

**July 9, 2014**

**Present**

Commissioners Joanne Clark, Ann Borders, Joyce Harrod, Roy Myers and Jaime Windon, Town Manager Jean Weisman, Zoning Officer Deborah Renshaw, Public Works Director Jeff Richardson, Administrative Clerk Suzanna Warnick, and 12 members of the public.

**Call to Order**

President Clark called to order the public working session of the Commissioners of St. Michaels at 5:00 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.

**Announcement of Prior Closed Session**

President Clark said that the Commissioners met in closed session on June 30, 2014 at 1:00 p.m. pursuant to Maryland Code, State Government Art., §10-508 (a) 1(i) – to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; (ii) and any other personnel matter that affects one or more specific individual.

**Announcements from COSM, Staff, Public**

President Clark then called upon Public Works Director Jeff Richardson, who provided a progress report on the Phase V street repair project. President Clark announced that she and Commissioners Harrod and Windon attended the Council of Trappe’s monthly meeting on July 2, 2014 where the St. Michaels Police Department received a commendation from the council for assisting in the investigation and arrest of the suspects involved in the bank robbery that took place in Trappe last month. President Clark also noted that the Talbot County Chamber of Commerce had invited everyone to a grand opening and ribbon cutting for the Pemberton Pharmacy on Talbot Street on July 10<sup>th</sup> from 5-7 p.m. Commissioner Harrod said the Union United Methodist Church would be holding the annual Law Enforcement Day on Sunday, July 13<sup>th</sup>. She also noted that Rev. William Wallace, Sr. was the church’s new minister.

**Public Hearings**

President Clark said the purpose of the following two Public Hearings was to provide an opportunity for the St. Michaels Housing Authority and Osprey Property Company LLC to provide an overview of program performance relating to the renovations and site improvement to the Webb Lane Townhouses (CDBG Grant No: MD14-CD-33) and Riverwoods at St. Michaels - 109 and 111 Mitchell Street (CDBG Grant No. MD-13-CD-28). President Clark added that the hearings were being held in accordance with the Town’s adopted Citizen Participation Plan and the requirements of 24CFR 570.486 and 24CFR 91.115(e).

- **Webb Lane Townhouses**

President Clark opened the Public Hearing on the Webb Lane Townhouses, and asked Mrs. Warnick for the sign-in sheets. There were no signatures. President then called upon Don Bibb, Executive Director of the Housing Authority, who provided an update on the Webb Lane project and then answered questions from the Commissioners and the public. Mr. Bibb said that once the project was complete, he would provide a tour of the properties for the Commissioners.

- **Riverwoods at St. Michaels**

President Clark then introduced Andrew Hanson of Osprey Property Company LLC, who provided an update on the project. Mr. Hanson said the project was within thirty days of completion. Mr. Hanson also said that on September 18, 2014 will be the grand opening, a dedication, and an open house. Mr. Hanson then introduced his manager in charge of leasing, who gave a progress report on interviewing applicants. The Commissioners had questions regarding the qualifications for occupancy. President Clark then closed the public hearings on the two projects.

### **Consent Agenda**

President Clark announced that a vote to approve the items on the consent agenda would include approval of the reports for the month of June, 2014, and approval of a Special Permit Application and Carnival Permit for the St. Michaels Fire Department. President Clark noted that the disbursements for June 2014 totaled \$ 340,348.31, of which \$19,756.78 was expended to Davis Bowen & Friedel for Phase V Engineering, and \$78,348.60 was expended to Dissen and Juhn for the West Harbor Road Bulkhead and Ramp. President Clark then asked if the Commissioners wanted to remove any item from the consent agenda for discussion on the regular agenda. There were no requests. President Clark then called for a motion to approve the on the consent agenda as presented. Commissioner Borders made the motion, which was seconded by Commissioner Myers, and which passed on a roll call vote of 5-0 in favor.

### **Ordinance for Discussion and possible Introduction**

- Ordinance No. 452 – Chapter 285 - Streets and Sidewalks

President Clark called upon Mrs. Warnick, who read the title of the Ordinance into the record as follows:

ORDINANCE NO. 452 , AN ORDINANCE TO AMEND CHAPTER 285 (STREETS AND SIDEWALKS) TO PROHIBIT OBSTRUCTIONS AS DEFINED THEREIN, TO DEFINE SIDEWALKS AND PEDESTRIAN CORRIDOR AND TO ESTABLISH THE WIDTH OF SUCH CORRIDOR, TO ESTABLISH THE FINE ASSOCIAED WITH PLACEMENT OF OBSTRUCTIONS ON SIDEWALKS, TO DEFINE STRUCTURES AND SIDEWALK ENCUMBRANCES AND TO PROHIBIT THE DEFACING OF BRICK AND CEMENT SIDEWALKS, AND GENERALLY RELATING TO SIDEWALKS IN THE TOWN OF ST. MICHAELS

President Clark called upon Zoning Officer Deborah Renshaw, who outlined the changes made to the ordinance based on the Commissioners' last discussion. Mrs. Renshaw staff had created a new section of Chapter 285 to define a "pedestrian corridor," delineating allowable structures on sidewalks, and requiring an annual permit for outdoor dining. After a discussion of some length, the Commissioners agreed to tentatively schedule a public hearing, and that staff should get a legal opinion on what is State law regarding sidewalks. Mrs. Weisman provided the Commissioners with options for dealing with sandwich/menu boards. The Commissioners then took public comment.

- **Ordinance No. 453 – Amendment to Chapter 328 (Water) of the Town Code**

President Clark called upon Jean Weisman who noted that the Town had recently received two requests for a private wells. Mrs. Weisman said that it was not in the Town's interest to allow private wells, but that there was no language in the Code prohibiting them. Mrs. Weisman said the draft ordinance would put the prohibition in the law.

President Clark called upon Mrs. Warnick, who read the title of the Ordinance into the record as follows:

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF ST. MICHAELS; CHAPTER 328 (WATER), ARTICLE I (CONNECTION CHARGES) TO INCLUDE CLARIFYING LANGUAGE SPECIFIC TO THE PROHIBITION ON THE INSTALLATION OF PRIVATE WELLS WITHIN THE ST. MICHAELS WATER SERVICE AREA, WHETHER SUCH WELLS ARE FOR POTABLE OR NON-POTABLE PURPOSES AND TO AMEND THE PARAGRAPH NUMBERING TO REFLECT THE INSERTION OF THE NEW TEXT, AND GENERALLY RELATING TO WATER USAGE IN THE TOWN OF ST. MICHAELS

Public Works Director Jeff Richardson said the Town had contacted the Maryland Rural Water Association and Maryland Department of the Environment. Mr. Richardson said that MDE had concerns about contamination of a public system from private wells. The Commissioners then took public comment. A representative of the Riverwoods project urged the Commissioners to distinguish between potable and non-potable water and to allow non-potable water from shallow wells to be used for irrigation. Mike Estrella of Rio Vista said he knew of old wells in his neighborhood but didn't know if any were still working or if they had been buried or capped off. Mr. Estrella suggested that the Commissioners look at old legislation. After some additional discussion and comments, Commissioners Borders and Myers introduced Ordinance No. 453.

#### **Items for Discussion**

- **Resolution 2014-06 – No Commercial Vehicles on Public Alleys**

A RESOLUTION OF THE COMMISSIONERS OF ST. MICHAELS TO ALLOW THE INSTALLATION OF SIGNAGE DISPLAYING THE WORDING “CONSTRUCTION VEHICLES PROHIBITED” ON ALL PUBLIC ALLEYS. THIS PROHIBITION SHALL NOT APPLY TO FUEL DELIVERY VEHICLES AND/OR UTILITY COMPANY VEHICLES

President Clark called upon Mrs. Weisman, who said the draft resolution incorporated the changes requested by the Commissioners during their last discussion. Jeff Richardson said he had measured the main alleys in St. Michaels and most were between 7 and 9 feet wide, not wide enough for most construction vehicles. Mr. Richardson said the alleys evolved and were not intended for large heavy vehicles. After some additional discussion and public comment, the Commissioners agreed to make the changes discussed and asked staff to work on the wording of the sign. President Clark said the resolution could be voted on at the Legislative Session on July 23, 2014.

- **Resolution 2014-05 – No Commercial Business Delivery Vehicles on East Chew**

A RESOLUTION OF THE COMMISSIONERS OF ST. MICHAELS TO ALLOW THE INSTALLATION OF SIGNAGE DISPLAYING THE WORDING “COMMERCIAL BUSINESS DELIVERIES AND TOUR BUSES PROHIBITED” AT THE INTERSECTIONS OF TALBOT STREET AND EAST CHEW AND MEADOW STREET AND EAST CHEW

President Clark called upon on Jean Weisman who provided an overview of the resolution. The Commissioners then discussed where signage should go and what it should say. The Commissioners also discussed directional signage to have commercial traffic use Seymour Avenue.

- **Resolution 2014-07 – Amend Park Rules**

A RESOLUTION OF THE COMMISSIONERS OF ST. MICHAELS TO AMEND RESOLUTION 2009-19 WHICH ESTABLISHED REGULATIONS FOR OPERATIONS OF ALL PUBLIC PARKS. THE AMENDMENT REMOVES THE PROHIBITION ON WEDDING CEREMONIES AND MEMORIAL SERVICES IN THE TOWN PARKS AND PROHIBITS THE ERECTION OF TENTS WITHIN THE GRASSED AREAS OF MUSKRAT PARK

The Commissioners of St. Michaels  
July 9, 2014

After a very brief discussion, the Commissioners agreed they were satisfied with the language in the park rules. President Clark said the resolution could be voted on at the Legislative Session on July 23, 2014.

- **Skateboard Park**

Town Manager Jean Weisman said that the Town of Easton was possibly interested in the skateboard park equipment in St. Michaels, and that if the Commissioners were interested in getting rid of the skateboard park, an exploratory letter should be written to the Easton Town Manager and council members. The Commissioners directed staff to draft an exploratory letter.

### **Commissioners' Calendar**

The Commissioners made changes and additions to agendas for their meetings in July 2014, including adding a discussion of recognition for the police department.

### **Comments from the Commissioners**

The Commissioners briefly discussed the need to enforce current Code regulations.

### **Comments from the Public (Residents and Taxpayers)**

Michael Estrella of Rio Vista thanked the Commissioners for considering reducing commercial traffic on E. Chew Avenue.

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

President Clark made announcements as follows:

- July 22, 2014 – 2:00 pm – Town Office – COSM Work/Planning Session
- July 23, 2014 – 5:00 pm – Town Office – COSM Regular Legislative Session

### **Adjournment**

The meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Suzanna Warnick  
Administrative Clerk

### **Public Handouts:**

Agenda

Department Reports

Draft Ordinance No. 452: Sidewalks – Safe Passage

Draft Ordinance No. 453: Chapter 328-Water

Resolution 2014 – 05 – Chew Avenue\

Resolution 2014-06 – Public Alleys

Resolution 2014 – 07: Amendment to Park Rules