

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Minutes of

Legislative Session 2024, Legislative Day No. 10

May 6, 2024 – 7:00 P.M.

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The County Council meeting was called to order by Chair Pickard at 7:00 P.M. It was 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 in Annapolis, Maryland. There were approximately 70 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 County Auditor Michelle Bohlayer. Meredith Beach, Legislative Counsel, was also present.

**ANNUAL AUDIT UPDATE**

Bill Seymour, SB & Company, gave a brief presentation of his audit findings for fiscal year 2023, and answered the Council's questions.

**ETHICS STATEMENT**

Kaley Schultze, Administrative Officer, read aloud the Ethics Statement.

**INVITATION TO AUDIENCE**

The Chair opened Invitation to Audience.

The Administrative Officer stated there were four 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:

Dorothy Guy, Annapolis  
Gary Muller, Jessup  
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. Smith, 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. Smith, seconded by Mr. Volke, the minutes for May 1, 2024, Legislative Day No. 9, were approved as presented.

### **INTRODUCTION OF BILLS**

**BILL NO. 49-24**– AN ORDINANCE concerning: Personnel – Employee Retirement Savings Plan – Contractual School Health Employees– FOR the purpose of allowing certain contractual school health employees to participate in the County’s Employee Retirement Savings Plan; and generally relating to personnel.  
Introduced by Ms. Pickard, Chair  
(by request of the County Executive)

**BILL NO. 50-24**– AN ORDINANCE concerning: Pensions – Deferred Retirement Option Program – Term of Participation Period– FOR the purpose of providing a seventh year of participation for certain DROP participants; providing for the application of this Ordinance; and generally relating to pensions.  
Introduced by Ms. Pickard, Chair  
(by request of the County Executive)

**BILL NO. 51-24**– AN ORDINANCE concerning: Personnel – Classification and Pay Plans – Classified Service and Exempt Service – Public Ethics – Financial Disclosure– FOR the purpose of modifying pay at hire for certain represented employees; modifying leave accrual for certain represented employees; requiring certain employees to file financial disclosure statements; approving the Personnel Officer’s Classification and Pay Plans; providing for pay increases for certain employees; providing for advancement to new rate of pay for certain employees; providing for lump sum payments for certain employees; confirming applicability of certain terms related to pay in memoranda of agreements; providing for certain salary adjustments for certain classified employees based on salary compression; applying certain provisions of this Ordinance retroactively; providing for application of this Ordinance; and generally relating to personnel, public ethics, and the Personnel Officer’s Classification and Pay Plans.  
Introduced by Ms. Pickard, Chair  
(by request of the County Executive)

**BILL NO. 52-24**– AN ORDINANCE concerning: Budget and Finance – Grants Special Revenue Fund – Conditional Appropriation of Grants– FOR the purpose of allowing appropriations

of certain grants to the Grants Special Revenue Fund and County matching funds under certain conditions; and generally relating to finance, taxation, and budget.

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

## **INTRODUCTION OF RESOLUTIONS**

**RESOLUTION NO. 16-24**– RESOLUTION approving the appointment of a Severn River Commission member.

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

**RESOLUTION NO. 17-24**– RESOLUTION reappointing a member to the Anne Arundel County Ethics Commission.

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

**RESOLUTION NO. 18-24**– RESOLUTION nominating a member to serve on the Anne Arundel County Ethics Commission.

Introduced by Ms. Pickard

**RESOLUTION NO. 19-24**– RESOLUTION nominating two members to serve on the Anne Arundel County Community Reinvestment and Repair Commission.

Introduced by Ms. Pickard and Ms. Hummer

**RESOLUTION NO. 20-24**– RESOLUTION proposing an amendment to the Charter of Anne Arundel County to require that all meetings and legislative sessions of the County Council comply with the Maryland Open Meetings Act.

Introduced by Ms. Pickard

**RESOLUTION NO. 21-24**– RESOLUTION proposing an amendment to the Charter of Anne Arundel County to provide for the position and duties of the Legislative Counsel to the County Council.

Introduced by Ms. Pickard

**RESOLUTION NO. 22-24**– RESOLUTION proposing an amendment to the Charter of Anne Arundel County to allow the County Council to create and appoint standing committees, to require meetings of standing committees to comply with the Maryland Open Meetings Act, and to require votes of the Council and any standing committees to be recorded in the County Council Journal.

Introduced by Ms. Pickard

## **PUBLIC HEARINGS AND CALL OF BILL FOR FINAL READING AND/OR VOTE**

### **BILL NO. 16-24 (As Amended)**

The Chair called for Bill No. 16-24, as amended, An Ordinance concerning: Zoning – Uses – Food Service Facilities – Outdoor Seating Related to Food and Beverage Service – For the purpose of allowing certain food service facilities to continue to utilize outdoor seating related to food and beverage service under certain circumstances; and generally relating to zoning; and the Administrative Officer read a portion of the title.

Ethan Hunt, Administration, was accompanied by Lynn Miller, Office of Planning and Zoning, and Lori Klasmeier, Office of Law.

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

The Chair called for the public hearing on Bill No. 16-24, as amended.

The Administrative Officer stated there were ten submissions of written testimony received through the online testimony tool for Bill No. 16-24, as amended, which were shared with the Council and posted on the County Council website.

The following person spoke on Bill No. 16-24, as amended:

Nancy Guy, Annapolis  
Catherine Vieweg Taylor, Pasadena

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

The Chair called Bill No. 16-24, as amended, An Ordinance concerning: Zoning – Uses – Food Service Facilities – Outdoor Seating Related to Food and Beverage Service; and the Administrative Officer read a portion of the title.

Bill No. 16-24, as amended, was passed by the following roll call vote:

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

### **BILL NO. 17-24 (As Amended)**

The Chair called for Bill No. 17-24, as amended, An Ordinance concerning: Zoning – Adult Independent Dwelling Units – For the purpose of modifying the definition of “adult independent dwelling unit”; clarifying the allowed use of adult independent dwelling units in certain residential districts; adding multifamily dwellings and townhouse dwellings as a conditional use in certain residential districts; modifying the conditional uses of multifamily dwellings and townhouse dwellings in certain districts; and generally relating to zoning; and the Administrative Officer read a portion of the title.

Ethan Hunt, Administration, was accompanied by Lynn Miller, Office of Planning and Zoning, and Kelly Kenney, Office of Law.

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

The Chair called for the public hearing on Bill No. 17-24, as amended.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 17-24, as amended.

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

The Chair called Bill No. 17-24, as amended, An Ordinance concerning: Zoning – Adult Independent Dwelling Units; and the Administrative Officer read a portion of the title.

Bill No. 17-24, as amended, was passed by the following roll call vote:

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

#### **BILL NO. 22-24 (As Amended)**

The Chair called for Bill No. 22-24, as amended, An Ordinance concerning: Subdivision and Development – Adequate School Facilities – School Utilization Chart – For the purpose of approving the “School Utilization Chart, 2024” prepared by the Planning and Zoning Officer; and the Administrative Officer read a portion of the title.

Ethan Hunt, Administration, was accompanied by Lynn Miller, Office of Planning and Zoning, Kyle Ruef, Board of Education, and Lori Klasmeier, Office of Law.

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

The Chair called for the public hearing on Bill No. 22-24, as amended.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 22-24, as amended.

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

The Chair called Bill No. 22-24, as amended, An Ordinance concerning: Subdivision and Development – Adequate School Facilities – School Utilization Chart; and the Administrative Officer read a portion of the title.

Ms. Rodvien thanked the Administration for their work.

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

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

Nay - None

### **BILL NO. 24-24**

The Chair called for Bill No. 24-24, An Ordinance concerning: Current Expense Budget – Third Quarter Fund Transfer and Supplementary Appropriations – For the purpose of transferring appropriations of funds between certain offices, departments, institutions, boards, commissions or other agencies in the general fund; making supplementary appropriations from unanticipated revenues to certain special funds for the current fiscal year; and generally relating to transferring appropriations of funds and making supplementary appropriations of funds to the current expense budget for the fiscal year ending June 30, 2024; and the Administrative Officer read a portion of the title.

Ethan Hunt, Administration, was accompanied by Steven Theroux, Budget, Alex Baquie, Department of Public Works, Erin Dey, Department of Public Works, Matt Stanski, Board of Education, and Lori Klasmeier, Office of Law.

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

The Chair called for the public hearing on Bill No. 24-24.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 24-24.

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

The Chair called Bill No. 24-24, An Ordinance concerning: Current Expense Budget – Third Quarter Fund Transfer and Supplementary Appropriations; 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 removes the supplemental appropriation to the Board of Education.*

Mr. Hunt explained the background and purpose of the amendment.

Mr. Theroux spoke on the amendment.

Mr. Stanski agreed.

Mr. Volke asked a clarifying question.

Mr. Stanski and Mr. Theroux answered.

Ms. Rodvien asked about the health care fund.

Mr. Stanski responded.

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

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

Nay - None

The Chair stated that Bill No. 24-24, as amended, would be heard on May 20, 2024.

#### **BILL NO. 25-24**

The Chair called for Bill No. 25-24, An Ordinance concerning: Construction and Property Maintenance Codes – Codes and Supplements – For the purpose of adopting and amending certain construction codes; making certain technical corrections to construction codes; and generally relating to construction codes; and the Administrative Officer read a portion of the title.

Ethan Hunt, Administration, was accompanied by Andrew McCarra, Inspections and Permits, and Lori Klasmeier, Office of Law.

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

Ms. Rodvien asked a clarifying question.

Mr. McCarra answered.

Mr. Volke spoke on the bill.

The Chair called for the public hearing on Bill No. 25-24.

The Administrative Officer stated there was one submission of written testimony received through the online testimony tool for Bill No. 25-24, which was shared with the Council and posted on the County Council website.

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

The Chair called Bill No. 25-24, An Ordinance concerning: Construction and Property Maintenance Codes – Codes and Supplements; and the Administrative Officer read a portion of the title.

Ms. Fiedler thanked the Administration for their work.

Bill No. 25-24 was passed by the following roll call vote:

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

Nay - None

### **BILL NO. 32-24**

The Chair called for Bill No. 32-24, An EMERGENCY ORDINANCE concerning: Construction and Property Maintenance Codes – Codes and Supplements – For the purpose of adopting and amending certain construction codes; making certain technical corrections to construction codes; and generally relating to construction codes; and the Administrative Officer read a portion of the title.

Ms. Leadbetter explained the background and purpose of the bill.

Ethan Hunt, Administration, was accompanied by Christina Pompa, Office of Planning and Zoning, and Lori Klasmeier, Office of Law.

The Administration supports.

The Chair called for the public hearing on Bill No. 32-24.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 32-24.

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

The Chair called Bill No. 32-24, An EMERGENCY ORDINANCE concerning: Construction and Property Maintenance Codes – Codes and Supplements; and the Administrative Officer read a portion of the title.

Bill No. 32-24 was passed by the following roll call vote:

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

Nay - None

**PUBLIC HEARINGS AND CALL OF RESOLUTION FOR FINAL READING AND/OR VOTE**

**RESOLUTION NO. 15-24**

The Chair called for Resolution No. 15-24, A Resolution proposing an amendment to the Charter of Anne Arundel County to: permit the County Council to increase the minimum value of purchases and contracts subject to a simplified competitive procurement process from greater than \$5,000 to greater than \$10,000; and increase the minimum value of purchases that are required to be published on the County website from \$5,000 or greater to greater than \$10,000; and the Administrative Officer read a portion of the title.

Ethan Hunt, Administration, was accompanied by Hannah Dier, Administration, Catrice Parsons, Purchasing Department, and Lori Klasmeier, Office of Law.

Mr. Hunt explained the background and purpose of the resolution.

Ms. Dier spoke on the resolution.

Ms. Hummer asked about removing the amount from the Code instead of the Charter.

Ms. Dier answered.

Ms. Hummer responded.

Mr. Smith asked a clarifying question.

Ms. Dier answered.

The Chair called for the public hearing on Resolution No. 15-24.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Resolution No. 15-24.

The following person spoke on Resolution No. 15-24:

Nancy Guy, Annapolis

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

The Chair called for Resolution No. 15-24, A Resolution proposing an amendment to the Charter of Anne Arundel County to: permit the County Council to increase the minimum value of purchases and contracts subject to a simplified competitive procurement process from greater than \$5,000 to greater than \$10,000; and increase the minimum value of purchases that are required to be published on the County website from \$5,000 or greater to greater than \$10,000; and the Administrative Officer read a portion of the title.

Ms. Pickard spoke on the resolution.

Mr. Volke asked about the process.

Ms. Parsons responded.

Ms. Rodvien asked a clarifying question.

Ms. Parsons answered.

### **MOTION TO HOLD**

On motion by Ms. Hummer, seconded by Ms. Rodvien, the motion to hold the vote on Resolution 15-24 until May 20, 2024, was adopted by the following roll call vote:

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

Mr. Smith spoke on utilization of resources in the County.

### **PUBLIC HEARINGS AND CALL OF BILL FOR FINAL READING AND/OR VOTE**

#### **BILL NO. 6-24 (As Amended) AND BILL NO. 7-24 (As Amended)**

The Chair called for Bill No. 6-24, as amended, An Ordinance concerning: General Development Plan – Region 2 Plan – For the purpose of adopting the “Anne Arundel County Region 2 Plan”, as amended by this Ordinance, the region plan for Region Planning Area No. 2, covering Annapolis Junction, Fort Meade, Hanover, Jessup, Laurel, and Maryland City, which includes visions, themes, goals, policies, planned land use maps, and implementation strategies for Region 2; amending “Plan2040”, the County’s General Development Plan, by the “Anne Arundel County Region 2 Plan”, as amended by this Ordinance; and generally relating to the “Anne Arundel County Region 2 Plan”; and the Administrative Officer read a portion of the title.

The Chair called for Bill No. 7-24, as amended, An Ordinance concerning: Comprehensive Zoning – Region 2 – For the purpose of repealing certain comprehensive zoning maps for Region Planning Area No. 2; adopting the Anne Arundel County Digital Zoning Layer for Region Planning Area No. 2, as amended by this Ordinance, covering Annapolis Junction, Fort Meade, Hanover, Jessup, Laurel, and Maryland City; and generally relating to comprehensive zoning; and the Administrative Officer read a portion of the title.

Ethan Hunt, Administration, was accompanied by Christina Pompa, Office of Planning and Zoning, Mark Wildonger, Office of Planning and Zoning, Cindy Carrier, Office of Planning and Zoning, and Kelly Kenney, Office of Law.

Mr. Hunt explained the background and purpose of the bills.

Ms. Pompa spoke on the bills.

The Chair called for a joint public hearing on Bill No. 6-24, as amended, and Bill No. 7-24, as amended.

The Administrative Officer stated there were no submissions of written testimony received through the online testimony tool for Bill No. 6-24, as amended, and Bill No. 7-24, as amended.

The following persons spoke on Bill No. 6-24, as amended, and Bill No. 7-24, as amended:

Gary Muller, Jessup

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

The Chair called Bill No. 6-24, as amended, An Ordinance concerning: General Development Plan – Region 2 Plan; and Bill No. 7-24, as amended, An Ordinance concerning: Comprehensive Zoning – Region 2; the Administrative Officer read a portion of the title.

Mr. Smith spoke on the bills.

Ms. Hummer thanked the Office of Planning and Zoning for their work.

Mr. Volke spoke on the bills.

Bill No. 6-24, as amended, was passed by the following roll call vote:

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

Bill No. 7-24, as amended, was passed by the following roll call vote:

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

#### **BILL NO. 8-24 (As Amended) AND BILL NO. 9-24 (As Amended)**

The Chair called for Bill No. 8-24, as amended, An Ordinance concerning: General Development Plan – Region 7 Plan – For the purpose of adopting the “Anne Arundel County Region 7 Plan”, as amended by this Ordinance, the region plan for Region Planning Area No. 7, covering Parole, Greater Annapolis, Annapolis Neck, Bay Ridge, Highland Beach and Riva, which includes visions, themes, goals, policies, planned land use maps, and implementation strategies for Region 7; amending “Plan2040”, the County’s General Development Plan, by the “Anne Arundel County Region 7 Plan”, as amended by this Ordinance; and generally relating to the “Anne Arundel County Region 7 Plan”; and the Administrative Officer read a portion of the title.

The Chair called for Bill No. 9-24, as amended, An Ordinance concerning: Comprehensive Zoning – Region 7 – For the purpose of repealing certain comprehensive zoning maps for Region Planning Area No. 7; adopting the Anne Arundel County Digital Zoning Layer for Region Planning Area No. 7, as amended by this Ordinance, covering Parole, Greater Annapolis, Annapolis Neck, Bay Ridge, Highland Beach, and Riva; and generally relating to comprehensive zoning; and the Administrative Officer read a portion of the title.

Ethan Hunt, Administration, was accompanied by Christina Pompa, Office of Planning and Zoning, Cindy Carrier, Office of Planning and Zoning, and Kelly Kenney, Office of Law.

Mr. Hunt explained the background and purpose of the bills.

Ms. Pompa spoke on the bills.

The Chair called for the joint public hearing on Bill No. 8-24, as amended, and Bill No. 9-24, as amended.

The Administrative Officer stated there were nine submissions of written testimony received through the online testimony tool for Bill No. 8-24, as amended, and there were sixteen submissions of written testimony received through the online testimony tool for Bill No. 9-24, as amended, which were shared with the Council and posted on the County Council website.

Ms. Schultze explained a typo on Amendment No. 5 to Bill No. 8-24.

The following person spoke on Bill No. 8-24, as amended, and Bill No. 9-24, as amended:

Kay Jones, Annapolis  
Stephene Schulman, Annapolis  
Dorothy Guy, Annapolis  
Nancy Guy, Annapolis  
Anne Myers, Annapolis  
Julie Hentz, Annapolis  
James Kujawski, Annapolis  
David Phipps, Edgewater  
Jennifer Bieberich, Edgewater  
Joe Lorentzen, Annapolis  
James Fegan, Edgewater  
Melanie Arena, Annapolis  
Kevin Sullivan, Annapolis  
Mary Guy, Annapolis  
Brian Earnest, Edgewater  
Lisa Daniel, Glen Burnie  
Julie Johnson, Annapolis

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

The Chair called Bill No. 8-24, as amended, An Ordinance concerning: General Development Plan – Region 7 Plan; and Bill No. 9-24, as amended, An Ordinance concerning: Comprehensive Zoning – Region 7; the Administrative Officer read a portion of the title.

### **AMENDMENT TO BILL NO. 8-24 (As Amended)**

#### **Amendment No. 7, Bill No. 8-24**

The Administrative Officer read a brief summary of the amendment:

*This technical amendment corrects a Charter citation.*

Mr. Hunt explained the background and purpose of the amendment.

On motion of Ms. Rodvien, seconded by Mr. Smith, Amendment No. 7 was adopted by the following roll call vote:

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

Ms. Rodvien spoke on the regions.

Ms. Kenney responded.

There was discussion on holding or amending the bills.

### **RECESS**

On motion by Mr. Volke, seconded by Ms. Fiedler, the Council took a recess at 9:20 P.M.

### **RECONVENE**

The Council reconvened at 9:32 P.M. with all members present.

Ms. Rodvien gave a statement about deciding not to amend the bills.

Bill No. 8-24, as amended, was passed by the following roll call vote:

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

Bill No. 9-24, as amended, was passed by the following roll call vote:

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

**ADJOURNMENT**

There being no further business, on motion of Mr. Volke, seconded by Ms. Fiedler, the meeting adjourned at 9:35 P.M.

Respectfully submitted,

/s/ Anna Macaulay

By Anna Macaulay

/s/ Kaley Schultze

For Kaley Schultze  
Administrative Officer