

## **MINUTES**

### **COSM**

#### **Commissioners**

#### **COSM Working and Legislative Session**

**Wednesday, December 14, 2022, 6:00 pm - 9:00 pm**

**Talbot County Free Library – St. Michaels Branch**

**106 South Fremont Street**

**St. Michaels, MD 21663**

#### **In-person and Virtual Remote Meeting**

#### **1. 6:00 – Call to Order for Working and Legislative Session – Pledge of Allegiance**

- Commissioner Breimhurst, President, called to order a live and remote working and legislative session of the Commissioners of St. Michaels at 6:00 p.m. in St. Michaels, Maryland and the Pledge of Allegiance was recited. Also present at the meeting were Commissioners Joyce Harrod, Tad duPont, and Al Mercier. Katrina Whittington, absent. Town Administrator Rob Straebel, Police Captain Oswald, and Casey Rauch of Rauch, Inc., Other representatives include Town Clerk Suzanna Warnick, Water Department Clerk Vickie Sharp, Special Project Manager/Code Compliance Officer Eric Knapp. Approximately 13 members of the public were present as well as remote attendees on Zoom.

#### **2. Announcement of Prior Closed Session**

- The Commissioners met Tuesday, December 6, 2022 in closed session at 5:00 pm pursuant to Maryland Code, under the Open Meetings Act, General Provisions Art. Sub-Section(b) – 1: To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals; and 3: To consider the acquisition or disposition of real property for a public purpose and matters directly related thereto.

#### **3. Announcements from COSM and Staff**

- Commissioner Harrod announced that she was at a meeting at the Intergenerational Center in Cambridge, MD and while there they were shown plans for the proposed hospital to be located off Route 50 and Longwoods Road. Breaking ground around April 2023 and hopefully completed 2028.
- Commissioner Breimhurst announced that he had a letter from Ken Kozel of Shore Regional Health asking the Commissioners to write a letter on behalf of the Commissioners of St. Michaels stating support of the new hospital to The Maryland Health Care Commission. Commissioner Breimhurst stated a should be written and he will sign it.

- Commissioner Mercier thanked Rob Straebel for picking up paper on Sunday, December 11, 2022 after the parade from Saturday. Commissioner Harrod also stated she was at a meeting with Chuck Callahan, and he stated how beautiful the town was.
- Commission Breimhurst and Commissioner Harrod attended the Shop With a Cop event and Captain Oswald was there as well, this was a huge success and was wonderful to see the gifts for the children. Commissioners thanked the Police Dept., Chief Smith and Tiffany Sweeney for a great event.
- Commissioner Breimhurst stated Christmas in St. Michaels a success, had issues with traffic after the event and large crowd that attended. Had grid lock after the parade with traffic at a standstill for about 1 hour. Rob Straebel met with the parade organizers regarding the throwing of candy and the trash left behind. Will enforce the 'not to throw candy' next year. Ask next year the shop owners to sweep and clean up in front of their stores after the parade. Thanked Public Works and everyone for coming out to help.
- Administrator Rob Straebel introduced new employees Eric Knapp, Special Project Manager/Code Compliance Officer and Vickie Sharp, Utility Billing Clerk, who is cross training for the Clerk's position. Continuing efforts to transition office space at the town office. Would like to purchase a desk for one of the workspaces for the Finance Manager. This was an unbudgeted item but is needed. Boy Scouts have not signed the lease at this time but have provided proper insurance. Purchased a file cabinet to lock up the Town's equipment in the cabin.
- Administrator Straebel met with the Parade Organizers about trying to keep the parade to 1 hour. There were some vendors there that may have not been invited. Over all It was a great event.
- MDOT grant has been signed to extend the bike trail. The grant is \$28,000 with \$7,000 for the Town. Rauch Engineering will be doing a study which will begin in 2023.
- Board of Zoning Appeals denied an appeal for a second story expansion on a non-contributing structure in the historic district. Approved a minor side setback for 202 Locust Street.

- Planning Commission Meeting, the proposed Hotel representatives were directed to submit the preliminary development plans to the Technical Advisory Committee. Once approved by TAC then will go onto the Planning Commission.
- Environmental Concern Annexation, the Planning Commission voted not to amend the comprehensive plan. Town Commission, according to counsel, must act upon the comprehensive plan not to change. Must schedule a public hearing.
- 2008 Ford Explorer is ready to give back to the Town has 130,000 miles. Will be repurposed for the Code Compliance Officer, or any other Town employee as needed.

#### 4. Boards and Committee Appointments

- Talbot County would like the Commissioners to appoint someone to the Talbot County Tourism Board, Town of St. Michaels currently does not have a representative on the board. This item has been tabled until the next meeting.
- The following have been appointed to the Town Boards and Commissions.  
Board of Zoning Appeals – Charles Gordon  
Historic District Commission – James Fulton III re-appointed  
Ethics Commission – Mark Berman  
Planning Commission – Helen Herman  
Housing Authority – Julie Campbell Carter and Jennifer Bogota  
Parks and Recreation Advisory Board – Brian Wroten and Marise Galgano  
Waterways Management Advisory Board – Jim Tapp  
Climate Change/Sea Level Rise Commission – Andrew Thaler

Commissioner duPont made motion to accept all the appointments to the boards and commissions. Commissioner Mercier seconded it, and the motion was passed on a roll call vote 4-0 in favor.

#### 5. Consent Agenda for Minutes, Department Reports and Event

- Commissioner Harrod made motion to pass the Consent agenda. Commissioner duPont seconded it, and the motion was passed on a roll call vote 4-0 in favor.

#### 6. Events

- Permit Application for St. Michaels Brewfest has been tabled for future meeting.

- Permit application for the Fun Run Free 5K for Saturday, December 17, 2022 was approved. Commissioner duPont made motion to accept the application for the Fun Run Free 5K. Commissioner Harrod seconded it, and the motion was passed on a roll call vote 4-0 in favor.
- Minutes for October 12, 2022 and October 26, 2022 were presented and approved. Commission Harrod made motion to accept the minutes. Commissioner duPont seconded it, and the motion was passed on a roll call vote 4-0 in favor
- 2023 Holiday Calendar was approved with changes. Commissioner Harrod made motion to accept 2023 Holiday Calendar with changes. Commissioner duPont seconded it, and the motion was passed on a roll call vote 4-0 in favor.

#### 7. Contracts and Bid Awards

- St. Michaels San Doming Creek and West Side Stormwater and Harbor Infrastructure Assessment and Flood Mitigation Study has been award to Bayland for \$44,850, this will be funded by a DNR Grant. Commissioner duPont motioned to accept Bayland. Commissioner Breimhurst seconded it and was passed on a roll call vote 4-0 in favor.
- Resiliency through Restoration: West Harbor Road/East Chew Avenue Flood Mitigation Feasibility Assessment has been awarded to GMB for \$59,942, this will be funded by a DNR Grant. Commissioner Harrod motioned to accept GMB. Commissioner duPont seconded it and was passed on a roll call vote 4-0 in favor.

#### 8. Comments from the Public

- Resident from West Chew enjoyed the parade but suggested that no candy be thrown during the parade. Commissioner Mercier mentioned vendors on the street should be required to have a permit.
- Eric Bridges questioned vendors vs. fundraisers.

#### 9. Old Business

- Mitch Ettinger presented a slide show on his study of four possible locations for a Dog Park. Bradley Park seemed to be the best possible location. Commissioner Breimhurst would like the Dog Park Committee to approach Talbot County to see if they have property that would be available in the St. Michaels area. Commissioner Breimhurst feels that the proposed Bradley Park is small for the dogs to be able to run and exercise. Suggested that they contact the Easton individuals who are also trying to get a Dog Park in an effort to join forces to see if they as a combined unit can find an area.

- Town Administrator Rob Straebel suggested that the proposed Fee Schedule for large events not be passed at this time due to additional language that needs to be added to the Resolution.

#### 10. New Business

- Resolution 2022-07 – Resolution for intent to Reimburse: A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE TOWN OF ST. MICHAELS TO REIMBURSE EXPENDITURES TO BE INCURRED WITH RESPECT TO CERTAIN PROJECTS OR PROGRAMS OR FROM CERTAIN FUNDS WITH THE PROCEEDS OF DEBT.  
The Housing and Community Development has recommended this resolution - Intent to reimburse expenditures, would give the Town the option of being reimbursed architectural fees incurred for the New Town Office and Police Department. Commissioner duPont made the motion to accept the Resolution 2022-07 as written, Commissioner Harrod seconded it and passed on a roll call vote 4-0 in favor.
- Request to vacate an alley way between Brooks Lane and Dobson Avenue. Owners at 206 Brooks Lane wanted to install a fence around their property and discovered that there is a 15ft alley way between their property and the neighbors. Town owns the said alley way and would access the value and sell to the owners. All owners connecting to such alley way would need to agree or just turn the lots over to the homeowners. Commissioner Breimhurst asked Owners to bring back a cost of what the survey would cost.
- Second Amendment to Lease Agreement for lease of land used by the Community Garden, Commissioner duPont made the motion to accept the lease agreement. Commissioner Harrod seconded it and passed on roll call vote 4-0 in favor.
- To Regulate Formula Businesses, Ordinance No. 539 was drafted, Commissioners need to decide the quantity of businesses allowed in the Town, as well as clarify wording. What businesses would be Formula Businesses. Sending back to Legal for changes.

#### 11. Comments from the Public

- Donald Boehl on Dodson Avenue, concerned about the drug traffic on Dodson Avenue. Chief is aware and there is a house that is being evicted. Also, concerned about the speeding on Dodson Avenue. Area should be better Policed to get speeders and stop drug trafficking.
- Mark Berman suggested adding code provisions for Adult Entertainment.

- Chris Thomas regarding the Franchise and Chain restrictions cautioned what the financial impact may be to the town in restricting Franchise and Chains. Make sure there is an appeals process in place as well.
- Suzie Hayward with Mid Shore Board of Realtors, reconsider the Franchise and Chain Ordinance to exclude real estate offices.

#### 12. Comments from the Commissioners

Commissioners considered items for calendaring.

#### 13. Announcement of Future Meetings

- January 11, 2023 – Work and Legislative Session

#### 14. Adjournment

- Meeting adjourned at 9:00 pm