

The City Council met in a special regular session on Monday, June 13, 2016 in Council Chambers. A quorum being present, Acting Mayor Donald Sydnor called the meeting to order at 6:00 p.m. Those Commissioners in attendance were Commissioners Vickers (6:05 pm), Cooke (6:07 pm), Thomas, and Hanson. Acting Mayor Donald Sydnor asked for a moment of silence. Commissioner Hanson led in the Pledge of Allegiance.

Agenda

1. Council to approve or amend agenda as presented.

Sandra Tripp-Jones asked that the following three items be added to the consent agenda: (34) Request from the Hyatt Resort for fireworks on July 16, (35) Request from the Richardson Museum for a resolution for Community Investment Tax Credits, and (36) Request from the Municipal Utilities Commission to accept a grant from the Maryland Department of the Environment.

A motion by Commissioner Thomas to accept the amended agenda was seconded by Commissioner Hanson and approved 4:0.

Consent Calendar

2. SUBJECT: Meeting Minutes from Council meeting on June 13, 2016
Recommendation that Council approve as submitted.
3. SUBJECT: Resolution No. 16-011 to Approve a Project by new Beginnings Youth and Family Services at Bay Country Apartments and Parkside Village Apartments on Greenwood Avenue to Provide an Experiencing Art Program in Cambridge, Maryland
Recommendation that the Council adopt subject Resolution.
4. SUBJECT: Resolution No. 16-012 to Approve a Project by Cambridge Lighthouse Foundation, Inc. to install Enhanced Architectural Lighting at the Choptank River Lighthouse in Cambridge, Maryland
Recommendation that the Council adopt subject Resolution.
5. SUBJECT: Job Description for Investigative Technician
Recommendation that Council approve the job description an Investigative Technician (PSC No. 09-009).
34. SUBJECT: Request from the Hyatt Regency Resort for permission to display fireworks on Saturday, July 16 for approximately 8 minutes beginning at 9:45 p.m. (rain date: July 15th)
35. SUBJECT: Request from the Richardson Maritime Museum for a local government resolution for Community Investment Tax Credits for a youth program
36. SUBJECT: Maryland Department of the Environment FY17 Energy Water Infrastructure Program Grant in the amount of \$392,955 for pump replacements

Recommendation: that Council accept subject grant.

A motion by Commissioner Thomas to approve the consent calendar (Items 2, 3, 4, 5, 34, 35, and 36) was seconded by Commissioner Hanson and approved 4:0.

Ordinances for Introduction

6. SUBJECT: Ordinance No. 1085 An Ordinance of the Commissioners of Cambridge, Maryland ("The Commissioners"), To Amend Section 11-11 Entitled "Prohibited Parking Generally" of Article II "Parking" of Chapter 11 "Motor Vehicles and Traffic" of the Code of Laws of the City of Cambridge

Recommendation that Council:

- A. Introduce by reading of title only, Ordinance No. 1085, and
- B. Schedule July 11, 2016 for second reading, public hearing, and adoption.

Ordinance was introduced.

7. SUBJECT: Ordinance No.1086 An Ordinance of the Commissioners of Cambridge, Maryland ("The Commissioners"), To Amend Chapter 12 "Offenses - Miscellaneous" of the Code of Laws of the City of Cambridge by Adding a New Section 12-16 Entitled "Unlawful Urination and/or Defecation Prohibited on Public or Private Property"

Recommendation that Council:

- A. Introduce Ordinance No.1086, by reading of title only, and
- B. Schedule July 11, 2016 for second reading, public hearing, and adoption.

Ordinance was introduced.

8. SUBJECT: Ordinance No. 1087 An Ordinance of the Commissioners of Cambridge, Maryland for the Purpose of Establishing Standards for the Granting of Partial Abatements of Real Property Taxes for Vacant Commercial Structures Under Certain Conditions Specifying the Duration and Extent of the Abatement and Establishing Eligibility Requirements

Recommendation that Council:

- A. Introduce, by reading of title only, Ordinance No. 1087, and
- B. Schedule July 11, 2016 for second reading, public hearing and adoption.

Ordinance was introduced.

Ordinances for Second Reading, Public Hearing, and Adoption

9. SUBJECT: An Ordinance of the Commissioners of Cambridge, Maryland, to: (1) Retain No Off-Street Parking Requirements within the Core Sub District of Downtown/Waterfront Development District; and (2) Allow for No Off-Street Parking within the Other Sub-Districts of the Downtown/Waterfront Development District, Provided the Applicant Can Demonstrate That No Additional Off-Street Parking Is

Required for the Particular Use and/or Adjacent Streets Can Adequately Accommodate the Parking Needs of the Proposed Use.

Recommendation that Council:

- A. Give Ordinance No. 1076 a second reading;
- B. Open the public hearing, take public comment, and close the public hearing;
- C. Adopt Ordinance No. 1076.

Comment taken from Jim Benson, 112 High Street, that parking should be required.

A motion by Commissioner Hanson to adopt Ordinance 1076 was seconded by Commissioner Thomas and approved 5:0.

10. SUBJECT: An Ordinance of the Commissioners of Cambridge, Maryland, to Amend Section 4.4.5 (Standards) of the Unified Development Code to Make the Form Based Code Standards of the Downtown General District Applicable to the Civic Sub-District.

Recommendation that Council:

- A. Give Ordinance No. 1077 a second reading;
- B. Open the public hearing, take public comment, and close the public hearing;
- C. Adopt Ordinance No. 1077.

No public comment.

A motion by Commissioner Thomas to adopt Ordinance 1077 was seconded by Commissioner Cooke and approved 5:0.

11. SUBJECT: Ordinance No. 1078 to Revise Section 9.2 to Add New Land Use Definition Section to Provide Parameters for the New Cottage Industry of Short Term Rentals Via the Internet.

Recommendation that Council:

- A. Give Ordinance No. 1078 a second reading;
- B. Open the public hearing, take public comment, and close the public hearing;
- C. Adopt Ordinance No. 1078.

Council asked staff to review proposed ordinance from standpoint of enforcement and properties that rent by the week.

A motion by Commissioner Thomas to defer a consideration until July 11, 2016 was seconded by Commissioner Hanson and approved 5:0.

12. SUBJECT: Ordinance No. 1079 to revise Section 5.1.4 to include fence standards for commercial lots

Recommendation that Council:

- A. Give Ordinance No. 1079 a second reading;
- B. Open the public hearing, take public comment, and close the public hearing;
- C. Adopt Ordinance No. 1079.

A motion by Commissioner Cooke to adopt Ordinance 1079 was seconded by Commissioner Hanson and approved 5:0.

13. SUBJECT: Ordinance No. 1080 to revise Section 6.5 to providing clarification between freestanding signs and multi-tenant signs, reorganizing language and removing repetitive review criteria
Recommendation that Council:
- A. Give Ordinance No. 1080 a second reading;
 - B. Open the public hearing, take public comment, and close the public hearing;
 - C. Adopt Ordinance No. 1080.

A motion by Commissioner Hanson to adopt Ordinance 1080 as amended was seconded by Commissioner Thomas and approved 5:0.

14. SUBJECT: An Ordinance of the Commissioners of Cambridge, Maryland, to Amend Section 2.4.2.D.1 of the Unified Development Code by Removing the Prohibition Against Enlarging, Extending or Structurally Altering Non-Conforming Uses, and to Impose Standards by Reference Applicable to the Alteration of a Non-Conforming Use of a Structure.
Recommendation that Council:
- A. Give Ordinance No. 1081 a second reading;
 - B. Open the public hearing, take public comment, and close the public hearing;
 - C. Adopt Ordinance No. 1081.

A motion by Commissioner Cooke to adopt Ordinance 1081 was seconded by Commissioner Thomas and approved 5:0.

Budget Ordinances and Resolutions

A notice of the public hearings was published in the Star Democrat on Friday, June 17, 2016.

15. SUBJECT: Ordinance No. 1084 of the Commissioners of Cambridge, Maryland ("the Commissioners) to Amend Section 4-42 to Establish the Non-Owner Occupied Registration Fee by Resolution
Recommendation that Council:
- A. Give Ordinance 1084 a second reading;
 - B. Open the public hearing, take public comment, and close the public hearing; and
 - C. Adopt Ordinance 1084.

A motion by Commissioner Vickers to approve Ordinance 1084 was seconded by Commissioner Thomas and approved unanimously.

16. SUBJECT: Resolution No. 16-009 to Amend and Establish the Schedule of Fees Charges by the City of Cambridge
Recommendation that Council:
- A. Give Resolution No. 16-009 a second reading;

- B. Open the public hearing, take public comment, and close the public hearing; and
- C. Adopt Resolution No. 16-009.

James Chaney commented that 4 years ago the rental registration was \$20. Then it was raised to \$40. The landlords are tapped out. If the fees go up, the City will be hurting the people who rent their homes. Low income renters cannot afford any more fees. This will be used for the entire City, not just the landlords. He asked why the landlords should be targeted and bear the cost of something that will be used for everybody. If the City imposes another fee, he will be the first one to walk away. He will walk away from the County deal. They are going to hurt the low income people badly. Nobody else asked to speak.

A motion by Commissioner Hanson to table Resolution 16-009 until further review was withdrawn.

A motion by Commissioner Cooke to adopt Resolution 16-009 as presented was seconded by Commissioner Vickers. The motion failed 2:3 with Commissioners Thomas, Hanson, and Sydnor opposed.

A motion by Commissioner Hanson to adopt Resolution 16-009 with the exception that rental registration be changed to \$40 and approved as amended was seconded by Thomas and approved 4:1 with Commissioner Vickers opposed. Commissioner Vickers was opposed because she does not agree with the rental registration.

17. SUBJECT: Ordinance No. 1082 Adoption and Approval of the FY 2017 Operating and Capital Budget which appropriates the necessary funds for the operation of the government and administration of the City
Recommendation that Council:
- A. Give Ordinance No. 1082 a second reading;
 - B. Open the public hearing, take public comment, and close the public hearing;
 - C. Adopt Ordinance No. 1082.

Nobody from the audience asked to speak.

A motion by Commissioner Vickers to adopt Ordinance 1082 was seconded by Commissioner Hanson with the noted exception (See Resolution 16-009) and approved unanimously.

18. SUBJECT: Resolution No. 16-010 to Adopt Positions and Salary Controls and Schedules of Salary Grades and Steps for General Employees and Sworn Officers for Fiscal Year 2017
Recommendation that Council:
- A. Give Resolution No. 16-010 a second reading;
 - B. Open the public hearing, take public comment, and close the public hearing; and
 - C. Adopt Resolution No. 16-010.

Nobody from the audience asked to speak.

A motion by Commissioner Thomas to adopt Resolution 16-010 was seconded by Commissioner Vickers and approved unanimously.

19. SUBJECT: Ordinance No. 1083 of the Commissioners of Cambridge, Maryland (“the commissioners”), to Amend Section 18-1, of Chapter 18 “Water” of the Code of Laws of the City of Cambridge, to Amend the Rates for Water Service

Recommendation that Council:

- A. Give Resolution Ordinance No. 1083 a second reading;
- B. Open the public hearing, take public comment, and close the public hearing; and
- C. Adopt Ordinance No. 1083.

Nobody from the audience asked to speak.

A motion by Commissioner Hanson to adopt Ordinance 1083 was seconded by Commissioner Thomas and approved 4:1 with Commissioner Cooke opposed.

Charter Resolutions:

20. SUBJECT: Charter Resolution CR-2016-01 A Resolution of the Commissioners of Cambridge to Amend the Charter of the City of Cambridge by Substituting the Term and Position of “City Manager” for All References to “Clerk,” “Clerk-Treasurer,” “Treasurer,” “Town Clerk,” “Town Clerk and Treasurer,” or “Town Clerk, Treasurer and Collector of Cambridge” Throughout the City Charter.

Recommendation that Council:

- A. Give Charter Resolution CR-2016-01 a second reading;
- B. Open the public hearing, take public comment and close the hearing; and
- C. Adopt Charter Resolution CR-2016-01.

Nobody from the audience asked to speak.

A motion by Commissioner Thomas to adopt Charter Resolution CR-2016-01 was seconded by Commissioner Vickers and approved unanimously.

21. SUBJECT: Charter Resolution No. CR-2016-02 A Resolution of the Commissioners of Cambridge to Amend the Charter of the City of Cambridge by Amending Section 3-7 Entitled “Supervisor of Elections.”

Recommendation that Council:

- A. Give Charter Resolution CR-2016-02 a second reading;
- B. Open the public hearing, take public comment and close the hearing; and
- C. Adopt Charter Resolution CR-2016-02.

Portia Johnson-Ennels said in Section 3-7 (e) the Council removed quite a bit that has been a part of the government for the City of Cambridge. They removed the part that the Supervisor does not have to be a resident of the City of Cambridge, they do not have to be a voter of the City of Cambridge. What they have done is given the person a job. There is no civic pride in it whatsoever. We still need people who are registered

voters in the City of Cambridge overseeing our elections—not just a City employee. It does not meet that the City employee would live within the bounds of the City of Cambridge unless they are going to make it mandatory that these people that take this position are residents of the City of Cambridge. She thinks what they took out about the residence should stay.

Nobody else asked to speak.

A motion by Commissioner Thomas to adopt Charter Resolution CR-2016-02 was seconded by Commissioner Hanson and approved unanimously.

22. SUBJECT: Charter Resolution No. CR-2016-03 A Resolution of the Commissioners of Cambridge to Amend the Charter of the City of Cambridge by Amending Section 3-5.

Entitled “Commissioners; Number, Election, Tenure, Qualifications” to require 6-month residency within the ward prior to the election, to establish documentation to be submitted, and to require residency within the ward during the duration of the term of office.

Recommendation that Council:

- A. Give Charter Resolution CR-2016-03 a second reading;
- B. Open the public hearing, take public comment and close the hearing; and
- C. Adopt Charter Resolution CR-2016-03.

Armah Dashiell said the Charter Resolution is requiring that the resident has to be at the actual residence for six months in order to enter as a candidate for a ward. He asked about the proof that the candidates are really living where they say they are living. He is also wondering if there are any stipulations besides the six months because there is not anybody going around knocking on your door to see if you really live there. Commissioner Thomas said these requirements are new so Council is trying to come up with a comprehensive rock solid plan. Commissioner Cooke said the current parameters require only a driver’s license to establish your primary residency. He is suggesting that the City needs more than that. An example would be a driver’s license plus a bank account statement or a W-2 (or 1099) that was mailed to the candidate. Acting Mayor Sydnor ask that people send their comments to Rob Collison or Sandra Tripp-Jones.

The public hearing was left open until a later date.

23. SUBJECT: Charter Resolution No. CR-2016-04 A Resolution of the Commissioners of Cambridge to Amend the Charter of the City of Cambridge by Amending Section 3-6 Entitled “Same; Election” to Provide for a Change in the Date of Elections of Commissioners to the Tuesday Following the First Monday in November, Beginning in 2020, so as to Coincide with the Presidential Elections.”

Recommendation that Council:

- A. Give Charter Resolution CR-2016-04 a second reading;
- B. Open the public hearing, take public comment and close the hearing; and
- C. Adopt Charter Resolution CR-2016-04.

Nobody from the audience asked to speak.

The public hearing was left open.

24. SUBJECT: Charter Resolution No. CR-2016-05 of the Commissioners of Cambridge to Amend the Charter of the City of Cambridge by Amending Section 3-10 Entitled "Primary Election" and Section 3-13 Entitled "General Elections" to Eliminate Primary Elections, to Provide for a Change in the Date of the General Election, and to Provide for a Run-Off Election Should No Candidate Receive More Than Fifty Percent of the Votes Cast in the General Election

Recommendation that Council:

- A. Introduce, by reading of title only, Charter Resolution CR-2016-05, and
- B. Schedule July 11, 2016 for second reading, public hearing and adoption

The Charter Resolution was introduced.

Old Business

25. SUBJECT: Cannery Park Stream Restoration

That Council receive a public presentation of the conceptual design for the stream restoration from the City's consultant, Biohabitats, Inc.

The City received \$1.8 million of grant money from the Maryland Department of Natural Resources for stream restoration on Cannery Park. When completed, the tidal portions of Cambridge Creek on the park property will be restored, runoff from surrounding properties will be treated in the upper portions of the restoration project and the runoff will be healthier entering the headwaters of the Creek. Currently, the field survey work has been completed and an initial concept plan drafted.

New Business

26. SUBJECT: Mayor and City Council Primary Elections

Recommendation: That Council receive the Certified Primary Election results for primary election held on June 14, 2016.

A motion by Commissioner Thomas to accept the results of the primary election was seconded by Commissioner Hanson and approved unanimously.

27. SUBJECT: Bay Communications Cable Television Franchise Agreement

Recommendation that Council approve subject agreement increasing basic cable television rates by 1% effective July 1, 2016 and another 1% effective July 1, 2017.

A motion by Commissioner Thomas to accept the franchise between the City of Cambridge and Bay Country Communications from June 3, 2016 through June 29, 2026 was seconded by Commissioner Hanson and failed 2:3 with Commissioners Vickers, Cooke, and Hanson opposed.

A motion by Commissioner Hanson to defer this to the next meeting to give Mr. Schilling an opportunity to speak to Council was seconded by Commissioner Thomas and approved unanimously.

28. SUBJECT: Properties under Tax Certificates

Recommendation that Council:

- A. Approve a negotiated agreement with Michael Baugh to reduce code violation citations and abatement liens placed on 528 High Street, amounting to a reduction in costs from \$11,189.80 to \$5,339.80, subject to his bringing the exterior of the property up to the International Property Maintenance Code within 90 days or pay the full costs of citations and fees;
- B. Request the County notify potential buyers and buyers of tax certificates of their responsibility to clear any liens that may accrue between the time of purchase of the tax certificate and foreclosure;
- C. Direct staff to notify holders of the already issued tax certificates of responsibility to clear liens accumulated since purchase of the tax certificate and opportunity for tax lien holders only to reduce liens accrued between the time of purchase and the date of the notification; and
- D. Adopt consistent terms of reduction of liens for current tax certificate holders as outlined in the report.

A motion by Commissioner Thomas to accept Recommendation A of the City Manager regarding the negotiated agreement with Michael Baugh with regard to 528 High Street subject to the verbal amendments was seconded by Commissioner Cooke and approved unanimously.

A motion by Commissioner Hanson to adopt recommendations as stated above in Items B, C, and D was seconded by Commissioner Thomas and approved unanimously.

29. SUBJECT: Historic Preservation Commission (HPC) Enforcement

Recommendation that Council:

- A. Authorize the Acting Mayor to send a letter to HPC requesting that HPC agree to not require repairs under **§ 4.5.6 Demolition by Neglect** of Dorchester County owned properties acquired for the purpose of sale on condition that the County offer the properties in the Historical District for sale within 60 days of foreclosure, and
- B. Designate a Council representative to present Council's request to HPC.

A motion by Commissioner Thomas to approve the recommendation was seconded by Commissioner Vickers and approved unanimously. Commissioner Cooke volunteered to be the representative.

30. SUBJECT: FY 2017 Edward Byrne Memorial Justice Assistance Grant Application for \$10,729 for Body Cameras

Recommendation that Council:

- A. Receive a staff report on an application for the FY 2017 Edward Byrne Memorial Justice Assistance Grant Application;
- B. Hold a public hearing, take public comment, and close the public hearing;
- C. Authorize submission of the application

Nobody from the public requested to speak.

A motion by Commissioner Vickers to apply for the grant was seconded by Commissioner Hanson and approved unanimously.

Committee Reports

- 31. Joint City/County Meeting Notes: June 6, 2016
- 32. Police Board Meeting Notes: May 25, 2016
- 33. Sailwinds Advisory Committee Notes: June 6, 2016

Nobody from Council had any questions on the Joint City/County meeting or the Police Board meeting notes. Sandra Tripp-Jones discussed the RFP mentioned in the Sailwinds Advisory Committee meeting notes.

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

With no further business, Acting Mayor Donald Sydnor adjourned the meeting at 7:45 p.m. I hereby certify that the foregoing is a true and accurate account of the Council meeting Monday, June 20, 2016, insofar as I personally am aware.

Donald J. Sydnor
Acting Mayor