



**MINUTES OF THE
TOWN COUNCIL MEETING
January 20, 2011**

I. Bruce A. Wahl, Mayor, called the meeting to order at 8:00 p.m. In attendance were: Dr. Valerie L. Beaudin, Robert E. Carpenter, Stewart B. Cumbo, Ingrid K. Lamb, Patrick J. Mahoney and Julie L. Spano, Council Members, Elissa Levan, Town Attorney, Dr. James Parent, Town Administrator, Sharon L. Humm, Town Clerk, Leslie Porter, Town Treasurer, Wilson Cochran, Superintendent of Public Works, Jay Berry, Assistant Superintendent of Public Works, William Watson, Zoning Administrator and Code Enforcement Officer, Paul Woodburn, Town Engineer, Marilyn VanWagner, Water Park General Manager and First Sergeant Craig Bowen.

II. Pledge of Allegiance. Dr. Beaudin led the pledge of allegiance.

III. Approve the Agenda.

MOTION: Mr. Mahoney moved to approve the agenda. Seconded by Ms. Spano.

MOTION: Mr. Carpenter moved to amend the agenda Roman Numeral VII, Reports of Officers, Boards and Committees, to include, "G. Treasurer's Report". The Mayor accepted this as a friendly amendment.

The Council voted on the agenda as amended, all in favor.

IV. Public Comment on any item on the agenda. None

Approval of the minutes of the December 16, 2010 Public Hearings.

MOTION: Mr. Mahoney moved to approve the minutes of the December 16, 2010 Public Hearing. Seconded by Mr. Cumbo, all in favor.

Approval of the minutes of the December 16, 2010 Town Council Meeting.

MOTION: Mr. Mahoney moved to approve the minutes of the December 16, 2010 Town Council Meeting. Seconded by Dr. Beaudin.

MOTION: Mr. Carpenter moved to amend the minutes to include that awards were presented to the Brightest Beacon on the Bay winners.

The Council voted on the minutes as amended, all in favor.

V. Petitions and Communications:

A. Southern Maryland Oyster Cultivation Society – Mr. Len Zuza, President of the SMOCS, along with Board members, Karen Zuza, Jon Farrington and Dom Raino, presented a PowerPoint presentation to the Mayor and Council explaining what SMOCS is, how it works and the benefits of the program.

- B. Deputy's Report** – First Sergeant Bowen submitted the attached written report.
- C. Public Works Report** – Mr. Cochran submitted the attached written report. Mr. Carpenter commended the Public Works crew for the excellent job on the clearing of the streets during the snow storms.
- D. Code Enforcement Officer's Report-** Mr. Watson submitted the attached written report. Mr. Mahoney asked the status on the illegal Bed & Breakfast at 14th Street.
- E. Town Engineer's Report** – Mr. Woodburn submitted the attached written report. Mr. Woodburn gave a brief update on the water park concession stand.
- F. Water Park Report** – Mrs. VanWagner submitted the attached written report.
- G. North Beach Volunteer Fire Department** – Mr. Gordy submitted the attached written report.
- H. Mayor's Report -**
 1. The Mayor stated that the Town would be assuming operations of the Wastewater Treatment Plant commencing February 1, 2011.
 2. The Mayor reported that the first newsletter of the new year has been sent out to residents and thanked Pat Carpenter for a great job.
 3. The Mayor announced that a schedule has been established for the budget cycle and the first budget work session will be on the Wastewater Treatment Plant February 3, 2011 at 7:00 p.m.
 4. The Mayor stated that the Town has received two proposals for the traffic camera at the Beach Elementary School which will be reviewed and a recommendation presented to the Council next month.
 5. A representative from Local Government Insurance Trust, whom is the Town's insurer, conducted a safety survey of the Town's facilities on January 6, 2011 and will submit recommendations for the benefit of the Town.

VI. Resolutions & Ordinance:

VII. Report of Officers, Boards and Committees:

- A. Planning & Zoning Commission** – There was no meeting held in January.
- B. Board of Appeals** – There is a meeting scheduled for February 1, 2011 to review Rules of Procedure.
- C. Water Park Advisory Board** – Mr. Cumbo reported that a bid package has been prepared, advertised and available for pickup at the Town Hall. There will be a mandatory pre-bid meeting February 8th, bid opening on February 10th and a recommendation for consideration at the February 17th Council Meeting.

- D. **Skateboard Park Committee** – Mr. Carpenter reported that he is working with the Town Engineer on a bid package to bring before the committee for consideration.
- E. **Utility Rate System Committee** – Ms. Lamb stated that she, along with Dr. Parent and Mrs. Porter, attended a class on “cost recovery and rate setting” for our utility system and stated there will be future rate increases for the Town’s water/sewer service.
- F. **Cable TV Advisory Committee** – There was a meeting held January 5, 2011.
- G. **Treasurer’s Report** – Mrs. Porter briefly went over the quarterly financial reports and addressed questions from the Council.

VIII. Unfinished Business:

1. 2010 Draft Comprehensive Plan

MOTION: Mr. Carpenter moved to remove the draft comprehensive plan from the table for consideration. Seconded by Dr. Beaudin, all in favor.

MOTION: Dr. Beaudin moved to amend the draft comprehensive plan, page 45, Section 3, 3rd paragraph, to remove the wording “The Town is discussing opportunities to annex additional land outside the current limits of Chesapeake Beach; however, no annexations are planned at this time.” Seconded by Mr. Mahoney. Ayes, Dr. Beaudin, Ms. Lamb, Mr. Mahoney and Ms. Spano. Opposed, Mr. Carpenter and Mr. Cumbo. Motion carries.

MOTION: Mr. Cumbo moved to amend the draft comprehensive plan, page 45, Section 3, 3rd paragraph, to change the words “The Town is discussing” to “The Town may discuss”. Seconded by Mr. Carpenter. Ayes, Mr. Carpenter and Mr. Cumbo. Opposed, Dr. Beaudin, Ms. Lamb, Mr. Mahoney and Ms. Spano. Motion fails.

MOTION: Dr. Beaudin moved to amend the draft comprehensive plan, page 56, to remove the sentence “Long term development in the Town does not preclude annexation to the south; however, potential for annexation is not being addressed at this time.” Seconded by Mr. Mahoney. Ayes, Dr. Beaudin, Ms. Lamb, Mr. Mahoney and Ms. Spano. Opposed, Mr. Carpenter and Mr. Cumbo. Motion carries.

MOTION: Dr. Beaudin moved to amend the draft comprehensive plan, page 83, “Geographic Expansion Limited” to remove the last sentence, “Land to the south, between Old Bayside Road and Maryland 261 may accommodate future expansion of Town borders if annexation were found to be in the Town’s interests.” And replace with “The Town does not intend to expand current Town borders through annexation.” Seconded by Mr. Mahoney. Ayes, Dr. Beaudin, Ms. Lamb, Mr. Mahoney and Ms. Spano. Opposed, Mr. Carpenter and Mr. Cumbo. Motion carries.

MOTION: Mr. Mahoney moved to amend the draft comprehensive plan, page 8, to delete the 6th bullet that reads "Expand Public Transportation, such as the Beach Trolley." Seconded by Dr. Beaudin. Ayes, Dr. Beaudin, Ms. Lamb, Mr. Mahoney and Ms. Spano. Opposed, Mr. Carpenter and Mr. Cumbo. Motion carries.

MOTION: Mr. Mahoney moved to amend the draft comprehensive plan, page 66, 1st paragraph to remove the words "for expansion" and replace with "to possibly expand". Seconded by Ms. Spano.

Mr. Carpenter asked the Mayor to rule this motion out of order.

The Mayor ruled this motion out of order and Mr. Mahoney withdrew his motion.

MOTION: Mr. Mahoney moved to amend the draft comprehensive plan, page 66, E. Future Wastewater System, to remove the last sentence of the paragraph in its entirety.

MOTION: Mr. Mahoney moved to amend his motion to change the last sentence, page 66, E. Future Wastewater System, to read "The project will consist of the conversion of the existing nutrient removal process from BNR standards to ENR standards. Seconded by Dr. Beaudin. Ayes, Dr. Beaudin, Ms. Lamb, Mr. Mahoney and Ms. Spano. Opposed, Mr. Carpenter and Mr. Cumbo. Motion carries.

MOTION: Mr. Mahoney moved to amend the draft comprehensive plan, page 86, Section 6, Proposed Zoning Map, to change the proposed zoning map for the following "area" to a "Residential Medium Density" district and to remove all bonus density overlays. The "area" is the parcels of Chesapeake Beach on the east side of Bayside Road/Rt 261, from Veterans Park north to the North Beach border with the exception of the following properties/projects: Crooked I, Bay Crest, Horizons, Sea Gate and the projects that have received Preliminary or Final Planning Commission approval (under the Proposed Development of 2010 section on page 7). These exceptions will retain their existing zoning classification.

Mr. Carpenter asked the Mayor to rule this motion out of order.

The Mayor denied Mr. Carpenter's request to rule the motion out of order.

The Motion was seconded by Ms. Lamb. Ayes, Dr. Beaudin, Ms. Lamb, Mr. Mahoney and Ms. Spano. Opposed, Mr. Carpenter and Mr. Cumbo. Motion carries.

MOTION: Mr. Mahoney moved to amend the draft comprehensive plan, page 87, Section 6.2(A), 2nd paragraph that reads "High Density Residential is suggested along the east side of Bayside Road from Windward Key to the North Beach boundary, skipping the wetlands" and replace it with the words "Residential Medium Density is suggested along the east side of Bayside Road from Veterans Park to the North Beach boundary, skipping the wetlands with exceptions for the following properties/projects: Crooked I, Bay Crest, Horizons, Sea Gate and the projects that have received Preliminary or Final Planning Commission approval (under the

Proposed Development of 2010 section on page 7). These exceptions will retain their existing zoning classification. Seconded by Ms. Lamb. Ayes, Dr. Beaudin, Ms. Lamb, Mr. Mahoney and Ms. Spano. Opposed, Mr. Carpenter and Mr. Cumbo. Motion carries.

MOTION: Mr. Mahoney moved to amend the draft comprehensive plan, page 87-88, Section 6.1(B) to delete the 2nd and 3rd bullets in their entirety. Seconded by Dr. Beaudin. Ayes, Dr. Beaudin, Ms. Lamb, Mr. Mahoney and Ms. Spano. Opposed, Mr. Carpenter and Mr. Cumbo. Motion carries.

The Mayor called for a five minute recess.

The Mayor reconvened the meeting.

MOTION: Mr. Carpenter moved to return the amended draft comprehensive plan to the Planning Commission for their review and consideration. Seconded by Mr. Cumbo. Ayes, Mr. Carpenter and Mr. Cumbo. Opposed, Dr. Beaudin, Ms. Lamb, Mr. Mahoney and Ms. Spano. Motion fails.

The Council voted on the draft comprehensive plan as amended. Ayes, Dr. Beaudin, Ms. Lamb, Mr. Mahoney and Ms. Spano. Opposed, Mr. Carpenter and Mr. Cumbo. Let the record show that the motion carries on a 4 to 2 vote.

IX. New Business:

1. Mr. Cumbo asked the Council to consider including in the FY 2011-2012 budget a marketing or public relations plan for the Town and to consider looking at the idea of a Cultural or Performing Arts Center in the future.

X. Public Comment:

Public comment was received by:

1. Gary Coldsmith
2. Sheila Pool
3. Betty Harrington
4. Terry Klazer
5. Jeff Krahling
6. Connie O'Dell
7. Pat Carpenter

XI. Council Lightning Round:

1. Mr. Mahoney thanked the Beach Cove owners for their part in helping the Ladies of Charity with Christmas donations for those in need.
2. Mr. Carpenter had no comment.
3. Ms. Spano wished everyone a nice evening.
4. Mr. Cumbo expressed that Chesapeake Beach is a great place to live and that some growth is good!
5. Dr. Beaudin reported that it's that time again. Daisies, Brownies and Girl Scouts are selling cookies.
6. Ms. Lamb thanked everyone for coming.

XII. Adjournment:

There being no further business, the meeting adjourned at 10:48 p.m. on a motion by Mr. Mahoney. Seconded by Dr. Beaudin, all in favor.

Submitted by,



Sharon L. Humm
Town Clerk