

MINUTES

COSM

Commissioners

COSM Work and Legislative Session

Wednesday, February 13, 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 45 members of the public.
- II.

Agenda Amendments

- President Boos said that the meeting agenda would begin with a special presentations.
- III.

Announcements from COSM and Staff

- President Boos read a Proclamation celebrating Town Manager Jean Weisman's thirty-five years of service to the Town of St. Michaels. Mrs. Weisman was presented with a silver tray featuring the Town's Seal.

President Boos introduced Charlene Brooks, Manager of the Talbot County Senior Center, an affiliate of Upper Shore Aging. Mrs. Brooks provided some history of her organization, and said that Upper Shore Aging would have space in the new YMCA building in St. Michaels for a Senior Center. Mrs. Brooks noted that the completion date for the YMCA building is June 2019, and outlined hours of operation and some of the class offerings and features at the new Senior Center. Mrs. Brooks also said the organization was asking for donations and volunteers, and would like a Commissioner to sit on the their Advisory Committee, which would meet for the first time on March 7th at 1:00 p.m. at the

old YMCA location. President Boos thanked Mrs. Brooks for the update and said the Commissioners were looking forward to the new YMCA facility, and especially the indoor pool.

President Boos said the Commission would now take open public comment, followed by a Public Hearing and another session of public comment related to the public hearing and Ordinance 499.

President Boos first called upon Mrs. Weisman for public announcements. Mrs. Weisman said Commissioner Bibb's next "Conversation with a Commissioner" would be Saturday, February 16th at 8:30 a.m. in the Town Office, followed by an open forum at 2:00 p.m., hosted by the Planning Commission. She noted the Planning Commission would be inviting discussion of the zoning survey that was sent out to residents, and answer any questions about the survey and the zoning re-write process in general. Mrs. Weisman said that the Town had finally received the permit for the dock at Back Creek from the Army Corps of Engineers that has been outstanding for about two years. Mrs. Weisman said the Town can now go forward with putting the project out to bid. Mrs. Weisman also said the Planning Commission has just started meetings to renew the Town's sustainable communities designation, which is a 5-year license enabling the Town to access community grant funding. Commissioner Bibb said he had recently met with the Rotary Club about moving forward on the renovation of the Boy Scout building, with a target completion date of June 2019 and a cost of about \$80,000. Commissioner Windon said she had asked the Ethics Commission to look into any potential conflict of interest she might have because of her membership in the Museum Friends or the sale or donation of product from her St. Michaels business.

- IV.

Comments from the Public

- President Boos then invited public comment. Jim Fulton of Cherry Street commended Commissioner Boos and Commissioner Windon for their cooperation and good humor with regard to the conflict of interest, and said he hoped that, concerning any of the controversial issues in Town, reasonable people will be able to agree to disagree and reach a consensus. David Briemhurst of E. Chew Avenue urged the Commissioners to fund a feasibility study of all the possible locations for a town office and police station in the Town. Roy Myers of E. Chestnut said that he wanted to praise Jean Weisman for her diligence in pursuing the permit for the Back Creek dock and Watermen's park. Karen Wald of 107 Grace Street expressed concern about the potential for overdevelopment in the Town. John Novak of W. Chew Avenue urged the Commissioners to do a cost/benefit analysis of the two town office sites -

Fremont and Mill Streets - to determine which was most cost effective. Kristin Greenaway, President of the Chesapeake Bay Maritime Museum (CBMM), provided some history of the CBMM's proposed purchase of the skateboard park property, and the Town's proposed purchase of the museum's Pinkett House property. Ms. Greenaway said that the museum had decided not to build on the skateboard park property because of the cost of moving the sewer lines and because the sewer and easement restrictions would prohibit the construction of the size building the museum needed. Ms. Greenaway noted that the museum had concluded that the best use of the skateboard property was for parking. President Boos said that anyone who had questions or comments for Ms. Greenaway could follow up with her outside of the meeting.

Randy Royer of the St. Michaels Business Association said Ms. Greenaway's comments were "Exhibit A" for why an independent feasibility study was necessary. Mr. Royer also noted that he opposed the museum's plan to have a café on the museum property.

President Boos then closed the public comment session. Commissioner Bibb made a motion to commission a feasibility study. Commissioner Harrod seconded it. President Boos said the matter was open for discussion. President Boos then proceeded to address inaccuracies in local press reports about the town office project. President Boos said the Commissioners had devoted countless hours, visited other towns, and consulted professional opinions at every juncture in choosing the site for the town office and it was his belief that the Fremont site was the best site. President Boos said that regarding town-owned properties, he would be asking the Commissioners to review a list of all Town-owned properties and to determine a disposition for each, including the skateboard park property. President Boos' remarks are made part of the record and these minutes.

Commissioner Windon said she agreed with 95% of Commissioner Boos' comments and believed the Town had done its due diligence on this project. Commissioner Bibb said he favored a new combined town office/police station complex. Commissioner Harrod said the current police station was inadequate. President Boos asked if there were any further comments and concluded by stating that he would not vote to spend \$5 million dollars of taxpayers' money on a town office/police station complex. The Commissioners then voted on the motion to commission a feasibility study. The vote was 2-2 and the motion failed. Commissioners Harrod and Bibb voted in favor of the

study. Commissioners Boos and Windon voted against the study, Commissioner Gorman abstained from voting.

- V.

Public Hearing

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ORDINANCE NO. 499: AN ORDINANCE TO AMEND CHAPTER 340-34 C. (n) TO CHANGE THE PARKING REQUIREMENT FOR OFFICES, AND TO ADD A NEW SUBSECTION v. THAT WILL ALLOW THE PLANNING COMMISSION TO REVIEW PARKING NEEDS AND PERMIT A DEVIATION FROM THE PARKING REQUIREMENTS

- Introduced on January 10, 2019 by Commissioners Windon and Boos.
- President Boos opened the public hearing on Ordinance No. 499. Mrs. Warnick turned in the sign-in sheet for those wishing to make comment, and read the title of Ordinance No. 499 into the record as noted above. Mrs. Warnick also read the following exhibits into the record:

Exhibit 1 A recommendation from the Planning Commission dated January 23, 2019

requesting an amendment to Chapter 340-34, Parking

Exhibit 2 Copy of the proposed Ordinance for the public hearing, dated February 13, 2019

Exhibit 3 Copy of the Notice of the Public Hearing to be held on February 13, 2019, which

was posted on the Town bulletin board, the Post Office and the Town's website,

and published in the Star Democrat and Chesapeake Internet on January 29th

and February 5, 2019

Exhibit 4 Affidavit of Publication from the Star Democrat for the Notice of Public Hearing

President Boos said he had three signatures from those wishing to comment, and called upon Jeff McGuinness of Perry Cabin Drive. Mr. McGuinness said he was in favor of the ordinance, and that he did not think building a police station in the Town's prime tourist area with a scenic water view was an appropriate move by the Town. Ms. Khalil of Cherry Street said she supported locating the Town and the police station on Mill Street. Jim Fulton of Cherry Street said he supported the ordinance and that giving the Planning Commission flexibility of review of parking on a case-by-case basis was a positive step. There were no additional comments.

President Boos said Ordinance No. 499 was introduced by two Commissioners at the January 10, 2019 and was duly advertised. Commissioners Boos then closed the public hearing. President Boos made a motion to approve Ordinance 499 as presented. Commissioner Windon seconded it. President Boos called for any further discussion. Commissioner Bibb said he did not think the ordinance should be approved at this time. Commissioner Windon said she believed it was a pro-active ordinance and supports the direction the Town wants to go. Commissioner Gorman said this ordinance was based on a recommendation of the consultant re-writing the Town's code and he believed the ordinance supports his own vision for the Town. Commissioners Boos, Windon and Gorman voted to approve Ordinance 499, Commissioners Bibb and Harrod voted not to approve Ordinance No. 499. The motion to approve the ordinance passed on a roll call vote of 3-2 in favor.

- VI.

Special Presentation

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Upper Shore Aging Inc.

- Childlene Brooks, Manager of the Talbot County Senior Center at Brookletts Place, will update the Commission on their progress in St. Michaels
- See presentation by Charlene Brooks above.
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Woodside Recycling Site

- _____Ray Clarke_____ from Talbot County, will discuss the possible lease or purchase of town owned property for a recycling site
- President Boos called upon Mrs. Weisman for an overview of the project. Mrs. Weisman acknowledged Ray Clarke, Talbot County Engineer, who was present for the meeting. Mr. Clarke explained that Graul's Market outside of town did not

want to continue to be a recycling location for the County, and the County also wanted to relocate recycling away from the Ball Field site for safety reasons. Mr. Clarke said that the County was asking for the Town's cooperation in finding another site and was considering an arrangement with the Town to locate the site at the south end of Town near the water tower and the Fire House. Mr. Clarke admitted that the site would be small, but it would have a perimeter fence. Mr. Clarke said if the Town could not offer the site, the County would look for an alternative. President Boos suggested that the County should consider another location. Commissioner Gorman said he needed more information, which Mr. Clarke said he could provide. President Boos thanked Mr. Clarke for his presentation.

- VII.

Consent Agenda for Minutes, Department Reports and Event Permits

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Minutes

- January 10, 2019 - COSM Regular Work & Leg Session

January 23, 2019 - Special Working Session

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Department Reports for January 2019

- Police Department

Disbursements

Budget vs. Actual

Profit & Loss

Public Works

Planning and Zoning

Administrative

Communications and Marketing

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Event Permits

- -- Application for Public Event from St. Michaels Business Association for a Chocolate Fest through town including the library and Community Center, on March 1-3, from 11am to 5pm, for approx. 500-1,000 attendees;

- Application for Event Sign Permit from St. Michaels Police Department for Shamrock Signs to be hung on utility poles around C- Street Saloon from March 2 - 31st; to benefit SMYLE program;

- Application for Public Event and Town Use Permit of Talbot Street from Willow to Cherry St., from Carpenter Street Saloon (Johnny Mautz), for Shopping Cart Races on Midnight of March 17, 2019, for approx. 20 participants/300 spectators, to benefit the St. Michaels and Tilghman Fire Departments; including road closure;

- Application for Public Event and Town Use Permit from TriCycle and Run/Laura Chance, for Family Fun Run on St. Michaels Nature Trail, on March 17, April 14, May 12, June 15 and July 13, 2019, for 50-100 participants, to benefit varying local charities;

- Application for Public Event from Chesapeake Bay Maritime Museum, for Sea Glass Festival to be held on the grounds of CBMM, on April 6-7, 2019, from 10 am to 5 and 4 pm respectively, for approximately 2,000 attendees daily;

- Application for Farmers' Market held on Talbot and Fremont Street parking lot, on Saturdays from April 13 through Nov 16, from 7am-12noon, 50-250 attendees; including Public Sign Permit for 75 vegetable signs along Talbot Street (asking for 6 weeks - standard permit allows 4 weeks); including Permit to Use Outdoor Speakers (following allowable decibel limits).
- President Boos said a vote to approve the Consent Agenda would include approval of meeting minutes and departmental reports for the month of January 2019, as well as the event permit applications as noted above. As there were no comments or changes, President Boos called for a motion to approve the Consent Agenda as presented. Commissioner Bibb made the motion, which was

seconded by Commissioner Windon, and which then passed on a roll call vote of 5-0 in favor.

- VIII.

Items for Discussion

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Alley Abandonment - Miles and Chesapeake Ave

- Mrs. Weisman said Jeff Knapp of 101 Miles Avenue, Parcel 1779, had requested that the Town consider abandoning the alley next to his property to allow him to use Parcel (1778), which he also owns, to construct an accessory structure. Mrs. Weisman turned the discussion over to Mr. Knapp, who said he had prepared a proposal as requested by the Commissioners at their last meeting. Mr. Knapp referenced the plat and the pertinent sections of the Town Code. Mr. Knapp said the alley was only 10 feet wide and terminates at Parcel 1772, which he also owns. The Commissioners generally favored the transaction, agreeing that the alley makes no sense and does not serve any useful purpose. Mrs. Weisman added that following abandonment, the property would need to be declared surplus and then sold to Mr. Knapp, after which he could pursue a lot line revision. Mr. Knapp said he already had the whole property surveyed so that the metes and bounds could be included in a draft ordinance. Mrs. Weisman said the next step for the Commissioners would be to schedule a public hearing. President Boos then called for a motion to move to the next step in the process. Commissioner Bibb made the motion, which was seconded by Commissioner Harrod, and which then passed on a roll call vote of 5-0 in favor.

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Ad Hoc Communication Committee

- President Boos introduced Mr. Novak of W. Chew Avenue. Mr. Novak presented his proposal for an ad hoc committee to look into ways to improve communications between the Commission and residents. Mr. Novak said the ad hoc committee would consist of 8-10 members, including five town staff and others from the public, and they would meet for four months, from April through July, after which they would prepare a report and recommendations to be presented to the Commissioners. Mr. Novak said the committee would look at the Town web site, social media, email, and "push out systems." After some additional discussion, the Commissioners were in general agreement. Commissioner Boos made the motion to form the committee. Commissioners Bibb seconded it, and the motion carried on a roll call vote of 5-0 in favor.
- IX.

Commissioners Calendar

- - Town Property Disposition Plan
- Small Cell Town Guidelines
- The Commissioners made changes and additions to their agenda for the March 13th working and legislative session. The Commissioners also agreed on their budget meetings in March, setting March 26th and 27th from 8 a.m. to 2 p.m., and scheduled Mr. Knapp's alley abandonment hearing for April 2019.
- X.

Comments from the Commissioners

- President Boos called for any additional comments from the public. Kristin Greenaway of the Maritime Museum said the museum is NOT planning a sit-down restaurant despite all the rumors, and she would reiterate her statement at a public presentation to the St. Michaels Business Association on February 21st, and all were welcome. Mike Estrella of E. Chew Avenue said he hoped that lists of site users or mailing lists would not be made available to any ad hoc committee for any purpose, noting that there was too much misinformation in the Town as it was. Donna Hunt of E. Chew Avenue said she did not believe that Woodside Avenue was a good site for recycling. She said it would discourage recycling because of the fire siren and could be a potential hazard to pedestrians from activity of fire vehicles in and out of the firehall.

President Boos noted there was a zoning code re-write meeting on February 16th at 2:00 p.m., and March 13th was the next Commissioners' meeting. President Boos concluded with praise again for Mrs. Weisman's 35 years of service to the Town of St. Michaels.

- XI.

Announcement of Future Meetings

- February 16, 2019 - 2:00 pm - Town Office - Zoning Code Rewrite
- February 18, 2019 - Town Office closed for President's Day
- March 13, 2019 - 6:00 pm - Town Office - COSM Work and Legislative Session

- XII.

Adjournment

- The meeting was adjourned at 8:15 p.m.