

**CHESAPEAKE CITY
TOWN COUNCIL MEETING
Minutes for July 9, 2007**

Rebecca Mann	List of attendees
Lee Collins	
Tracey Sampson	
Bill Kiessling, Mayor	
Ernest Shepard	
Rich Taylor	
Keith Baynes, Town Attorney	
Gerry Robertson, Town Administrator	
Cristal Jordan, Clerk/Treasurer	

Mayor Kiessling brought the meeting to order at 6:30pm. He swore in the elected officials for Town Council: Rebecca Mann, Lee Collins, and Rich Taylor.

Mayor Kiessling presented a recognition award to Bill Miners for his service on Town Council. He also thanked Mr. Miners for getting a \$27,000.00 grant for a pump out station for the town docks. Ron Francis was not in attendance to receive his award.

Mayor Kiessling then assigned Council assignments:

Rich Taylor:	Council liaison to Planning and Zoning
Tracey Sampson:	Police Commissioner, Council liaison to Historic Commission, Parking Committee
Ernest Shepard:	Public Works, Town Dock Master
Rebecca Mann:	Special Projects
Lee Collins:	Town Historian

I **APPROVAL OF: Town Council Meeting Minutes from April 9, 2007**
Ernest Shepard made the motion to approve the minutes from April 9,2007
Tracey Sampson 2nd

Vote	Aye –	Ernest Shepard, Tracey Sampson
	Nay -	0
	Abstain-	Rebecca Mann, Lee Collins, Rich Taylor
		Motion Passes

APPROVAL OF: Town Council Meeting Minutes from May 14,2007

Tracey Sampson moved to approve the minutes from May 14,2007

Ernest Shepard 2nd

Vote **Aye - Ernest Shepard, Tracey Sampson**
 Abstain - Rebecca Mann, Lee Collins, Rich Taylor
 Nay - 0
 Motion Passes

APPROVAL OF: Town Council Meeting Minutes from June 11,2007

Ernest Shepard moved to approve the minutes from June 11, 2007

Tracey Sampson 2nd.

Vote **Aye - Rebecca Mann, Lee Collins, Tracey Sampson, Ernest**
 Shepard, Rich Taylor
 Nay - 0
 Motion Passes

NOTE: **Rebecca Mann** : I have a question about minutes, weren't there any workshops for the same months?

Mayor Kiessler: For workshops we do not keep minutes other than the recording since it's not an action meeting. Any actions taken will be recorded.

II DEPARTMENT REPORTS:

- | | | |
|----|--------------------------------------|----------------|
| A. | PUBLIC WORKS
Report attached | ERNEST SHEPARD |
| B. | DOCK MASTER
Report attached | ERNEST SHEPARD |
| C | HISTORIC REPORT
Report attached | TRACEY SAMPSON |
| D. | POLICE REPORT
Report attached | TRACEY SAMPSON |
| E. | PLANNING & ZONING
Report attached | RICH TAYLOR |

- | | | |
|----|--|---|
| F. | PARKS & RECREATION
Report attached | BARBARA WILKERS |
| G. | TOWN REPORT
No report

Report attached

Report attached | CRISTAL JORDAN

GERRY ROBERTSON

BILL KIESSLING |

III ACTION ITEMS

1. Meetings and Workshops to begin at 6:30pm.

Ernest Shepard made the motion to begin Meetings and Workshops for both Town Council and Planning & Zoning to begin at 6:30pm and end at 8:30pm temporarily until the bridge is complete. Tracey Sampson 2nd

Vote Aye - Rebecca Mann, Lee Collins, Tracey Sampson, Ernest Shepard, Rich Taylor.
Nay - 0
Motion passes

2. Nomination for Ernest Shepard serve as Vice Mayor

Tracey Sampson moved to accept the nomination for Ernest Shepard to serve as Vice Mayor. Rich Taylor 2nd

Vote Aye – Rebecca Mann, Lee Collins, Tracey Sampson, Rich Taylor.
Nay – 0
Abstain- Ernest Shepard
Motion passes

3. Planning & Zoning Nominations – Bill Miners, Harry Sampson.

Ernest Shepard made a motion to accept the nominations of Bill Miners and Harry Sampson for Planning & Zoning. Tracey Sampson 2nd.

Vote Aye – Rebecca Mann, Lee Collins, Rich Taylor, Ernest Shepard
Nay – 0
Abstain – Tracey Sampson
Motion passes

4. Tracey Sampson made a motion to put a moratorium on the parking mitigation until August 13, 2007. Ernest Shepard 2nd.

Vote

Aye – Lee Collins, Tracey Sampson, Ernest Shepard, Rich Taylor.

Nay - Rebecca Mann

Motion passes

IV PUBLIC COMMENT

1. Patty McCool – Gave thanks to: Mayor Kiessling, Ernest Shepard, and Gerry Robertson for fixing the drainage problem on Williams St.

2. Frank Hill – Asked the residents who are worried about Canal Day to come out and just give one hour of their time to help out for next year, because help is needed on that day. Frank would also like to receive a report from the Historic Committee so the Planning and Zoning can make the determination if the project is maintenance or requires a permit.

Response by Tracey Sampson

Tracey asked Gerry Robertson if copies could be made of the Historic applications and put in Bill Wilkers and Frank Hills in boxes.

3. Bonnie Shiles – On the subject of trash, are we ever going to have one day when the yard waste is picked up, or do you still have to call in?

Response by Gerry Robertson

The problem is getting larger and larger since the county will not accept yard waste so Topo is spending an enormous amount of time on this and that's why we are speaking to Frank about this and he told us about this program that other towns are utilizing and there are grants associated with that and it inspired the Mayor and that's why there is now a Parks & Rec. and

environmental to try to develop a solution to our growing problem.

4. Andrea Driscoll – What are the duties of the Vice Mayor? And what is this with a new position?

Response by Mayor Kiessling

It's not a new position and it's required in our town charter. If the Mayor is not present the Vice Mayor runs the meeting, and follows the responsibilities and duties of the Mayor.

5. Caton Vaughn – I would like an update on when the town is going to paint the permit parking area.

Response by Gerry Robertson

Topo is supposed to be doing this but he has been so inundated with picking up branches he has not had the time. He is trying to do it as soon as he can.

6. Barbara Wilkers – Would like to know if the students from the school could help with painting lines and yard waste

Barbara Wilkers said she would just contact the school to see if the children could help out in any way.

7. Katie Hutton – Let the residents know she will be ordering yard signs to keep Hooters out of Chesapeake City, anyone interested please let her know.

8. Frank Vari – If Planning & Zoning commission is not happy with what was said to them. I would suggest the liquor license or any permits are issued to them Town Council formally puts an objection to Cecil County and to the liquor board so they can't get it until they come to this town to a council meeting to tell the whole town exactly what is going to happen. Don't put it off. I will talk to Mrs. Wilkers about recycling.

9. Mary Lynn Huberty – I have a question regarding a stop work order that has been put on Schaefer's until

Maryanne Skilling of Critical Area reviews and approves the plan?

Response by Mayor Kiessling

I'm trying to set up a meeting, one to one first and then a letter.

Comment by Town Attorney Keith Baynes

I would discourage the Town taking any official action opposing a business that when you look at your zoning ordinance is a permitted business in town. I would suggest that the residents go and speak individually and speak against it and protest it and do whatever you think you need to do to stop it. But I don't want to see the town get sued from some business a national chain that other than their attire is probably no different than Bennigans or OutBack from a legal standpoint, the zoning ordinance permits restaurants in that zone.

10. Bill Miners – National Chains come in to the town and take over the place, take advantage of everything you have. 'Cause you to have extra traffic control, garbage pick up, they change your life.

Response by Town Attorney Keith Baynes

If that's the case then change the ordinance, right now your ordinance does not allow you to pick a TGI Fridays or anything else and say we don't want you here. Until you have that the town itself taking an official position saying we don't want this particular business here I think you are potentially creating liability for the town.

11. Trudy Carter – Does Planning & Zoning still plan on meeting with representatives from Schaefer's on Wednesday? Are still planning on doing that giving a false sense that the town is planning on letting them moving forward?

Response by Rich Taylor

The parking meeting is scheduled for 4:00, we still have to find out what they are doing. This is not singling out that particular business, the same process was done with Chesapeake Inn as well. This the procedure no matter who it is.

12. Katie Hutton – I would like the Council to look at the different zone and ask you, do we want restaurant chains in Village Commercial. I talked to the liquor board this morning and the meeting on the 31st of July is for 10:15am but because of the two things on the agenda before that it could come up much sooner so if anyone plans on attending that please show up 9:30am.

13. Frank Hill – Explained the process in on how the Planning & Zoning approves the application it has to go to the county.

14. Ed Schweizer– Can we quickly get an ordinance draft using the language successful in other towns and have one within a week for the next meeting or workshop. Would it be too late to apply it to the town or could they be grandfathered in?

Response by Town Attorney Keith Baynes

No I don't think they would be grandfathered in because at this point I don't think anything has been approved but again if you are proposing to be changing your zoning ordinance there are procedures that you have to follow under law that indicates it first has to go to Planning & Zoning, they have to have a public hearing and they make a recommendations to your Council then your Council has to advertise to have a public hearing here before it gets voted up or down I don't think legally you will be able to enact an ordinance in a week and not be subject to a challenge because article 66B prescribes your specific procedure for amending your zoning ordinances. You can try to expedite it but you're not going to be able to expedite in a week or a couple of weeks

15. Lee Adams - Does Scheafer's have a state and towns permit to rebuild the docks that they have already rebuilt?

Response by Frank Hill

No they do not. They applied last year for a permit from MDE and the Corps of Engineers to replace the bulkhead and 100 feet of the dock out on the front. They took that

permit and replaced the bulkhead and when they put in the dock they made it about 12 feet wider than it was on the original request therefore it is not approved work that they have done. I have told them I refuse to sign anything for that dock until they supply us with adequate drawings which show how it's constructed and they provide us with a letter from MDE and the Corp of Engineers that says they have their approval to do that work. So that whole dock is on hold. The old pier that goes out under the bridge, the only thing they are allowed to do with that is repair it replace what's there in kind without any addition width or length. And the county gets copies of that and inspects all the electrical running out to the boat, the water that goes out for supply to the boats and a pump out station that needs to be inspected.

Mr. Kiessler – recommended the citizens to attend the Planning & Zoning meetings because a lot of these questions can be answered then.

16. Bill Miners – Is Council going to do any thing to protect the town within the next 30 days to you review this from Schaefer's.

Response by Mayor Kiessler

We will be taking any suggestions and we have had some papers already sent to us. And we are just going to be working toward it.

Adjourn

Tracey Sampson made the motion to adjourn. Ernest Shepard 2nd.

Vote

Aye – All in favor
Motion passes

Submitted by _____ Accepted by _____
Cristal Jordan Bill Kiessler