

MINUTES

COSM

Commissioners

COSM Legislative Session - Virtual and In-Person

Wednesday, July 28, 2021, 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 Bibb called to order the legislative meeting 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. Also present at the meeting were Commissioners Joyce Harrod, David Breimhurst (remote), Tad duPont, and Jaime Windon, Interim Town Manager Jeff Rhodes, Legislative Clerk Suzanna Warnick, Meeting Coordinator Kim Weller, and members of the public in person and via remote access.

II. Agenda Amendments

- - Talbot Co. Economic Development representative
- Tent time extension from Gina Hockenberry
- Interim Town Manager Jeff Rhodes read a letter from Talbot County requesting appointment of a new St. Michaels representative to the Talbot County Economic Development Committee, replacing Jean Weisman. President Bibb volunteered to be the Town's representative until the permanent Town Manager can take over. Commissioner Windon suggested that another administrative person should serve. Commissioner Breimhurst suggested that Jeff Rhodes could serve in that role. Commissioner Windon made a motion that the Commissioners appoint Jeff Rhodes to the position of St. Michaels representative to the Talbot County Economic Development Committee. Commissioner Harrod seconded it and the motion passed on a roll call vote of 5-0 in favor.

President Bibb introduced Jeff Rhodes as Interim Town Manager. Mr. Rhodes said he was pleased to be in St. Michaels and looked forward to assisting in any way he could.

President Bibb then opened the discussion of the Gina's request for an extension of her Covid permit for her tent until September 2021. Commissioner duPont recused himself from the tent discussion. There was a consensus among the remaining Commissioners to allow the extension.

III. Announcements from COSM and Staff

- - Introduction of Jeff Rhodes - Interim Town Clerk/Manager
- - The Four P's - Guiding Principals for STM Government
- Commissioner Harrod urged everyone to be mindful of the possibility that a mask requirement may be reinstated. Chief Smith said his department continues to promote and encourage vaccinations through the area.

Commissioner Windon said she would like to schedule a closed session meeting with the Town's lawyer to clear up some questions she had.

Commissioner Breimhurst presented a concept paper with guidelines to clarify aspects of the Town's new direction. Commissioner Breimhurst hoped that these guidelines would serve as a template going forward. Commissioner Windon said she would like to see three or four actionable goals to work toward rather than broad statements. The Commissioners then took several public comments on Commissioner Breimhurst's proposal.

Chief Smith opened a discussion of open container drinking in Town. Chief Smith said that, effective July 1st, the State legislature had passed a reinstatement of the prohibition on open-container drinking that had been relaxed during the Covid epidemic. Chief Smith said his department would be making every effort to correct the open-container behavior in the Town. Chief Smith encouraged residents to be pro-active in reporting violations and he said he would work with Kim Weller on a public education campaign.

Commissioner Windon noted that the open container problem includes boaters and other visitors bringing personal open container drinks into bars and restaurants. Chief Smith said he would be talking to bars and restaurants and having them educate their customers.

IV. Comments from the Public

- Chris Thomas of E. Maple Avenue and Walda duPriest-Brandt of Mulberry Street commented on the Four P's statement. Karen Wald of Grace Street said she favored a

balance between business and residential rights. Paulette Florio of Talbot Street addressed the issue of accessory dwelling units in the re-write of the Town Code.

Susan Reiswerg of E. Chew Avenue urged the Town to re-direct large truck traffic from E. Chew Avenue to Seymour and Meadow Streets.

V. Consent Agenda for Minutes and Event Permits

- Minutes
 - July 14 2021 - COSM working session
- Events
- - Application for Shakespeare in the Park from Brown Box Theatre Project, held in Muskrat Park on September 18, 2021, from 4pm - 11pm, for approx. 100-150 attendees;
 - - Requests to approve discharge of historic weapons from participants/volunteers/re-enactors of Star Spangled Banner National Historic Trail with the Pride of Baltimore for a War of 1812 Heritage Celebration, with permission granted from Chief Smith, on the grounds of the CBMM, weekend of August 6 - 8;
 - President Bibb announced that the Consent Agenda consisted of minutes for the July 14, 2021 working session and event applications for an 1812 celebration in August requesting permission to discharge firearms and for the Shakespeare in the Park performance in Muskrat Park in September. The Commissioners had no questions or comments. President Bibb called for a motion to approve the Consent Agenda as presented. Commissioner duPont made the motion. Commissioner Harrod seconded it and the motion passed on a roll call vote of 5-0 in favor.

VI. Items for Review

- Garbage Collection Services
- Commissioner duPont opened the discussion by noting that St. Michaels was one of the few towns that still collects its own trash, and his proposal was to contract out for the Tuesday trash run, thereby freeing up public works for other projects. Commissioner duPont said he envisioned a trash and recycling contract that would charge different rates for residential vs. business service. The trash/recycling would then be billed quarterly and included as a separate charge on the water bill. Commissioner duPont added that the charge for trash that is currently in

the county tax bills would be removed. Commissioner duPont said that Public Works would continue to pick up brush on Tuesday's and trash on weekends from Talbot Street and the parks.

- Business Licensing
- The Commissioners discussed the trash proposal as well as Commissioner duPont's proposal for instituting town business licenses. Commissioner Windon said there was concern among the business community about the cost and structuring of a licensing process.

VII. Resolution Eligible for Vote

- Resolution 2021-07 - No parking on South side of Mulberry Street
 - A RESOLUTION OF THE COMMISSIONERS OF ST. MICHAELS TO ALLOW THE INSTALLATION OF NO PARKING SIGNS ON THE SOUTH SIDE OF MULBERRY STREET RESTRICTING PARKING FROM THE EAST SIDE OF WATER STREET FOR A DISTANCE OF 186 FEET
 - President Bibb said Resolution No. 2021-07 was eligible for a vote. Mrs. Warnick read the corrected title of the resolution into the record as written above. The Commissioners had no comments as they had discussed the resolution at their last meeting and only needed to correct the title. Commissioner Breimhurst made a motion to adopt Resolution No. 2021-07 as corrected. President Bibb seconded it and the motion passed on a roll call vote of 5-0 in favor.

VIII. Items for Discussion from Planning Commission

- Fremont Street Lot
- Planning Commission proposal
- Jefferson Knapp, President of the Planning Commission, opened the discussion of the Fremont Street parking lot. Chairman Knapp said the Planning Commission believed that this parking lot would be as useful and successful as the newly created lots on Mill Street and Boundary Lane, but that it would be more expensive to construct because of storm water management and planting requirements. Chairman Knapp said that the Planning Commission was recommending a gravel lot at this time, rather than a paved lot, leaving it open to potential changes in the future use of the property and to save the cost of paving. Chairman Knapp said the cost of

the gravel lot would be more than \$5,000 and it should therefore be put out to bid, and he added that the Planning Commission recommended using the Town engineer to help keep costs down and would be happy to spearhead the project for the Commissioners. The Commissioners agreed that the Planning Commission should contact the Town engineer to get a better estimate of storm water management costs and report back to them.

Chairman Knapp then raised the matter of reducing parking on Talbot Street. He said the Planning Commission recommended elimination of 7-8 parking spaces on Talbot Street in the restaurant section, which was the greatest traffic choke-point, to improve navigation and safety for emergency vehicles. Chairman Knapp pointed out that the creation of additional parking (28 spaces) in the proposed Fremont Street lot would help to offset the loss of spaces on Talbot Street for restaurant goers. Chairman Knapp said that the addition of a 2-3 space "loading/unloading zone" in front of Awful Arthur's for delivery and take-out vehicles was also part of the Planning Commission's recommendation.

President Bibb said he did not have a problem with the plan and suggested scheduling a meeting with the State Highway Administration to discuss these changes and other issues as soon as possible. Commissioner Windon said she supported the plan for the safety of the emergency vehicles and to reduce both vehicle and pedestrian congestion. Chairman Knapp said he would also talk to the businesses about setting specific delivery times for their suppliers.

- Text Amendment for Fee In-Lieu of
- Off Street Parking - Planning Commission
- Chairman Knapp said the Planning Commission would like to keep the Fee-in-Lieu option in the circumstance where a property had no parking to begin with and the payment in lieu would give the Planning Commission flexibility to work with a new business. Chairman Knapp said alternatives to parking, such as near-by space, would still be taken into account, but businesses could no longer buy their way out of providing for parking as a way to expand. The Commissioners discussed the draft language suggested by the Planning Commission. Zoning Officer Kim Kudla noted that this change would be a text amendment, which must

be drafted in as an ordinance, given proper public notice and a public hearing.

After some additional discussion, the Commissioners agreed they could introduce the draft amendment and refine disputed language in their next discussion. Commissioners Beimhurst and duPont introduced the draft amendment and agreed to calendar it for their next meeting, along with a discussion of whether the moratorium on fee-in-lieu payments should be extended or dissolved.

Jeff Rhodes asked who would be involved in the meeting with the State Highway Administration about the Talbot Street parking matter. Commissioners Bibb he would like to be in the meeting, and he included Jeff Richardson. Jeff Knapp and Commissioner Windon volunteered as well.

IX. Items for Discussion from Climate Change / Sea Level Rise Commission

- GMB Contract - Proposal for Civil Engineering Service
 - Climate Change / Sea Level Rise Commission - R Myers
 - Talbot County Hazard Mitigation Action
- Roy Myers, Chairman of the Climate Change /Sea Level Rise Committee, opened the discussion and noted that the Sea Level project was featured in a very positive article on the front page of the Star Democrat. Mr. Myers said the committee had decided on the role of the George, Miles and Buhr (GMB) as engineering consultant to the committee. Mr. Myers said GMB had provided a contract to cover their consultancy and the committee was in agreement with the proposed arrangement. Mr. Myers said he was seeking approval from the Commissioners for the GMB contract and the expenditure from the \$25,000 in the budget for the consultancy. Mr. Myers said he would like to come back to the Commissioners in late August for their approval of a list of specific projects and grants the committee would pursue. The Commissioners provided their consensus agreement for the GMB consultancy contract.

Mr. Myers said he was also involved with the update of the Talbot County Hazard Mitigation Plan and needed the Commission's permission to put together a team to complete the update. The Commissioners gave their approval for Mr. Myers to go forward with selecting a team

to address the project. Jeff Knapp volunteered his assistance.

X. Additional Items for Discussion

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Water Department Resolution
- Lease from Water Dept to lease ground from the Town and pay costs and debt service down associated with water service
- Commissioner duPont explained his land-lease proposition for retiring the Town's debt and accumulating funds to pay for a new Town well. Commissioner duPont and Jeff Rhodes agreed to produce a draft resolution.
 - Town Tax Abatement Properties
- The Commissioners discussed the properties in Town that were eligible for the annual tax abatement. Commissioner duPont made a motion to exempt the list of properties prepared by staff from the town real estate tax as done in the past. Commissioner Windon seconded it, and the motion passed on a roll call vote of 5-0 in favor.

XI. Commissioners Calendar

- The Commissioners discussed agenda items for their meetings in August 2021, including the water department resolution and the fee-in-lieu parking amendment on August 11th and the sea level projects list for the August 25th meeting. Commissioner Windon said she would like to schedule a closed session via zoom or conference call. Commissioner Breimhurst said he would like to schedule a discussion of "light pollution" complaints from residents. The issue was calendared for the August 25th meeting.

XII. Comments from the Commissioners

- There were no comments from the Commissioners, who then invited public comment. Roy Myers of E. Chestnut Street suggested that the residents of the streets affected by parking changes be contacted and the changes pointed out to them. Jeff Knapp agreed to contact residents. Meeting coordinator Kim Weller read public questions on what the cost of the proposed trash service would be.

XIII. Announcement of Future Meetings

August 11 2021 - 6:00pm - COSM Regular Working Session

August 25 2021 - 6:00pm - COSM Regular Legislative Session

President Bibb announced future meetings as noted above.

XIV. Adjournment

- The meeting was adjourned at 8:22 p.m.