

MINUTES

COSM

Commissioners

COSM Work and Legislative Session

Wednesday, April 10, 2019, 6:00 pm - 8:00 pm

Edgar M Bosley Jr. Municipal Admin Building

300 Mill Street; PO Box 206

St. Michaels, MD 21663

I.

Call to Order - Pledge of Allegiance

- President Boos convened the combined working and legislative session of the Commissioners of St. Michaels in the meeting room of the Edgar M. Bosley, Jr. Municipal Building, 300 Mill Street, St. Michaels, Maryland at 6:00 p.m., and the Pledge of Allegiance was recited. Present were Commissioners Bill Boos, Joyce Harrod, Jaime Windon, Michael Bibb, and Michael Gorman, Police Chief Anthony Smith, Town Manager Jean Weisman, Legislative Clerk Suzanna Warnick, and approximately 38 members of the public.

II.

Agenda Amendments

- President Boos announced that there were two agenda amendments - a discussion of the St. Michaels Museum request for an addition and consideration of the LEOPs Resolution 2019-01. President Boos asked if any of the Commissioners had objections to the change. There were no objections.
-
- St. Michaels Museum request for addition
- LEOPS

Resolution 2019-01 - Law Enforcement Officers' Pension System (LEOPS)

Town Manager Jean Weisman explained that the Commissioners had voted in their budget sessions to contribute to the LEOPS pension program that is part of the State Pension System. In order to participate, the Commissioners must pass a Resolution authorizing the transfer of law enforcement officers into the LEOPS program. Mrs. Weisman said the resolution was provided by the pension program and makes participation effective July 1, 2019. President Boos made a motion that Resolution 2019-01 be adopted. Commissioner Bibb seconded it. President Boos called for comments from the Commissioners. As there were

no additional comments, Mrs. Warnick then read the title of the ordinance into the record as noted above, and called the roll. The motion passed on a vote of 4-0, with Commissioner Harrod recusing herself.

III.

Announcements from COSM and Staff

- Town Manager Jean Weisman announced that Commissioner Bibb's next "Conversation with a Commissioner" would be on Saturday, April 20, 2019 at 8:30 a.m. in the Town Office meeting room. Mrs. Weisman reminded everyone that the next Commissioners' meeting would be Monday, April 22nd in the Museum's Steamboat Building, now known as the Van Lennep Auditorium, at the usual time of 6:00 p.m. Mrs. Weisman said the first four tree grates would be installed by Friday, and noted that the trees for those grates would be planted on Monday, at which time work would cease. Mrs. Weisman said work would begin again after Winefest to take advantage of the three weeks between Winefest and the Running Festival. Mrs. Weisman said the notice for the formation of the Ad Hoc Communications Committee was posted last week and that anyone interested in serving should submit a letter to her. Mrs. Weisman said Planning Commission Chairman Dennis Glackin's summary of all the questions on the Zoning Survey was emailed and posted on the Town website. Mrs. Weisman noted that Commissioner Bibb is working on the improvements to the Boy Scout Cabin and will provide an update on the progress.

IV.

Comments from the Public

- President Boos called for public comments. Tad DuPont of Locust Street said he was concerned that the public did not have a chance to respond to participation in the LEOPS program. Mr. DuPont also suggested a tax reduction of .03 for taxpayers. Kristin Greenaway of the CBMM thanked the Town for their support of the Sea Glass Festival. Ms. Greenway said the Museum and the Town had just under 6,000 visitors on Saturday and another 3,000 on Sunday, and the event was successful economically for everyone.

Mr. Novak of E. Chew Avenue said the St. Michaels Action Committee had filed a formal ethics complaint against Commissioner Boos arising from his relationship with Curtis Stokes and Associates and the CBMM, all in connection with the refusal of Commissioner Boos to permit consideration of the Town's property at 301 Mill Street as a potential site for the town office and police station. Mr. Novak said the Commissioner Boos was given an opportunity to review the

complaint before it was filed. Commissioner Boos asked for a copy of the statement and made it a part of the meeting record.

Tad DuPont of Locust Street announced that driving education classes would be held at the Motor Museum for high school students and other new drivers, and he noted that the Motor Museum began sponsoring a St. Michaels girls Lacrosse team last year and they just won a game against Easton Middle School's team with a score of 8-4.

Kristin Greenaway said the Museum was looking forward to purchasing the sewage pumping property for additional parking for the museum and for the benefit of the entire Town.

David Briemhurst of E. Chew Avenue congratulated the Planning Commission for the zoning survey and the very professional summary of the results produced by Planning Commission Chairman Dennis Glackin.

V.

Public Hearing

-
-

Ordinance No. 502 - Budget FY2020

- AN ORDINANCE OF THE COMMISSIONERS OF ST. MICHAELS TO SET THE TAX RATE AND ADOPT THE BUDGET FOR FISCAL YEAR 2020
- President Boos opened the public hearing on Ordinance 502 and Mrs. Warnick read the title as noted above and Exhibits 1-5 into the record as follows:

Exhibits

1. Copy of Draft Ordinance No. 502 dated as of April 10, 2019
2. Copy of Constant Yield Tax Rate Notice (1/8 page - Section A) of Public Hearing to be held on April 10, 2019, which was posted on the bulletin board in the Town Office, Post Office and on the Town Website, and published in the Star Democrat and Chesapeake Internet on March 31, 2019

3. Affidavit of Publication from Star Democrat for Notice of Constant Yield Tax Rate Notice of Public Hearing
4. Copy of Public Notice of Public Hearing on Budget and Tax Rates to be held on April 10, 2019, which was posted on the bulletin board in the Town Office, Post Office and on the Town Website, and published in the Star Democrat and Chesapeake Internet on April 2, 2019
5. Affidavits of Publication from Star Democrat for Notice of Public Hearing on Budget and Tax Rate.

Mrs. Weisman said the Commissioners held two budget workshops – on March 26th and 27th. The tax rate was set at 52.4 cents, the same as last year. Mrs. Weisman said if the Town maintains the same tax rate, we will see a \$40,000+ increase in the real estate taxes over last year. Mrs. Weisman said there would be a public hearing on the constant yield tax rate at the Commissioners April 22nd meeting, which is required if the tax rate is set above 51.03 cents. Mrs. Weisman said the personal property tax rate remains at zero, and the utility rate remains at \$1.60 per \$100 of assessed value. Mrs. Weisman said the Town would see a \$25,000 decrease in revenue from income taxes, while the Town did see an increase of \$35,000 in the accommodations tax revenue over last year, and a \$60,000 increase in highway user tax revenue. Mrs. Weisman provided other budget highlights and President Boos then invited public comment.

Tad DuPont of Locust Street repeated his request to give some relief for taxpayers. Mr. Myers of E Chestnut Street said he was pleased that the Town was maintaining the reserve fund, and he asked for an update on the County covering the cost of repair to our roads. President Boos said that Ray Clarke had made a verbal commitment to fixing the roads after the sewer repairs. Donna Hunt of E. Chew Avenue said she wanted the Town roads put back the way they were before the County tore them up, and that tar and chip was unacceptable. Mike Estrella of E. Chew asked about the speed cameras. Chief Smith said the project was still in process, having been held up at the State level. He noted, however, that the signage has been ordered but it will be probably mid-summer before the cameras are operational on the school area of Talbot Street. Mrs. Weisman said she had budgeted conservatively on the potential revenue from the cameras so as not to count on revenue that may or may not be there. President Boos said he believed there would not be a revenue windfall, but rather behavior modification of people who use Talbot Street Monday-Friday from 6 a.m. to 8 p.m, the only times when the cameras would be operational, in accordance with State law. Commissioner Bibb answered questions about the roads, noting that the County had found that they needed to repair more lateral pipes than they anticipated.

Commissioner Bibb said he believed that the taxes should be lowered .03-.05 cents. Mrs. Wald of Grace Street asked what the LEOPS program would cost.

As there were no other comments, Commissioner Boos and Commissioner Windon introduced Ordinance 502, which would be eligible for a vote at the April 22nd meeting.

- VI.

Consent Agenda for Minutes, Department Reports and Event Permits

Minutes

March 7, 2019 - COSM Regular Work & Leg Session

March 26, 2019 - FY2020 Budget Session

March 27, 2019 - FY2020 Budget Session

Department Reports for March 2019

Police Dept.

Finance Dept.

Public Works

Administrative

Planning and Zoning

Communication and Tourism

Event Permits

- -- Permit Application from Jon Mason, for St. Michaels BrewFest, on June 1, 2019 from 11am - 4pm, held on private property for approx. 1,000 attendees;
- -- 7 Permit Applications from Chesapeake Bay Maritime Museum, all held on CBMM campus, permits include Sign Permit and Outdoor Speakers Permit, as follows:
 - * Community Day, May 18 2019, 10am - 4pm
 - * Maritime Day, June 1 2019, 10am - 4pm

- * Big Band Night, July 6 2019, 7pm - 10pm
- * Watermen's Appreciation Day, August 11 2019, 10am - 5pm
- * Charity Boat Auction, August 31 2019, 8am - 5pm
- * Mid-Atlantic Small Craft Festival, October 4 & 5 2019, 10am - 5pm
- * OysterFest, October 26 2019, 10am - 4pm
- President Boos said a vote for the consent agenda would include approval of the Departmental Reports for the month of March 2019 and event permits as noted above. As there were no comments or questions, President Boos called for a motion to approve the consent agenda as presented. Commissioner Windon made the motion, which was seconded by Commissioner Bibb, and which then passed on a roll call vote of 5-0 in favor.
-
- VII.

Bids and Contracts

Bids - Pier Improvements at West Chew Waterman's Pier (Back Creek Park)

- 2-bids received - Davis Bowen & Friedel and Lane Engineering
- President Boos said that after four years of waiting, the Town had finally received approvals from the Corps of Engineers to go forward with improvements to the Waterman's Pier at Back Creek Park. Mrs. Weisman said the project was put out to bid for engineering services and two bids were received - one from Davis, Bowen and Friedel for \$22,300 and one from Lane Engineering for \$28,500. Mrs. Weisman said that DNR has approved the low bidder and staff was recommending Davis, Bowen and Friedel for the contract. Commissioner Boos made the motion to approve award of the engineering contract to Davis, Bowen and Friedel. Commissioner Harrod seconded it, and the motion passed on a roll call vote of 5-0 in favor.
- •

Bids - Wayfaring Signage

- President Boos said the Town put out for bids on a project to develop professional, comprehensive wayfaring signage for the Town of St. Michaels. President Boos said that several bids were received and all the bids were outrageously expensive with the least costly being in the amount of \$48,500. President Boos said he believed that none of the bids were reasonable, that he had checked bids from a previous bidding round in 2015 that were in the \$7-15,000 range. President Boos said he thought all the current bids

should be rejected and called for a motion. Commissioner Bibb made the motion to reject all the bids. Commissioner Boos seconded it, and the motion carried on a roll call vote of 5-0 in favor.

- VIII.

Ordinances for Consideration or Introduction

Ordinance No. 501 - Surplus Property - Knapp

- AN ORDINANCE TO DECLARE AS SURPLUS PROPERTY OWNED BY THE TOWN OF ST. MICHAELS, LYING AND BEING ON THE WESTERLY SIDE OF CHESAPEAKE AVENUE LOCATED IN THE TOWN OF ST. MICHAELS, TALBOT COUNTY, MARYLAND
- Mrs. Warnick read the title of Ordinance No. 501 into the record as noted above. President Boos called for comments. Commissioner Gorman said this ordinance had been delayed in order that proper research could be done to ensure that the Town would not be negatively impacted by this action. Commissioner Gorman said he had weighed every scenario he could imagine and was confident it was a reasonable decision and the monies offered for the property were reasonable. President Boos verbally polled the other Commissioners, who were in agreement to go forward with the ordinance. Commissioners Windon, Boos and Harrod introduced Ordinance No. 501. President Boos said Ordinance No. 501 would be the subject of a public hearing and would be eligible for a vote at the Commissioners' meeting on April 22, 2019.
- IX.

Items for Discussion

St. Michaels Museum

Request for permission to add addition

- Jeff Fones, Chairman of the St. Michaels Museum, made a request for permission from the Town, as the owner of the property, to add an addition to the Museum's Teetotum building that will enable the museum to fully utilize the Chaney House for a Living History Exhibit. Mr. Fones also said the museum was asking for a letter of support from the Commissioners so the museum could apply for, and hopefully attain, a grant for the project from the Stories of the Chesapeake organization. President Boos asked Mrs. Weisman the procedure for the requests. Mrs. Weisman said the Commissioners could vote to allow the addition and direct staff to write a letter of support. Mrs. Weisman added that

she had already received four letters in support of the project. All the Commissioners expressed their support for the project. Commissioner Harrod then made a motion that the Commissioners approve the addition to the Teetotum Building situated on Town property and that a letter of support for the grant be written. Commissioner Bibb seconded it, and the motion passed on a roll call vote of 5-0 in favor.

Memorandum of Understanding between Housing Commission of Talbot and Commissioners of St. Michaels

- President Boos explained that the Memorandum of Understanding (MOU) between the Town and the Housing Authority would be updating the current MOU to provide the Town greater flexibility to deal with activities that are not allowed on federal property. After a brief discussion, Commissioner Boos made a motion to approve the MOU as presented. Commissioner Windon seconded it, and the motion passed on a roll call vote of 4-0 in favor, with Commissioner Bibb recusing himself.
-

Town Property Disposition Plan

- President Boos said the Commissioners had before them a list of every property the Town owns and that the Commissioners should review and discuss each property and then decide whether it should be retained or sold. Mrs. Weisman said she needed the Commissioners to instruct her to create surplus property ordinances for any of the properties they wished to sell. Commissioner Boos said he thought the properties that were potentially saleable were 109 South Talbot, 203 Railroad, 301 Mill Street, and Boundary Lane. Mrs. Weisman said that 203 Railroad had a water tower on it at one time, that it is a buildable lot, but pipes would have to be removed.

Commissioner Bibb said he didn't think that 301 Mill Street should be sold in case the Town needs a lot for a police station at some later date. Commissioner Bibb said he also did not want to sell Boundary Lane because he would like to have a gateway visitors' center and a Memorial Park there. Commissioner Bibb said he was also in favor of selling 109 S. Talbot Street. Commissioner Boos noted that the Talbot Street property brings in \$48,000/year in rent and that a sale should be weighed against a continuing income.

Commissioner Boos said he agreed with the visitors' center/Memorial Park on 1/2 of the Boundary Lane property but that the other half of the property on the W. Maple Street side should be sold as a residential lot. Commissioner Windon agreed.

After some additional discussion, the Commissioners agreed to get a market analysis of each of the properties and directed staff to find an appraiser.

-
-

New St. Michaels Flag Contest

- Commissioner Bibb provided an update on the Town Flag project, noting that the Town had received 17 entries of artwork for a new flag, and the Flag Committee selected four outstanding entries. Following a discussion of some length, the Commissioners agreed that the four entries would be put out on a ballot for the public to vote, and that voting - one vote per in-Town address/household - would have an end date of May 1st. Mrs. Weisman said the Commissioners would have the results of the vote for their May 8th meeting.

-
-

Continuing replacement of S Talbot Street sidewalks

- Mrs. Weisman said that money was included in the budget for improvement of sidewalks in Town with a goal of extending the brick sidewalks past the brewery, and repairing curbs. There was a discussion of timing and phases. It was suggested that there be a meeting of the Commissioners with all the businesses owners to get opinions on the project and what would work best for the businesses. The Commissioners agreed. Mrs. Weisman she would set up the meeting.
- X.

Commissioners Calendar

- Refurbish Alleys
- Mrs. Weisman said bids for the pole barn for the Town Shop were going out and would be ready for discussion at the Commissioners May 8th meeting. The Commissioners agreed to a second meeting in May on Tuesday May 21st. Mrs. Weisman said she would also like to schedule a closed session on May 1st 4:00 p.m. as it would be Commissioner Gorman's last day. The Commissioners agreed, and also added a discussion of the Town's alleyways to their May 8th agenda.
- XI.

Comments from the Commissioners

- Commissioner Gorman encouraged the public to take the time to listen to the audio of the last 20 minutes of the Commissioners' budget meeting on March 27th to hear the discussion of taxes and other issues.

The Commissioners then took additional public comment. Mike Estrella of E. Chew Avenue asked what was the next step now that a formal ethics complaint

had been filed. Mrs. Weisman said the complaint would be reviewed by the Town's ethics counsel. Jim Fulton of Cherry Street urged the Town to consider Historic District signs in any wayfaring signage plan. Mr. Fulton said he liked the idea of putting the historic train station on the Boundary Lane property and using it as a visitor's center, but he said he had concerns about how it would be staffed. Mr. Fulton also said he had a concern about the loss of a \$48,000 revenue stream if the 109 Talbot Street property was sold and what would replace that revenue source. Roy Myers of Chestnut Street questioned whether a visitor's center on Boundary Lane was a good idea, considering it was on the wrong side of the road for inbound traffic. Mr. Myers also noted that the Mill Street property may be subject to serious flooding due to nuisance flooding and/or sea level rise in the near future, and may not be a good choice for public buildings. Marie Martin of Cherry Street and Jay Fink of E. Chew were both in favor of independent feasibility studies for each of the properties before appraisals were even considered. Langley Shook of Tricefield Road had a request regarding the Town sidewalks. Mr. Shook said historically the Town has asked for donations to help pay for brick sidewalks and urged the Commissioners to see the sidewalk plan through to completion. Mr. Shook also had complaints about the schedule of work being done on Talbot Street and urged that the timing of such work should consider business hours and restaurant meal schedules.

Upon request of the reporter for the *Star Democrat*, Mrs. Warnick supplied a copy of the ballot for the Town flag voting, and Mrs. Weisman noted that the ballot would be distributed via Constant Contact e-mail, copies provided at the Post Office and the Library, the Town Office and on the Town's website.

- XII.

Announcement of Future Meetings

- April 19 2019 - Office closed for Good Friday / Passover

April 22 2019 - 6:00 - CBMM Steamboat building - COSM Work and Legislative Session

- President Boos announced future meetings as noted above.
- XIII.

Adjournment

- The meeting was adjourned at 8:10 p.m.

NOVAK STATEMENT

The St. Michaels Action Committee LLC today filed a formal ethics complaint against Commissioner Boos. The complaint alleges a violation of the St. Michaels Ethics Ordinance by Commissioner Boos arising out of his relationship with Curtis Stokes and Associates and the relationship of Curtis Stokes and Associates with the Chesapeake Bay Maritime Museum, all in connection with the refusal by Commissioner Boos to permit consideration of the town's property at 301 Mill Street as a potential location for the town hall and police station.

Commissioner Boos was afforded an opportunity to review the complaint before it was filed. The St Michaels Action Committee will have no further comment at this time.

4.10.19