

The City Council met in regular session on Monday, September 10, 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. Mayor Victoria Jackson-Stanley asked for a moment of silence. Kaylee VanDyke led in the Pledge of Allegiance.

5:30 pm Mayor to Convene Council in Regular Session

SUBJECT: Closed Session

Recommendation: That Council consider a motion to go into closed session pursuant to State Government Article, Section 10-508(a) exception 1: to discuss (i) the appointment, employment, assignment, 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, because public discussion would adversely impact one or more individual's right to confidentiality.

SUBJECT: End of Closed Session

6:00 pm Mayor to Convene Council in Regular Session

Mayor to give report on Closed Session

Mayor Victoria Jackson-Stanley reported that Council held a closed executive session starting at 5:30 pm. Commissioner David Cannon was appointed Mayor Pro-Tempore for FY2018-2019.

Agenda

1. Council to approve or amend agenda as presented.

A motion by Commissioner Rideout to approve the agenda as presented was seconded by Commissioner Cannon and approved 5:0.

Public Comment

Katie Clendaniel, representing Downtown Cambridge/Cambridge Main Street, requested that the festival this weekend be postponed due to the upcoming hurricane. She requested that the date be changed to Sunday, October 21st starting at 1:00 pm (until 6:00 pm). This will be discussed further under New Business.

Henry VanDyke, Lil' Bitta Bull BBQ, spoke regarding the fee schedule that is proposed for mobile food units. While \$200 doesn't seem like an excessive amount, it does add onto the other fees that they are stuck with including leasing of properties, permit fees for each municipality they work in, peddler's fee for each county, traders license for each county, etc. It doesn't encourage entrepreneurship to keep adding more fees. They do not generate tax revenue for the City, but the property they sit on generates tax revenue. He suggested that the fee be kept at around \$50 which is in line with Salisbury and Hurlock.

Dudley Parr, Director of Overflow Café, spoke to the same issue as Henry VanDyke. He said this fee would be like a second peddler's fee. Even though he is a non-profit, his landlord pays taxes. He will need a separate business license for the food truck as far as the Health Department is concerned.

Allen McRae, Anchor Point, Inc., thinks a fee for food trucks would be acceptable as long as it is a reasonable fee. Every business pays licensing fees and different types of fees for different types of businesses.

Allen McRae said their Board of Appeals hearing is scheduled for September 25th. City Council was kind enough to grant them a waiver to continue to hold their non-profit activities at Dorchester Square until the Board of Appeals hearing. He has applied to speak to the Planning Commission about an amendment that would change the language to better clarify non-profit activities. That meeting will be held in October. He asked Council to extend his waiver for an additional month until the Planning Commission meeting to work through the specific language that might allow those non-profit operations.

Chip MacLeod said this situation has caused a little bit of confusion with City personnel about the action taken by Council. His recollection is that Council authorized an exemption for Mr. McRae to continue to do the activities he was doing (primarily bingo) while a text amendment was considered. The text amendment would allow the use that was taking place which was not permitted under the zoning code. Mr. McRae has appealed a cease and desist order that was issued by the Planning Department because the activity that was being conducted wasn't authorized under the zoning code. His understanding is that there would be discussion about a text amendment at the Planning Commission in October. The text amendment proposed by Mr. McRae is not specific to bingo. It is a very broad text amendment about how non-permitted uses or uses that are not itemized in the zoning code are dealt with. That is a very different type of text amendment than just making it clear that bingo, under these circumstances, is a permitted use. Council's waiver to Mr. McRae was granted while there was a discussion about a text amendment. It really had nothing to do with the Board of Zoning Appeals' appeal which was his own appeal. He could withdraw his appeal or the parties can agree to postpone that Board of Appeals hearing until a later date.

A motion by Commissioner Hanson that Mr. McRae be allowed to conduct bingo at his Dorchester Square location until the end of October was seconded by Commissioner Cannon and approved 5:0.

Requests from the Public

None

Consent Calendar

2. SUBJECT: Meeting Minutes from Council Meetings on August 27, 2018
Recommendation: That Council approve as submitted.

3. SUBJECT: Request for Banner Across Race Street for the Awaken Concert at Sailwinds (October 28th)
Recommendation: That Council allow the banner to be hung from October 12th to October 29th
4. SUBJECT: Request from Jason T. Chance (TCR Event Management) to hold "Walk Maryland Day in Cannery Park (411 Dorchester Avenue) and sidewalks shown on the application, on Wednesday, October 10th between the hours of 11:00 am and 2:00 pm
Recommendation: That Council approve the request.
5. SUBJECT: Set date, time, and ages for Trick-or-Treat on Halloween
Recommendation: That Council set the trick-or-treat time to Wednesday, October 31st between the hours of 6:00 pm and 8:00 pm for children ages 12 and under

A motion by Commissioner Rideout to approve the Consent Calendar Items 2 through 5 was seconded by Commissioner Cannon and approved 5:0.

Old Business

None

New Business

6. SUBJECT: Revise City Fee Schedule to include Mobile Food Establishments (Resolution 18-010)
Recommendation: That Council adopt Resolution 18-010

A motion by Commissioner Rideout to defer a vote on this item until Council can determine the cost of the peddler's license and come back with a resolution that will show that the peddler's license and the mobile food establishment license are to be equal and one and the same was seconded by Commissioner Hanson and approved 5:0.

7. SUBJECT: Request from Downtown Cambridge/Cambridge Main Street, that the Groove Fest Blues, Brews, BBQ festival to Sunday, October 21st from 1:00 pm until 6:00 pm

A motion by Commissioner Sydnor to approve the change of date was seconded by Commissioner Rideout and approved 5:0. Street closure times are to be in accordance with the City's policy.

Mayor and Council

8. SUBJECT: Council Re-Appointments
Recommendation: Council to approve the following re-appointments:
 - Janice Olshesky to the Historic Preservation Commission as the alternate for a three-year term expiring 08/31/21

- Steve Williams to the Municipal Utilities Commission for a four-year term expiring 09/30/22
- Joseph Brooks to the Municipal Utilities Commission for a four-year term expiring 09/30/22
- Michael Wheatley to the Ethics Commission for a four-year term expiring 09/01/22

A motion by Commissioner Hanson to approve the Council re-appointments was seconded by Commissioner Cannon and approved 5:0.

Commissioner Sydnor asked that the Traffic and Safety Committee look into the cars parked on Washington Street which block the view of cars trying to turn onto Washington Street from Rigby Avenue. This concern will be addressed with the State Highway Administration.

As soon as the State of Maryland and Dorchester County sign a state of emergency proclamation, Mayor Victoria Jackson-Stanley will sign one for Cambridge in conjunction with Hurricane Florence.

Public Comment

Ed Johnson, owner of the Wine Bar, said when it comes to the food truck fees, if you are a for-profit, it should be part of your business expenses. He thinks the non-profit organizations should be taken into consideration. It shouldn't be a business expense for them.

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 7:00 p.m. I hereby certify that the foregoing is a true and accurate account of the Council meeting Monday, September 10, 2018, insofar as I personally am aware.

Victoria Jackson-Stanley
Mayor