

Lily Openshaw, Annapolis
William Davidson, Annapolis

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

The Chair called Bill No. 72-22, An Ordinance concerning: Bay Ridge Shore Erosion Control District; and the Administrative Officer read a portion of the title.

Bill No. 72-22 was passed by the following roll call:

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

BILL NO. 73-22

The Chair called for Bill No. 73-22, An Ordinance concerning: Subdivision and Development and Zoning – Cluster Development – For the purpose of defining “cluster development”; requiring cluster development to include landscaped screening and buffer areas; and generally relating subdivision and development and zoning; and the Administrative Officer read a portion of the title.

Peter Baron, Director, Government Affairs, was accompanied by Lynn Miller, Office of Planning and Zoning, and Kelly Kenney, Senior Assistant County Attorney.

Ms. Fiedler, Sponsor, explained the bill.

Mr. Baron stated there was no opposition to the bill on behalf of the Administration.

The Chair called for the public hearing on Bill No. 73-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 73-22.

The following persons spoke on Bill No. 73-22:

Amy Leahy, Severna Park

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

The Chair called Bill No. 73-22, An Ordinance concerning: Subdivision and Development and Zoning – Cluster Development; and the Administrative Officer read a portion of the title.

Amendment No. 1

This amendment reorders current Code language to more clearly state provisions pertaining to lots in cluster developments and building envelopes.

Ms. Fiedler, Sponsor, explained the amendment.

On motion of Ms. Fiedler, seconded by Ms. Haire, Amendment No. 1 was adopted by the following roll call vote:

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

The Chair stated that Bill No. 73-22, as amended, will be heard on September 19, 2022.

BILL NO. 75-22

The Chair called for Bill No. 75-22, An EMERGENCY Ordinance concerning: Licenses and Registrations – Amusements – Licensing of Coin-Operated Amusement Devices – For the purpose of allowing a Class E license for coin-operated amusement devices to be issued to a Class I licensee; making this Ordinance an emergency measure; and generally relating to licenses and registrations; and the Administrative Officer read a portion of the title.

Ms. Fiedler, Sponsor, explained the bill.

Pete Baron, Director, Government Affairs, was accompanied by Holly Velez, Inspections and Permits, and Curran Ritter, Office of Law.

Mr. Baron stated there was no opposition to the bill on behalf of the Administration.

Ms. Velez explained how the department has handled licenses.

Mr. Pruski asked a clarifying question.

Mr. Ritter responded.

The Chair called for the public hearing on Bill No. 75-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 75-22.

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

The Chair called Bill No. 75-22, An EMERGENCY Ordinance concerning: Licenses and Registrations – Amusements – Licensing of Coin-Operated Amusement Devices; and the Administrative Officer read a portion of the title.

Bill No. 75-22 was passed by the following roll call:

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

BILL NO. 76-22

The Chair called for Bill No. 76-22, An Ordinance concerning: Licenses and Registrations – Massage Therapy Establishments – For the purpose of establishing a massage therapy establishment license requirement; designating the authority to administer and enforce the licensing provisions; adding certain definitions; establishing the term of a license; adding an application process for a license; prohibiting violations of the licensing requirements; allowing enforcement under certain circumstances; allowing fines for violations; and generally relating to licenses and registrations; and the Administrative Officer read a portion of the title.

Peter Baron, Director, Government Affairs, was accompanied by Sgt. Tim Phelan, AACPD, Holly Velez, Inspections and Permits, and Curran Ritter, Office of Law.

Mr. Baron explained the bill.

Mr. Pruski asked to be added as a co-sponsor.

Mr. Volke asked if the bill will do what the Police Department needed and where this has been happening in the County.

Sgt. Phelan responded.

Mr. Volke verified this bill will help the Police Department.

Sgt. Phelan confirmed.

Ms. Rodvien asked what the mandatory requirements for businesses were.

Mr. Baron and Mr. Ritter responded.

Ms. Lacey asked how the County and State Board overlap on this issue.

Mr. Ritter replied.

Mr. Pruski explained how the bill holds up in the courts.

Ms. Lacey explained her understanding of the bill.

Ms. Haire asked a clarifying question.

Mr. Ritter responded.

Mr. Volke shared the state law.

The Chair called for the public hearing on Bill No. 76-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 76-22.

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

The Chair called Bill No. 76-22, An Ordinance concerning: Licenses and Registrations – Massage Therapy Establishments; and the Administrative Officer read a portion of the title.

Bill No. 76-22 was passed by the following roll call:

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

Nay – None

BILL NO. 77-22

The Chair called for Bill No. 77-22, An Ordinance concerning: Boards, Commissions, and Similar Bodies – Youth Advisory Council – For the purpose of establishing the Anne Arundel County Youth Advisory Council; providing for the purpose, composition, terms of members, meeting standards, and duties of the Youth Advisory Council; and generally relating to boards, commissions, and similar bodies; and the Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Lori Blair Klasmeier, Deputy County Attorney.

Mr. Baron explained the amended bill.

The Chair called for the public hearing on Bill No. 77-22.

The Administrative Officer stated there were three submissions of written public testimony received for Bill No. 77-22 through the online testimony tool, which were shared with the Council and posted on the County Council website.

The following persons spoke on Bill No. 77-22:

Conor Curran, Pasadena

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

The Chair called Bill No. 77-22, An Ordinance concerning: Boards, Commissions, and Similar Bodies – Youth Advisory Council; and the Administrative Officer read a portion of the title.

Ms. Pickard, Mr. Pruski, and Ms. Rodvien asked to be added as co-sponsors.

Ms. Pickard shared her thanks for the bill.

Ms. Rodvien expressed her thanks for the bill.

Mr. Volke asked clarifying questions.

Mr. Baron responded.

Bill No. 77-22 was passed by the following roll call:

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

Nay – Mr. Volke

OTHER BUSINESS

Ms. Lacey asked that the artist of the Chamber murals be recognized.

Ms. Rodvien gave a brief review of the unveiling of the mural and thanked the artist for their work.

Ms. Rodvien asked for preferences on the work session for September 13, 2022. The Council agreed to start the work session at 9:30 A.M.

Mr. Pruski stated he would not be attending the work session.

ADJOURNMENT

There being no further business, on motion of Ms. Pickard, seconded by Ms. Rodvien, the meeting adjourned at 8:02 P.M.

Respectfully submitted,

/s/ Anna Macaulay

By Anna Macaulay

/s/ Laura Corby

For Laura Corby
Administrative Officer