

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Minutes of
Legislative Session 2023, Legislative Day No. 3
February 6, 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 Mr. Volke, and was followed by the Pledge of Allegiance. The meeting was held in the County Council Chambers in Annapolis, Maryland. There were approximately 25 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 three submissions of written testimony received through the online testimony tool for Invitation to Audience, which were shared with the Council and posted on the County Council website.

The following persons spoke at Invitation to Audience:

Jonathan Max-Sohmer, Severn
Nic Berg, Annapolis
Cynthia Williams, Severn
Claire Greiner, Severn
Kurt Svendsen, Arnold
Steven Waddy, Severn
Louise Gengler Thomas, Davidsonville
Paul Higgins, Pasadena
Wayne Dixon, Hanover

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 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 Mr. Volke, seconded by Ms. Pickard, the minutes of the meeting of January 17, 2023 were approved as presented.

INTRODUCTION OF BILLS

BILL NO. 7-23 – AN ORDINANCE concerning: Personnel – Positions in the Classified Service – Position Control – FOR the purpose of decreasing and increasing certain positions in the Office of Law, Police Department, Department of Detention Facilities, and Office of Finance in the classified service approved as part of the annual budget and appropriation ordinance; and generally relating to personnel.

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

BILL NO. 8-23 – AN ORDINANCE concerning: Personnel – Positions in the Classified Service – FOR the purpose of amending the pay grade for a position in the Public Safety and Criminal Justice class; adding new positions in the Recreation and Parks class; amending the pay schedule for Park Ranger employees; decreasing and increasing certain positions in the Department of Recreation and Parks approved as part of the annual budget and appropriation ordinance; and generally relating to personnel.

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

BILL NO. 9-23 – AN ORDINANCE concerning: Subdivision and Development – Adequate Public Facilities – Public Schools – FOR the purpose of extending the termination date established by Bill No. 85-21 for certain provisions related to adequate public facilities and public schools.

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

BILL NO. 10-23 – Floodplain Management, Erosion and Sediment Control, and Stormwater Management – Subdivision and Development – Water Quality Improvement Projects – FOR the purpose of defining “water quality improvement project”; exempting certain water quality improvement projects from the prohibition against development in natural feature areas; and generally relating to floodplain management, erosion and sediment control, and stormwater management, and subdivision and development.

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

BILL NO. 11-23 – AN ORDINANCE concerning: Zoning – Mixed Use Districts – Uses Under the Optional Method of Development – FOR the purpose of transferring certain permitted uses allowed under the optional method of development in mixed use districts from the retail and service or other categories to the office or industrial categories; and generally relating to zoning.

Introduced by Ms. Hummer and Ms. Pickard

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 1-23 – RESOLUTION selecting SB & Company, LLC, an independent firm of certified public accountants, to perform the financial audit for fiscal year 2023

Introduced by Mr. Smith, Chair

The Chair stated Resolution No. 1-23 would be voted on that same night.

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

BILL NO. 1-23

The Chair called for Bill No. 1-23, An Emergency Ordinance concerning: Zoning – General Provisions – Uses and Structures – Temporary Uses – For the purpose of amending certain termination dates established by Bill No. 55-21, as amended by Bill No. 83-21, to extend the temporary use authorization for outdoor seating at restaurants; and making this Ordinance an emergency measure; and the Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Gregory Swain, County Attorney and Lynn Miller, Office of Planning and Zoning.

Mr. Baron explained the background and purpose of the bill.

Mr. Volke, co-sponsor of the bill, asked for clarification on liquor licenses and outdoor dining.

Mr. Swain responded.

Ms. Rodvien asked if there had been any negative feedback from residents or neighboring businesses about outdoor dining since it had been allowed.

Mr. Baron answered.

Mr. Smith clarified that there were no conflicts between the bill and requirements for liquor licenses.

Mr. Swain agreed.

The Chair called for the public hearing on Bill No. 1-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 1-23.

The following person spoke on Bill No. 1-23:

Steven Waddy, Severn

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

The Chair called Bill No. 1-23, An Emergency Ordinance concerning: Zoning – General Provisions – Uses and Structures – Temporary Uses; and the Administrative Officer read a portion of the title.

Bill No. 1-23 was passed by the following roll call:

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

Nay – None

BILL NO. 2-23

The Chair called for Bill No. 2-23, An Ordinance concerning: Private Disposition of Surplus Real Property – Approval of Terms and Conditions – Overlea Drive in Severna Park, Maryland – For the purpose of approving the terms and conditions under which the County may transfer its interest in real property determined to be surplus, consisting of approximately 0.058 acres, and located on the North Side of Overlea Drive in Severna Park, Maryland to Chessie Homes, LLC; and the Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Gregory Swain, County Attorney, David Braun, Department of Public Works, and Christopher Daniels, Office of Central Services.

Mr. Baron explained the background and purpose of the bill.

The Chair called for the public hearing on Bill No. 2-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 2-23.

The Chair called Sally Mitchell, who was signed up to speak, but who was not present. There was no one else present who wished to speak and the public hearing was concluded.

The Chair called Bill No. 2-23, An Ordinance concerning: Private Disposition of Surplus Real Property – Approval of Terms and Conditions – Overlea Drive in Severna Park, Maryland; and the Administrative Officer read a portion of the title.

Amendment No. 1

The Administrative Officer read a brief summary of the amendment:

This amendment makes certain edits to the Agreement of Sale to (1) state that settlement must occur not later than 45 days after the satisfaction of contingencies, (2) keep terminology consistent throughout the Agreement, and (3) correct the name of the Chief Administrative Officer in the signature block; and replaces Exhibit 1 with Exhibit 1-A to reflect the edits.

Mr. Baron explained the purpose of the amendment.

Mr. Volke asked if this is the final step to complete the process.

Mr. Swain responded.

Ms. Fiedler asked about the terms of the agreement.

Mr. Swain responded.

Mr. Baron confirmed the terms had been agreed to by all parties.

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

Aye – Ms. Hummer, Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Ms. Pickard, Mr. Volke
Mr. Smith
Nay – None

The Chair stated that Bill No. 2-23, as amended, will be heard on February 21, 2023.

CALL OF RESOLUTIONS FOR FINAL READING AND/OR VOTE

RESOLUTION NO. 1-23

The Chair called for Resolution No. 1-23, A Resolution selecting SB & Company, LLC, an independent firm of certified public accountants, to perform the financial audit for fiscal year 2023; and the Administrative Officer read a portion of the title.

Ms. Bohlayer explained background and purpose of the resolution.

Resolution No. 1-23 was adopted by the following roll call:

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

Nay – None

OTHER BUSINESS

Mr. Smith and Ms. Rodvien gave remarks regarding the death of Tyre Nichols.

ADJOURNMENT

There being no further business, on motion of Mr. Volke, seconded by Ms. Pickard, the meeting adjourned at 7:46 P.M.

Respectfully submitted,

/s/ Anna Macaulay

By Anna Macaulay

/s/ Laura Corby

For Laura Corby
Administrative Officer