

The City Council met in regular session on Monday, July 23, 2018 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 by Skype (6:15 pm). Mayor Victoria Jackson-Stanley asked for a moment of silence. A group of young gentlemen from the audience led in the Pledge of Allegiance.

6:00 pm Mayor to Convene Council in Regular Session

Agenda

1. Council to approve or amend agenda as presented.

A motion by Commissioner Rideout to approve the agenda as presented was seconded and approved 4:0. Commissioner Hanson was not present (by Skype) at this time.

Public Comment

Wendell Foxwell spoke about dead trees at Great Marsh Park. He also mentioned the program Domino's Pizza has to fix potholes. He asked about the closed road that goes from Jenkins Creek out to Washington Street. Commissioner Sydnor responded that there was a development that was planned for that particular area. The developer was to complete the road and a round-about for the road. It went before the State and they approve acceleration and deceleration lanes instead of the round-about. The project itself is at a standstill and the road has not been turned over to the City at this time. Oden Wheeler added that it would be a tremendous expense if the City were to complete the road by paving it and adding the acceleration and deceleration lanes.

Candy Callaway spoke in support of Alan McRae. He is a good man who is trying to do things in this community for the youth that that Council is recklessly endangering because they are not enforcing the laws that are on the books to the tune of about half million dollars. Council should be ashamed of themselves. They should find someone else to bully.

Judy Slaughter, the volunteer services coordinator at the Eastern Shore Hospital Center, spoke on behalf of their auxiliary. They would like to request that Council keep food trucks in Cambridge. A pit beef fundraiser was the most profitable event they have ever had. These funds help their indigent patients.

Kerry Kaminsky lives in Dorchester County but is associated with the Women's Club and the Garden Club. They have been blessed with Jamie's pit beef presentation. Each time they used him for fundraisers, they have made approximately \$1,000. It is a big boost to both organizations. They want to make sure he is able to present his pit beef and provide for them the same type of profit they were speaking about for the Eastern Shore Hospital.

Cheryl (no last name provided) lives outside of Cambridge but she is involved with some of the things that are going on locally. After watching what was going on with the

Foxwells, she thinks we are beginning to have some real stumbling problems with due process. Due process is defined as the exercise of government power under the rule of law with due regard for the essential and fundamental fairness of individuals. Zoning regulations cannot be unreasonable, arbitrary, or destructive. They must not violate the state constitution or other applicable provisions in state laws. She cannot figure out how a legally-licensed bingo organization that is closely regulated by the State of Maryland and Dorchester County that helps the public health of Cambridge, the safety here in Cambridge, or the general welfare. It doesn't. She doesn't understand why they are trying to take his right away to engage in a non-profit fundraising event. The common thread is going back to the UDC, Planning and Zoning, and a named City employee. There has been a mission here to enforce ordinances. Sadly, what we are beginning to see is these ordinances that are trying to be enforced are vague and do not even exist. The Planning and Zoning Commission's behavior is opening the door to Title 42 Section 1983. She is suggesting that the City and the new City Manager take a look at replacing the head of the Planning and Zoning Commission because this has become a huge distraction.

Jermaine Anderson spoke in support of the food trucks. He is also asking Council to consider the waiver to Anchor Point. He encouraged Council to go out, look at the facility, see what is going on, and see for themselves. This building has been empty for about 20 years. There are a lot of good things that have happened thus far with this building through this non-profit organization. It is hard to do business in Cambridge. He encouraged people in the audience to engage the process to make changes. He thinks the citizens depend on Council too much to make key decisions without input from the community. He suggested that the Comprehensive Plan be updated.

Jeannie Wilson supports Alan McRae and Anchor Point. The Metro Food building has been in disrepair for many years. It was a blighted building. It now has an overwhelming potential to do great good in our community. She doesn't see how the City can say that certain non-profits can have bingo and other non-profits cannot have them. She asked Council to consider and grant the waiver for Mr. McRae.

Adrian Holmes supports Anchor Point and also the food trucks. She is a business owner in Cambridge. They had to close their downtown store and are now at the old Blockbuster building by invitation of Mr. McRae. It has been a blessing for them to be able to have space to re-tool their business and get back on their feet. There is a wonderful community of entrepreneurs here who want to figure out how to make this work. She has met a lot of weekend visitors who cannot afford to live here because there is no job for them to do. There is a growing demographic that loves it here. She asked Council to re-consider what is going on at Anchor Point. We have a growing restaurant industry downtown but there are different appendages of this City that would not impact downtown.

Shane Foxwell, Foxwell Auctions, is in support of both the food trucks and is in wholehearted support of anything that Mr. McRae does. He is one of the most genuine men who he has become good friends with in the last six months. When he was at a crossroads with the business, Mr. McRae reached out to him. He is all about helping people in the community. Everyone enjoys the bingo. Planning and Zoning is so quick to say things are not allowed and then the people have to fight for it, even if it is a good thing.

Dudley Parr, Director of the Overflow Café, would like to see the food truck regulations opened up so there are more areas of the City that will be available than are currently in the ordinance primarily because they don't compete with the downtown restaurants. He doesn't see the competition that people seem to be afraid of. His primary reason to speak tonight is to support Alan McRae. He was part of the team that launched the Overflow Café. His ministry and his programs have grown to the point that Mr. Parr does not know how Mr. McRae does it with the small staff he has. There are positive people who are not from Cambridge trying to do positive things here. We need less regulation; we need less interference. Mr. McRae is doing something to help improve the community. What is going on here makes him worried for his own non-profit. He asked Council to grant the waiver so Mr. McRae can continue to do what he is doing.

Hope Lee supports Alan McRae. She moved here almost 2½ years ago. She started to discuss the school readiness with Alan and Nancy McRae. It is in dire need of help. It needs community organizations working with the local school districts because they know the Board of Education does not have the funding to do it all. They want to be self-supporting to be able to offer these services to families in the community. They have partnerships with local schools. There needs to be funding. It is a non-profit. They do it for the love of the community. They must have an avenue to fundraise. They are doing what government cannot do. She is in favor of Mr. McRae having the waiver.

Commissioner Sydnor asked Mr. McRae how long he intends to be in the building. Mr. McRae said he has a lease option with Mr. Fairchild. He anticipates Mr. Fairchild exercising the lease option during 2017. When he did not, they decided to start building the vision of the Dorchester Hope Center with activities within the building. They are hoping that next year Mr. Fairchild will be able to exercise his lease option and eventually purchase the building making it possible for them to buy and build somewhere else and continue their vision. At this point, Mr. Fairchild has not indicated to him any timeframes that they can have assurance that they will be here six months or a year. He anticipates it being temporary.

David Murphy supports both food trucks and the waiver for Alan McRae with Anchor Point. He has been volunteering with Anchor Point since March. The Dorchester Hope Center means opportunity for children, families, non-profits, and local entrepreneurs. It means mentorship for all involved children, women, and men. Local people from all walks of life come together collaborating and sharing their hopes and dreams for the future. It means community reinforcement. While it may be a new concept in Dorchester to have a regular bingo in town, it has proven to be the most productive fundraising activity for Anchor Point. While Council decides what additional regulations need to be placed in Cambridge on a properly licensed (County and State) activity, if they cannot find it in themselves to support that in the interim, he asked what they are supporting.

Requests from the Public

2. SUBJECT: Henry VanDyke to discuss the proposed ordinance and regulations being presented for Food Trucks

Henry VanDyke said he has operations in most cities within the County. He has been granted a waiver to operate on the proposed ordinances. He asked about the process to obtain a permit under this proposed ordinance. Pat Escher said they are working to create a permitting process and are trying to create a form showing that the applicant has Dorchester County approval and if the applicant has specific sites in mind, they would indicate those sites on the application also. When they get the language finalized, they will come up with a permit.

Chip MacLeod said the City has an ordinance that has been recommended by the Planning Commission to the City Council to consider and introduce. Once the Council considers introducing this ordinance, it will be scheduled for a public hearing and then staff will know that there is an indication by the governing body that they want to move forward with this regulation at which time they can continue to work on the other specifics. The waiver that was granted to Mr. VanDyke was that he can operate subject to the conditions that the Planning Commission recommends in an ordinance. It is basically that he can operate until the City can legislate and put in the regulations that we think are best. He is able to operate without any permit now. Those details will be worked out.

Mr. VanDyke asked about the restrictions. Commissioners Sydnor and Foster both answered that there are no restrictions. He can go out there and operate.

Commissioner Sydnor asked how many food trucks are operating in the City. Oden Wheeler answered that there are two that he is aware of (Mr. VanDyke and Overflow Café). Commissioner Foster said there is also Two Chicks and another one.

Commissioner Rideout said because in January Council threw out the proposed ordinance, they had to go back to the existing ordinance that said nothing is allowed. Council agreed with that. He thinks they are all in agreement that they want to do expand food truck regulations and make it easier but also make it clear as to what is allowed and what is not allowed.

3. SUBJECT: Alan McRae to request a waiver from Council to continue their charitable operations during the Board of Appeals process for activities at their building at 2737 Dorchester Square (Old Metro Building).

Recommendation: That Council Not provide relief to the Anchor Point to continue the cash bingo operation in the City.

Alan McRae, Director of Anchor Point, a non-profit, requested a waiver from Council to be able to continue Anchor Point's charitable operations in the old Metro building during their process of approaching the Board of Appeals regarding the interpretation of the Planning Officer in regards to bingo being a not allowed, prohibited, illegal activity at this time as well as any other activities since the Code is silent to all activities of charitable non-profit organizations in the City. They hold a license (County) to hold bingo on Thursdays and Saturdays.

A motion by Commissioner Foster to allow Anchor Point to continue their charitable operations including, but not limited to bingo (according to County regulations) during

the Board of Appeals process for activities at their building at 2737 Dorchester Square (the old Metro building) and that Council look at a non-zoning text amendment to allow bingo in that particular area was seconded by Commissioner Sydnor. The motion passed 5:0.

Consent Calendar

4. **SUBJECT:** Meeting Minutes from Council Meetings on July 9, 2018
Recommendation: That Council approve as submitted.

5. **SUBJECT:** Request from the Richardson Museum for in-kind services when the Maryland Dove visits Cambridge from September 7th through 10th; free dockage at Long Wharf with ancillary services September 6th through September 11th; permission to erect a tent at Long Wharf; use of barricades for area adjacent to vessel for safety of visitors; permission to serve beer and wine at Long Wharf on September 7th from 6:00 pm to 8:00 pm
Recommendation: That Council approve the requests subject to:
 - A. Submission of a certificate of property and liability insurance naming the City as additional insured, acceptable to the City prior to event;
 - B. Submission of copy of County liquor license prior to event

6. **SUBJECT:** Request from Habitat for Humanity Choptank for a letter of support for its grant application to the Rural Maryland Council for up to \$25,000 with the bulk of those monies to fund two full-time AmeriCorps positions
Recommendation: That Council approve the Mayor signing the letter of support

7. **SUBJECT:** Request from The Mace's Lane Community Center Steering Committee for a letter of support for their application to the Rural Maryland Council for a \$40,000 capacity building grant to hire consultants
Recommendation: That Council approve the Mayor signing the letter of support

8. **SUBJECT:** Request from Milton Walls, New Beginnings Covenant Ministries, for a variance from the noise ordinance during their Crusade on the corner of Greenwood Avenue and Washington Street from Wednesday, August 29th through Monday, September 3rd from 5:00 pm until 9:30 pm
Recommendation: That Council approve the requests.

9. **SUBJECT:** Request from Dorchester County Office of Tourism for permission to have a banner hung across Race Street from August 27th to September 10th advertising the Cambridge Community Supper
Recommendation: That Council approve the request.

10. **SUBJECT:** City of Cambridge & Habitat for Humanity Block Party
Recommendation: That Council approve "City of Cambridge & Habitat for Humanity Block Party" August 22, 2018, from 3 to 7 pm, in the Pine Street neighborhood, and a variance from the noise ordinance contingent upon the completion of a Special Event form approved by CPD and DPW.

A motion by Commissioner Rideout to approve Consent Calendar Items 4 through 10 was seconded by Commissioner Sydnor and approved 5:0.

Ordinances for Introduction and First Reading

11. SUBJECT: Ordinance 1128 — An ordinance of the Commissioners of Cambridge, Maryland amending Chapter II (vehicles and traffic), § 11-10 of the Code of the City of Cambridge to exempt Mobile Food Establishments from the restrictions on sales from parked vehicles on any street or municipal parking lot within the City; providing that the title of this ordinance shall be deemed a fair summary and generally relating to Mobile Food Establishments in the City of Cambridge.

Recommendation: That Council

- A. Introduce Ordinance No. 1128 by reading of title only; and
- B. Schedule August 13, 2018 for second reading, public hearing and adoption of Ordinance No. 1128.

Chip MacLeod read the title of Ordinance No. 1128. A second reading and public hearing will be held on August 13, 2018.

12. SUBJECT: Ordinance 1129 — An ordinance of the Commissioners of Cambridge, Maryland amending § 4.2.3 and Table 1: Permitted Uses by zoning district of the City's Unified Development Code ("UDC") to allow Mobile Food Establishments as a Permitted Use with Conditions in the General Commercial, Corridor Mixed-Use, Institutional, Industrial, Resource Conservation, Neighborhood Conservation, Residential, and Maritime Resort zoning districts; amending § 4.4.4 and Table 2: Permitted Uses by zoning subdistrict in the Downtown/Waterfront Development District of the UDC to allow Mobile Food Establishments as a Permitted Use with Conditions in the Core, General, Center, Gateway, Neighborhood, and Civic subdistricts; and amending § 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 Mobile Food Establishments in the City of Cambridge.

Recommendation: That Council

- A. Introduce Ordinance No. 1129 by reading of title only; and
- B. Schedule August 13, 2018 for second reading, public hearing and adoption of Ordinance No. 1129.

Chip MacLeod read the title of Ordinance No. 1129. A second reading and public hearing will be held on August 13, 2018.

A motion by Commissioner Rideout that this ordinance be referred to the Ordinance Committee to work with Ms. Escher and Patrick Thomas and to hear from all of the members of the Council about issues such as those mentioned tonight so they can come back with something that will be acceptable and minimize the disagreements during the meeting on August 13th was seconded by Commissioner Cannon and approved 5:0.

Old Business

13. SUBJECT: Cambridge Mainstreet Human Services Grant

Recommendation: That Council consider denying Cambridge Mainstreet's request to extend the FY18 human service grant through December 31, 2018.

A motion by Commissioner Rideout that we consider that the \$650 has been used for a project for children and that they submit a report within a week to substantiate what they spent the money on and how far the project was completed which would allow the City to close out its books on this project was seconded by Commissioner Hanson and failed 3:2.

A motion by Commissioner Sydnor to deny the extension for Main Street and require Main Street to give the City documentation of all funds that have been spent and return any undispersed funds within 30 days was seconded by Commissioner Foster and approved 5:0.

14. SUBJECT: Mid-Shore Pro Bono Human Services Grant

Recommendation: That Council reconsider the Human Service Grants Committee recommendation to award Mid-Shore Pro Bono, Inc. \$2,400.

Commissioner Rideout recused himself from this discussion and stepped out of the room.

A motion by Commissioner Sydnor to deny the grant of \$2,400 for Mid-Shore Pro Bono died for lack of a second.

A motion by Commissioner Hanson to award a grant of \$2,400 to Mid-Shore Pro Bono died for lack of a second.

A motion by Commissioner Sydnor to deny the grant of \$2,400 for a facility for Mid-Shore Pro Bono was seconded by Commissioner Cannon and passed 3:1. Commissioner Rideout was not present.

New Business

15. SUBJECT: Appropriation of K-9 fundraiser proceeds

Recommendation: That Council appropriate \$3,125 to the General Fund from a K-9 fundraiser and increase the Police Department budget by \$3,125 for K-9 supplies.

A motion by Commissioner Sydnor that Council appropriate \$3,125 to the General Fund from a K-9 fundraiser and increase the Police Department budget by \$3,125 for K-9 supplies was seconded by Commissioner Hanson and approved 5:0.

16. SUBJECT: Appropriation of Walmart community event fundraiser proceeds

Recommendation: That Council appropriate \$483 to the General Fund from a Walmart community event fundraiser and increase the Police Department budget by \$483 for Shop With A Cop.

A motion by Commissioner Sydnor that Council appropriate \$483 to the General Fund from a Walmart community event fundraiser and increase the Police Department budget by \$483 for Shop With A Cop was seconded by Commissioner Rideout and approved 4:0 with Commissioner Foster abstaining.

17. SUBJECT: Award of Contract for Housing Authority Drainage Improvements
Recommendation: That Council award the contract for the construction of the Housing Authority Drainage Improvements to David A. Bramble, Inc. in the amount of \$209,813.50 plus a contingency for unforeseen issues, not to exceed 10%

A motion by Commissioner Sydnor that Council award the contract for the construction of the Housing Authority Drainage Improvements to David A. Bramble, Inc. in the amount of \$209,813.50 plus a contingency for unforeseen issues, not to exceed 10% was seconded by Commissioner Hanson and approved 5:0.

18. SUBJECT: Request to Go to Bid for Annual Street Resurfacing Contract
Recommendation: That Council:
A. Authorize the Dept. of Public Works to go to bid for the City's annual street resurfacing contract; and
B. Approve the attached list of recommended streets to be resurfaced.

A motion by Commissioner Rideout to authorize the Dept. of Public Works to go to bid for the City's annual street resurfacing contract died for lack of a second.

Commissioner Rideout suggested that this item be placed on the August 13th agenda so each Commissioner could contact Mr. Wheeler with input on the streets in their ward.

19. SUBJECT: Appointment of City Manager

A motion by Commissioner Rideout to appoint Patrick Comiskey as City Manager was seconded by Commissioner Cannon and approved 4:0 with Commissioner Sydnor abstaining.

Mayor and Council

20. Housing Authority Board — Reappoint Carlton W. Stanley (term to expire June 30, 2023)

A motion by Commissioner Rideout to reappoint Carlton W. Stanley to the Housing Authority Board was seconded by Commissioner Foster and approved 5:0.

21. Public Comment Session – A motion by Commissioner Foster that Council add a public comment portion to the end of the meeting so people can comment on what they heard the Commissioners says throughout the meeting was seconded by Commissioner Sydnor and approved 5:0.

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 8:28 p.m. I hereby certify that the foregoing is a true and accurate account of the Council meeting Monday, July 23, 2018, insofar as I personally am aware.


Victoria Jackson-Stanley
Mayor