

MINUTES



COSM Commissioners

COSM Work and Legislative Session and Closed Executive Session Wednesday, March 14, 2018, 6:00 pm - 9:00 pm Edgar M. Bosley Jr. Municipal Admin. Building

I. Call to Order - Pledge of Allegiance

President Boos called to order the work and legislative sessions 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. Also present were Commissioners Roy Myers, Jaime Windon, Michael Bibb, and Joyce Harrod, Town Manager Jean Weisman, Chief Smith and three police officers, Legislative Clerk Suzanna Warnick, and nineteen members of the public.

II. Agenda Amendments

Vote for Closed Session immediately after adjournment of Open Session

The Commissioners will vote to meet in closed session today after adjournment of Open Session pursuant to Maryland Code, under the Open Meetings Act, General Provisions Article Section 3-305 to discuss the following: (3) To consider the acquisition of real property for a public purpose and matters directly related to the acquisition; and (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations.

President Boos made the announcement noted above.

III. Announcements from COSM and Staff

President Boos called upon Town Manager Jean Weisman for announcements. Mrs. Weisman commended Public Works Director Jeff Richardson and his crew for their work on a water leak on Talbot Street last week. Mrs. Weisman said the crew went home that day and came back to work at 6 o'clock that evening and worked until 4 a.m. to fix the leak and reopen the road. Mrs. Weisman asked for patience, noting that as soon as the asphalt plants open up with warmer weather, the metal plates over the leak repair on Talbot Street will be removed and the road will be resurfaced. Mrs. Weisman said coming up is the Jr. Police Academy graduation at 6:00 p.m. at the high school and all are invited to attend. Mrs. Weisman said on March 16th, the Commissioners and staff will attend a planning session called "A Better Maryland", sponsored by the Maryland Department of Planning. Mrs. Weisman also announced that the Commissioners will be in budget work sessions on Tuesday, March 20th and Wednesday, March 21st from 10 a.m. to 4 p.m., and on Tuesday, March 27th from 10 to 4 p.m. if needed, and that all sessions are open to the public. Mrs. Weisman said there will be a Town election on Monday, May 7th for two Commissioners with expiring terms. Mrs. Weisman said the last day to file for candidacy, and to register to vote, will be Friday, April 6th. Mrs. Weisman announced that the Commissioners and residents are invited to attend two events in St. Michaels to celebrate the "Year of Frederick Douglass" - a free musical program celebrating Douglass' 200th Birthday at the High School auditorium at 6 p.m. on

March 24th and on the same day at noon, the Union United Methodist Church will offer a Soul Food Dinner. Chief Smith said the St. Michaels Police Department would be participating in a program called "safe stations" where anyone wanting help for an opioid addiction can come to the police station for assistance without fear of arrest. Chief Smith also noted that he attended the St. Michaels High School protest of school shootings and said that he was impressed with the students, who were very well behaved during an outdoor, 17-minute moment of silence for the recent victims.

IV. Comments from the Public

There were no comments from the public.

V. Special Presentations

- Proclamation in Honor of Frederick Douglass

Leadership of the Frederick Douglass Honor Society, Tarence Bailey - Great Great Great Nephew of Frederick Douglass, Reverend Wallace and Marlene Thomas will be presented with a Proclamation

President Boos announced that 2018 was declared by Maryland Governor Hogan the year of Frederick Douglass, honoring him on his 200th birthday. President Boos said that Maryland would be honoring him throughout the year with Statewide special events. President Boos then introduced guests attending to hear a proclamation by the Commissioners honoring Frederick Douglass, as noted above. President Boos then read the proclamation and presented it to the Society members.

- Speed Cameras

President Boos introduced Mario Hernandez, Vice President of Red Speed Maryland. Mr. Hernandez said his company offered a number of services, including automated speed cameras and school bus cameras, and other surveillance systems in the U.S. and other countries. Mr. Hernandez had a power point presentation focusing on surveillance needs of school zones in Maryland. Mr. Hernandez said his systems offer three things - driver behavior modification, a police force multiplier, and a revenue generator, with monies required by law to be used for public safety. Mr. Hernandez noted that the cameras only operate Monday-Friday 6 a.m. to 8:00 p.m., but that signage and ticketing would discourage violators at other times as well. Mr. Hernandez said the ticketing can only be given by a sworn police officer who has been trained by his service, and data and information are available within a day.

Mr. Hernandez then took questions from the Commissioners. Chief Smith said he sees the greatest value in the deterrent, the police force enhancement, and the capturing of plate and other information not only on speed violators, but on those who would do the community harm. After some additional discussion, President Boos said the Commissioners would like to think about the project since it represents a significant change in the community, and discuss it in a subsequent meeting. The Commissioners thanked Mr. Hernandez for his time and his presentation.

VI. Consent Agenda for Minutes, Department Reports and Event Permits

- Minutes
 - February 7, 2018 - COSM Special Session
 - February 7, 2018 - Executive Closed Session
 - February 14, 2018 - COSM Work and Legislative Session
- Department Reports for February 2018
 - Police Dept
 - Disbursements for February
 - Profit and Loss Statements
 - Planning and Zoning
 - Public Works
 - Administration
 - Marketing and Communications
- Event Permits
 - Application for Public Event from St. Michaels Art League for The Annual Labor Day Art Show and Sale on Sept 1 and 2, for approx. 200 attendees.
 - Application for Public Event for St. Michaels Brewfest from Jon Mason on June 2, 2018 for approx. 900-1200 attendees from 11:00 am - 4:00 pm.
 - AND
 - the following 6 public events from the Chesapeake Bay Maritime Museum, all held on Museum property:
 - CBMM Community Day, May 20, 2018 from 10am - 4pm, approx. 500 attendees;
 - 4th of July Big Band Night, June 30, 2018 from 7pm - 10 pm, approx. 2,000 attendees;
 - Watermen's Day, August 12, 2018 from 10am - 5pm, approx. 2,500 attendees;
 - Boat Auction, September 1, 2018 from 8am - 5pm, approx. 800-1,000 attendees;
 - Small Craft Festival, October 6-7, 2018 from 10am - 5 pm, approx. 600-800 attendees;
 - Oyster Fest, October 27, 2018 from 10am - 5pm, approx. 3,000-4,000 attendees.

President Boos announced that a vote to approve the consent agenda would include approval of the minutes and departmental reports for the month of February 2018, and event permit requests as noted above. Regarding event permits, Commissioner Myers said he was assured that the Brewfest coordinators were aware of the new change in the liquor law and the Town's regulation against open containers and he urged the Maritime Museum to touch base with Chief Smith regarding coordinated plans for safety at on-premise museum events. As there were no additional comments or changes, President Boos called for a motion to approve the consent agenda as presented. Commissioner Michael Bibb made the motion, which was seconded by Commissioner Joyce Harrod, and which then passed on a roll call vote of 5-0 in favor.

President Boos and the Commissioners acknowledged the late arrival of Terrence Bailey, 5th great nephew of Frederick Douglass, presented him with a copy of the proclamation previously read into the record, and thanked Mr. Bailey for making the effort to come from Dover, Delaware for the meeting.

VII. Bids and Contracts

- South Fremont Street Parking Lot Improvements

One bid opened on February 16, 2018 from Bridges Site and Utilities Inc.

President Boos opened the discussion and called upon Mrs. Weisman for results of the bid opening for improvement of the Fremont Street parking lot. Mrs. Weisman said only one bid was received from Bridges Site and Utilities in the amount of \$80,092.10. Mrs. Weisman said the project would be funded out of the parking lot fund. Mrs. Weisman said the lot would be expanded to the full size of the lot with same number of spaces but proper access and egress as well as storm water and screening. President Boos said he felt the cost might be a bit high and he did not want to overpay. Mrs. Weisman said if the current bid is not acceptable, she recommended postponing the work until the fall.

Mrs. Weisman said staff was recommending acceptance of the bid and getting the job done before the end of May. Mrs. Weisman said the Town could add a performance clause to the contract award to impose a timeline (before the Running Festival), with violation incurring a penalty. There being general agreement, President Boos called for a motion. Commissioner Bibb made a motion to award the contract to Bridges Site and Utilities, but with a performance clause imposing a completion date by May 10th and if the deadline could not be met, the project would be delayed. Commissioner Myers seconded it, and the motion passed on a roll call vote of 5-0 in favor.

VIII. Ordinance eligible for Vote

Ordinance No. 488: Amendment to Noise - was Discussed and Introduced on February 14th by Commissioners Bibb and Boos and is now eligible for vote.

- Ordinance No. 488: Amendment to Noise

ORDINANCE OF THE COMMISSIONERS OF ST. MICHAELS AMENDNG THE CODE OF THE TOWN OF ST. MICHAELS, CHAPTER 216 (NOISE) BY AMENDING CHAPTER 216-3 (DEFINITIONS AND WORD USAGE) TO INCLUDE A DEFINITION OF THE TERM "COMMERCIAL CONTRACTOR"; AMENDING CHAPTER 216-6 (B) BY AMENDING EXISTING LANGUAGE AND INSERTING NEW LANGUAGE REGARDING NOISE MADE BY COMMERCIAL CONTRACTORS

President Boos opened the discussion and called upon Mrs. Warnick, who read the title of the ordinance into the record as noted above. Commissioner Bibb made a motion to adopt Ordinance No. 488, and President Boos seconded it, and then called for discussion. President Boos said his understanding of the ordinance change was that professional contractors cannot work on Sundays, other than emergencies. The Commissioners were general satisfied with the amendment, and Ordinance No. 488 passed on a roll call vote of 5-0 in favor.

IX. Boards and Commissions Appointment

- Appointment to Parks and Recreation Advisory Board for term ending December 31, 2018

Applicant - Karen Douglass of 212 E. Chestnut Street

President Boos said that Karen Douglass, 212 E. Chestnut Street, had put her name forward for a membership on the Parks and Recreation board for a partial term expiring on December 31st, 2018.

As there were no objections or comments, President Boos made a motion to appoint Karen Douglass to the Parks and Recreation Board. Commissioner Bibb seconded it, and the motion passed on a roll call vote of 5-0 in favor.

X. Ordinances for Consideration and Introduction

- Ordinance No. 486: Amend Official Zoning Map - Draft

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP FOR THE TOWN OF ST. MICHAELS AS PER CHAPTER 340 ZONING, ARTICLE I ZONING MAPS AND BOUNDARIES; APPLICABILITY OF THE ST. MICHAELS TOWN CODE; TO INCLUDE LANDS ANNEXED ALONG BROOKS LANE AS PER RESOLUTION NO. 2017-03; TO CLARIFY THE OFFICIAL MUNICIPAL BOUNDARIES OF THE TOWN AS DESCRIBED IN CHAPTER C-4 DESCRIPTION OF CORPORATE BOUNDARIES, RESOLUTION NO. 2005-23, AND RESOLUTION NO. 99-04 AND AS PER SURVEY PREPARED BY RAUCH ENGINEERING; AND TO SHOW THE HISTORIC DISTRICT OUTLINE AS REQUIRED BY CHAPTER 340-52A

(NOTE: Official zoning map to come Monday or Tuesday prior to meeting)

Mrs. Weisman opened the discussion, noting that the Town was amending the Zoning map to reflect the annexation of property along Brooks Lane and to clarify boundaries for that property and other boundaries belonging to the Town, as well as historic district boundaries, which were not previous versions of the map. Mrs. Warnick then read the title of Ordinance No. 486 into the record as noted above. Zoning Officer Sarah Abel said the only comment she wished to add was that the Planning Commission had its next regular meeting on March 22nd, and would need to make recommendation to the Commissioners that any zoning map changes are consistent with the Comprehensive Plan and the Zoning Code. Mrs. Weisman said the Commissioners could introduce the ordinance at tonight's meeting and would need to hold a public hearing. Commissioners Harrod and Myers introduced Ordinance No. 486 and Mrs. Weisman noted that a public hearing would be scheduled for the Commissioners' April meeting.

- Ordinance No. 489: Clarification of "dwelling unit" and "family" - Draft

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF ST. MICHAELS, CHAPTER 340 ZONING, SUBSECTION 340-108 DEFINITIONS; TO AMEND THE DEFINITIONS OF "DWELLING UNIT (HOUSEKEEPING UNIT)" AND "FAMILY" TO FURTHER DEFINE A SINGLE FAMILY DWELLING UNIT; AND TO LIMIT THE TOTAL NUMBER OF UNRELATED PERSONS THAT MAY DWELL AS A FAMILY

President Boos said that the Commissioners had received a Planning Commission recommendation regarding clarification of definitions for "dwelling unit" and "family" in the Zoning Code, subsection 340-108, and staff had drafted Ordinance No. 489 to make that change. Mrs. Warnick then read the title of the ordinance into the record as noted above. Ms. Abel said the basic change was in the number of unrelated people who could live together in a dwelling unit. President Boos said that ordinance also requires introduction by two commissioners, and a public hearing.

Commissioner Bibb and President Boos introduced Ordinance No. 489. Commissioner Myers said he was unclear about the definition of a joint rental agreement. Ms. Abel said she could add a clarification on agreements to the draft ordinance. Mrs. Weisman said the public hearing for Ordinance No. 489 would be scheduled for the Commissioners' April meeting.

XI. Commissioners Calendar

The Commissioners and Mrs. Weisman discussed agenda items for their April meeting, including a public hearing for the budget and another discussion of speed cameras.

XII. Comments from the Commissioners

There were no additional comments from the Commissioners. President Boos invited public comment. Mr. Estrella of E. Chew had questions and comments regarding the speed camera project. He said that, having more details, he was not as opposed to speed cameras as he was, but was still not in favor of turning law enforcement over to private companies. Mr. Estrella also questioned what was the real deterrent - the camera or the sign? Mrs. Boos of Talbot Street said she saw speeding on Talbot Street all the time and it was a clear safety hazard for children, animals and adults. Mr. Lufner from the Governor's office reiterated that there are no points assigned peoples' licenses when the cameras detect a speeding violation, unlike ticketing by a police officer.

XIII. Announcement of Future Meetings

March 20 2018 - 10-4pm Budget
March 21 2018 - 10-4pm Budget
March 21 2018 - 6:00 - COSM Work and Legis Session
March 27 2018 - 10-4pm Budget
March 30 2018 - Office closed for Good Friday

President Boos announced the next meetings and events.

XIV. Adjournment of Open Session

At close of Open Session, COSM will convene into Closed Session

The public meeting was adjourned at 8:10 **p.m.**

XV. Call to Order for Closed Executive Session

Pursuant to Maryland Code, under the Open Meetings Act, General Provisions Article Section 3-305 to discuss the following: (3) To consider the acquisition of real property for a public purpose and matters directly related to the acquisition; and (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations.

President Boos made a motion to move into closed session as stated above.

Commissioner Bibb seconded it and the motion passed on a roll call vote of 5-0 in favor.

XVI. Adjournment

Public Participation: All comments from the public will be taken during the period set aside for "Comments from the Public". To be recognized, a member of the public should raise his or her hand and wait to be recognized by the President. Comments and questions should be kept brief and to the point, and be directed to the President.