

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND
Minutes of
Legislative Session 2023, Legislative Day No. 2
January 17, 2023 – 7:00 P.M.

The County Council meeting was called to order by Chair Smith at 7:00 P.M. It was opened with the Invocation, given by Apostle Antonio Palmer from the Kingdom Celebration Center, and was followed by the Pledge of Allegiance. The meeting was held in the County Council Chambers in Annapolis, Maryland. There were approximately 10 persons in the audience.

The following members of the County Council were present:

Pete Smith	First District
Allison Pickard	Second District
Nathan Volke	Third District
Julie K. Hummer	Fourth District
Amanda Fiedler	Fifth District
Lisa D.B. Rodvien	Sixth District
Shannon Leadbetter	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 were two submissions received through the online testimony tool for Invitation to Audience. Ms. Corby further noted that the two citizens who used the online testimony tool instead wished to speak at Invitation to Audience, and their names were moved to the appropriate list.

The following persons spoke at Invitation to Audience:

Hugh Hayes, Annapolis
Tracy Gill, Annapolis
Susan Dapkunas, Annapolis
Sandy Gelrod, Annapolis
John Griffis, Annapolis

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

PRELIMINARY MOTION

On motion of Mr. Volke, 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 Mr. Volke, seconded by Ms. Pickard, the minutes of the meeting of January 3, 2022 was approved as presented.

INTRODUCTION OF BILLS

BILL NO. 3-23 – AN ORDINANCE concerning: Zoning – Small Business Districts – Religious Facilities – FOR the purpose of allowing religious facilities as a permitted use in Small Business Districts; and generally relating to zoning.

Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 4-23 – AN ORDINANCE concerning: Current Expense Budget – Board of Education – Supplementary Appropriation and Transfer of Funds – FOR the purpose of transferring appropriations of funds between major categories in the Local Education Fund; making supplementary appropriations from unanticipated revenues to the Local Education Fund for the current fiscal year; and generally relating to transferring appropriations of funds and supplementary appropriations to the current expense budget for the fiscal year ending June 30, 2023.

Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 5-23 – AN ORDINANCE concerning: Current Expense Budget – Supplementary Appropriations – Cattail Creek and Upper Magothy River Waterways Improvement District – Grants Special Revenue Fund – 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; and generally relating to making supplementary appropriations of funds to the current expense budget for the fiscal year ending June 30, 2023.

Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 6-23 – AN ORDINANCE concerning: Subdivision and Development – Zoning – Accessory Dwelling Units – FOR the purpose of exempting accessory dwelling units from impact fees; amending the definitions of “density” and “dwelling unit, accessory”; repealing certain parking requirements for accessory dwelling units; amending the conditional use requirements for accessory dwelling units; allowing accessory dwelling units in use as of a certain date to be exempt from certain conditional use requirements; and generally relating to subdivision and development and zoning.

Introduced by Ms. Rodvien and Ms. Pickard

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

BILL NO. 89-22

The Chair called for Bill No. 89-22, An Ordinance concerning: Capital Budget and Program – Board of Education Security Related Upgrades, Maintenance Backlog, Roof Replacement, and Upgrade Various Schools capital projects – Supplementary Appropriations – For the purpose of amending the Capital Budget for the current fiscal year by making a supplementary appropriation of funds to the Board of Education Security Related Upgrades, Maintenance Backlog, Roof Replacement, and Upgrade Various Schools capital projects; amending the Capital Program and Capital Projects Bond Ordinance for the current fiscal year; and generally relating to appropriations of funds in projects in the Capital Budget for the fiscal year ending June 30, 2023; and the Administrative Officer read a portion of the title.

Hannah Dier, for the Administration, was accompanied by Naomi McAllister, Budget, Kyle Ruef, Anne Arundel County Public Schools, and Lori Blair Klasmeier, Deputy County Attorney.

Ms. Dier explained the bill.

The Chair called for the public hearing on Bill No. 89-22.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 89-22.

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

The Chair called Bill No. 89-22, An Ordinance concerning: Capital Budget and Program – Board of Education Security Related Upgrades, Maintenance Backlog, Roof Replacement, and Upgrade Various Schools capital projects – Supplementary Appropriations; and the Administrative Officer read a portion of the title.

Bill No. 89-22 was passed by the following roll call:

Aye – Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Ms. Pickard,
Mr. Smith

Nay – None

BILL NO. 90-22

The Chair called for Bill No. 90-22, An Ordinance concerning: Subdivision and Development – Adequate Public School Facilities – School Utilization Chart – For the purpose of approving the 2024 School Utilization Chart prepared by the Planning and Zoning Officer; and the Administrative Officer read a portion of the title.

Peter Baron, Director, Government Affairs, was accompanied by Kyle Ruef, Anne Arundel County Public Schools, Greg Stewart, Anne Arundel County Public Schools, Christine Duvall, Office of Planning and Zoning, and Lori Blair Klasmeier, Deputy County Attorney.

Mr. Baron explained the bill.

Ms. Pickard expressed her desire for a more up-to-date school chart.

Ms. Fiedler questioned enrollment data used in the school chart.

Mr. Stewart explained how the school chart was created.

Ms. Fiedler asked for further clarification on data used.

Mr. Smith shared his position that there is a need for school chart that uses more current data.

Mr. Volke shared his thoughts and concerns on the school chart and the process used to create a school chart.

Mr. Stewart responded.

There was further discussion regarding the data used to create the school chart.

The Chair called for the public hearing on Bill No. 90-22.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 90-22.

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

The Chair called Bill No. 90-22, An Ordinance concerning: Subdivision and Development – Adequate Public School Facilities – School Utilization Chart; and the Administrative Officer read a portion of the title.

Ms. Fiedler shared her reason for her vote.

Bill No. 90-22 was passed by the following roll call:

Aye – Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Ms. Pickard,
Mr. Smith

Nay – None

BILL NO. 91-22

The Chair called for Bill No. 91-22, An Ordinance concerning: Sherwood Forest Special Community Benefit District – Approval of Loan and Assignment Agreement – For the purpose of obligating the County to levy the special tax known as the special community benefit assessment on the Sherwood Forest Special Community Benefit District in an amount sufficient to repay a loan from First Citizens Bank to the Sherwood Forest Club, Inc. in each of up to eleven (11) fiscal years during the term of the loan; and the Administrative Officer read a portion of the title.

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

Mr. Baron explained the bill.

The Chair called for the public hearing on Bill No. 91-22.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 91-22.

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

The Chair called Bill No. 91-22, An Ordinance concerning: Sherwood Forest Special Community Benefit District – Approval of Loan and Assignment Agreement; and the Administrative Officer read a portion of the title.

Bill No. 91-22 was passed by the following roll call:

Aye – Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Ms. Pickard,
Mr. Smith

Nay – None

BILL NO. 92-22

The Chair called for Bill No. 92-22, An Ordinance concerning: Zoning – Critical Area Overlay – RCA Uses – Nurseries with Landscaping and Plant Sales – For the purpose of amending the use “nurseries with landscaping and plant sales” to allow the use in the resource conservation area of the critical area if incidental uses are limited to a certain portion of the lot; 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.

Ms. Fiedler, Co-Sponsor, explained the bill.

Peter Baron, Director, Government Affairs, was accompanied by Lynn Miller, Office of Planning and Zoning, and Lori Blair Klasmeier, Deputy County Attorney.

Mr. Baron shared support for the bill.

The Chair called for the public hearing on Bill No. 92-22.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 92-22.

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

The Chair called Bill No. 92-22, An Ordinance concerning: Zoning – Critical Area Overlay – RCA Uses – Nurseries with Landscaping and Plant Sales; and the Administrative Officer read a portion of the title.

Ms. Fiedler asked for clarification on the RCA in the County.

Ms. Klasmeier responded.

Bill No. 92-22 was passed by the following roll call:

Aye – Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Ms. Pickard,
Mr. Smith

Nay – None

BILL NO. 93-22

The Chair called for Bill No. 93-22, An Ordinance concerning: Board of Appeals – Notice of Zoning Appeals – Property Address – For the purpose of altering the information the Board of Appeals is required to include in a notice of hearing related to rezonings, critical area reclassifications, and special exceptions; and generally relating to boards, commissions, and similar bodies; and the Administrative Officer read a portion of the title.

Ms. Fiedler, Sponsor, explained the bill.

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

Mr. Baron shared support for the bill.

The Chair called for the public hearing on Bill No. 93-22.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 93-22.

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

The Chair called Bill No. 93-22, An Ordinance concerning: Board of Appeals – Notice of Zoning Appeals – Property Address; and the Administrative Officer read a portion of the title.

Ms. Fiedler spoke about the work that went into crafting the bill.

Mr. Smith expressed his support.

Bill No. 93-22 was passed by the following roll call:

Aye – Mr. Volke, Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Ms. Pickard,
Mr. Smith

Nay – None

OTHER BUSINESS

Chair Smith reminded everyone of Governor Moore's Inauguration being held the next day in Annapolis as well as possible road closures in the area.

ADJOURNMENT

There being no further business, on motion of Mr. Volke, seconded by Ms. Pickard, the meeting adjourned at 7:49 P.M.

Respectfully submitted,

/s/ Anna Macaulay

By Anna Macaulay

/s/ Laura Corby

For Laura Corby
Administrative Officer