

The City Council met in regular session on Monday, June 12, 2017 in Council Chambers. A quorum being present, Mayor Victoria Jackson-Stanley called the meeting to order at 6:00 p.m. Those Commissioners in attendance were Commissioners Rideout, Sydnor, Foster, Cannon, and Hanson. Mayor Victoria Jackson-Stanley asked for a moment of silence. Commissioner Hanson led in the Pledge of Allegiance.

Agenda

1. Council to approve or amend agenda as presented

Commissioner Rideout asked that Item 23 be discussed before Item 22. A motion by Commissioner Hanson to approved the agenda as amended was seconded by Commissioner Cannon and approved unanimously.

Public Comment

Floretta Williams asked why the City of Cambridge was going to use Chesapeake Waste instead of picking up the trash. She also wanted to know if the residents would be paying Chesapeake Waste and the City both after the three-year contract expires. Oden Wheeler said there will not be two bills. This item will be addressed by Council later in the meeting.

Floretta Williams said she is concerned that there will not be a hospital in Dorchester County. Mayor Victoria Jackson-Stanley suggested Ms. Williams attend one of the meetings University of Maryland Shore Regional Health is holding to hear all the plans and have her questions answered by the hospital representatives.

Requests from the Public

2. SUBJECT: Request from Maces Lane School Alumni Association for City support in developing a community center at old Maces Lane School

Recommendation: That Council approve the request and authorize staff to assist with planning development of a community center and preparation of a grant application for pre-development costs.

Rev. Keith Cornish and Marion Fisher spoke representing the executive committee for the Maces Lane Alumni Association. They would like to restore the old Maces Lane School. They are extremely concerned about maintaining the legacy of this facility. They are asking the assistance of the City and County Councils to help them with some of the planning and writing to get this off the ground.

A motion by Commissioner Rideout to authorize a letter be forwarded to Maces Lane Alumni Association as they prepare to develop and community center and direct staff to help prepare the application to be submitted by the Alumni Association and Good Shepherd Association was seconded by Commissioner Cannon and approved unanimously.

3. **SUBJECT:** Request from Sheila Jones that the City Amend the Uniform Development Code to Allow Boarding Houses in Residential Zones
Recommendation: That Council refer the proposed text amendment to the City's Zoning Official and have the Zoning Official schedule a public meeting with the Planning Commission to hear the proposed text amendment and make a recommendation to City Council.

A motion by Commissioner Rideout to refer the proposed text amendment to the City's Zoning Official and have the Zoning Official schedule a public meeting with the Planning Commission to hear the proposed text amendment and make a recommendation to City Council was seconded by Commissioner Sydnor and approved unanimously.

Consent Calendar

4. **SUBJECT:** Meeting Minutes from Council Meetings on May 8, 2017
Recommendation: That Council approve as submitted.
5. **SUBJECT:** Meeting Minutes from Council Meetings on May 22, 2017
Recommendation: That Council approve as submitted.
6. **SUBJECT:** Request from Cambridge Main Street to close the streets at 1:00 pm for Taste of Cambridge (Saturday, July 8, 2017) and Summer Send-Off (Saturday, September 16, 2017) These events were approved at the May 22, 2017 meeting.
Recommendation: That Council approved the requested time change from 3:00 pm to 1:00 pm.
7. **SUBJECT:** Request from Eastern Shore Network for Change and Cambridge Main Street to hold Groove on Pine (street festival with music) on Saturday, July 22, 2017 from 4:00 pm until 8:00 pm; close Pine Street between Cedar Street and Dunns Court from 1:00 pm until 10:00 pm; and a variance from the noise ordinance
Recommendation: That Council approve the request.
8. **SUBJECT:** Request from Saving our Communities Kids to hold a youth program in Charles Cornish Park on Saturday, July 29, 2017 from 10:00 am until 4:00 pm; and a variance from the noise ordinance
Recommendation: That Council approve the request.
9. **SUBJECT:** Request from the Maces Lane High School Alumni Association to hold their fundraiser (originally scheduled for May 27 – approved by Council on May 8) on Saturday, July 1, 2017.
Recommendation: That Council approve the date change.
10. **SUBJECT:** Request from the Del-Mar-Va Council, Choptank District Boy Scouts to hold their Cubmobile on Sunday, October 1, 2017 from 9:00 am until 6:00 pm on Court Lane; use of six City trash cans; and a variance from the noise ordinance

Recommendation: That Council approve the request.

11. SUBJECT: Request from Agape Temple of Praise & Ministries, Inc. to hold tent revivals on Tuesday, August 8th; Wednesday, August 9th; and Thursday, August 10th; between the hours of 6:00 pm and 9:00 pm; close a portion of Center Street starting at the corner of Robbins Street from 4:00 pm until 10:00 pm; and a variance from the noise ordinance

Recommendation: That Council approve the request.

12. SUBJECT: Request from the Hyatt Regency Chesapeake Bay for permission to display fireworks on Thursday, June 22, 2017 starting at 9:45 pm for approximately 12 minutes

Recommendation: That Council approve the request with the stipulation that conditions in Resolution 15-004 and requirements of the State Fire Marshal be met.

13. SUBJECT: Request from Rescue Fire Company for permission to hold the 38th Annual Seafood Festival on Saturday, August 12, 2017 from 1:00 pm until 6:00 pm at Sailwinds Park; a variance from the noise ordinance; use of City trash cans and a trash truck; and permission to close the City-owned parking lot adjacent to the Sailwinds parking lot from Friday, August 11th at 4:00 pm until Saturday, August 12th at 6:00 pm to accommodate the buses

Recommendation: That Council approve the request

14. SUBJECT: Request from Shorehawks Football to hold a Community Block Party on Chesapeake Court on Saturday, June 24, 2017 between the hours of 5:00 pm and 9:00 pm; permission to close Chesapeake Court between High Street and Schoolhouse Lane between the hours of 4:30 pm and 9:30 pm; permission to serve liquor outside; permission to erect a tent; and a variance from the noise ordinance

Recommendation: That Council approve the request.

15. SUBJECT: Request from the Cambridge Yacht Club that the City not approve any events pertaining to motor boats on July 20 to 22, 2018 and August 18 and 19, 2018 for the safety of their Sail Regatta and Log Canoe Race participants that will occur on the Choptank River from the Malkus Bridge to Hambrooks Bay.

Recommendation: That Council approve the request.

16. SUBJECT: Unsolicited offer from the Thomas Family Irrevocable Trust to donate a 2,100 sq.ft. parcel of unproved property (Tax Map 304; Parcel 3376) on Bayly Road to the City.

Recommendation: That Council direct staff to assess the utility of the subject property if City-owned, consult with the City Attorney as to process, and make a follow up recommendation.

Item No. 9 will be removed from the consent calendar until further clarification is received.

A motion by Commissioner Foster to approve Items 4, 5 (as amended), 6, 7, 8, 10, 11, 12, 13, 14 (including use of the City-owned lot and require that they obtain the required liquor license), 15, and 16 on the consent calendar was seconded by Commissioner Hanson and approved unanimously.

A motion by Commissioner Sydnor to deny Item 9 was seconded by Commissioner Rideout and approved unanimously.

Budget

17. SUBJECT: FY 2018 Budget Adoption

Recommendation: That Council:

- A. Adopt Resolution No. 17-004 a Resolution of the Commissioners of Cambridge, Maryland, to Adopt Positions and Salary Controls and Schedules of Salary Grades and Steps for General Employees and Sworn Police Officers for Fiscal Year 2018;
- B. Adopt Resolution No. 17-005 a Resolution of the Commissioners of Cambridge, Maryland, to Amend and Establish the Schedule of Fees Charged by the City of Cambridge;
- C. Give Ord. No. 1105 - An Ordinance of the Commissioners of Cambridge, Maryland, to Adopt and Approve the Budget for Fiscal Year 2018 Which Appropriates the Necessary Funds for the Operation of the Government and Administration of the City of Cambridge, Maryland, for the Period July 1, 2017 to June 30, 2018 a second reading by title only;
- D. Open the public hearing on Ord. No. 1105, take public comment and close the public hearing; and
- E. Adopt Budget Ordinance No. 1105 by reading of title only.

Commissioner La-Shon Foster recused herself from this portion of the meeting. Budget presentations were held in May.

A motion by Commissioner Sydnor to adopt Resolution No. 17-004, a Resolution of the Commissioners of Cambridge, Maryland, to Adopt Positions and Salary Controls and Schedules of Salary Grades and Steps for General Employees and Sworn Police Officers for Fiscal Year 2018 was seconded by Commissioner Cannon and approved 4:0. Commissioner Foster recused herself from this discussion.

A motion by Commissioner Sydnor to adopt Resolution No. 17-005, a Resolution of the Commissioners of Cambridge, Maryland, to Amend and Establish the Schedule of Fees Charged by the City of Cambridge was seconded by Commissioner Rideout and approved unanimously.

A motion by Commissioner Hanson to hold a public hearing on Ordinance No. 1105 was seconded by Commissioner Sydnor and approved unanimously.

Nobody from the audience asked to speak. A motion by Commissioner Hanson to close the public hearing was seconded by Commissioner Rideout and approved unanimously.

A motion by Commissioner Sydnor to adopt Budget Ordinance No. 1105 for Fiscal Year 2018 was seconded by Commissioner Rideout and approved 4:0. Commissioner Foster abstained.

Ordinances for Second Reading, Public Hearing, and Adoption

18. SUBJECT: Ordinance No. 1098 proposing to rezone Tax Map 41, Parcel 115, Lot 11, 821 Fieldcrest Road, Tax Account No. 07-199287, containing 7.75 acres, more or less, owned by The Baptist Family LLC, et al., from Industrial to Institutional and to rezone Tax Map 0041, Parcel No. 0171, Lot 3, 829 Fieldcrest Road, Tax Account No. 07-194676, containing 15 acres, more or less, owned by The County Commissioners of Dorchester County, Maryland, from Industrial to Institutional on the City's Official Zoning Map;

Recommendation: That Council:

- A. Open the public hearing on Ord. No. 1098, take public comment and close the public hearing; and
- B. Deliberate (Findings of Fact to support rezoning)
- C. Adopt Ordinance No. 1098 by reading of title only (if supported by Findings of Fact)

Notice of the public hearing was published in the *Star-Democrat* on May 28, 2017 and the *Dorchester Banner* on June 7, 2017.

A motion by Commissioner Hanson to hold a public hearing was seconded by Commissioner Rideout and approved unanimously.

Ryan Showalter spoke on behalf of the Baptist Family, LLC which is the owner of one of the two facilities proposed to be rezoned. When the City adopted the UDC, the rezoning of the property was the result of a mistake. The zoning that currently applies to the property does not permit the use to which it has been held for many years. They originally started with a text amendment to look at adding some type of in-patient behavioral health use to the existing industrial zoning district and the determination was that instead of creating a new use in the industrial district, it would be more appropriate to rezone that property as well as the County Detention Center to an institutional zoning district which permits both of those uses. The Baptist Family property is currently vacant but there are people interested in it. It will provide medical jobs and services that are important in the City. Having the use as a permitted use is certainly an important consideration for any investor.

Nobody else asked to speak. A motion by Commissioner Sydnor to close the public hearing was seconded by Commissioner Hanson and approved unanimously.

A motion by Commissioner Sydnor to adopt Ordinance No. 1098 supported by the Findings of Fact was seconded by Commissioner Cannon and approved unanimously.

19. SUBJECT: Ordinance No. 1103 proposing to rezone Tax Map 41, Parcel 128, Lot Nos. 1 through 635 and A, Tax Map 41, Parcel 2, Lot Nos. 1 through 40 and A, and Tax Map 52, Parcel 2, Lot C, containing a total of 319 acres of land, more or less, from Residential to Resource Conservation on the City's Official Zoning Map;
Recommendation: That Council
- A. Open the public hearing on Ordinance No. 1103, take public comment and close the public hearing; and
 - B. Deliberate (Findings of Fact to support rezoning)
 - C. Adopt Ordinance No. 1103 by reading of title only (if supported by Findings of Fact)

Notice of the public hearing was published in the *Star-Democrat* on May 28, 2017 and the *Dorchester Banner* on June 7, 2017.

A motion by Commissioner Hanson to hold a public hearing was seconded by Commissioner Rideout and approved unanimously.

Ryan Showalter spoke on behalf of the contract purchaser of this property. This property has a long history in the City of Cambridge but most recently it was zoned residential after the City adopted the UDC and did a comprehensive rezoning. The property was previously zoned R-1 and R-3. It currently consists of a subdivision of roughly 8,000 to 10,000 sq.ft. lots. There are 635 lots which were zoned R-3 (the City's former multi-family zoning district). There is a separate subdivision that is south of that which is comprised of approximately 40 one-acre lots which were zoned R-1. When the City adopted the UDC and compressed the residential zoning districts, all of those parcels were zoned residential. The zoning and the subdivision plats that exist came out of the Blackwater Resort Community's project and the State's intervention and acquisition of three-quarters of the site that the City annexed. The subdivision plats were created to establish 675 lots on Egypt Road because the City viewed residential expansion as important and growth in that area as appropriate. The Planning Commission has recommended this rezoning for a number of reasons. The principle of which is a recognition on the City's part that significant residential growth in that direction may not be most appropriate at this time. The proposed rezoning to Resource Conservation would be much more consistent with the uses that exist around it. To the northeast you have the school complexes. To the immediate north is the County-owned park. Land to the west is owned by the Malkus family in agriculture or is in timber product owned by the State. As you go south, the 40 single-acre lots are owned by the State. All of the land on the east side of the road is owned by the State. Everything surrounding it is essentially in perpetual open space except for the Malkus farm which is currently tilled today. Zoning is Resource Conservation would permit resource-based uses—one of which is solar. The City adopted a text amendment to create standards for solar at a prior meeting. It would change the zoning and not permit

development of those 675 homes on Egypt Road. He believes the rezoning is consistent with the City's comprehensive plan for a number of reasons. The plan recommends energy efficiency and energy conservation. It talks about guiding development in areas that are most suitable and away from areas that potentially could lead to environmental concerns or water pollution. There were contentions in the past that significant residential development in the watershed of the Little Blackwater River might lead to concerns. It also provides for protection of the City's greenbelt and takes an area that is largely protected and converts it to something that would continue with a compatible use instead of having nearly 700 homes surrounded by those protected lands. The plan talks about having over 1000 excess lots based on the City's projection of its future land use needs. This zoning change would accommodate a potential solar project that might take almost 700 of those 1000 excess lots off of the books. Other standards the City is tasked with considering under State laws are population change. He submitted that this zoning change today won't result in any population change because there are not any houses there today. If this change is not made, there could be up to 675 homes. The City is also tasked with considering the availability of public facilities. While there are adequate public facilities to serve these homes which were established as part of the subdivision, the proposed change to Resource Conservation would eliminate the need to use those facilities that exist. These properties are only accessible by Egypt Road. If the lots are developed, all the traffic from those lots would go through the Route 16/Egypt Road intersection. If the zoning is changed to Resource Conservation, that traffic would not occur on Egypt Road. This rezoning is supported by mistake and he requests the Council's approval.

Charles McLeod said one thing to keep in mind with the mistake rationale is there could also have been a zoning anticipation of something coming that never comes. The City can sometimes zone property because they may do it to attract a certain business and if that doesn't materialize, that could also be justification to say that it was a mistake because what they thought might materialize did not happen. You can re-group in some cases. That is one way this can be justified as a mistake.

Charles McLeod said he will work with staff to make sure the Findings of Fact are properly worded.

Jennifer Fleming, a resident of Egypt Road, said that Mr. Showalter mentioned that there is farmland around this property. This property is actually being farmed and has been farmed for three generations by the same family. In consideration of moving forward with all of this, this is taking a large chunk of farmland and scenic area out of commission. The area across the street is farmed.

Nobody else asked to speak. A motion by Commissioner Cannon to close the public hearing was seconded by Commissioner Sydnor and approved unanimously.

A motion by Commissioner Sydnor to adopt Ordinance No. 1103 if supported by the Findings of Fact on the basis of mistake or error was seconded by Commissioner Foster and approved unanimously.

20. SUBJECT: Ordinance No. 1104 proposing to amend Section 6.5.2(E) of the City's Unified Development Code to provide that a sign program for a site in excess of 20 acres shall be given more flexibility with design, scale, and size of signs due to the large scale and uniqueness of the property and that the sign program shall be approved by the Planning Commission.

Recommendation: That Council

- A. Open the public hearing on Ord. No. 1104, take public comment and close the public hearing; and
- B. Adopt Ordinance No. 1104 by reading of title only.

Notice of the public hearing was published in the *Star-Democrat* on May 28, 2017 and the *Dorchester Banner* on June 7, 2017.

A motion by Commissioner Sydnor to hold a public hearing on Ordinance No. 1104 was seconded by Commissioner Hanson and approved unanimously.

Nobody from the audience asked to speak.

A motion by Commissioner Foster to close the public hearing was seconded by Commissioner Sydnor and approved unanimously.

A motion by Commissioner Sydnor to adopt Ordinance No. 1104 was seconded by Commissioner Cannon and approved unanimously.

Old Business

21. SUBJECT: Contract with Chesapeake Waste Industries LLC for Sanitation Services

Recommendation: That Council:

- A. Approve an agreement with Chesapeake Waste Industries, LLC to provide Sanitation Services for three (3) years, at a cost rate of \$13.53 per customer/month subject to City Attorney approval as to form.
- B. Authorize severance payments of \$ 2,400 for each of 2 employees who will transfer to Chesapeake Waste Industries.

A motion by Commissioner Sydnor to approve an agreement with Chesapeake Waste Industries, LLC to provide Sanitation Services for three (3) years, at a cost rate of \$13.53 per customer/month subject to City Attorney approval as to form was seconded by Commissioner Rideout and approved unanimously.

A motion by Commissioner Rideout that if the employees who are being hired by Chesapeake Waste are hired at the rate they would be entitled to from the City starting on July 1, 2017, that they receive \$2,400 (each) compensation toward insurance, however, if Chesapeake Waste hires them at a lower rate (depending upon how much that is) then they receive up to \$2,000 (each) that would otherwise be a shortfall was seconded by Commissioner Hanson. Commissioner Rideout modified his motion to pay the employees who are being hired by Chesapeake Waste \$2,400 and discuss any

other compensation at the July 10, 2017 Council meeting after staff reports on any shortfall they may have received. Commissioner Hanson seconded the modified motion. The motion passed 4:0 with Commissioner Foster abstaining.

22. SUBJECT: Formation of a Waterfront and Parks Advisory Committee
Recommendation from the Ordinance Committee: That Council discuss and consider formation of a Waterfront and Parks Advisory Committee using the purpose, structure and procedures recommended by the Ordinance Committee.

No action was taken. This will be discussed at the July 10, 2017 meeting.

23. SUBJECT: Proposed Cambridge City Committee Operating Rules and Procedures
Recommendation from the Ordinance Committee: That Council approve the City Committee Rules and Procedures and direct the City Attorney to bring them back in Resolution form for adoption.

No action was taken. This will be discussed at the July 10, 2017 meeting.

New Business

24. SUBJECT: Maryland DHCD Technical Assistance Grant Application
Recommendation: That Council:
- A. Approve submittal of subject grant application;
 - B. Appropriate \$25,000 from the FY 2017 Appropriated Reserves to the City Manager's budget for match funds; and
 - C. Authorize the Mayor to send a Letter of Committal for the matching funds.

A motion by Commissioner Foster to approve submittal of the subject grant application; appropriate \$25,000 from the FY 2017 Appropriated Reserves to the City Manager's budget for match funds; and authorize the Mayor to send a Letter of Committal for the matching funds was seconded by Commissioner Rideout and approved unanimously.

25. SUBJECT: Traffic and Safety Committee Recommendations
Recommendation: That Council:
- A. Approve the Department of Public Works (DPW) to install five street lights between Leonard Lane and Cattail Crossing on Maryland Route 343
 - B. Approve the Department of Public Works to create a four-way stop at the intersection of Peachblossom and Shephard Avenue consistent with other intersections on Peachblossom Avenue and to assist with slowing the traffic speed on Shepherd Avenue
 - C. Approve the Department of Public Works (DPW) to install two street lights on Goodwill Avenue between Washington Street and Boundary Avenue
 - D. Approve the Department of Public Works to install a 20-minute parking space restriction in front of the brick building on the southeast corner of Maryland Avenue and Hayward Street; install center lane pedestrian crosswalk signs on

Maryland Avenue; relocate the existing pedestrian crosswalk signs so they have more visibility; paint the yellow curbs on the four corners the appropriate distance from crosswalks and fire hydrants, and permanently install the stop signs on Hayward Street

A motion by Commissioner Sydnor to approve the recommendations (A through D) of the Traffic and Safety Committee was seconded by Commissioner Foster and approved unanimously.

Notices

26. Cancellation of June 19, 2017 regular meeting of City Council

The City Council meeting scheduled for June 19, 2017 will be cancelled.

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 9:02 p.m. I hereby certify that the foregoing is a true and accurate account of the Council meeting Monday, June 12, 2017, insofar as I personally am aware.

Victoria Jackson-Stanley
Mayor