

The City Council met in regular session on Monday, February 26, 2018 in Council Chambers. A quorum being present, Mayor Pro Tempore, La-Shon Foster, called the meeting to order at 6:00 p.m. Those Commissioners in attendance were Commissioners Rideout, Sydnor, Foster and Hanson. Commissioner Cannon was absent. Mayor Pro Tempore, La-Shon Foster asked for a moment of silence. Commissioner Hanson led in the Pledge of Allegiance.

6:00 pm Mayor Pro Tempore to Convene Council in Regular Session

Agenda

1. Council to approve or amend agenda as presented.

A motion by Commissioner Sydnor to approve the agenda as presented was seconded by Commissioner Hanson and approved 4:0.

Public Comment

Nobody asked to speak.

Requests from the Public

2. SUBJECT: Request from Mr. Marc Mandel, prospective buyer of Map 0030 Parcels 0083 and 0093 located on Highway 343 adjacent to the Canvasback townhomes development, that City Council:
 - Approve use of well and septic systems in lieu of hook up to City water and sewer services on subject property;
 - Approve rezoning to allow agricultural use, including organic farming, grass fed cattle, free-range chickens, horses, vegetables, fruit, and crops;
 - Construction of a residence; and
 - Hunting for personal use (discharging firearms).

Recommendation: That Council:

- A. Refer request for well and sewer to staff for administrative review (Council approval not needed);
- B. Refer request for a rezoning from Residential to Resource Conservation Zone and request for Uniform Development Code amendment permitting livestock in a Resource Conservation Zoning District to Planning and Zoning Commission for discussion; and
- C. Deny request for approval of discharge of firearms.

Mr. Mandel and his wife are very interested in becoming residents of Cambridge. The parcels they are interested in (approximately 164 acres) are currently zoned Residential. They would like to build a small home and turn the property into an organic farm. Their contract on the property is contingent on Council's approval of their requests. He made several suggestions on amendments to the City Code. There are not any water and sewer lines adjacent to this property. The lines stop at the adjacent development. Discharging of firearms is prohibited by the Code which

would exclude hunting. It is his understanding that Council has granted exceptions for shotgun use within the City limits on certain occasions. They would not be leasing the farm for hunting but hunting is important to him. He is asking for the same consideration so they could hunt on the property. There are firearms being used on the adjacent county properties.

Commissioner Hanson asked about the restrictions on the number of cattle. Pat Escher said restrictions could be built into a special exception. Commissioner Sydnor said he received many phone calls today from residents adjacent to this property. They bought property in the City because there are amenities in the City that we do not have in the country. One of them is restrictions on animals. The other concern is that the State has 700 or 800 acres of property on Egypt Road. At one point they wanted to be allowed to discharge firearms. The Council told them that the City could de-annex that property back to the County so they could use firearms. The County did not the City to de-annex the property; therefore, they are not allowed to use firearms. He asked if we are opening Pandora's box. If permission is granted to Mr. Mandel, other residents are going to want to use firearms also. We have the exception for the Hyatt but that is only at Hole 17 on the golf course. They must get permission each time. The residents are also concerned about a possible odor from the animals on the property. Commissioner Sydnor said he appreciates that they want to locate in Cambridge. Because of the cost to extend the water and sewer, Council may allow them to use a well and septic system for the house only.

Commissioner Rideout said the Hyatt has been given permission for firearms. He looked at the statute that Mr. Mandel provided and looked at the City's ordinance and he doesn't think the City's ordinance allows the Hyatt to shoot guns. He asked the City Attorney to look at this. If the City is going to allow this, he can provide appropriate language to amend that particular Code section. He thinks giving Planning and Zoning an opportunity to look at these requests and see if there might be some compromise that would work for everyone would be reasonable.

Commissioner Hanson asked what would preclude Mr. Mandel from flipping this property once he has it the way he wants it. Mr. Mandel said Pat Escher raised some of those concerns. She suggested fields and a natural ditch with some trees that could buffer between the farm and the residents. The fields could have crops. Closer to the substation could be where the cattle are kept. He said she also said something to consider would be combining the two parcels into one parcel and down-zoning from Residential to Rural Conservation. In order to develop it, the owner would have to go through the process again of up-zoning it which would have to go through the City Council. He would be willing to do that. Their purpose is to use it as an organic farm.

Commissioner Sydnor is concerned that neither Mr. Mandel nor Ms. Escher spoke to any of the residents. He is more concerned about his constituents that he has in that particular area who moved there and are paying taxes and they paid their taxes for a purpose because that is where they want to live. Before we decide that we

want to take and change their living environment, we need to get their reaction. Today he began getting their reactions.

Commissioner Sydnor made a motion that if Mr. Mandel wants to build a home with a well and septic that the request be referred to the administrative review staff for one residence only. Commissioner Hanson seconded the motion. The motion passed 4:0.

Commissioner Sydnor made a motion to deny the request to forward to Planning and Zoning for changing the rezoning from Residential to Resource Conservation. This would include changing any ordinance that would allow for a cattle farm or livestock. Commissioner Foster seconded the motion. The vote was 2:2. The motion failed.

Commissioner Sydnor made a motion to deny the request for approval to discharge firearms in the City limits. Commissioner Foster seconded the motion. The motion passed 3:1.

Commissioner Hanson made a motion to refer the request for a rezoning from Residential to Resource Conservation Zone and request a Uniform Development Code amendment be referred back to Planning and Zoning for the Planning Commission to make a decision and report back to Council. Commissioner Rideout seconded the motion. The motion failed 1:3.

Consent Calendar

3. SUBJECT: Meeting Minutes from Council Meetings on February 12, 2018
Recommendation: That Council approve as submitted.
4. SUBJECT: Request from Cambridge Little League for permission to hold their opening day parade on Saturday, April 14, 2018 (rain date: April 21) starting at 9:00 am (set-up at 8:00 am) starting at Long Wharf and ending at the Little League Field
Recommendation: That Council approve the request.
5. SUBJECT: Request the City of Cambridge for a variance from the noise ordinance and extra trash cans during Family Movie Night in the Sailwinds Park Amphitheater on Friday, May 4, 2018 and Saturday, September 29, 2018 between the hours of 8:00 pm and 10:00 pm
Recommendation: That Council approve the request.
6. SUBJECT: Request from Dorchester County Community Wellness Coalition for permission to use the Race and Cedar Streets lot on Saturday, May 19, 2018 between the hours of 9:00 am and 2:00 pm for a Community Health and Wellness Resources Event; a variance from the noise ordinance; use of City-owned trash cans; and permission to erect a tent
Recommendation: That Council approve the request.

A motion by Commissioner Sydnor to approve the Consent Calendar Items 3 through 6 was seconded by Commissioner Rideout and approved 4:0.

Ordinances for Introduction:

7. SUBJECT: Ordinance No. 1116 - An Ordinance of the Commissioners of Cambridge, Maryland, to Repeal Ordinance No. 1019 Entitled "Boarding of Residential Structures and Monitored Rehabilitation Program"; Providing That the Title of This Ordinance Shall Be Deemed a Fair Summary and Generally Relating to the Boarding of Residential Structures and the Monitored Rehabilitation Program in the City of Cambridge.

Recommendation: That Council:

- A. Introduce Ordinance No. 1116 by reading of title only; and
- B. Schedule March 12, 2018 for second reading, public hearing and adoption of Ordinance No. 1116.

Mayor Pro Tempore La-Shon Foster read the title of the ordinance. A second reading, public hearing and adoption of Ordinance No. 1116 is scheduled for March 12, 2016.

New Business

8. SUBJECT: FY 2019 Budget Schedule

Recommendation: That Council:

- A. Adopt the recommended budget schedule and
- B. Set March 26, 2018 for a hearing on constant yield property tax and personalty tax rate.

A motion by Commissioner Rideout to adopt the recommended budget schedule and set March 26, 2018 for a hearing on the constant yield property tax and personalty tax rate was seconded by Commissioner Hanson and approved 4:0.

Meetings

- Finance Committee Meeting on February 8, 2018
- Finance Committee Meeting on February 15, 2018
- City County Coordinating Committee Meeting on February 5, 2018

No action was taken.

Notices

Special Regular Session scheduled on March 5, 2018 at 6:00 pm in the Public Safety Building Training Room, 8 Washington Street, Cambridge to give second readings, hold hearings, and consider adoption of the following:

- Ordinance 1014: An Ordinance of the Commissioners of Cambridge, Maryland, to Amend Table 1: Permitted Uses by Zoning District of the City's Unified Development Code to Allow Breweries as a Permitted Use in the Industrial Zoning District and to Amend § 9.2 of the UDC to Define Terms Associated Therewith; Providing That the Title of This Ordinance Shall Be Deemed a Fair Summary and Generally Relating to Breweries in the City of Cambridge.
- Ordinance 1015: An Ordinance of the Commissioners of Cambridge, Maryland, to Amend Table 1: Permitted Uses by Zoning District of the City's Unified Development Code to Allow Auctions as a Special Exception in the Commercial and Industrial Zoning Districts, Amend § 6.3, Table 6a of the UDC to Provide Parking Requirements Therefor, and Amend § 9.2 of the UDC to Define Terms Associated Therewith; Providing That the Title of This Ordinance Shall Be Deemed a Fair Summary and Generally Relating to Auctions in the City of Cambridge.

Mayor and Council

Commissioner Rideout said in looking at Section 12-18 of the City Code, Discharging of Firearms, the Hyatt has routinely been able to get approval from City Council. It does not appear that there is language that supports Council doing that. Commissioner Rideout made a motion to direct the City Attorney to draft language that would allow that to take place so it is part of Section 12-18 of the City Code. Commissioner Hanson seconded the motion. The motion passed 4:0.

Commissioner Sydnor has a concern about the yellow lines on curbs—mainly on Fairmont Avenue and High Street. When a van is parked on the yellow line, a car coming out of Fairmont Avenue cannot see any traffic that is travelling on High Street going toward Poplar Street. This needs to be enforced for safety reasons. This is not the only area.

Oden Wheeler wished Acting Chief Wayne Bromwell the best on his retirement (again). He has done a great job. Wayne Bromwell thanked Council for appointing him to that position. The Commissioners all thanked Chief Bromwell also. It was great having him.

A motion by Commissioner Sydnor to adjourn the meeting was seconded and approved unanimously.

February 26, 2018
Cambridge, MD

With no further business, Mayor Pro Tempore, La-Shon Foster adjourned the meeting at 6:52 p.m. I hereby certify that the foregoing is a true and accurate account of the Council meeting Monday, February 26, 2017, insofar as I personally am aware.

A handwritten signature in black ink that reads "La-Shon Foster". The signature is written in a cursive style with a large initial "L" and "F".

La-Shon Foster
Mayor Pro Tempore