

**December 14, 2016**

**Present**

Commissioners Jaime Windon, Roy Myers, Joyce Harrod, Michael Bibb and William Boos, Town Manager Jean Weisman, and Administrative Clerk Suzanna Warnick, and ten members of the public.

**Call to Order**

President Roy Myers called to order the regular work and legislative session of the Commissioners of St. Michaels at 6:00 p.m. in the Edgar M. Bosley, Jr. Municipal Building, 300 Mill Street, St. Michaels, Maryland, and the Pledge of Allegiance was recited.

**Public Announcements**

President Myers called upon Mrs. Weisman, who said the Town had had two busy weekends with great weather for both Midnight Madness and Christmas in St. Michaels. Mrs. Weisman also noted that the Town would be meeting on December 20, 2016 with the State Highway Administration (SHA) to discuss the various repair projects on Talbot Street. Commissioner Myers said he attended the Police Department's holiday party for the Town's young people, and the Christmas luncheon for seniors. There were no other announcements.

**Special Presentations**

President Myers announced that Mr. Luffman was running late to the meeting, and invited Ann Hymes of Grace Street to give her presentation.

- **Sculpture on Rails to Trails paths**

Ann Hymes provided an overview of her suggestion that environment-related temporary sculptures be created to be placed along the trail between Boundary Lane and West Chew Avenue and that the sculptures would be chosen in a high school level competition with judges and prizes. Mrs. Hymes added that the locations or positions could be pre-determined, with other parameters as deemed practical and appropriate, including ensuring minimal Town liability. Commissioner Boos and Commissioner Windon said they liked the idea and Commissioner Myers suggested a pilot program. Mike Estrella of East Chew Avenue said he favored the idea and that there could be a possibility of a tie-in to the businesses. Mrs. Weisman said she needed a motion to move forward with the project. President Myers made a motion to support a pilot sculpture contest / program for next year (2017) to create and erect up to four sculptures along the nature trail for a period of 6-8 months to be placed between Boundary Lane and West Chew Avenue, come back at end of the year for re-evaluation; dependent upon several things – up to four sculptures, open to the general public and high school student level with judges and prizes, small signs at each sculptures (exempt sign 1 sq.ft.), town has review over placement, and standard liability disclaimer for the Town. Commissioner Boos seconded it, and the motion passed on a roll call vote of 5-0 in favor.

**Consent Agenda**

President Myers said he would move forward with the consent agenda as Mr. Luffman had yet to arrive. President Myers said that a vote to approve the items on the consent agenda would include approval of the minutes and departmental reports for the month of November 2016, and aggregate disbursements of \$373,218.34, of which \$15,500 was disbursed to Lank Johnson & Tull for the annual audit, and \$168,469.50 to Johnston Construction for the arsenic removal project. President Myers then asked if the Commissioners want to remove any item from the consent agenda for discussion on the regular agenda. Commissioner Boos had a question, but there were no requests for removal from the Commissioners, and

there were no public comments. President Myers then called for a motion to approve the items on the consent agenda as presented. Commissioner Bibb made the motion, which was seconded by Commissioner Bose, and which passed on a roll call vote of 5-0 in favor.

- **Bunky Luffman, Eastern Shore Intergovernmental Affairs Representative**

President Myers introduced Mr. Luffman, who provided an overview of his background and his roll as coordinator between federal, state, and municipal entities on various construction and environmental projects. Mrs. Weisman said she would give him a call regarding the pier project at Back Creek. Mr. Luffman then answered questions from the Commissioners, who thanked him for his visit.

### **Boards and Commissions - Appointments for 2017**

President Myers announced that the year-end board appointments are up for discussion and noted that several persons have asked to be reappointed for a new term to positions expiring or seats opening up, or have applied for appointments to specific positions.

- **Board of Zoning Appeals**

Commissioner Myers made a motion to appoint John Hunnicutt to the Board of Appeals for three year term expiring December 31<sup>st</sup>, 2019, replacing Laurence Pratt. Commissioner Windon seconded it and the motion passed on a roll call vote of 5-0 in favor.

- **Planning Commission**

Commissioner Myers made a motion to re-appoint Carol Parlett for a five-year term expiring December 31, 2021. Commissioner Bose seconded it, and the motion passed on a roll call vote of 5-0 in favor.

Commissioner Myers also made a motion to appoint Dennis Glackin to the unexpired five-year term of William Rose, who passed away, and noted Mr. Glackin's term would expire December 31, 2019. Commissioner Bibb seconded it, and the motion passed on a roll call vote of 5-0 in favor.

- **Ethics Board**

Mrs. Weisman noted that a discussion with the Town's attorney indicated that, while not ideal, Mr. Hunnicutt could serve on both the Ethics Commission and the Board of Appeals as there had been no other applications for the Ethics board. Commissioner Myers made a motion to re-appoint John Hunnicutt to a three-year term, expiring December 31, 2019. Commissioner Windon seconded it, and the motion passed on a roll call vote of 5-0 in favor.

- **Historic District Commission**

President Myers said there were two positions open on the Historic District Commission. Commissioner Myers made a motion to re-appoint James Fulton to a four-year term expiring December 31, 2019. Commissioner Windon seconded it, and the motion passed on a roll call vote of 5-0 in favor. Commissioner Myers then made a motion to appoint Marie Martin for a three year term expiring December 31, 2021. Commissioner Windon seconded it, and the motion passed on a roll call vote of 5-0 in favor.

- **Housing Authority Board**

Commissioner Windon made a motion to re-appoint Mattie Fountain to a five-year term expiring December 31, 2021. Commissioner Bibb seconded it, and the motion passed on a roll call vote of 5-0 in favor.

Commissioner Harrod made a motion to appoint Karen Moaney to serve out the five-year term of David Seymour, expiring December 31, 2019. Commissioner Bose seconded it, and the motion passed on a roll

call vote of 5-0 in favor. Mrs. Weisman said there was still one open position on the Housing Authority board to replace Mr. Burnett, who passed away, and that she expected to have a recommendation for that position in January 2017.

- **Parks & Recreation Committee**

Commissioner Windon made a motion to re-appoint Cindy Pease and Marie Wroten to three-year terms on the Parks and Recreation Committee, terms expiring December 31, 2019. Commissioner Harrod seconded it, and the motion passed on a roll call vote of 5-0 in favor. Mrs. Weisman said there are two open positions on this board, and that Mr. Galvin asked not to be re-appointed.

- **Waterways Management**

Commissioner Myers made a motion to re-appoint John Marrah and Michael Gorman to the Waterways Management Advisory Board for three-year terms expiring December 31, 2019. Commissioner Harrod seconded it, and the motion passed on a roll call vote of 5-0 in favor.

- **Board of Appeals – Alternate Member**

Commissioner Myers made a motion to appoint Charles Gordon as an Alternate to the Board of Appeals for a three-year term expiring December 31, 2019. Commissioner Windon seconded it, and the motion passed on a roll call vote of 5-0 in favor.

### **Items for Discussion**

- Request from owner of 104 West Chew Avenue

President Myers called upon Mrs. Weisman, who said the Town had received a letter from John A. Novak, owner of 104 West Chew Avenue, and a letter from Albert W Golembeski, Jr., son of owner of 102 West Chew Avenue, and both parties, and Mr. Novak's attorney, Zack Smith, were present for tonight's meeting. Attorney Smith then introduced himself, and said Mr. Novak was requesting to have the parking permission on the Town alley between the two properties revoked and the land returned to grass only, that Mr. Novak be allowed to purchase ½ or part of the property, cost permitting, or that he be allowed to pay for the gravel removal and re-seed the property.

After a discussion of some length, the Commissioners were in general agreement that the property should no longer be used as a parking area, that the property would be left alone in winter and that in spring (April 1, 2017) perhaps some ground and gravel could be removed and grass, or a tree planted to bring property back to its prior use. Mrs. Weisman said that staff would check with Jeff Richardson on the mowing/gravel issue, and with the Town's attorney regarding the potential of declaring the property surplus.

- Update on Town Projects

President Myers called upon Jean Weisman, Town Manager, who briefed the Commissioners on the status of the following ongoing projects:

|                                |                                 |
|--------------------------------|---------------------------------|
| Utility poles on Talbot Street | Police dept. and/or town office |
| Reserve Study                  | Grace Street                    |
| Curb & gutter on Talbot        | YMCA & CC – senior center       |
| CBMM and Town property swap    | Arsenic update                  |
| State Income Tax issue         |                                 |

Mrs. Weisman said there should be a report from the Reserve Study group by Mid-January. Mrs. Weisman said ad hoc committee has also met several times and determined that the current police department cannot be rehabilitated to meet current required standards and that the only solution would be

to build a new facility on the Town's property on 124 Fremont Street. Mrs. Weisman said that the Town office could be improved or a new building built on the current property and that a report is due also in January. Mrs. Weisman said the arsenic project is moving ahead and the well project on Glory Avenue still has signal/communications issues. Mrs. Weisman said the two wells are supplying water to the Town. Mrs. Weisman said the watermen's dock project grant requires approval by the Department of Natural Resources. Mrs. Weisman said that she had received a preliminary report regarding the removal of utility poles and tentative costs, but that it did not have costs for the other three main utilities. Mrs. Weisman said she was later provided with place-holders/estimates for those other utility company costs. Mrs. Weisman said that overall cost estimate approximates between \$5-\$10 million dollars. Mrs. Weisman said she had received a phone call and letter from the State saying that St. Michaels owes additional taxes in the amount of \$277,000 from 2010 to 2014, due to a State tax distribution error. Mrs. Weisman said payments are to begin in 2024 and be spread out over 10 years. President Myers asked staff to contact the Town attorney about extending the re-payment over more than 10 years. Mrs. Weisman said the Town will meet with SHA regarding the curb/sidewalk rehab project. Mrs. Weisman said the YMCA/Senior Center is waiting on a joint meeting with the Community Center and the churches in town. And finally, Mrs. Weisman said a ground testing may need to be done to move the Town/Museum property swap forward. Mrs. Weisman also discussed briefly other projects that are in very preliminary stages.

#### **Comments from the Commissioners**

There were no additional comments.

#### **Comments from the Public**

Anne Hymes of Grace Street had a comment and some other questions about a potential town office expansion, loss of parking in Town, and the need for improved communications for trash/brush procedures. Laurie Ramsey introduced herself as the representative for the Fire Department replacing Mr. Trennelis who had passed away.

#### **Commissioners' Calendar**

The Commissioners made adjustments to their agendas for meetings in January and February 2017. The Commissioners also agreed to move up the second meeting in January to the 18<sup>th</sup>.

#### **Announcement of Future Meetings/Events**

- December 23 and 26 and Dec/30, 2016 and January 2 2017, Town Office closed for Christmas and New Years'
- January 11 2017 – 6:00 – Town Office – COSM Work Session
- **January 18, 2017** – 6:00 – Town Office – COSM Legislative Session

#### **Adjournment**

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Suzanna Warnick  
Administrative Clerk

Public Handouts:  
Agenda  
Department Reports