

MINUTES

COSM

Commissioners

COSM Work and Legislative Session

Wednesday, December 13, 2017, 6:00 pm - 8:00 pm

Edgar M. Bosley Jr. Municipal Admin. Building

300 Mill Street, St. Michaels, MD

Call to Order - Pledge of Allegiance

President William Boos called to order the December 13, 2017 working and legislative meeting of the Commissioners of St. Michaels at 6pm in the meeting room of the Edgar M. Bosley, Jr. Municipal Building, 300 Mill Street, St. Michaels, Maryland. Also present were Commissioners Roy Myers, Joyce Harrod, and Michael Bibb, Town Manager Jean Weisman, Zoning Officer Sarah Abel, and Secretary Dorothy Olley. Commissioner Jaime Windon was absent.

Agenda Amendments

There were no agenda amendments.

Announcements from COSM and Staff

Town Manager Jean Weisman said that the most recent meeting of Coffee with a Cop was held on Friday, December 1st at the library, and noted that the meeting was well attended by the public and three Commissioners. Mrs. Weisman said the Coffee with a Cop event would be on hiatus with the next meeting planned for the Spring. Mrs. Weisman said that Police Chief Smith had organized holiday parties for the Town's elderly and for its younger residents. Both events were attended by staff and Commissioners and were well attended by the community. Mrs. Weisman said that the Town of St. Michaels had received a safety award from the Workmen's Compensation board. The Town was one of eighteen communities in Maryland that had exemplary records for safety. Mrs. Weisman said that the RFP (Request for Proposal) for updating of the Zoning Code had gone out and bids were expected by January 11, 2018. Commissioner Myers also noted that the DCTC circulator bus public hearing was held on December 7th and provided an update on the hours and route.

Comments from the Public

1. Allen Wald, 107 Grace Street, noted that he started a petition on Grace Street against the removal of sidewalks, as proposed by the Town. He stated that he

feels removal of the sidewalks are problematic and urged the Commissioners to respect the Town Code and the findings of the 2007 sidewalk committee. He noted that 5 of 11 Grace Street residents want brick sidewalks on Grace Street.

2. Karen Wald, 107 Grace, thinks the town should encourage permanent residents over weekenders and Grace Street is a street with a lot of full time residents. Sidewalks will encourage more residents to retire here and sidewalks will create a safe walking path on Grace Street. She stated sidewalks are safer for elderly people like her mother that lives at 105 Grace.

3. Wayne Suggs, Habitat Choptank, noted his support for the Annexation Resolution, and introduced potential homeowners who may want to live, on Brooks Lane, and expressed general support for the project.

4. Aida Leisure, business owner, is concerned about the removal of the utility poles on Talbot Street and the impact of construction on the small businesses. She noted that retailers in St. Michaels struggle and the impact of the construction could create yet another obstacle. She noted she supports beautification but that serious thought should be given to disruption of the street.

5. Barbara Heather, business owner, is concerned about the utility pole project, road closures and no one being able to get to businesses easily. She stated car and pedestrian traffic would be severely impacted. She noted there has been less foot traffic since the Acme closed and small business owners cannot just rely on tourists. She asked how trucks will supply stores and restaurants, and she would consider relocating her business if the road was closed for so long.

6. Ann Borders, 105 Cherry Street, would like an update on the Town office being proposed for 800 South Talbot Street and not Fremont Street. She read meeting minutes from a prior meeting about the benefits of being on Fremont Street. Mr. Boos responded that they have not decided on a town office location and that they still need to hire an architect. Ms. Borders inquired on the review of the employee manual and status of vacation time for employees. Ms. Weisman said the review is still in progress. Ms. Borders asked about health care costs for employees and Ms. Weisman noted that there was a 2% increase. Ms. Borders asked that the Commissioners clarify that the utility pole relocation would not completely close Talbot Street and that much of the work would on side streets. She noted that the Comprehensive Plan supports relocation of utility poles and that the sale of the utility company was set up as a fund for capital projects like the utility poles.

7. Mr. Dupont, Locust Street, stated that the newsletter was too sweet and charming and that the newsletter should contain more real information about the Town and the governance, including budget and other issues in Town. Mr. Dupont noted that the utility pole discussion is not new and that the last two comprehensive plans have noted the need to remove utility poles on Talbot. Mr.

Dupont noted that technology is advancing, St. Michaels infrastructure is out of date and the Town should get ahead of the needs of the residents. Mr. Dupont noted concern for boaters not being able to shop at the Acme and stated that 10% of boaters provision their boats at our grocery store. Mr. Dupont noted that the utility pole project should go forward and would be a big improvement in the Town for a short disruption. Mr. Dupont said the utility pole committee should still be involved. Ms. Heather responded to the cost of the utility pole study and the issues with bringing the newest technology to St. Michaels.

8. Mr. Thume, on Grace Street, thinks there should be sidewalks on Grace Street for pedestrian safety, especially at night and with the elderly population. Mr. Thume thinks that the sidewalks should be brick to be in keeping with our historic town.

9. David Briemhurst, 113 Grace Street, noted concern for the cost of brick sidewalks and who will pay for it. He is concerned about residents bearing the cost of public improvements.

10. Monica Penwell, formerly on 114 Grace Street, highly recommends sidewalks on Grace Street. She stated that sidewalks are important for young people with strollers and keeping children safe.

Consent Agenda for Minutes, Department Reports and Event Permits

Minutes – November 8, 2017

Department Reports for November 2017

President Boos announced that approval of the Consent Agenda would include approval of the Minutes for the November 8th meeting, departmental reports for November 2017, and permit application for a fundraiser for the Community Center.

Commissioner Myers cited the Water Department report, and noted concern for the higher water usage compared to this time last year. Mrs. Weisman explained that the water main break in Rio Vista and water loss from draining the tower for maintenance contributed to the higher usage. Commissioner Boos and Commissioner Myers agreed that the November 8th minutes should clarify that the fiscal policy review should be done at least every 5 years. Staff stated they would review the minutes and make the necessary corrections. President Boos asked that the police report be broken down to reflect the types of arrests, and noted that the numbers don't match up. President Boos also asked for clarification on where the police information is posted and said he thought that the Commissioners should create a policy about what information from the police department was public information and where it should be posted. Mrs. Weisman stated that the information is new and is posted on Facebook now. Staff advised

that there should be a policy on police information. Commissioner Harrod asked if the application from the Community Center was complete. Staff responded yes. Commissioner Harrod then made a motion to approve the consent agenda as submitted. Commissioner Myers seconded the motion and the motion carried on a roll call vote of 4-0. Commissioner Boos made a motion to accept the meeting minutes and the absentee ballots submitted by Commissioner Windon. Commissioner Bibb seconded it, and the motion passed on a roll call vote of 4-0 in favor.

Ordinance Eligible for Vote

Ordinance No. 485: .An Ordinance to Amend Chapter 101- Boats and Boating, SubChapter 101-2. Mooring at Public Wharves., of the Code of the Town of St. Michaels to Regulate the Mooring of Boats to the Public Wharf at Hollis Park.

President Boos introduced Ordinance 485 and staff read the title into the record. Commissioner Bibb made a motion to adopt Ordinance 485 as amended. Commissioner Boos seconded the motion. Commissioners Myers asked for clarification on the definition of overnight docking and noted that explicit hours for overnight docking had been added to the Code, with enforcement to be done by the police. The motion then carried by roll call vote of 5-0, including the absentee vote of Commissioner Windon, as read by Mrs. Weisman.

Resolution Eligible for Vote

- Annexation Resolution No. 2017-03 - Brooks Lane AN ANNEXATION RESOLUTION PURSUANT TO SECTION 4-401, ET SEQ. OF THE LOCAL GOVERNMENT ARTICLE OF THE MARYLAND ANNOTATED CODE FOR THE PURPOSE OF ANNEXING NINE PARCELS OF REAL PROPERTY CONSISTING OF 2.692 ACRES OF LAND, MORE OR LESS, LOCATED IN THE SECOND ELECTION DISTRICT OF TALBOT COUNTY, MARYLAND, ALONG THE WESTERN BOUNDARY OF THE TOWN, AND BEING MORE PARTICULARLY DESCRIBED IN THE RESOLUTION; PROVIDING FOR THE TERMS OF SUCH ANNEXATION IN THE ANNEXATION PLAN AND AGREEMENT; AMENDING THE CHARTER OF THE TOWN OF ST. MICHAELS FOR THE PURPOSE OF INCLUDING THE ANNEXED PROPERTIES WITHIN THE LEGAL DESCRIPTIONS AND PLATS DEPICTING THE CORPORATE LIMITS OF THE TOWN OF ST. MICHAELS; AND GENERALLY RELATING TO THE ANNEXATION OF THE FOREGOING PROPERTIES TO THE TOWN OF ST. MICHAELS

Mrs. Weisman provided an update on the Annexation. President Boos asked for clarification on the status of agreements. Commissioner Myers made a motion to approve Resolution 2017-03. Commissioners Boos seconded the motion and the motion carried by vote of 5:0 in favor, with the absentee ballot from Commissioner Windon, as read by Mrs. Weisman. Commissioner Bibb made a

motion to approve the signed Annexation Agreement between the Commissioners and Habitat Choptank as written. Commissioner Harrod seconded the motion, which then carried on a roll call vote of 5-0 in favor, including the absentee vote of Commissioner Windon, as read by Mrs. Weisman. Staff read the agreement title into the record. Staff noted that the 45-day referendum period ends January 29, 2018.

Boards and Commission Appointments

President Boos made a motion to reappoint William Harvey to the Board of Zoning Appeals for a full term expiring December 31 2020. Commissioner Bibb was second and passed by 5:0 in favor. Mr. Boos made a motion to reappoint Helen Levin to the Planning Commission for a full five-year term, expiring December 31, 2022. Commissioner Bibb seconded the motion, which then passed on a roll call vote of 4-0 in favor.

There was a discussion about the 7 applicants for the two positions on the Historic District Commission and eligibility requirements that included a residency requirement and experience with historic properties. Commissioner Myers noted that two of the seven applicants would be residents and that a registered architect is an important professional to have on the Historic District Commission. Commissioner Myers noted that Mr. Knapp was already on the Planning Commission. Commissioner Myers stated that the Code does allow for an alternate on the Historic District Commission and the Commissioners may want to consider an alternate with this many applications. Commissioner Myers noted that he thought Walda DuPriest Brandt should be considered since she was experienced, but had not served in a year. Commissioner Myers also noted that Glenn Fong owns property in Town and is an architect, and that Pam Widell is a highly recognized architect with considerable professional experience. Commissioner Myers made a motion to appoint Walda DuPriest Brandt to the Historic District Commission. Commissioner Bibb seconded it, and the motion carried on a roll call vote of 5:0 in favor, including Commissioner Windon's proxy vote, as read by Mrs. Weisman.

Commissioner Myers made a motion to appoint Glenn Fong to the Historic District Commission. Commissioner Bibb seconded the motion, which then carried on a roll call vote of 5:0 in favor, including Commissioner Windon's proxy vote, as read by Mrs. Weisman. Commissioner Myers made a motion to appoint Pamela Widell to the Historic District Commission as an alternate. The motion was seconded by Commissioner Bibb and carried on a roll call vote of 4-0 in favor.

President Boos made a motion to reappoint Peter Hartjens to the Ethics Commission, with a term expiring on December 31, 2020. Commissioner Bibb seconded the motion, which then passed with a roll call vote of 5:0 in favor, including Commissioner Windon's proxy vote, as read by Mrs. Weisman.

President Boos made a motion to approve Melissa Knapp to be reappointed to the Parks and Recreation Committee. The motion was seconded by Commissioner Bibb and carried on a roll call vote of 4-0 in favor. President Boos made a motion to reappoint Marie Martin to the Parks and Recreation Committee. The motion was seconded by Commissioner Bibb and carried on a roll call vote of 5-0 in favor, including Commissioner Windon's proxy vote, as read by Mrs. Weisman.

President Boos made a motion to reappoint Billy Adams to the Waterways Commission, which was seconded by Commissioner Bibb, and which then passed on a roll call vote of 4-0 in favor.

President Boos made a motion to appoint Mark Van Fleet to the Waterways Commission. The motion was seconded by Commissioner Bibb and carried on a roll call vote of 4-0 in favor.

President Boos then thanked all of the candidates for their applications and congratulated the appointees.

Items for Discussion

Utility Line Feasibility Study- Continued discussion regarding Utility Lines

President Boos and staff provided background and an update on the utility pole project and study. Commissioner Myers noted that the next step would be a detailed design of the route and additional funding. Commissioner Myers noted that a technical analysis would need to be done with the utility companies to determine whether fiber was needed to bury cable and internet. Commissioner Myers noted concern about installing duct banks for telephone and other utilities at some intersections because sewer and water lines already take up any available underground space. Commissioner Myers stated that many people are concerned about the construction disturbance and the potential negative economic impact it would have on businesses in town. Commissioner Myers also emphasized that the cost of the project is estimated at \$12 million and that the Town would bear the burden of financing and managing the project. Commissioner Myers advised against moving forward with detailed design phase of the project and redirecting the funding back to the general fund. Commissioner Bibb said he favored terminating the project and that his concern was the utilities involved wanted the Town, in addition to paying for and managing the project, to be responsible for the maintenance of the infrastructure once it was in the ground. Commissioner Myers went on to say that most utilities in St. Michaels are out of date, and it would be bad judgment to bury old utilities. He noted that the study could be reconsidered once utility companies are ready "to implement new technology". Commissioner Myers then made a motion not to move forward

with the design phase of the project and to direct the funds remaining from the initial study budget back to the general fund. Commissioner Bibb seconded it, and the motion passed on a roll call vote of 4-0 in favor.

Sidewalk discussion- Committee report on sidewalks

Commissioner Myers provided an overview that the Committee's activities. The Commissioners reviewed the updated sidewalk legislation, with a lengthy discussion on sidewalk repair and replacement. Commissioner Boos said he would like to see written feedback on the draft changes. Commissioner Myers agreed, noting that the changes to sidewalks in Town have been really informal Town and its time to clarify the process. The Commissioners agreed that the sidewalk committee should meet with residents to discuss and clarify sidewalk repair and replacement regulations.

Commissioners Calendar

The Commissioners discussed calendar issues for their meetings in January and February 2018. The Commissioners agreed to calendar a discussion of fire alarm legislation, expansion of the library property, changes to the police department building, and the Grace Street sidewalks for the January meeting. The Commissioners scheduled another discussion of the sidewalk legislation for their February 14th meetingXI.

Announcement of Future Meetings

December 25 & 26- office closed for Christmas Holiday

December 29- office closed for New Year's Eve

January 1- office closed for New Year's Day

January 10, 2018- 6:00 COSM Work and Legislative Session

Adjournment

The meeting was adjourned at 7:45 p.m.

Public Handouts:

Agenda

Department Reports

Ordinance No. 485: Mooring at Public Wharves

Draft Annexation Resolution No. 2017-03

