

April 26, 2017

Present

Commissioners Jaime Windon, Roy Myers, Joyce Harrod, Michaels Bibb, and William Boos, Town Manager Jean Weisman, Town Attorney Chip MacLeod, Zoning Officer Sarah Abel, Administrative Clerk Suzanna Warnick, and 12 members of the public.

Call To Order

President Myers convened the Regular Legislative Session of the Commissioners of St. Michaels at 6:00 p.m. in the meeting room of the Edgar M. Bosley, Jr. Municipal Building, 300 Mill Street, St. Michaels, Maryland, and the Pledge of Allegiance was recited.

Public Announcements

Town Manager Jean Weisman said Commissioners Bibb and Myers attended the Eastern Shore Association of Municipalities Spring meeting last week in Salisbury and enjoyed watching a Shore Birds game. Mrs. Weisman said that she and Commissioners Myers and Bibb attended the 9th Annual Talbot County Business Appreciation Breakfast on April 21st, at which long-time St. Michaels resident Diana Mautz was honored for her many contributions to the community. Mrs. Weisman continued, noting that Public Works Director Jeff Richardson would be attending Maryland Rural Water conference in Ocean City, Maryland. Mrs. Weisman said she and four Commissioners attended a ceremony at which Maryland Comptroller Peter Franchot presented the Eastern Shore Brewing Co. with a recognition certificate as the “region’s oldest continuously operating brewery in beautiful downtown St. Michaels”. Mrs. Weisman then offered an update on the sidewalk replacement project, noting that work was progressing on the curb and sidewalk replacement and pavement patching along Talbot Street, that the section between Thompson and Grace Streets would be completed in time for Wine Fest, and work on the section in front of the funeral home would begin on the following Monday. And finally, Mrs. Weisman said that the committee formed at the joint meeting of the Commissioners and the Planning Commission to discuss the updating of the Zoning Code would have their first meeting next week.

Consent Agenda

President Myers said that a vote to approve the consent agenda would include minutes for meetings in the month of March 2017, both regular and special budget meetings, and approval of an event permit for the strawberry festival at St. Luke’s Church. As there were no requests for discussion of items outside the consent agenda, President Myers called for a motion to approve the consent agenda as presented. Commissioner Bibb made the motion, which was seconded by Commissioner Harrod, and which passed on a roll call vote of 5-0 in favor.

Ordinance eligible for Vote

- **Ordinance No. 482: FY18 Budget and Tax Rate**

President Myers announced that Ordinance No. 482 was discussed on March 21st, 23st, and 28st, 2017, that a public hearing was held on April 12, 2017, at which the ordinance was introduced by Commissioners Boos and Windon, and that Ordinance No. 482 was now eligible for a vote. Mrs. Warnick then read the title of the ordinance into the record as follows:

ORDINANCE NO. 482, AN ORDINANCE OF THE COMMISSIONERS OF ST. MICHAELS TO SET THE TAX RATE AND ADOPT THE BUDGET FOR FISCAL YEAR 2018

President Myers asked if the Commissioners had any further comments. As there were no comments and no substantive changes to the ordinance, President Myers called for a motion to adopt Ordinance No. 482 as presented. Commissioner Bose made the motion, which was seconded by Commissioner Bibb, and which passed on a roll call vote of 5-0 in favor.

- **Request for “Watermen Parking Only” sign at Harbor Road Slips**

President Myers called upon Town Manager Jean Weisman who said that the watermen on the Waterways Committee were requesting restrictive parking signage be placed on Harbor Road to ensure that watermen can get to and from their boats during their working hours. Mrs. Weisman said that signage reading “Watermen Parking Only – 4 a.m. to 4 p.m.” was acceptable to the watermen, and she had drafted Resolution 2017-01 for the Commissioners consideration. Mrs. Weisman said that dashboard signs or stickers for watermen’s vehicles would be appropriate and that she would discuss it with Chief Smith after the parking signs were installed. After some brief additional discussion, President Myers called for a motion to erect year-round signage with wording as noted in quotes above. Commissioner Boos made the motion, which was seconded by Commissioner Windon, and which passed on a roll call vote of 5-0 in favor.

Items for Discussion

- **Inn at Perry Cabin request for extension of growth allocation**

President Myers welcomed Town Attorney Chip MacLeod and introduced Zack Smith and Bruce Armistead, attorneys for the Inn at Perry Cabin. Attorney Smith said his client was asking for an extension of the growth allocation timeline to complete other projects first, in particular the Harbortowne golf course. Mr. Smith said the construction extension being requested was for five (5) years. Town Attorney Chip MacLeod said he would work with Attorney Smith to put safeguards on paper so that both the Town and Perry Cabin would be protected, hence a decision on the construction extension was not immediately necessary. Attorney MacLeod added that the Town has no exposure until constructions begins, which would be two years after plan approval (expected May 9, 2017) was granted. After some additional discussion, Attorney MacLeod suggested a motion “to direct staff in consultation with the Town Attorney to negotiate with the developer an approval of project plans with conditions, recognizing a postponement of financial guarantees”. The Commissioners were in agreement with the attorney’s suggestion. Commissioner Myers made the motion, as stated above, which was seconded by Commissioner Harrod, and which passed on a roll call vote of 5-0 in favor.

Request for Annexation of Rolles Range of George Brooks House

President Myers introduced Mr. Will Workman of the Parsonage Inn. Mr. Workman said he was requesting annexation of properties along Rolles Range Road and if so annexed, he could construct a relaxation station to be part of the extension of the nature trail to Rolles Range Road. He also provided background and history on his property. President Myers said that the Commissioners must follow process and have a formal public hearing, at which they could voice opinions. President Myers did note that sewer service for this property was not in the county’s sewer or water plan in the immediate future, and the Town had not budgeted for any annexation related costs, such as water and roads. Attorney MacLeod offered several issues that were part of the county dynamic and Mrs. Weisman noted that the nature trail extension was not in current plans or funded. Attorney MacLeod also noted that the cost for the annexation process and all improvements are borne by the client and not the town.

The Commissioners then asked questions regarding the details of the annexation process and continued their discussion of the issues. Attorney MacLeod noted that if Mr. Workman's property and others along the Road were on wells, they would need, per State requirements, to be hooked up to public water if the property became part of the Town. Attorney MacLeod said that Mr. Workman would need to provide plans for the public hearing, working with his attorney and with the Town, and then a public hearing would be scheduled. President Myers thanked Mr. Workman for his time.

Reserve Study

President Myers said the Commissioners had agreed they wanted to implement and institutionalize the recommendations of the Reserve study, and had agreed on the three basic funds that would make up the Town's reserves. The Commissioners were now asking Attorney MacLeod to outline the necessary changes to the Town's Charter, and recommend how the Commission would replenish the funds on a yearly basis. Attorney MacLeod said that the Charter should provide the structure, but that dollar values and other specific details should not be part of the Charter, but should be added or deleted by ordinance and resolution to allow flexibility and avoid tying the hands of future Commissions. After a discussion of some length, the Commissioners directed the Town's attorney to look at all aspects of the Charter as it relates to budget and monies, and to draft appropriate language and definitions. The Town Attorney would then present a preliminary draft in a meeting with two Commissioners and the Town Manager, after which the draft would be presented to the full Commission in a public meeting.

Wine Fest Permit – Outdoor Speakers

Ms. Abel said that Simpatico was requesting an amendment to the Wine Fest permit to allow Simpatico to have separate outdoor amplified music. Ms. Parlette said the music is Italian music, and while amplified it is muted, and not pervasively loud. After a brief discussion, President Myers made the motion to approve the amended Wine Fest permit to allow amplified music on Simpatico's property. Commissioner Windon seconded the motion, which then passed on a roll call vote of 5-0 in favor.

Comments from the Public

There were no additional comments.

Comments from the Commissioners

There were no additional comments.

Commissioners' Calendar

On the attorney's recommendation, the Commissioners decided to wait until Mr. Workman comes back to the Town with more detail before the matter of the Rolles Range annexation was calendared. The commissioners then made additions and changes to their agendas for meetings in May 2017. Attorney MacLeod said the Town's acquisition of 800 Talbot Street was accepted by the seller and is awaiting a closing date.

Announcement of Future Meetings/Events

May 10, 2017 – 6:00 – Town Office – Regular Working Session

May 17, 2017 – 8 Or 9 a.m. – Town Office – Special Work Session with Talbot County
Dept. of Economic Development

The Commissioners of St. Michaels
April 26, 2017

May 24, 2017 – 6:00 – Town Office – COSM Regular Legislative Session
May 29, 2017 – Town Office closed for Memorial Day

Adjournment

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Suzanna Warnick
Administrative Clerk

Public Handouts:

Agenda

Draft Ordinance No. 482