

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Minutes of

Legislative Session 2024, Legislative Day No. 21

November 18, 2024 – 7:00 P.M.

The County Council meeting was called to order by Chair Pickard at 7:01 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 40 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.

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

The following persons spoke at Invitation to Audience:

Jim Bongiorno, Annapolis
Gary Mauler, Jessup
Jill Bennett, Joppa
Paul Higgins, Pasadena

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

ITEMS NOT ON THE AGENDA

Hannah Dier, Administration, withdrew Resolution No. 48-24.

PRELIMINARY MOTION

On motion of Mr. Smith, seconded by Ms. Leadbetter, 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. Fiedler, seconded by Ms. Leadbetter, the minutes for November 4, 2024, Legislative Day No. 20.

INTRODUCTION OF BILLS

BILL NO. 93-24 – AN ORDINANCE concerning: Planning and Development – Master Plan for Water Supply and Sewerage Systems – FOR the purpose of amending the Master Plan for Water Supply and Sewerage Systems, 2022, to alter certain text and maps; and generally relating to the Master Plan for Water Supply and Sewerage Systems.

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

BILL NO. 94-24 – AN ORDINANCE concerning: Boards, Commissions, and Similar Bodies – Finance, Taxation, and Budget – Agriculture Commission – FOR the purpose of establishing the Anne Arundel County Agriculture Commission; providing the purpose, membership, composition, appointment of a chair and vice chair, terms and compensation of members, meeting standards, by-laws, and duties of the Agriculture Commission; reorganizing Article 3 of the County Code and correcting internal County Code references to the provisions of Article 3 and Article 4; and generally relating to boards, commissions, and similar bodies and finance, taxation and budget.

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

BILL NO. 95-24 – AN ORDINANCE concerning: Public Ethics – Conflicts of Interest – County Council – FOR the purpose of amending the definition of “legislative action”; adding a definition for “participation”; expanding the types of presumed conflicts of interest that would prohibit a Councilmember from participating in legislative action to include Councilmembers and their immediate family members; and generally relating to public ethics.

Introduced by Mr. Volke

BILL NO. 96-24 – AN ORDINANCE concerning: Subdivision and Development – Site Development – Pre-built Short-term Buildings – FOR the purpose of adding an exemption to the site development plan process to permit pre-built short-term buildings to be placed at religious or educational facilities; and generally relating to subdivision and development. Introduced by Mr. Volke

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 49-24 – 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 2024 Local Solicitation, and recognizing the County Executive’s authority to act in connection with the grant
Introduced by Ms. Pickard, Chair
(by request of the County Executive)

Ms. Leadbetter asked to be added as a co-sponsor to Bill No. 94-24.

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

BILL NO. 75-24 (As Amended)

The Chair called for Bill No. 75-24, as amended, An Ordinance concerning: Boards, Commissions, and Similar Bodies – Subdivision and Development – Zoning – Development – Mixed Use Districts – For the purpose of providing certain standards for an administrative rezoning of certain properties to a mixed use district; adding grandfathering provisions applicable to certain development applications; establishing certain development and design standards for development in mixed use districts; establishing a minimum site area for certain sites to be developed as mixed use development; renaming the existing mixed use districts and creating a new mixed use district; adding purpose statements for the mixed use districts; establishing the permitted, conditional, and special exception uses in the mixed use districts; requiring a combination of uses on certain mixed use development sites; establishing certain bulk regulations, open area, and parking requirements for mixed use districts; making certain technical corrections; and generally relating to boards, commissions, and similar bodies, subdivision and development, and zoning; and the Administrative Officer read a portion of the title.

Tom Ni, Administration, was accompanied by Lynn Miller, Office of Planning and Zoning, Janssen Evelyn, Deputy Chief Administrative Officer of Land Use, and Kelly Kenney, Office of Law.

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

The Chair called for the public hearing on Bill No. 75-24, as amended.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 75-24, as amended.

The following person spoke on Bill No. 75-24, as amended:

Gary Mauler, Jessup

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

The Chair called for Bill No. 75-24, as amended, An Ordinance concerning: Boards, Commissions, and Similar Bodies – Subdivision and Development – Zoning – Development – Mixed Use Districts; and the Administrative Officer read a portion of the title.

Amendment No. 7

The Administrative Officer read a brief summary of the amendment:

This amendment removes certain front setback requirements in mixed use districts.

Mr. Ni explained the amendment.

Mr. Volke asked for the justification on the amendment.

Mr. Evelyn answered.

Mr. Volke requested clarification of the amendment.

Mr. Evelyn and Ms. Miller responded.

Mr. Smith spoke on mixed use properties.

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

Aye – Mr. Smith, Ms. Hummer, Ms. Rodvien, Ms. Pickard

Nay – Mr. Volke, Ms. Fiedler, Ms. Leadbetter

Amendment No. 8

The Administrative Officer read a brief summary of the amendment:

This amendment increases the maximum height permitted in MXD-S.

Mr. Smith explained the amendment.

Mr. Evelyn spoke on the amendment.

Mr. Volke clarified the amendment.

Ms. Miller responded.

Ms. Fiedler compared the amendment to the Marina District.

On motion of Mr. Smith, seconded by Ms. Rodvien, Amendment No. 8 was adopted by the following roll call vote:

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

Nay – None

Amendment No. 9

The Administrative Officer read a brief summary of the amendment:

This amendment increases the legacy provision to 36 months for uses in existence in mixed used districts.

Mr. Volke explained the amendment.

Mr. Evelyn spoke on the amendment.

On motion of Mr. Volke, seconded by Ms. Fiedler, Amendment No. 9 was adopted by the following roll call vote:

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

Nay – None

The Chair stated that Bill No. 75-24, as amended, will be heard at the next Council Meeting on December 2, 2024.

BILL NO. 77-24 (As Amended)

The Chair called for Bill No. 77-24, as amended, An Ordinance concerning: Licenses and Registrations – Towing Companies – For the purpose of defining “heavy-duty towing” and “light-duty towing”; establishing tow truck, equipment, and response requirements for heavy-duty police-initiated towing and light-duty police-initiated towing; establishing separate tow rotation lists for heavy-duty police-initiated towing and light-duty police-initiated towing; and generally relating to ~~police-initiated towing~~ licenses and registrations; and the Administrative Officer read a portion of the title.

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

Tom Ni, Administration, was accompanied by Janssen, Evelyn, Deputy Chief Administrative Officer of Land Use, and Lori Klasmeier, Office of Law.

The Administration supports.

The Chair called for the public hearing on Bill No. 77-24, as amended.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 77-24, as amended.

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

The Chair called for Bill No. 77-24, as amended, An Ordinance concerning: Licenses and Registrations – Towing Companies; and the Administrative Officer read a portion of the title.

Bill No. 77-24, as amended, was passed by the following roll call:

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

Nay – None

BILL NO. 78-24 (As Amended)

The Chair called for Bill No. 78-24, as amended, An Ordinance concerning: Subdivision and Development – Road Design – For the purpose of amending certain road design requirements; adding grandfathering provisions applicable to certain development applications; amending road design provisions to apply to site development applications; clarifying design and construction requirements for public roads; exempting certain public roads from road design requirements; requiring improvement and dedication of property for certain development applications; removing repetitive language regarding road improvement requirements for certain cluster developments; providing for the acquisition of property by the County in certain circumstances; amending road requirements for certain zoning districts; clarifying design and declaration requirements for private roads; and generally relating to subdivision and development; and the Administrative Officer read a portion of the title.

Tom Ni, Administration, was accompanied by Lynn Miller, Office of Planning and Zoning, Sarah Fowler, Office of Planning and Zoning, Janssen Evelyn, Deputy Chief Administrative Officer of Land Use, Raghu Badami, Inspections and Permits, and Christine Neiderer, Office of Law.

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

The Chair called for the public hearing on Bill No. 78-24, as amended.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 78-24, as amended.

The following person spoke on Bill No. 78-24:

Gary Mauler, Jessup

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

The Chair called for Bill No. 78-24, as amended, An Ordinance concerning: Subdivision and Development – Road Design; and the Administrative Officer read a portion of the title.

Mr. Smith asked how often the DPW Design Manual is updated and who reviews the manual.

Mr. Badami responded.

Amendment No. 4

The Administrative Officer read a brief summary of the amendment:

This amendment clarifies the extent of improvements for certain public roads within a proposed development; requires the dedication and deeding of certain public roads; and clarifies that developers dedicate and deed sufficient property to ensure public roads can be improved into compliance with the DPW Design Manual.

Mr. Evelyn explained the amendment.

Ms. Pickard asked about the language of the amendment.

Ms. Miller answered.

On motion of Ms. Rodvien, seconded by Ms. Hummer, Amendment No. 4 was adopted by the following roll call vote:

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

The Chair stated that Bill No. 78-24, as amended, will be heard at the next Council Meeting on December 2, 2024.

BILL NO. 79-24 (As Amended)

The Chair called for Bill No. 79-24, as amended, An Ordinance concerning: Personnel – Modification of Classification Plan – Classified Service and Pay Plan – Exempt Service – Positions in the Classified Service – Police Department – For the purpose of approving a modification to the Classification Plan for the classified service and the Pay Plan for the exempt service formulated and maintained by the Personnel Officer; decreasing a position in the classified service in the Police Department and increasing a position in the classified service in the Police Department; and generally relating to personnel; and the Administrative Officer read a portion of the title.

Hannah Dier, Administration, was accompanied by Tom Ni, Administration, Anne Budowski, Personnel, Jackie Atkinson, Personnel, and Lori Klasmeier, Office of Law.

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

The Chair called for the public hearing on Bill No. 79-24, as amended.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 79-24, as amended.

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

The Chair called for Bill No. 79-24, as amended, An Ordinance concerning: Personnel – Modification of Classification Plan – Classified Service and Pay Plan – Exempt Service – Positions in the Classified Service – Police Department; and the Administrative Officer read a portion of the title.

Bill No. 79-24, as amended, was passed by the following roll call:

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

Nay – None

BILL NO. 81-24 (As Amended)

The Chair called for Bill No. 81-24, as amended, An Ordinance concerning: Zoning – Commercial and Industrial Districts – Electric Vehicle Repair – Electric Vehicle Towing and Storage – For the purpose of defining “electric vehicle repair” and “electric vehicle towing and storage”; allowing electric vehicle repair and electric vehicle towing and storage as conditional uses in industrial zoning districts as a permitted use and electric vehicle towing and storage facilities, temporary storage not to exceed 90 days as a conditional use in industrial districts; allowing electric vehicle towing and storage facilities, temporary storage not to exceed 90 days as a permitted use in certain commercial districts; and generally relating to zoning; and the Administrative Officer read a portion of the title.

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

Tom Ni, Administration, was accompanied by Janssen Evelyn, Deputy Chief Administrative Officer of Land Use, Lynn Miller, Office of Planning and Zoning, and Kelly Kenney, Office of Law.

The Administration supports.

The Chair called for the public hearing on Bill No. 81-24, as amended.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 81-24, as amended.

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

The Chair called for Bill No. 81-24, as amended, An Ordinance concerning: Zoning – Commercial and Industrial Districts – Electric Vehicle Repair – Electric Vehicle Towing and Storage; and the Administrative Officer read a portion of the title.

Bill No. 81-24, as amended, was passed by the following roll call:

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

Nay – None

BILL NO. 82-24 (As Amended)

The Chair called for Bill No. 82-24, as amended, An Ordinance concerning: Real Property Taxes – Tax Credits Retired Veterans – For the purpose of repealing the assessed value limit on the principal residence for eligibility; adding a provision in the calculation of certain tax credit to apply to part of the total assessed value; and generally relating to real property tax credits; and the Administrative Officer read a portion of the title.

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

Hannah Dier, Administration, was accompanied by Tom Ni, Administration, Brian Schenck, Finance Department, and Kelly Kenney, Office of Law.

Ms. Dier spoke on the bill.

Ms. Leadbetter stated she has two members of her immediate family who are veterans.

Ms. Rodvien stated her husband is a veteran who does not qualify for this bill.

Ms. Hummer stated her husband is a veteran who does not qualify for this bill.

The Chair called for the public hearing on Bill No. 82-24, as amended.

The Administrative Officer stated there were two submissions of written testimony received through the online testimony tool for Bill No. 82-24, as amended, which were 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 closed.

The Chair called for Bill No. 82-24, as amended, An Ordinance concerning: Real Property Taxes – Tax Credits Retired Veterans; and the Administrative Officer read a portion of the title.

Bill No. 82-24, as amended, was passed by the following roll call:

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

Nay – None

BILL NO. 83-24

The Chair called for Bill No. 83-24, An Ordinance concerning: Approval of the First Amendment to Farm Rental Lease between Anne Arundel County, Maryland and Shady Oaks Turf Farm, Inc. – For the purpose of approving the First Amendment to Farm Rental Lease of a portion of County-owned property in West River, Maryland, to Shady Oaks Turf Farm, Inc., to extend the lease term for an additional ten years; and the Administrative Officer read a portion of the title.

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

Hannah Dier, Administration, was accompanied by Tom Ni, Administration, Stephen Walker, Real Estate, and Christine Neiderer, Office of Law.

Mr. Ni spoke on the bill.

Mr. Volke asked about the lease.

Mr. Walker answered.

Mr. Volke suggested holding the bill to give the equestrian community time to meet.

Ms. Dier responded.

There was further discussion on the bill.

The Chair called for the public hearing on Bill No. 83-24.

The Administrative Officer stated there were eight submissions of written testimony received through the online testimony tool for Bill No. 83-24, which were shared with the Council and posted on the County Council website.

The following persons spoke on Bill No. 83-24:

Arnelle Quashie, Gambrills
Jacquie Cowan, Crownsville
Kathryn Ehmann, West River
Jackie Guild, Edgewater
Janice Binkley, Millersville
Joy Sim, Gambrills
Deana Tice, Harwood

Anna Chaney, Lothian
William Ford, Harwood
Ross Moreland, West River
Julia Reinhardt, Attorney to Ross Moreland
Macro Bomer, Davidsonville
Paul Higgins, Pasadena

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

The Chair called for Bill No. 83-24, An Ordinance concerning: Approval of the First Amendment to Farm Rental Lease between Anne Arundel County, Maryland and Shady Oaks Turf Farm, Inc.; and the Administrative Officer read a portion of the title.

Mr. Volke explained his desire to hold the bill. He made a motion to hold the bill; there was no second, so the motion failed.

Ms. Fiedler asked about the language of the bill.

Ms. Neiderer answered.

Ms. Rodvien asked what the total acreage is.

Mr. Walker responded.

Ms. Leadbetter explained her position on the bill.

Bill No. 83-24 was passed by the following roll call:

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

BILL NO. 84-24

The Chair called for Bill No. 84-24, An Ordinance concerning: Public Works – Watershed Protection and Restoration Program – Waiver of Interest on Overdue Fees – For the purpose of authorizing the waiver of interest and penalties on certain overdue fees under certain circumstances; and generally related to public works; and the Administrative Officer read a portion of the title.

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

Hannah Dier, Administration, was accompanied by Tom Ni, Administration, Erik Michelsen, DPW, Brian Schenck, Office of Finance, Billie Penley, Office of Finance, and Kelly Kenney, Office of Law.

Ms. Dier spoke on the bill.

Mr. Volke asked if there are any entities who owe fees and how much they are.

Mr. Schenck responded.

Ms. Hummer spoke on HOA communities.

Ms. Fiedler asked how often a community can fall behind and be charged fees.

Mr. Schenck answered.

The Chair called for the public hearing on Bill No. 84-24.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 84-24.

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

The Chair called for Bill No. 84-24, An Ordinance concerning: Public Works – Watershed Protection and Restoration Program – Waiver of Interest on Overdue Fees; and the Administrative Officer read a portion of the title.

Bill No. 84-24 was passed by the following roll call:

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

BILL NO. 85-24

The Chair called for Bill No. 85-24, An Ordinance concerning: Pensions – General Provisions – Purchased Service Credits – Fire Service Retirements Plan and Police Service Retirement Plan – For the purpose of allowing participants in the Fire Service Retirement Plan and Police Service Retirement Plan hired after a certain date to purchase service credit for prior participation in certain plans; establishing the conditions for and methods of purchasing service credits; providing for the calculation and applicability of purchased service credits; and generally relating to pensions; and the Administrative Officer read a portion of the title.

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

Hannah Dier, Administration, was accompanied by Tom Ni, Administration, Anne Budowski, Personnel, Kelly Lovett, Personnel, Steven Theroux, Budget, and Lori Klasmeier, Office of Law.

Ms. Dier spoke on the bill.

The Chair called for the public hearing on Bill No. 85-24.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 85-24.

The following persons spoke on Bill No. 85-24:

Stanley Newborne, FOP
Lt. Mike Shier, FOP
Obie Atkinson, President FOP

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

The Chair called for Bill No. 85-24, An Ordinance concerning: Pensions – General Provisions – Purchased Service Credits – Fire Service Retirements Plan and Police Service Retirement Plan; and the Administrative Officer read a portion of the title.

Bill No. 85-24 was passed by the following roll call:

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

ADJOURNMENT

There being no further business, on motion of Mr. Volke, seconded by Ms. Leadbetter, the meeting adjourned at 8:55 P.M.

Respectfully submitted,

/s/ Anna Macaulay

By Anna Macaulay

/s/ Kaley Schultze

For Kaley Schultze
Administrative Officer