

May 11, 2016

Present

Commissioners Joanne Clark, Jaime Windon, Joyce Harrod, Ann Borders and Roy Myers, Jean Weisman, Town Clerk / Manager, Administrative Clerk Suzanna Warnick, Commissioner Elect Mike Bibb, and no members of the public.

Working Session – 1:00 p.m.

Call to Order

President Clark called to order a working session of the Commissioners of St. Michaels at 1:00 p.m. in the meeting room of the Edgar M. Bosley, Jr. Municipal Building, 300 Mill Street, St. Michaels, Maryland.

Working Session

- Interviews

The Commissioners discussed their strategy for conducting interviews with the prospective applicants for the Utility Line relocation feasibility study. Upon conclusion of the discussion, President Clark called for a motion to move into Closed Session. Commissioner Borders made the motion, which was seconded by Commissioner Myers, and which passed on a roll call vote of 5-0 in favor. Closed Session adjourned at 5:00 pm.

Regular Working Session – 6:00 p.m.

Present

Commissioners Joanne Clark, Jaime Windon, Joyce Harrod, Ann Borders and Roy Myers, Jean Weisman, Town Clerk / Manager, Zoning Officer Sarah Abel, Administrative Clerk Suzanna Warnick, Commissioner Elect Michael Bibb and three members of the public.

Call to Order

President Clark reconvened the regular public working 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.

Announcement of Prior Closed Session

President Clark announced that the Commissioners had met in closed executive session today at 1:00 pm to conduct interviews with Booth & Associates, and AECOM, prospective applicants to perform a relocation feasibility study on utility lines along Talbot Street. The session was in compliance with Maryland Code, State Government Art., §10-508 (a) (1) (i) Personnel: the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; and (14) before a contract is awarded or bids are opened, discussion of a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process. The session was adjourned at 5:00 p.m.

Public Announcements from COSM, Staff and Public

Mrs. Weisman said that three commissioners had been elected in the election held on

May 2, 2016. Joyce Harrod, current Commissioner, was elected for a returning term, and Michael Bibb and Bill Boos are the new Commissioners. Mrs. Weisman noted that each will serve a four-year term ending in 2020 and that the swearing in of the new Commissioners will be at the June 8, 2016 meeting at 4:00 p.m. Mrs. Weisman also announced that the 4th Annual St. Michaels Run Fest race will be held on Saturday, May 21st beginning at the high school and ending at approximately 8:00 a.m. behind the pharmacy. Mrs. Weisman also noted that CasandraVanHooser of the Talbot Co. Tourism Office has won the bid to host the annual meeting of the Mid-Atlantic Tourism Public Relations Alliance that will be held September 13-15, 2016. Mrs. Weisman said that St. Michaels would be accommodating 50-75 travel writers and 50 destination marketing officers on September 13th at the Harbor Inn.

Consent Agenda

President Clark announced that a vote to approve the items on the consent agenda would include approval of department reports for the month of April 2016, approval of a Public Event permit from St. Michaels Art League for an art show and sale at St. Luke's church, and approval of a Public Event permit from Brown Box Theatre Project for Free Shakespeare in the Park on Saturday, Sept. 10th, in Muskrat Park. President Clark noted that the disbursements for April 2016 totaled \$ 647,575.44, of which the following were expenditures:

- \$ 24,093.69 aggregate to URS Corp. for Arsenic Engineering Contract Admin. and Engineering costs
- \$400,054.32 to Johnston Construction Co, for Arsenic Removal Contract
- \$18,260.00 to M & T Bank for CDA Financing Bond for North Tower

President Clark 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 called for a motion to approve the consent agenda as presented. Commissioner Myers made the motion, which was seconded by Commissioner Borders, and which passed on a roll call vote of 5-0 in favor.

Ordinances for Discussion and possible Introduction

- Ordinance No. 473: Amend Chapter 340-27, Critical Area Notification

Zoning Officer Sarah Abel provided an overview of Ordinance No. 473. As there were no additional comments from the Commissioners or the public, President Clark called for introduction of Ordinance No. 473. Commissioners Harrod and Borders introduced the ordinance and President Clark called upon Mrs. Warnick, who read the title of the ordinance into the record as follows:

ORDINANCE NO. 473, AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF ST. MICHAELS; CHAPTER 340 ZONING, §340-27 CHESAPEAKE BAY CRITICAL AREA OVERLAY DISTRICT; TO AMEND ATTACHMENT 2, APPENDIX B FOR "SUMMARY OF NOTIFICATION REQUIREMENTS CRITICAL AREA COMMISSION" TO FOLLOW STATE OF MARYLAND CRITICAL AREA COMMISSION NOTIFICATION REQUIREMENTS FOR LOCAL GOVERNMENTS, UNDER COMAR 14.20

President Clark said the public hearing for Ordinance No. 473 would be held on May 25th and the ordinance would be eligible for a vote on June 22, 2016.

- **Ordinance No. 474: Amend Chapter 340 regarding Sheds**

President Clark called upon Sarah Abel, Code and Zoning Enforcement Officer, who provided an overview of the proposed Ordinance. There were no additional comments from the Commissioners or the public. As there were no comments or substantive changes to the ordinance, President Clark called for introduction of Ordinance No. 474. Commissioners Borders, Myers and Windon introduced the

ordinance. President Clark then called upon Mrs. Warnick, who read the title of Ordinance No. 474 into the record as follows:

ORDINANCE NO. 474, AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF ST. MICHAELS; CHAPTER 340 ZONING, TO MODIFY THE TERM AND DEFINITION OF “SMALL UTILITY STRUCTURE” TO “ACCESSORY STRUCTURE, SHED” UNDER §340-108 DEFINITIONS; TO ADD SIDE YARD REQUIREMENTS FOR AN “ACCESSORY STRUCTURE, SHED” TO BE PERMITTED WITHIN TWO FEET FROM THE SIDE PROPERTY LINE WITH A LETTER OF NO OBJECTION FROM THE NEIGHBORING PROPERTY OWNER WHO ABUTS THE AFFECTED SIDE PROPERTY LINE IN THE RESIDENTIAL 3 (R3) ZONE UNDER §340-21 AND RESIDENTIAL GATEWAY (RG) ZONE UNDER §340-22; TO AMEND THE SIDE YARD REQUIREMENTS UNDER RESIDENTIAL 1 (R1) ZONE UNDER §340-19 AND RESIDENTIAL 2 (R2) ZONE UNDER §340-19 TO REFLECT THE REVISED TERM “ACCESSORY STRUCTURE, SHED”; AND TO LIMIT ONE “ACCESSORY STRUCTURE, SHED” TO BE PERMITTED WITHIN TWO FEET FROM THE SIDE PROPERTY LINE WITH A LETTER OF NO OBJECTION FROM THE NEIGHBORING PROPERTY OWNER WHO ABUTS THE AFFECTED SIDE PROPERTY LINE IN ALL RESIDENTIAL ZONES

President Clark said that a public hearing on the Ordinance would be held on May 25, 2016, and that the ordinance would be eligible for a vote on June 22, 2016.

- **Ordinance No. 475: FY16 Budget Amendments**

President Clark called upon Town Manager Jean Weisman, who provided an update on the proposed ordinance. Mrs. Weisman she had made the necessary changes based on actual costs for various line items and projects. Mrs. Weisman also noted that the proceeds from the sale of the properties on Conner Street would be added to the parking lot fund. The Commissioners agreed. Mrs. Weisman said the adjustments made had again balanced the budget. There were no comments from the public. President Clark then called for introduction of Ordinance No. 475. Commissioners Clark and Myers introduced the ordinance. President Clark then called upon Mrs. Warnick, who read the title of Ordinance No. 475 into the record as follows:

ORDINANCE NO. 475, AN ORDINANCE OF THE COMMISSIONERS OF ST. MICHAELS TO AMEND THE BUDGET FOR FISCAL YEAR 2016, AS ADOPTED ON APRIL 22, 2015, EFFECTIVE MAY 13, 2015

President Clark said that a public hearing was not necessary for this ordinance, and that a vote could be held on May 25, 2016.

Items for Discussion

- **Fiscal policy on the utility fund**

President Clark noted that Commissioner Myer had requested that this discussion be calendared. Commissioner Myers said he thought there should be a floor in the utility fund below which the funds cannot go. Commissioner Myers said he believed the bulk of the utility fund should serve as the Town’s “rainy day” fund in the event of future unforeseen expenditures. After a discussion of some length, the Commissioners agreed that the current commission would recommend at least \$ 2 million/\$3.5 million should remain in the utility fund and that the matter should be forwarded to the new commission to determine the final amount.

Commissioners’ Calendar

- Talbot Street Parking

The Commissioners of St. Michaels
May 11, 2016

Mrs. Weisman said she had drafted a letter to the State Highway regarding parking on Talbot Street. Commissioner Clark recommended that the issue be calendared for the meeting on June 8, 2016 and the other Commissioners agreed. The Commissioners discussed other agenda items for future meetings, calendared the fiscal policy/utility fund issue for the June 22, 2016 meeting, but declined to calendar any other items before the new Commission took office.

Comments from the Public

George Clark of Perry Cabin Drive urged the Commissioners not to do a Charter change for the utility issue, but to consider a policy change so that the only way to replace the funds would be to increase taxes (Mill rate).

Comments from the Commissioners

There were no additional comments.

Announcement of Future Meetings/Events

President Clark made the following announcements:

- May 25, 2016 – 6:00 – Town Office – COSM Regular Legislative Session
- May 30, 2016 – Town Office closed for Memorial Day

Adjournment

The meeting was adjourned at 7:10 p.m.

Respectfully submitted,

Suzanna Warnick
Administrative Clerk

Public Handouts:

Agenda

Department Reports

Ordinance No. 473 – Amend Chpt 340-27, Critical Area Notification

Ordinance No. 474 – Amend Chpt 340 Sheds

Ordinance No. 475 – Amend FY16 Budget