

MINUTES

COSM

Commissioners

COSM Work and Legislative Session

Wednesday, February 12, 2020, 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 William Boos called to order the meeting of the Commissioners of St. Michaels at 6:00 p.m. in the meeting room of the Edgar M. Bosley Municipal Building, 300 Mill Street, St. Michaels, Maryland. Also present were Commissioners Dennis Glackin, Michael Bibb, Joyce Harrod and Jaime Windon, Town Manager Jean Weisman, Police Chief Anthony Smith, and 14 members of the public. The Pledge of Allegiance was recited.

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- II.

Agenda Amendments

- III.

Announcements from COSM and Staff

- Commissioner Bibb said he had attended the legislative session in Annapolis to follow up on bills he had been tracking. Commissioner Bibb said that a bill which could pass with changes was one that would require all bathrooms constructed after June 1, 2020 to have adult changing rooms. Commissioner Bibb noted there were a number of other bills supported by the Maryland Municipal League that will benefit municipalities. Commissioner Glackin said that he and members of the Planning Commission had met with the Town's attorney to review legalities and any inconsistencies in the draft Zoning Code. The Planning Commission would be scheduling another listening session for the public this month to review the changes Peter Johnston had made based on the first listening session, as well as the attorney's suggested changes. Commission Windon said she has been working with Habitat Choptank to encourage volunteers for the Habitat for Humanity home builds in St. Michaels. Commissioner Harrod said this was her third year serving as a Character Counts counselor. Commissioner Windon and Chief Smith also mentioned the Police Department's new program of leaving door hangers on businesses indicating that the police had checked the locations at night on their regular community rounds. Mrs. Weisman said she and Kim

Weller had attended a meeting on the upcoming Census roll-out on or about March 14, 2020. Mrs. Weisman said the census would be sending out surveys via mail but are also encouraging online completion as much as possible. Mrs. Weisman also announced that there would be a Commissioners' election on Monday, May 4, 2020, and that four Commissioners' terms are expiring. Mrs. Weisman said the top three vote-getters will get a four-year term, and the top fourth vote-getter will get a two-year term, as Mr. Glackin was appointed to fill the un-expired term of Commissioner Michael Gorman. Mrs. Weisman added that the last day to file to run is Friday, April 3rd, which is also the last day to register to vote through the State Board of Elections in Easton. President Boos invited public announcements.

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- IV.

Comments from the Public

- Dana Neuman of the Talbot County public library invited all the Commissioners to their Open House on Thursday, March 12, 2020 at 6:00 p.m. at the St. Michaels branch of the library. Ms. Neuman said the Open House would also serve as the fundraising kick-off for the St. Michaels library expansion project. Ms. Neuman said the expansion plans intend to add to the front of the building and not add a second story. Ms. Neuman said the library was keenly interested in public opinion on the expansion project and encouraged attendance at the Open House.

David Briemhurst of Grace Street suggested the language of Resolution 2020-02 should be broader.

There were no additional comments.

- V.

Special Presentation

- Tim Ailsworth, LGIT Executive Director
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Presentation of Training Grant Award in the amount of \$5,000

- President Boos introduced Tim Ailsworth, Executive Director of the Local Government Insurance Trust (LGIT). Mr. Ailsworth provided a brief overview of LGIT's history and presented Chief Anthony Smith with a Training Grant award in the amount of \$5,000.00 for police body cameras. Chief Smith thanked Mr. Ailsworth for the award and said the cameras would be a valuable tool for police officers.
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- VI.

Public Hearing

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Ordinance No. 505 - 109 S Talbot St surplus property

- **AN ORDINANCE OF THE COMMISSIONERS OF ST. MICHAELS TO DECLARE A PORTION OF CERTAIN REAL PROPERTY OWNED BY THE TOWN OF ST. MICHAELS, LOCATED AT 109 TALBOT STREET, DESCRIBED IN A DEED RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND AT LIBER J.T.B. NO. 357, FOLIO 53, SHOWN ON TALBOT COUNTY TAX MAP 200 AS PARCEL 1582, HAVING A TAX IDENTIFICATION NUMBER OF 02-067005, AND CONSISTING OF 3,885 SQUARE FEET OF LAND, MORE OR LESS, AS SURPLUS PROPERTY AND NOT NEEDED FOR ANY PRESENT OR FORESEEABLE PUBLIC USE, SUBJECT TO THE TOWN'S RESERVATION OF A PARKING EASEMENT OVER A PORTION OF THE PROPERTY; PROVIDED THAT THE TITLE OF THIS ORDINANCE SHALL BE DEEMED A FAIR SUMMARY, AND GENERALLY RELATING TO SURPLUS PROPERTY IN THE TOWN OF ST. MICHAELS**

Introduced on January 14th by Commissioners Boos and Bibb

- President Boos announced a public hearing on Ordinance No. 505, an ordinance to declare 109 S. Talbot Street as surplus property. Mrs. Warnick read the title of Ordinance No. 505 into the record as noted above. Mrs. Warnick also read Exhibits into the record as follows:

Exhibit 1 Plat prepared by Rauch Inc., dated October 2, 2019

Exhibit 2 Description of property, dated December 16, 2019, prepared by Rauch Inc.

Exhibit 3 Copy of Draft Ordinance No. 505 prepared for the Public Hearing held on February 12, 2020

Exhibit 4 Copy of the Public Notice of the Public Hearing, to be held on February 12, 2020, which was posted on the Bulletin Board in the Town Office, St. Michaels Post Office, and on the Town's website, and also published in the Star Democrat and Chesapeake Internet on January 23rd and February 4, 2020.

Exhibit 5 Affidavit from the Star Democrat of the publication of the Notice of Public Hearing

President Boos then read Mrs. Weisman's memorandum to the Commissioners, which outlined the details of the property and the process for a surplus declaration. Jeff Knapp of Miles Avenue said he had looked at the property along with Cornelia Heckenbach, a noted area real estate agent. Mr. Knapp said

Ms. Heckenbach's recommendation was that the Town retain the property and continue to rent it out, rather than sell it. Mr. Knapp suggested that the Commissioners consider continuing to rent as he agreed it was a better use of funds. Tad DuPont of Locust Street said the return on money (for renting) was a healthy 10% plus and he recommended holding on to the property. John Novak of W. Chew Avenue said maybe a sale would be more viable in a year or two. Kate Koepen of Conner Street asked if the property had been offered to Long & Foster, the current tenants. Mr. Knapp said yes, and Long & Foster was not interested in purchasing the building. As there were no additional comments from the public, President Boos closed the public hearing and called for discussion by the Commissioners. The Commissioners agreed that, since there was no urgency to sell the property, the property could be listed at the price the Commissioners would like to get for it, and if it does not sell, the rental income was a continuing value. Mrs. Weisman said that if the Commissioners plan to put the property up for sale, they should go through the surplus declaration process. The Commissioners directed staff to begin interviewing realtors and to delay the vote on the surplus ordinance until their March meeting.

Commissioner Bibb made the motion to delay action on Ordinance 505 until the Commissioners' March meeting. Commissioner Glackin seconded it, and the motion passed on a roll call vote of 5-0 in favor.

- VII.

Consent Agenda for Minutes, Department Reports and Event Permits

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Minutes

January 8, 2020 - Closed Session

January 14, 2020 - Closed Session

January 14, 2020 - COSM Work & Legislative Session

January 29, 2020 - COSM Listening Session

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Department Reports for January 2020

Police Dept.

Finance

Profit & Loss

Year to Date

Administration

Public Works

Planning and Zoning

Marketing and Communication

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Event Permits

- Application for Public Event from Carpenter Street Saloon, for Shopping Cart Races, on Midnight of 3-17 to 12:30 am of 3-18-2020, as fundraiser for Fire Departments, approx. 20 participants, and application to SHA for street closure as time stated above;
- Application for Public Event Sign from SMYLE, for Shamrocks placed on poles along Talbot Street from Mill St to Willow St, as fundraiser for SMYLE, signs up from 2-19 to 3-19-2020;
- Application for Public Event from TriCycle and Run, for Fun Run along the Nature Trail, on 2-15 and 3-14-2020, approx. 50-100 participants; donations to local non-profits;
- Town Use Application for Public Event from St. Michaels Business Association, for Chocolate Fest on March 7-8, throughout business community, various times throughout town and Saturday 11-5pm; approx. 500-1000 attendees;
- Town Use Application for Public Event from St. Michaels In Bloom, for a Garden Tour in the Town of St. Michaels, Saturday, June 27, 2020, from 10-4pm, approx. 300 attendees;
- Town Use Application for Public Event from St. Michaels In Bloom, for a Daffodil Festival on Saturday, March 28, 2020, located in Muskrat Park from 10am - 4pm, approx. 300 attendees.

- President Boos said a vote to approve the Consent Agenda would include approval of minutes and departmental reports for the month of January, as well as permit applications for upcoming events - The Shopping Cart races, the shamrocks for the SMYLE fundraiser, the TriCycle and Run Fun Run, the Chocolate Festival, and the Daffodil Festival in March 2020, and the St. Michaels in Bloom Garden Tour in June 2020. There were no questions or comments. President Boos made a motion to approve the Consent Agenda and presented. Commissioner Bibb seconded it and the motion passed on a roll call vote of 5-0 in favor.

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- VIII.

Resolution for Discussion and possible Vote

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Resolution 2020-02

- **A RESOLUTION OF THE COMMISSIONERS OF ST. MICHAELS APPROVING PAYMENT OF LEGAL EXPENSES RELATED REGARDING COMPLAINTS FILED AGAINST ELECTED AND APPOINTED OFFICIALS, AS WELL AS VOLUNTEER BOARD AND COMMISSION MEMBERS**

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- President Boos recused himself from discussion of Resolution 2020-02. Vice President Bibb said the resolution had been discussed at the last meeting and it was his suggestion that the resolution cover all elected officials, all Town boards, and all Town employees. Vice President Bibb also said that the resolution should state that an employee found guilty of charges should not be entitled to reimbursement from the Town. Vice President Bibb also said the resolution

should include a compensation cap of no more than \$15,000.00. Commissioner Windon said that since Resolution 2020-02 was specific to the situation involving Commissioner Boos, this Resolution 2020-02, should be generic as Commissioner Bibb suggests. She said she would like to see compensation caps for other municipalities as she wasn't sure \$15,000 was reasonable. The Commissioners discussed obtaining more information on the Town's insurance coverage. Mrs. Weisman said she had asked Jim Peck at MML to do some research on the compensation plans. Commissioner Glackin said he had no issues with the resolution but had a problem with amending it in haste. He suggested the resolution be tabled pending additional information and some re-writing. The other Commissioners agreed, and President Boos directed staff to pursue more information on insurance and what other municipalities have in place.

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Resolution 2020-03 - US Dpt of Agriculture Rural Development Financing

- A RESOLUTION OF THE COMMISSIONERS OF ST. MICHAELS AGREEING TO APPLY FOR FINANCIAL ASSISTANCE WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT TO FINANCE A NEW TOWN OFFICE
- President Boos called upon Mrs. Weisman to provide background on Resolution 2020-03. Mrs. Weisman said the Commissioners had asked her to start the process to enable the Town to apply for federal grant funding through U.S. Department of Agriculture Rural Development. Mrs. Weisman said that as part of the pre-application process the Town must adopt legislation authorizing the Town Manager and a Commissioner to sign the documents necessary to apply for funding. Mrs. Warnick read the title of Resolution 2020-03 into the record as noted above. As there were no questions or comments, President Boos made a motion to adopt Resolution 2020-03 as presented. Commissioner Bibb seconded it and the motion carried on a roll call vote of 5-0 in favor.
- IX.

Items for Discussion

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Canton Street

- President Boos opened the discussion of the potential closure of Canton Street. Mrs. Weisman said that since the last discussion, the Planning Commission members surveyed the neighborhood and their results were before the Commissioners. Mrs. Weisman said the Police Department had arranged for a camera on Canton Street for a one week period (February 2-9, 2020). President Boos said he was surprised by the number of cars using Canton Street with counts averaging over 300 per day in a non-tourism

month. Chief Smith said he had also calculated the number of cars per hour - fourteen - for a perspective and believed it could be much more in the high tourist season. Paulette Florio of the Planning Commission said residents taking the survey said they use the alley to go to work, and other residents said they had concerns about safety for neighborhood children. Jeff Knapp of Miles Avenue questioned the accuracy of the numbers. President Boos said if the numbers are accurate, that is a lot of cars using the alley, and it would be difficult to justify closing the street given the volume of traffic.

Commissioner Bibb added that the Fire Department had submitted a letter advising against closing Canton Street access to Talbot Street on a permanent basis. He said the Fire Department said it could work with temporary/removeable barricades in getting emergency vehicles back to Fremont and Connor streets and Glory Avenue. Chief Smith also said he had researched any accident reports that may have been filed involving the Canton and Talbot intersection, and could find no incidents reported. Chief Smith said based on the number of cars using the access to Talbot, he would not close it, and he would not close it permanently because of its usefulness for redirecting traffic if Talbot Street was blocked due to accident or street work.

Chief Smith said he would confirm the position of the camera and see if the camera survey could be extended for additional days to provide more data. Commissioners Windon and Glackin suggested that Mrs. Weisman could ask for recommendations from the Town Engineer to improve safety for pedestrians at the Talbot/Canton intersection.

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Arbor Day

- In Bloom tree planting project for Arbor Day at Boy Scout Cabin
- Mrs. Weisman said that the St. Michaels in Bloom committee would like permission to plant a tree at the Boy Scout Cabin on Arbor Day. Committee representative Sue Ann Rareng said the committee was recommending a willow oak. Commissioner Bibb said he had some concerns about the size and root system of an oak interfering with the landscape view and newly installed sidewalks. Ms. Rareng said she would talk to the committee about alternatives and positioning. President Boos then made a motion to allow a tree to be planted on the property and that St. Michaels in Bloom should work with Commissioner Bibb to choose the type and its location. Commissioner Windon seconded it, and the motion carried on a roll call vote of 5-0 in favor.
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- X.

Commissioners Calendar

- Mrs. Weisman and the Commissioners discussed agenda and scheduling of issues for their March meeting and added review of legislation to remove parking from the northbound side of Fremont Street.

Mrs. Weisman also discussed dates for budget sessions. After some discussion, budget sessions were set for April 7th and April 9 from 9-4:00 p.m., with April 22nd as the Commissioners' regular and special meeting at 6:00 p.m. and April 29th at 6:00 p.m. for an extra meeting if necessary.

- XI.

Comments from the Commissioners

- Chief Smith said he had left the meeting to see if the camera was still in place and it was not. However, he said he had double-checked the location of the camera for the survey with Lieutenant Oswald, who said that the camera was positioned on Canton Street and the cars had to pass it going toward Talbot to be counted. Chief Smith said that the camera company said the camera was set for counts, but not calibrated for speed, so that the speeds were probably not accurate.

President Boos invited public comment. Jeff McGuinness of Perry Cabin Drive supported clarifying the Town's insurance and legal fee reimbursement because of how long some of these legal issues can drag on. Mike Estrella of E. Chew clarified that a willow oak can grow to 75 to 100 feet. David Briemhurst suggested rumble strips or bumps on Canton Street. Donna Hunt of E. Chew Street suggested that the two property owners on either side of the Canton Street intersection be asked to provide some kind of alert signage to help with safety. Mike Estrella also suggested that the Town get input from serving board members regarding the insurance protection/legal fee issue, as it could affect whether people apply to serve, or continue to serve, on Town boards.

- XII.

Announcement of Future Meetings

- March 11, 2020 - 6:00 at Town Office - COSM Work and Legislative Session

- XIII.

Adjournment

- The meeting was adjourned at 7:51 p.m.

