



**MINUTES OF THE
SPECIAL TOWN MEETING
July 5, 2018**

- I.** Patrick J. Mahoney, Mayor called the special meeting to order at 5:30 p.m. In attendance were: Dr. Valerie Beaudin, Stewart S. Cumbo, Derek J. Favret, Lawrence P. Jaworski, Gregory J. Morris, and Keith Pardieck, Council Members, Holly K. Wahl, Town Administrator, Sharon L. Humm, Town Clerk, Laurie Smith, Town Treasurer, Elissa Levan, Town Attorney, James Berry, Public Works Administrator, and Paul Woodburn, Town Engineer.
- II. Pledge of Allegiance.** The Mayor led the pledge of allegiance.
- III. Close for Executive Session** The special meeting was closed at 5:32 p.m. for a closed executive session under the Statutory Authority of Md. Code Ann., General Provisions Article §3-305(b) subsection (7) to consult with legal Counsel to obtain legal advice as it relates to the constant yield rate versus the town tax rate and the water park locker lawsuit on a motion by Councilman Jaworski. Seconded by Councilman Cumbo, all in favor.

The Mayor reopened the special meeting at 6:00 p.m.

All members that voted in favor to close for an executive session were present the entire closed session and that the purpose was to discuss and obtain legal advice on the constant yield and the water park lawsuit.

IV. Public Hearing

The Mayor opened the public hearing and read into the record the following Ordinance:

Ordinance O-18-7, an ordinance of the Town Council of Chesapeake Beach, Maryland, amending Chapter 110, "Building Construction", of the Town Code to add Article IV, "Construction On or Adjacent to Steep Slopes," Section 110-10, "Definitions", Section 110-11, "Global Stability Analysis, Storm Drain Discharge, and Storm Water Management Plan Required", §110-12, "Connection to Town Sewer System Required", Section 110-13, "Connection to Town Storm Drainage System required", Section 110-14, "Maintenance Agreement Required", and Section 110-15, "Violations and Penalties".

The Mayor called for Council comment.

Councilman Favret stated he would be offering an amendment to Ordinance O-18-7 as follows:

Section 1, Article IV, 100-10 Definitions – to strike the words "the east side of B Street between its intersections with 11th Street and 14th Street" and replace with "or adjacent to a steep slope as designed in Article XI of this Chapter".

Remove specific references to B Street as follows:

Section 3, 110-12, A – strike "in the B Street right of way"

Section 3, 110-12, B – strike "B Street"

Section 3, 110-12, C – strike “in the B Street right of way” and “B Street”

Public Comment was received by:

1. The Mayor read into the record a written statement received from Kathleen Berault and Susan Russell of 7409 B St., and Sarah Kidwell of 7401 B Street expressing their views on the matter.
2. Mike Linsenbigler of 7315 B Street expressed his concern that a long term solution with goals and objectives should be considered before moving forward with this ordinance.
3. Margaret McCartney-Duffy of 7431 B Street had numerous questions which were addressed by the Town Administrator, Town Engineer and Public Works Administrator.

There being no further comments the public hearing was closed at 6:43 p.m. on a motion by Councilwoman Beaudin. Seconded by Councilman Morris, all in favor.

The Mayor reopened the special meeting.

V. Resolutions & Ordinances

- A. Vote on Ordinance O-18-7, an ordinance of the Town Council of Chesapeake Beach, Maryland, amending Chapter 110, “Building Construction”, of the Town Code to add Article IV, “Construction On or Adjacent to Steep Slopes,” Section 110-10, “Definitions”, Section 110-11, “Global Stability Analysis, Storm Drain Discharge, and Storm Water Management Plan Required”, §110-12, “Connection to Town Sewer System Required”, Section 110-13, “Connection to Town Storm Drainage System required”, Section 110-14, “Maintenance Agreement Required”, and Section 110-15, “Violations and Penalties”.

MOTION: Councilman Jaworski moved to approve ordinance O-18-7.
Seconded by Councilman Favret.

MOTION: Councilman Favret moved to amend Ordinance O-18-7 to include the following:

Section 1, Article IV, 100-10 Definitions – to strike the words “the east side of B Street between its intersections with 11th Street and 14th Street” and replace with “or adjacent to a steep slope, as defined in Article XI of this Chapter”.

Remove specific references to B Street as follows:

Section 3, 110-12, A – strike “in the B Street right of way”

Section 3, 110-12, B – strike “B Street”

Section 3, 110-12, C – strike “in the B Street right of way” and “B Street”

Seconded by Councilman Jaworski.

MOTION: Councilman Favret moved to amend his amendment to strike from Section 1, Article IV, 100-10 Definitions “Article XI of this Chapter” and replace with “Chapter 245, Article II.” Seconded by Councilman Jaworski. Ayes, Councilmen Favret, Jaworski and Morris. Opposed, Councilwoman Beaudin and Councilmen Cumbo and Pardieck.
The Mayor exercised his right to break the tie and voted in favor.

MOTION PASSES.

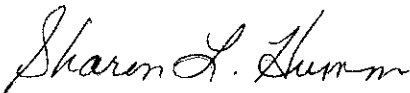
MOTION: Councilman Jaworski moved to amend Ordinance O-18-7, Section 7, to strike "August" and replace with "July". Seconded by Councilman Favret, all in favor.

The Council voted on Ordinance O-18-7 as amended. Ayes, Councilmen Favret, Jaworski and Morris. Opposed, Councilwoman Beaudin, Councilmen Cumbo and Pardieck. The Mayor exercised his right to break the tie and voted in favor. MOTION PASSES.

- B. Introduce Emergency Ordinance EO-18-10, an emergency ordinance of the Town Council of Chesapeake Beach, Maryland, amending the adopted General Fund budget for the Town of Chesapeake Beach for the fiscal year from July 1, 2018, to June 30, 2019, to conform the municipal property tax rate to the constant yield tax rate at \$.03442 per hundred dollars of assessed value, to decrease the anticipated real property tax revenue accordingly and to increase anticipated admission and amusement tax, effective immediately upon adoption. **A public hearing will be held beginning at 6:59 p.m. prior to the next regularly scheduled meeting which will be July 19, 2018.**

There being no further business, the meeting adjourned at 7:23 p.m. on a motion by Councilman Jaworski. Seconded by Councilman Cumbo, all in favor.

Submitted by,



Sharon L. Humm
Town Clerk