

MINUTES



**Commissioners of
St Michaels
Meeting Minutes Working and Legislative Session
Wednesday, December 13, 2023, 5:00 pm - 8:00 pm
St. Michaels Branch of the Talbot Co. Library
106 S. Fremont Street
St. Michaels, MD 21663**

1. 5:00 pm - Call to Order for Working & Legislative Session - Pledge of Allegiance

Commissioner Breimhurst, President, called to order a live and remote Working Session of the Commissioners of St. Michaels at 5:00 p.m. in St. Michaels, Maryland and the Pledge of Allegiance was recited. Present at the meeting were Commissioners Joyce Harrod, Al Mercier, Tad DuPont and Katrina Whittington. Other Representatives included Town Administrator Rob Straebel, Town Clerk Kristen Payne, Town Planner Steve Ball, Finance Clerk Vickie Sharp and Chief Oswald. With approximately 24 members of the public and Zoom present as well.

2. Announcement of Closed Session

The Commissioners voted to go into a Closed Session after the Open Session on Wednesday, December 13, 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 whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals

3. Announcements from COSM and Staff

Commissioner Whittington joined the St. Michaels Rotary Club for their 20th year of taking families shopping.

Commissioner Harrod joined the Mid-Shore Regional Council, Economical Development and MACo down at the Hyatt Regency to discuss the projects that have been completed.

Commissioner DuPont stated that the State of Maryland cut 3.3 billion dollars in highway funding. Commissioners are not sure how this is going to affect future highway projects for the town and projects from the Department of Nature Resources.

Commissioner Briemhurst commended everyone that made Christmas in St. Michaels a success. A special thanks to Chief Oswald and the extra officers brought in to keep everything moving on schedule and to get the streets cleared as quickly as possible. Also wanted to thank Town staff and the Public Works department who had extra people on hand to get everything picked up. He also mentioned that the lighted boat parade was a wonderful event.

Rob Straebel stated there was a fire on December 3rd at the Town's pump station on Marengo Street. Started at about 11pm and believe to have originated in the attic and likely to have been electrical. Fire Marshall's report will be forthcoming. Rob has been speaking with Emergency Services Engineers to make sure safeguards are in place. Rob reached out to our insurance carrier LGIT, and an adjuster came out to complete a report. Fire Chief Larry Cooper set up a

Tanker Task force, which requires all neighboring fire stations to respond to a fire in St. Michaels. The pump station on Gloria Avenue will be able to supply water to the town sufficiently through the winter and early spring months. Rob to send out a Constant Contact to keep the community updated. The draft Environmental Concern Master Plan will be presented on January 10, 2024, next Commissioners meeting. The town library meeting room will not be available after March 1st, 2024, due to the library undergoing construction. Kristen is working with Christ Church to see if the Parish Hall could be available for us to use during that time for all meetings. Canton Street update, the sewer lines have been installed. The culverts have also been installed and final grading has taken place today. Compaction tests will be conducted tomorrow, December 14, 2023. If all goes well, the paving will be done on Friday, December 15, 2023. Rob announces new Town Clerk Kristen Payne, who joined the office on December 4, 2023. Rob will be on vacation December 26, 2023 - January 1, 2024. Returning to the office January 2, 2024.

Chief Oswald stated that the Shop with a Cop on December 5, 2023, was a huge success. They were able to provide \$100 to each of the 50 children that attended. A party for those children followed on Thursday, December 7, 2023. Officer Dylan Nepert joins the force and is currently in training.

Steve Ball stated there will be new projects coming in the new year. Regarding the Environmental Concern project, we have a very tight time frame to approve the plan for Open Space funding. Planning Commission made some recommendations regarding the new Cannabis Zoning text amendments. Those will be coming before the Commissioners in January.

4. Comments from the Public

John Novak stated concern for the lack of taxes paid to the Town by the CBMM. CBMM owns three properties in town with estimated value of \$22 million and that the taxes on those properties could estimate roughly \$107,000 annually in taxes for the Town. However, the CBMM claims their non-profit status is the result of not having to pay any tax dollars to the town (i.e. real estate, entertainment, etc.). CBMM just recently purchased the tour boat The Patriot. In recent years, the tour boat has provided the town roughly \$50,000 in entertainment tax, annually. Since CBMM now owns this tour boat, the town will no longer be receiving those tax dollars. (Attachment)

5. Special Presentation

Roy Myers and Anna Johnson, Project Manager for Bayland presented a power point on the San Domingo Creek and West Side Stormwater and Harbor Infrastructure Assessment and Flood Mitigation Plan. Roy stated that this was initially brought to the Commissioners in 2020 for the DNR study of the Main Harbor. The purpose of that study was to look at the sea level rise and the storm surge in the main harbor for 2050 and to identify at risk areas. The grant request has been submitted as of December 13, 2023 to look at the final design permitting and construction for the living shoreline at Back Creek Park and the additional assessment of the tide gate under the nature trail bridge. Members from Envision the Choptank were present and have agreed to assisting with finding more funding for grants.

St. Michaels Day proposal has been moved to January 10, 2024.

6. Consent Agenda for Minutes, Events, and Department Reports

Consent agenda (minutes and department reports) were approved as presented. Commissioner Harrod made a motion to accept the consent agenda, seconded by Commissioner DuPont, was passed on roll call vote 5-0 in favor.

Events Sign permit was approved, Commissioner Harrod made a motion to accept the Hearts on Talbot event, seconded by Commissioner Whittington, was passed on roll call vote 5-0 in favor.

7. Ordinance for Introduction/Discussion

Ordinance No. 552 - Leaf Blowers - Has been sent back to staff to re-draft.

Ordinance No. 553 - **AN ORDINANCE OF THE COMMISSIONERS OF ST. MICHAELS AMENDING THE CODE OF THE TOWN OF ST. MICHAELS, CHAPTER 98 "BOARDS, COMMISSIONS, COMMITTEES AND PANELS", § 98-4 "PARKS AND RECREATION ADVISORY BOARD" TO EXPAND MEMBERSHIP ON THE BOARD FROM FIVE TO SEVEN MEMBERS.** Rob asks to set public hearing for January 24, 2024. Commissioner Dupont calls for motion to approve Ordinance 553, seconded by Commissioner Harrod, was passed on a roll call vote 5-0 in favor.

8. Old Business

a. Website Redesign and Maintenance Approval

Rob stated after reviewing the ten proposals, he and staff have identified two finalists and recommends moving forward with CivicPlus based on cost, usability, their experience and previous website development. Commissioner Dupont motions to approve, seconded by Commissioner Whittington, was passed on a roll call vote 5-0 in favor.

b. Trail Phase II Final Grant Agreement

Steve stated that Maryland Department of Transportation has awarded the Town of St. Michaels an additional grant of \$48,260 for the additional 1.25 miles of the nature trail. Rauch Engineering will complete 100% of the construction engineered drawings. Commissioner Harrod motions to approve, seconded by Commissioner Whittington, was passed on a roll call vote 5-0 in favor.

c. Approve Design Fees for ADA Bathroom at New Admin Office

Rob stated on November 8, 2023, Commissioners directed staff to seek additional architectural proposals to develop engineered plans for ADA compliant bathroom at the Environmental Concern property for the new Town Office. Chesapeake Green Building and Design, Inc. proposed \$1,100 for total cost including permits for biddable plans. Commissioner Mercier motioned to approve the ADA proposal from Chesapeake Green Building and Design, Inc., seconded by Commissioner Whittington, was passed on a roll call vote 5-0 in favor.

d. Award Bid for Painting of Interior and Exterior Environmental Buildings

Rob stated that the Town received four bids. Rob recommends Certa-Pro Painters to complete projects. The owner of Certa-Pro Painters was present to field questions from Commissioners. Commissioner Harrod motion to approve, seconded by Commissioner Briemhurst, was passed on a roll call vote 5-0 in favor.

9. New Business

a. Wetlands Mitigation Plan - Grace Street

Steve stated on November 6, 2023, the Town received MDE's first overdue notice regarding the failure to submit the reports and a request to remedy the situation. Steve stated that he believes that this required work was overlooked during a time of the Town's administrative staff transitional period and was never addressed. Requesting sole source contract with Environmental Systems Analysis, Inc. for a five-year period. Commissioner DuPont motion to approve, seconded by Commissioner Harrod, was passed on a roll call vote 5-0 in favor.

b. 2024 Holiday & COSM Meeting Schedule

Commissioner Breimhurst motioned to approve the 2024 Holiday and COSM Meeting

Schedule, seconded by Commissioner Whittington, was passed on a roll call vote 5-0 in favor.

10. Comments from the Public

Resident stated that the Muskrat Park Christmas Tree was vandalized again. Suggested putting cameras in. Resident had questions regarding the plans for the new park at the Environmental Concern property off of Boundary Lane and whether or not the plans for options had been presented to the public. Commissioners stated that all information is posted on the Town's website for review.

Resident stated concerns for the budget that was presented and wanted to urge the Commissioners to be mindful.

11. Comments from the Commissioners

No Comments

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

December 25, 2023 - Christmas Day - Town Office Closed

January 1, 2024 - New Year's Day - Town Office Closed

January 10, 2024 - COSM Working Session

January 15, 2024 - Martin Luther King, Jr. Day - Town Office Closed

January 24, 2024 - COSM Legislative Session

13. Closed Session Statement

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14. Adjournment of Open Session

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

15. 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.