CAMBRIDGE MATTERS #31

By: Commissioner Steve Rideout

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Some interesting matters have occurred since our last meeting. I attended a meeting of the Finance Committee on September 12th about which I had concerns. Two citizens attempted to attend the meeting with one being able to attend a portion of the meeting and another arriving at the time mentioned in the public notice which had been changed without notice to the public. This problem has been cleared up and moving forward every committee that meets should provide notice on the city website**. If you want to receive notice of any meetings of one or more of the city committees, you need to sign up to receive those notices that are automatically generated by the city**. I hope that you will sign up.

On the 23rd, City Council first met at 5 p.m. to go into closed session to receive advice from the city attorney. As no decisions were made and the advice needs to remain confidential, there was no official report out from that meeting.

The regular Council meeting began at 6:00 p.m. I have found from my time on Council that I can never be certain of anything that I think will happen because there are always some unusual or unexpected twists or turns that occur during every meeting. This meeting was no exception.

Following the Moment of Silence and the Pledge of Allegiance, the Mayor asked if the agenda should be adopted as presented or amended. The city manager sought to remove item 13, which was the update on the Governor’s Hall lease agreement, as there were still matters to be worked out. Commissioner Sydnor objected to that request which resulted in several minutes of discussion and disagreement between him and me.

The Mayor decided to keep the matter on the agenda to which I objected, as I felt that it was a matter for vote by the Commissioners. While agreeing that I was correct in the position I took, she chose to disregard that and sought the approval of agenda as presented. The vote was 3-2 with Commissioner Hanson and me objecting. My concerns about having the lease matter on the agenda that evening will be discussed later in this report.

The public comment portion of the meeting was interesting and lengthy. Michael Wheatley spoke on behalf of the Dorchester Young Professionals asking if they could place a toy donation box for Christmas toys at city hall for a month between November 15th and December 15th. On a unanimous vote, that request was approved. So, if you have Christmas toys that you wish to donate, please consider dropping them off at the Cambridge City Hall on Academy Street.

Sharon Smith spoke about the Finance Committee Meeting that she had planned to attend at city hall based on the public notice that it would take place at 11:30 a.m. It turned out that the meeting time was changed to 10:30 a.m. without notice to the public, which caused her to arrive after the meeting had ended. She and the public were advised that all future committee meetings with be provided public notice so that anyone may attend, if they wish.

John Foster wanted to note that the Trunk or Treat time on the consent calendar was 6-8:30 p.m. rather than 6-8:00 p.m.

Rick Klepfer then spoke regarding the proposed amendments to the animal ordinance and his encounter with a Pitt Bull that attacked and bit him as he was walking on Choptank Avenue. He was supporting the proposed animal ordinance that was being proposed that would give the Cambridge Police some authority to address animal matters in the city. He was the only person to come from the community to speak regarding that ordinance.

Theresa Lamar, the owner of Minty’s Restaurant on Locust, came to speak about the notice she received from the city directing her to remove some low voltage lighting she had installed for the tables in the patio area of her restaurant. It will be opening soon and will be a welcome addition to the neighborhood. She had obtained special permission to open the restaurant, but apparently the issue of lighting was not discussed. Mr. Wheeler offered to talk with her to determine what action might be taken to resolve the issue.

City Council then received a briefing by Alan Girard on the health of the waters of the Chesapeake Bay, the Choptank, and other local tributaries. Also speaking were Tom Lee and Joanna Osbourn. For the details of the presentations, please go to [www.townhallstreams.com](http://www.townhallstreams.com) and the City of Cambridge. Those reports should start 10 minutes or so into the meeting. The bottom line of their presentations is that the Bay is doing better despite the failure of PA to do its part. The Choptank, however, is becoming less healthy. To address some of the challenges around the Gerry Boyle Park at Great Marsh, Tom Lee talked about a proposed project that will bring some trees to the Park.

Sandra Tripp-Jones then provided the Council and attendees with a report on what has been happening with CWDI and the Sailwinds Development project by providing a list of things done over the last year.

Ina Holden then spoke on the status of the hiring of a Housing Specialist, which is a contract position that has 2 years of state funding. This is the position for which a prior contract was not extended. There have been 11 applicants. Three have been determined to be qualified and applications continue to arrive. Interviews are being conducted.

Ms. Holden was also asked about the Economic Development Director position that was recently advertised. She indicated that the city had received 34 applications where 8 people were found qualified that have been followed up by interviews. No decisions have been made as of this time.

The Consent Calendar was approved on a unanimous vote on the following matters:

* The meeting minutes of September 9th city council meeting
* The holding of the 71st Annual Cambridge-Dorchester County Christmas Parade on December 7th from 4-10:00 p.m.
* Waugh Church’s request to use the Long Wharf Park on October 6th from noon to 1:30 p.m. to have communion for Communion Sunday
* The hours for Trick or Treat this year are 6-8:00 p.m. on October 31st.
* The Dorchester Relay for Life request to use the wharf at Governor’s Hall for their event on May 15, 2020 from 5:00 p.m. to midnight
* The request of WHCP to hang a banner over Race Street from October 20-26 in support of their membership drive
* The Trunk or Treat event of the Cambridge Police on October 24th from 6-8:30 p.m.

An Ordinance for first reading and continuation for public hearing was Ordinance 1156 which seeks to enhance the design standards for general commercial/mixed use buildings in the City of Cambridge.

Three Ordinances had public hearings and were considered for adoption. Ordinance 1157 dealt with the request to delete the 50-foot setback requirement for buildings along Rt. 50. There are some buildings that are set back that far and some that are not. The state highway administration has no restrictions. One citizen spoke in opposition to the change about the concern of having the buildings so close to Rt. 50. After discussion by the commissioners, I moved that we deny approval of this ordinance. The vote was 3-2 for denying the ordinance with Commissioners Cannon, Hanson, and myself voting to deny and Commissioners Sydnor and Foster supporting it.

The next ordinance was Ordinance 1158. Judd Vickers expressed his concerns that this would open matters to impact cats as well as dogs. As the current ordinance already addresses all animals, it would not create any new law as to cats.

What would be different is that it would allow the Cambridge Police to respond to animal problems in the city, especially matters involving dogs at large where they currently have no jurisdiction under the Cambridge City Code. The chief reported that the police respond to those matters anyway; and that in the last year there were 13 occasions where the police responded to such calls. The chief objected to having his officers having to respond to matters involving the failure of citizens to pick up after their dogs. The City Attorney advised that the current law does not give the city police any authority to take any action regarding animals as that is all left with the county in relation to dogs.

The opposition to the proposed Ordinance was that this would take police time away from more important matters. As the number of matters was so few and the first responders would be the county animal wardens for dogs, assuming their availability, I argued that there would be no real change in what was being currently done but that the police would be given authority that they did not currently have.

The Ordinance was defeated on a vote of 3-2 with Commissioners Foster, Sydnor, and Cannon voting to defeat the Ordinance and Commissioner Hanson and myself voting in favor of the Ordinance.

Ordinance 1159 was the next to be considered. It involves how the city, private contractors, and citizens address the different issues surrounding trash collection and placement of trash cans. This was being proposed because the city had gone to private collection of residential trash a couple of years ago, and the rules and regulations that had covered trash collection for years prior to the change were now out of date and effectively unenforceable.

The new rules and regulations added the consequence for homeowners and renters who failed to move their trash cans out of their front yards after the trash was collected by their being reminded through 3 separate notices before being charged with a municipal infraction. In addition, if the home was being rented, the property owner could be likewise be charged after proper notice. The owner of a rental property would not be able to obtain a rental registration statement if fines were unpaid.

Except for the above new matters and some provisions that made it easier for the citizens to comply, the rules and regulations were virtually the same as the old rules and regulations that had been in existence for years but had never been enforced.

Mr. Wheeler indicated that he and his staff had not yet developed the process for the enforcement of this proposed statute; and as a result, over my objection the proposed ordinance was tabled and continued to the November 25th city council meeting for a report back by Mr. Wheeler and decision by City Council.

There is a belief, without any proof, among some commissioners that people in their wards will be targeted. There is also a belief that the city has always had trash on the streets with unattractive cans left in front yards and that there is nothing that can be done about it. There is a belief that people cannot change their behavior.

I believe that people can and will change their behavior regarding this and other issues once they have been brought to their attention and they are given the opportunity. I also understand that code enforcement staff would be called upon to enforce this Ordinance; but under the old ordinance and rules, it was clear that DPW was the department to enforce those rules.

So basically, the substantive changes from the old rules that were no longer effective due to changes in the law were

* any citizen was entitled to at least 3 formal warnings before a municipal infraction could be assessed
* with proper notice to landlords, they could be held responsible for the nonpayment of municipal infraction fines by their tenants.

If the citizens of Cambridge want to see their city cleaned up, they need to let their Commissioner and the Mayor know and show up at the City Council meeting on November 25th to let us all know that this is what you want.

The first matter under Old Business was the update on the Governor’s Hall lease agreement. This was something that I first saw at the Finance Committee meeting in November.

I noted that the original lease had been signed and dated in late January 2019, but I did not recall ever seeing it. My reason was that after looking at the lease there were too many clauses in it about which I would have had strenuous objection.

I went back to old City Council meeting minutes and found out what the problem was. In mid-December of 2018, three members of City Council approved entering a lease based on the following language from the minutes of that meeting that were approved in January 2019:

Open Session Immediately Following Closed Executive Session

Patrick Comiskey announced that the Mayor and Council decided to offer Troy Hill and Grady Wilson the opportunity to lease Governors Hall.

A motion by Commissioner Sydnor to accept for the lease of Governors Hall to Troy Hill and Grady Wilson as Council's first choice and Enliven as their second choice; and the American Legion as their third choice contingent upon the information that Council receives from them about their ability to carry out the endeavor (financial and commitment) was seconded by Commissioner Foster and approved 2: l. Paperwork is due on December 27, 2018.

Commissioner Hanson had recused himself due to his affiliation with the American Legion and I had to leave the meeting for a personal obligation.

I looked at subsequent meeting minutes between the December 2018 meeting and the date of the execution of the lease agreement and determined that the proposed lease was never brought back to City Council for review and final approval before it was signed in January 2019.

That may then help you understand why I wanted this matter continued for further discussion. Another reason is that I had been able to review a portion of the new proposed lease and saw changes to the lease that needed clarification, correction, or explanation. In the first 19 paragraphs I had 13 questions or concerns. The Mayor left the meeting as we began this inquiry, and Dave Cannon took over in her place.

Commissioner Sydnor had been insistent about wanting to approve this lease right away. At this point in the meeting, I was able to ask the questions that I had of Mr. Wilson and Mr. Hill that showed, apparently in everyone’s mind, that the proposed lease was not ready for final consideration. I was also able to point out some of my concerns. The City Attorney also agreed that the lease needed further negotiation and redrafting before being brought back to City Council for final approval.

I won’t take your time to go into the details here, but you can take a look at the meeting video at [www.townhallstreams.com](http://www.townhallstreams.com) – City of Cambridge. The matter was continued over to the October 28th meeting, and I have provided a list of 14 questions or concerns that I have about the new proposed lease.

Under New Business two items were approved unanimously. They were

* the appropriation of $1,780 to the FY 2020 BJAG grant for the purchase of bullet proof vests for the police department
* The allocation of $1,000 contributed by the Cambridge Lions Club to the Police Department Events Fund.

The other matter was Resolution 19-013 that involved the adoption of the proposed trash rules and regulations that was placed on the November 25th Council Agenda as it was related to Ordinance 1059 that had been put over to that date.

After comments by staff and the Commissioners, the meeting was adjourned.

Thanks for reading.