

# MINUTES



**Commissioners of  
St Michaels  
Meeting Minutes Working Legislative and Closed Session  
Wednesday, June 14, 2023, 6:00 pm - 8:10 pm  
St. Michaels Branch of the Talbot Co. Library  
106 S. Fremont Street  
St. Michaels, MD 21663**

1. 6:00 pm - Call to Order for Working 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 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. Other representatives include Town Administrator Rob Straebel, Town Planner Steve Ball, Town Clerk Vickie Sharp, Special Projects Manager/Code Compliance Officer Eric Knapp and Captain Oswald. Approximately 11 members of the public were present as well as remote attendees on Zoom.

2. Announcement of Closed Session

The Commissioners will meet in a closed session after adjournment of Open Session pursuant to Maryland Code, under the Open Meetings Act, General Provisions Article Section §3-305(b) 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.

3. Announcements from COSM and Staff

Commissioner Breimhurst and Rob Straebel met with Roy Meyers of the Sea Level Rise and Climate Change Commission, regarding the meeting next week with Secretary of Emergency Management for the State of Maryland Mr. Strickland, who will be touring the harbor areas and flood prone areas in town. To get a personal prospective on what we are trying to accomplish. County Officials will be attending as well.

Commissioner Breimhurst met with Commerce Secretary Anderson to discuss revenue enhancement efforts with the support being tourism infrastructure. Has put Commissioner Breimhurst in touch with staff members that can help boost the Town's inability to handle the tourism and to support the infrastructure that is necessary.

The Town sent a draft contract for the purchase of the Environmental Concern property, their Attorney reviewed and had made comments. The Town's Attorney will be reviewing the changes and getting the contract back to Environmental Concern.

Rob Straebel stated that Steve Ball has submitted for an MDOT grant for final construction drawings for the extension of the nature trail to Perry Cabin Park. The matching funds are in-kind in the amount of \$2,000.

Smart meter installation is going well with 263 meters installed last week. Currently 754 installed out of 1,260. There was a slow start, but things have picked up with a larger crew. Approximately

100 meters with residences or businesses that will take some coordination with VEPO, the installer. By end of June to early July will have all the installation of the smart meters.

Ordinance No. 546 was handed out to the Commissioners so that everyone had the final budget numbers.

Started a customer satisfaction survey for permittees that have received their building permits within the past 2 months. 2 responses have been received and the range from good to excellent.

Three proposals have been received to hire a real-estate agent to sell 2 surplus properties that the Town has for sale, Long and Foster Building at 109 S. Talbot Street and intersection of S. Talbot and Boundary Lane designated as 800 Talbot Street. There is another piece of property to be discussed tonight to determine if it will become surplus on the corner of Canton and Fremont. Have evaluated the proposals and will be making a recommendation to the Commissioner's. At the last meeting Commissioner's did give Mr. Straebel the authority to select the realtor. Look for an email letting the Commissioner's know who has been selected.

Monday, June 19th is a holiday. Town Hall will be closed. Normal trash pickup will be on Monday, with bulk trash on Tuesday, the 20th and normal recycling on Friday, all will occur as normal.

Meeting coming up on Saturday, July 8, 2023 from 9:00 to 11:00 am at Bradley Park, there will be an unveiling of the conceptual plans for the nature trail. Will have it in the park under the gazebo next to the trail. Casey Rauch will be presenting his findings and different alternatives for the entrance to Perry Cabin Park. Look for constant contact notifications.

On Thursday, July 13, 2023 from 5:00 to 7:00pm there will be a meeting at the Library for comments on the conceptual sketches for the flood mitigation at West Harbor Road and East Chew. Look for constant contact notifications.

Reminder of Chief Smith's retirement party on June 30, 2023 starting at 1:00pm. Number of speakers and food will be served.

Steve Ball gave an update on the Planning Department. Have pasted several new Ordinances (text amendments) and will be working on a Cannabis ordinance with help from the Town's attorney. Have been notified by the proposed Hotel property owners that they formally withdrawn their project for consideration. Working with Sea Level and Climate change.

Eric Knapp gave an update on the Code Compliance department and answered questions from Commissioner's. Working on getting information into Auto Cad. Canton Street extension has been put out for public bid.

Captain Oswald gave an update on the Police Department and reinforced for everyone to keep their vehicle doors lock as there is still petty theft going on. May 30th, there was an identity theft and fraud prevention workshop that was very successful.

#### 4. Comments from the Public

Mark Berman, spoke against the sale of the proposed surplus property on Canton and Fremont. Feels this property location could serve as the location for the new Police Station.

#### 5. Appointments and Announcements

Commissioner duPont motioned to appoint Caption Jeff Oswald to position of Police Chief.

Commissioner Harrod seconded and he was appointed on roll call vote 5-0 in favor. Will be follow up decisions on commitments between Captain Oswald and the Town.

Commissioner duPont motioned to appoint Doug Rollow to the Planning Commission. Commissioner Whittington seconded and he was appointed on roll call vote 5-0 in favor.

Commissioner duPont motioned to re-appoint Rob Straebel to the Talbot County Economic Development Commission. Commissioner Harrod seconded and he was re-appointed on roll call vote 5-0 in favor.

Commissioners postponed the election of officers - President, Vice-President and Treasurer until the next meeting, July 12, 2023.

6. Consent Agenda for Minutes, and Events

Consent agenda was approved as a whole. Corrections to the meeting minutes from May 24, 2023. Under Old Business, first paragraph, second line, remove the word businesses, replace with Government Buildings. Commissioner Mercier motioned to approve the consent agenda with changes to the meeting minutes. Commissioner Harrod seconded and was passed on roll call vote 5-0 in favor.

7. Ordinance for Public Hearing

Public Hearing of Ordinance No.540 - Tree Mitigation. Mark Berman recommended that the on Line 89 the wording "Removal of dead or diseased trees also require mitigation" be removed from this ordinance. Discussion on wording and meaning of the ordinance continued with the Staff, Commissioners and Public. This hearing has been tabled and left open for further re-write, additions and/or corrections.

8. Ordinance for Discussion and Introduction

Introduction of Ordinance No. 541- HDC Changes **AN ORDINANCE AMENDING CHAPTER 340, "ZONING", ARTICLE V, HISTORIC OVERLAY DISTRICT, TO REQUIRE APPROVAL BY THE HISTORIC DISTRICT COMMISSION OF CHANGES TO THE EXTERIOR OF A BUILDING IN THE HISTORIC DISTRICT IN CONFORMANCE WITH THE TOWN'S HISTORIC DISTRICT GUIDELINES, AS THEY MAY BE AMENDED FROM TIME TO TIME, AND TO REVISE AND REORGANIZE CERTAIN PROVISIONS of ARTICLE v, FOR CLARITY.** Commissioner duPont motioned to move Ordinance No. 541 to a Public Hearing on July 12, 2023. Commissioner Whittington seconded and was passed on roll call vote 5-0 in favor of Public Hearing.

Introduction of Ordinance No. 547 - Noise **AN ORDINANCE AMENDING CHAPTER 216, "NOISE", FOR THE PURPOSE OF CLARIFYING THOSE CONDITIONS THAT CONSTITUTE A NUISANCE IN THE TOWN AND THE INCREASING THE EFFICIENCY AND EFFICACY OF CODE ENFORCEMENT EFFORTS WITH RESPECT TO NUISANCE NOISE.** Commissioner duPont motioned to move Ordinance No. 547 to a Public Hearing on July 12, 2023. Commissioner Harrod seconded and was passed on roll call vote 5-0 in favor of Public Hearing.

Introduction of Ordinance No. 548 - Regarding Budgetary Amendments for FY2023 **AN ORDINANCE OF THE COMMISSIONERS OF ST. MICHAELS TO AMEND THE BUDGET FOR FISCAL YEAR 2023, AS ADOPTED ON APRIL 29, 2022, EFFECTIVE JUNE 2, 2022.** Commissioner Harrod motioned to move Ordinance No. 548 to a Public Hearing on July 12, 2023. Commissioner Mercier seconded and was passed on roll call vote 5-0 in favor of Public Hearing.

9. Resolution for Consideration to Declare the Town-Owned Vacant Lots at 122 and 124 Fremont Street as Surplus and Declaring the Town's Intent to Sell Such Property

Resolution No. 2023-10 **A RESOLUTION OF THE COMMISSIONERS OF ST. MICHAELS DECLARING CERTAIN REAL PROPERTIES SURPLUS AND AUTHORIZING THE SALE THEREOF**, Commissioner duPont motioned to in favor of Resolution No. 2023-10.

Commissioner Harrod seconded and was passed on roll call vote 5-0 in favor.

10. New Business

RFP was handed out for review for consulting services to create a master plan for the Environmental Concern property, any future park plans should be a park associated with the community. Hiring a professional consultant to come in and listen to the community to what amenities they would like to see within a park. Start soliciting landscaping architect firms that specialize in this type of work. Pending no comments, will send out the proposal on Friday. Will advertise through Maryland Planning Association, Landscape Architect Association, MML, Constant Contact, will strategize with staff to see how widespread we can get. Eastern Shore Land Conservatory has been working closely on this project and has an architect who has started to think about the property, they are willing to bid as well and stay involved. Also assisting with acquiring grant funds.

11. Comments from the Public

Mike Bibb announced that a Boy Scout had passed away due to an auto accident.

Ada Kahill, commended Brian Thompson and the maintenance crew for the exceptional work they are doing with the new water meters. Regarding the survey sent out wanted to know if anyone with open permits received the survey and that it is a one-sided process. Also asked would a survey be sent out regarding the maintenance department so that they could get a pat on the back for their service.

John O'Connor commended Captain Oswald for his service and stated he was of great value and that he should know the Commissioners support him.

Tiffany Sweeney stated she agreed with Mr. O'Connor and congratulated Chief Oswald.

12. Comments from the Commissioners

Commissioner Breimhurst stated that he agreed with all the comments for Captain Oswald and that he had his full support.

Commissioner Harrod asked what determines when something has been Grandfathered or not Grandfathered in? Rob Straebel stated that the code will determine Grandfathering.

Commissioner duPont stated there are 2 apprentices at the Motor Museum taking classes every Thursday and another 4 signed up.

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

June 25-28, 2023 - MML Summer Conference - Ocean City

July 12, 2023 - COSM Working & Legislative Session

August 9, 2023 - Working & Legislative Session

September 13, 2023 - Working Session

14. Closed Session Statement

The Commissioners voted to go into a Closed Session to be held after the Open Session on Wednesday, June 14, 2023 pursuant to Maryland Code, under the Open Meetings Act, General

Provisions Article Section §3-305(b) 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.

15. Adjournment of Open Session

At close of Open Session, COSM will convene into Closed Session

Commissioner duPont motioned in favor to move from open session to closed session.

Commisisoner Mercier seconded the motion and was passed on roll call vote 5-0 in favor.

16. Adjournment of Closed Session

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.