

# MINUTES



**Commissioners of  
St Michaels  
Work Session Meeting Minutes  
Wednesday, February 8, 2023, 6:00 pm - 8:00 pm  
St. Michaels Branch of the Talbot Co. Library  
106 S. Fremont Street  
St. Michaels, MD 21663**

1. 6:00 - Call to Order for Working Session - Pledge of Allegiance

Commissioner Breimhurst, President, called to order a live and remote Working Session of the Commissioners of St. Michaels at 6:00 pm in St. Michaels, Maryland and the Pledge of Allegiance was recited. Also present at the meeting were Commissioners Joyce Harrod, Tad duPont, Katrina Whittington, and Al Mercier attended via Zoom. Other representatives include Town Administrator Rob Straebel, Town Planner Steve Ball, Town Clerk Suzanna Warnick, incoming Town Clerk Vickie Sharp and Captain Oswald. Approximately 28 members of the public were present as well as remote attendees on Zoom.

2. Agenda Amendments

None

3. Announcement of Prior Closed Session

The Commissioners met in Closed Session on Wednesday, January 25, 2023 and Friday, February 3, 2023 pursuant to Maryland Code, under the Open Meetings Act, General Provisions Article Section 3-305 to discuss the following: (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over who this public body has jurisdiction; any other personnel matter that affects one or more specific individuals; and (3) To consider the acquisition of disposition of real property for a public purpose and matters directly related thereto.

4. Announcements from COSM and Staff

Commissioners attended a meeting at the St. Michaels Library on Tuesday, February 7, 2023 with the Talbot County Council and other surrounding municipalities to discuss the projects in their towns.

Commissioner Harrod and Commissioner Whittington met with the Historic District Association, was a good meeting and looked forward to hearing their comments.

Commissioner duPont attended his first Talbot County Tourism meeting, was an interesting meeting and learned alot.

Administrator Rob Straebel, stated that with the adoption of the new employee manual, there are provisions on banking vacation time up to 20 days per year starting FY24, there are 4 employees with substantial vacation time on the books, on the recommendation of our Auditors the town needs to bring down this liability. There are 3 employees that have asked would the Town be interested in paying them for their vacation time above and beyond their 20 days. The Commissioners would like to know the total and would like to be able to split the cost between

FY23 and FY24. There was a TAC meeting regarding the proposed Hotel, there are still issues that need to be addressed. Have requested further information. Will not move out of TAC until all questions are answered. Working with a group of concerned citizens in the Historic District regarding signage to slow traffic. Third addition of the newsletter will be coming out. Meeting with USDA regarding funding for the new Police/Town Hall, they have a Grant/Loan program for small rural communities. There may be some Federal and State earmarks, asked the Commissioners to reach out to the State Senators and Representatives to put on the list for future earmarks. Steve Ball and Rob are meeting with our engineers to do a walk-through of the future extension of the nature trail. Received a \$28,000 grant from the Department of Natural Resources with a match for the Town of \$7,000 for a feasibility study on the future nature trail. Historic District Commission will be addressing the string lights and making changes to their guidelines.

Vickie Sharp, Water Billing/AR Clerk, stated that the water meters have been received by the town and are currently stored in our warehouse.

5. Comments from the Public

Mark Berman addressed the Commissioners regarding the proposed Hotel to be located at 906 S. Talbot Street, asking the Commission to "enact an ordinance or amend the Town Code to ensure that safety, welfare and use and enjoyment of the tax-paying residents of St. Michaels and its visitors are protected". He also hand delivered a letter to the Commissioners. Commissioner Breimhurst suggested that Mr. Berman get together with the Town Attorney to review the correct way to possibly amend the code legally.

Langley Shook addressed the Commissioners regarding the nature trail and the proposed Hotel. Stressing concern on how the swimming pool that will be associated with the Hotel would pierce the views of the nature trail. The nature trail needs to be preserved as intended by the citizens of the Town.

Public comments communicating concerns regarding the proposed hotel.

6. Board and Committee Appointments

Mike Bibb is the new member selected for the Historic District Commission

There is still an opening on the Waterways, anyone interested please step forward.

7. Consent Agenda for Minutes, Department Reports

Consent Agenda was approved. Commissioner Harrod motioned to approve the Consent Agenda. Commissioner Whittington seconded and was passed on roll call vote 5-0 in favor.

Minutes - January 25, 2023

Department Reports - Police Department

Finance

Planning and Zoning

Public Works

8. Old Business

Resolution 2023-02 EOP- Emergency Operations Plan, A RESOLUTION OF THE COMMISSIONERS OF ST. MICHAELS TO ADOPT AN EMERGENCY OPERATIONS PLAN FOR THE TOWN OF ST. MICHAELS, was approved, to include updated contact information. Commissioner duPont motioned to approve Resolution 2023-02 EOP-Emergency Operations Plan, with updated contact information. Commissioner Whittington seconded and was passed on roll call vote 5-0 in favor.

Resolution 2023-05 Dog Park, A RESOLUTION OF THE COMMISSIONERS OF ST. MICHAELS DECLARING FULL SUPPORT FOR THE CREATION OF A DOG PARK, was approved. Commissioner Whittington motioned to approve Resolution 2023-05 Dog Park. Commissioner Breimhurst seconded and was passed on roll call vote 5-0 in favor.

9. New Business

Steve Ball discussed Resolution 2023-04 issued a 6-month moratorium on Formula Businesses (Franchise/Chain related), to regulate formula businesses beyond that 6-month period a zoning code amendment would be required. There seems to be 2 issues that are getting intertwined, 1st is to regulate franchise/chain stores which that is what the moratorium is doing. The 2nd issue is project design and scale. With franchises there would be 3 ways to file for a franchise; (1) prohibit all franchises and grandfather in the ones that are here; (2) would be to allow some formula businesses while prohibiting others; (3) would be to review formula businesses on a case-by-case manner, this would be done through a special review process with the Board of Appeals. There is the design/scale to regulate the commercial gateway zoning district, once over a certain size one would need to go through the Board of Appeals. Commissioner Breimhurst asked could there be a hybridized version. Steve stated that it could be written to include the design/scale language within the moratorium. These changes to the moratorium can be done through an amendment. Will draft the amendments to go to the Planning Commission for approval and then to the Commissioners.

Steve Ball recommended that the tree mitigation go back to the Planning Commission with the comments and revisions from the Critical Area Commission. Send the Legacy Tree Program to the Parks & Recreation Commission for them to work on a program related to Legacy Trees.

10. Comments from the Public

Individuals from the community continued to speak out about franchise/formula businesses.

11. Comments from the Commissioners

Commissioner duPont commented that the public was making their job easy, felt it was a wholesome discussion with the community.

12. Commissioners Calendar

February 22, 2023

Accommodation tax discussion - Cassandra Vanhooser - Talbot County Economic Development and Tourism

Discussion of Boyscout Lease

Tree Mitigation - Introduction

Reviewed items on the future calendar;

February 22, 2023, Accommodation tax discussion - Cassandra Vanhooser - Talbot County Economic Development and Tourism

Discussion of Boyscout Lease

Scheduling of Budget meetings

Tree Mitigation - Introduction

13. Announcement of Future Meetings - to be held at Library

February 20, 2023 - Office Closed for Presidents Day

February 22, 2023 - COSM Legislative Session

March 8, 2023 - COSM Working Session

March 22, 2023 - COSM Legislative Session

Announcement of future meetings;  
February 20, 2023 - Office Closed for Presidents Day  
February 22, 2023 - COSM Legislative Session  
March 8, 2023 - COSM Working Session  
March 22, 2023 - COSM Legislative Session

14. Adjournment

Adjournment of the Legislative Session at 8:00 pm

Respectfully Submitted by  
Vickie Sharp  
Town Clerk

Public Participation: All comments from the public will be taken during the period set aside for "Comments from the Public." The "Comments from the Public" portion of the Commission agenda shall have a limited time period as determined by the Commissioners, and shall be at the beginning and at the end of each agenda. To be recognized, a member of the public should raise his or her hand and wait to be recognized by the President. Comments and questions should be kept brief and to the point, and be directed to the President.