

The City Council met in regular session on Monday, March 13, 2017 in Council Chambers. A quorum being present, Mayor Victoria Jackson-Stanley called the meeting to order at 5:30 p.m. Those Commissioners in attendance were Commissioners Rideout, Sydnor, Foster (5:37 pm), Cannon, and Hanson.

### **Closed Sessions**

1. A. SUBJECT: A Proposed Closed Session – in accordance with State Government Article, Section 10-508(a) – under:
  - Exception 1: discuss appointment of City Attorney and
  - Exception 14: discuss negotiating strategy and contents of bid proposals related to competitive proposal process for City Attorney contract.

Mayor Victoria Jackson-Stanley read the Statement for Closing a Meeting (attached to these minutes).

A motion by Commissioner Hanson to hold a closed meeting was seconded by Commissioner Cannon and approved 4:0. Commissioner Foster was absent at the time of the vote.

1. B. SUBJECT: Consideration of closing the closed session  
Recommendation: That Council consider a motion to end the Closed Session.

A motion by Commissioner Sydnor to end the closed session was seconded by Commissioner Rideout and approved 5:0.

2. A. SUBJECT: A Proposed Closed Session - in accordance with State Government Article, Section 10-508(a) – under:
  - Exception 7: consult with counsel for legal advice and
  - Exception 8: consult with staff, consultants or other individuals about potential litigation

Recommendation: That Council consider a motion to go into Closed Session concerning consultation with counsel to obtain legal advice concerning potential litigation.

Mayor Victoria Jackson-Stanley read the Statement for Closing a Meeting (attached to these minutes).

A motion by Commissioner Hanson to hold a closed meeting was seconded by Commissioner Cannon and approved 4:0. Commissioner Rideout recused himself from the meeting.

2. B. SUBJECT: Consideration of closing a closed session  
Recommendation: That Council consider a motion to end the Closed Session.

A motion by Commissioner Hanson to end the closed session was seconded by Commissioner Cannon and approved 4:0.

**6:03 pm Mayor to Reconvene Council in Open Session**

Mayor Victoria Jackson-Stanley asked for a moment of silence. Commissioner Hanson led in the Pledge of Allegiance.

**Agenda**

**3. Council to approve or amend agenda as presented**

Sandra Tripp-Jones asked that a report for a second closed executive session on March 13, 2017 be added to the agenda. A motion by Commissioner Hanson to approve the amended agenda was seconded by Commissioner Cannon and approved 5:0.

**Public Comment**

Sharon Smith said citizens in the City have been having conversations about the replacement of our City Attorney and that the cost to replace him will exceed what he is being paid by roughly \$30,000. The firms do not have his depth, knowledge, and years of experience. She thinks this is a disservice to the citizens of Cambridge.

Katie Clendaniel, Cambridge Main Street, said concerns were received from the public about the events that took place downtown over the weekend. Cambridge Main Street wants to work closely with the City and business community to see how things should move forward.

Les Hutton, representing Katie Mae's Country Shop, said he was shocked at what he saw downtown Saturday night. He has never seen such a mess with the behavior of the people. He fully supports downtown events.

Portia Johnson-Ennels said over the last year, things that have taken place in the City's closed sessions have been public knowledge by midnight that night. Sometimes it is not the true facts and it looks bad on our government.

**Report on Closed Sessions:**

4. SUBJECT: Reports on closed sessions
  - A. March 7, 2017 concerning City Attorney proposals
  - B. March 9, 2017 concerning City Attorney proposals
  - C. March 13, 2017 concerning advice from legal counsel about potential litigation
  - D. March 13, 2017 concerning City Attorney proposals

Sandra Tripp-Jones reported that on March 9, 2017 (all members present except Commissioner Foster) Council met in Council Chambers to hear interviews on City attorney proposals. The session began at 1:02 p.m. and ended at 2:35 p.m. No action was taken.

Sandra Tripp-Jones reported that on March 7, 2017 (all members present except Commissioner Foster) Council met in Council Chambers to hear interviews on City attorney proposals. The session began at 1:00 p.m. and ended at 4:30 p.m. No action was taken.

Sandra Tripp-Jones reported that on March 13, 2017 (all members present except Commissioner Foster who arrived at 5:37 pm) in Council Chambers. During the first session Council met for consideration of the City attorney proposals. The first session began at 5:33 p.m. and ended at 5:50 p.m.

The seconded closed session began at 5:50 p.m. Commissioner Rideout recused himself due to a conflict of interest. The Mayor and all other Commissioners were present. The subject was potential litigation. Council heard a report from legal counsel. No action was taken. The meeting ended about 6:00 pm.

#### **Consent Calendar**

5. **SUBJECT:** Meeting Minutes from Council Meeting on February 27, 2017  
Recommendation: That Council approve as submitted.
6. **SUBJECT:** Request from the American Cancer Society for a variance from the noise ordinance for Relay for Life at Cambridge-South Dorchester High School from 6:00 pm on Friday, May 19th through 1:00 am on May 20th  
Recommendation: That Council approve the request.
7. **SUBJECT:** Request from Cambridge Sail and Power Squadron for a variance from the noise ordinance during their flare and fire extinguisher demonstration at the Cambridge Yacht Club on Saturday, May 20, 2017 starting at 1:00 pm and a proclamation for Safe Boating Month  
Recommendation: That Council approve the request.
9. **SUBJECT:** Appropriation of Drug Forfeiture Money for Cambridge Police Department  
Recommendation: That Council approve the appropriation of \$1,500 from Drug Forfeiture funds and increase the Police Department budget by \$1,500 for evidence buy money.

A motion by Commissioner Rideout to approve the consent calendar (Items 5, 6, 7, and 9) was seconded by Commissioner Cannon and approved 5:0.

8. **SUBJECT:** Police Grants  
Recommendation: That Council authorize the Police Department to apply for annually recurring grants as they open the application process.

A motion by Commissioner Sydnor to approve Item 8 was seconded by Commissioner Rideout and approved 5:0.

**Old Business**

10. SUBJECT: Sailwinds Port Wharf Repair Contract Award

Recommendation: That Council award the contract for the rehabilitation of the deteriorated wharf adjacent to Governor's Hall to Seward Marine Corporation in the amount of \$5,195,232.

A motion by Commissioner Rideout to vote on this at the next Council meeting to give the Commissioners the opportunity to ask questions about the bid and the proposal was seconded by Commissioner Foster and failed 3:2.

A motion by Commissioner Sydnor to award the contract for the rehabilitation of the deteriorated wharf adjacent to Governor's Hall to Seward Marine Corporation in the amount of \$5,195,232 was seconded by Hanson and passed 3:2.

A motion by Commissioner Sydnor to allow staff 45 days to explore potential cost savings ideas with the contract related to the promenade and report back to Council before making a decision on completing the additional work related to the promenade was seconded by Commissioner Hanson and passed 4:1.

11. SUBJECT: Council Goals

Recommendation: That Council

- A. Accept the second quarter status report on FY 2017 Council goals
- B. Determine FY 2018 Council Goals and Implementation plans priorities to be considered in the FY 2018 budget.

Discussion only. No action was taken. General directions were given to include all the tentative FY2018 Council Goals and Action Plans in the FY2018 Proposed Operating and Capital Budget.

12. SUBJECT: Feral Cat Strategies

Recommendation: That Council receive a report on feral cat strategies.

Information only. No action was taken.

13. SUBJECT: Cameras

Recommendation: That Council hear a verbal status report on the cameras on Greenwood project.

Information only. No action was taken.

**New Business**

14. SUBJECT: Property Tax Increase

Recommendation: That Council schedule a public hearing on proposed property tax increase from .007989 to 008878 to maintain property tax revenues for current

operating levels, to fund repair of 300 block of High Street, and to establish a project for housing blight removal in FY 2018.

A motion by Commissioner Sydnor that Council schedule a public hearing on March 27<sup>th</sup> at 6:00 pm on the proposed property tax increase from 0.007989 to 0.008878 to maintain property tax revenues for current operating levels, to fund repair of 300 block of High Street, to establish a project for housing blight removal in FY 2018, and to include an analysis on procedure for a 2-year special assessment for increase portion above the constant yield was seconded by Commissioner Cannon and approved 5:0.

**15. SUBJECT: Health Care for Retirees**

**Recommendation:** That Council A) transfer retirees over 65 to a Medicare Supplement Part F plan with AARP which will be paid for by the City B) transfer retirees over 65 to a Medicare Supplement Part D plan which will be paid for by the retiree and C) discontinue the copay required by retirees over 65

A motion by Commissioner Sydnor that Council A) transfer retirees over 65 to a Medicare Supplement Part F plan with AARP which will be paid for by the City B) transfer retirees over 65 to a Medicare Supplement Part D plan which will be paid for by the retiree and C) discontinue the copay required by retirees over 65 was seconded by Commissioner Cannon and approved 5:0.

**16. SUBJECT: Other Post-Employment Benefits for Retirees**

**Recommendation:** That Council discontinue new retiree health insurance for new employees effective July 1, 2017.

A motion by Commissioner Hanson that Council discontinue new retiree health insurance for new employees effective July 1, 2017 was seconded by Commissioner Rideout and approved 3:2.

**17. SUBJECT: Complaint filed by Commissioner Rideout with the Maryland State Office of Open Meetings Compliance Board**

**Recommendation:** That Council approve the response and authorize the Mayor and City Manager to sign and forward to the Maryland State Office of Open Meetings Compliance Board.

Commissioner Rideout recused himself from the discussion. A motion by Commissioner Sydnor to approve the response and authorize the Mayor and City Manager to sign and forward to the Maryland State Office of Open Meetings Compliance Board was seconded by Commissioner Hanson and approved 4:0.

**Committee Reports**

**18. Finance Committee Report**

- A. February 16, 2017
- B. March 2, 2017

Information only. No action was taken.

**Notices**

19. City Council Work Session with Maryland State Department of Housing and Community Development Secretary Kenneth Holt on March 14, 2017 at 11:00 am in the Public Safety Building Training Room, 8 Washington Street, Cambridge, MD 21613. Copy of Agenda is attached.

Information only. No action was taken.

20. Cancellation of Sailwinds/Port Property Market Feasibility Study contract with Delta Associates.

Information only. No action was taken.

**Mayor and Council**

**Adjourn**

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

With no further business, Mayor Victoria Jackson-Stanley adjourned the meeting at 8:05 p.m. I hereby certify that the foregoing is a true and accurate account of the Council meeting Monday, March 13, 2017, insofar as I personally am aware.

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Victoria Jackson-Stanley  
Mayor

**CITY OF CAMBRIDGE, MARYLAND**

**FORM OF STATEMENT FOR CLOSING A MEETING**

**Location:** Cambridge City Council Chambers

**Date:** 03-13-2017

**Time:** 5:33 pm

**Motion By:** Commissioner Hanson **Seconded by:** Commissioner Cannon

**Vote to Close Session:** Item No. 1.A – Closed Session re: City Attorney Proposals

	Aye	Nay	Abstain	Absent	
Commissioner Rideout	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Commissioner Sydnor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Commissioner Foster	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Arrived 5:37 pm
Commissioner Cannon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Commissioner Hanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**Also Present:** Mayor Victoria Jackson-Stanley and Sandra Tripp-Jones

**Motion to go out of Closed Session:** Motion by Commissioner Sydnor, seconded by Commissioner Rideout and approved 5:0.

**STATUTORY AUTHORITY TO CLOSE SESSION**

State Government Article §10-508(a):

- (1) To discuss:
  - (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
  - (ii) Any other personnel matter that affects one or more specific individuals.
- (2)  To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.
- (3)  To consider the acquisition of real property for a public purpose and matters directly related thereto.
- (4)  To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the City.
- (5)  To consider the investment of public funds.
- (6)  To consider the marketing of public securities.
- (7)  To consult with counsel to obtain legal advice on a legal matter.

- (8)  To consult with staff, consultants, or other individuals about pending or potential litigation.
- (9)  To conduct collective bargaining negotiations or consider matters that relate to the negotiations.
- (10)  To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:
  - (i) The deployment of fire and police services and staff; and
  - (ii) The development and implementation of emergency plans.
- (11)  To prepare, administer or grade a scholastic, licensing, or qualifying examination.
- (12)  To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- (13)  To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.
- (14)  Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

**TOPICS TO BE DISCUSSED:** Evaluation of proposals and the firms that offered to provide City Attorney services to determine which remain under consideration and begin development of a contract negotiating strategy.

**REASON FOR CLOSING:** Public discussion could negatively affect the City's negotiations and the need to maintain confidentiality until the 'finalist' is selected.

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Victoria Jackson-Stanley, Mayor

**CITY OF CAMBRIDGE, MARYLAND**

**FORM OF STATEMENT FOR CLOSING A MEETING**

**Location:** Cambridge City Council Chambers

**Date:** 03-13-2017

**Time:** 5:50 p.m.

**Motion By:** Commissioner Hanson **Seconded by:** Commissioner Cannon

**Vote to Close Session:** Item 2.A

	Aye	Nay	Abstain	Absent	
Commissioner Rideout	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Recused
Commissioner Sydnor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Commissioner Foster	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Commissioner Cannon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Commissioner Hanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Also Present: Mayor Victoria Jackson-Stanley, Sandra Tripp-Jones, Oden Wheeler, Kevin Karpenski (by phone – confirmed he was alone in the room)

Motion to go out of Closed Session: Motion by Commissioner Hanson, seconded by Commissioner Cannon and approved 5:0. (5:57 p.m.)

**STATUTORY AUTHORITY TO CLOSE SESSION**

State Government Article §10-508(a):

- (1) To discuss:
  - (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
  - (ii) Any other personnel matter that affects one or more specific individuals.
- (2)  To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.
- (3)  To consider the acquisition of real property for a public purpose and matters directly related thereto.
- (4)  To consider a preliminary matter that concerns the proposal for a

business or industrial organization to locate, expand, or remain in the City.

- (5)  To consider the investment of public funds.
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- (7)  To consult with counsel to obtain legal advice on a legal matter.
- (8)  To consult with staff, consultants, or other individuals about pending or potential litigation.
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- (10)  To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:
  - (i) The deployment of fire and police services and staff; and
  - (ii) The development and implementation of emergency plans.
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**TOPICS TO BE DISCUSSED:** Potential Litigation

**REASON FOR CLOSING:** Public discussion of options to avoid litigation could adversely affect the City's position in the negotiation and result in litigation.

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Victoria Jackson-Stanley, Mayor