

MINUTES



**Commissioners of
St Michaels
Meeting Minutes Legislative Session
Wednesday, January 24, 2024, 4:30 pm - 8:00 pm
St. Michaels Branch of the Talbot Co. Library
106 S. Fremont Street
St. Michaels, MD 21663**

1. Announcement of Closed Session - Pledge of Allegiance

Commissioner Harrod, Vice President, called to order a live and remote Legislative Session of the Commissioners of St. Michaels at 4:30 p.m. in St. Michaels, Maryland and the Pledge of Allegiance was recited. Present at the meeting were Commissioners David Breimhurst (on Zoom), Al Mercier, Tad DuPont and Katrina Whittington. The Commissioners voted to go into a Closed Session before the Public Meeting scheduled for 5pm 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.

2. 5:00 pm - Call to Order for Legislative Session

Commissioners opened the Legislative Meeting at 5pm after coming out of closed session. Representatives from the town included Town Administrator - Rob Straebel, Town Clerk - Kristen Payne, Town Planner - Steve Ball and General Clerk - Jenn Whiting. With approximately 16 members of the public and 20 on Zoom present as well.

3. Announcements from COSM and Staff

Rob Straebel asked Commissioners if they wished to get proposals from Lee Weldon to do improvements at the Police Station, Commissioners approved. Rob stated that website development was starting on Friday, February 2, 2024 and is hoping to have it up and running in the next few months. Rob stated that the interior painting at the Environmental Concern building will be starting Thursday, January 25, 2024. Rob stated that the Marengo Street pump station is waiting on formal approval from LGIT on the Insurance Claim.

4. Comments from the Public

5. Special Presentation

Scott Scarfone presented the final Master Plan for the San Domingo Creek Park. Scott presented the PDF site plan for view and stated that this was the plan presented previously but without the dog park and viewing mound as requested. Scott stated in place of the dog park would be an extension of the pollinator meadow and in place of the viewing mound would be a loblolly pine grove. Scott opened up the presentation to comment from Commissioners and Public. Commissioner DuPont made a motion to approve the final master plan and the name as it was presented, San Domingo Creek Park, Commissioner Whittington seconded, was passed by roll call vote 5-0 in favor.

6. Consent Agenda

Commissioner DuPont stated that corrections needed to be made to the minutes from 1.10.2024. Commissioner Whittington made motion to approve minutes with corrections, Commissioner Mercier seconded, past by role call vote 5-0 in favor.

7. Ordinance Eligible for Vote

a. 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.

Commissioner Harrod presented Ordinance 553 for Public Hearing. Member from the public suggested changing the language in the ordinance to state "up to seven members" in the event there aren't enough members to fill the board. Rob Straebel stated for clarification that the board can still meet if there is a vacancy. As long as you have a quorum, the board can still meet. Commissioner Whittington motioned to close Public Hearing, Commissioner DuPont seconded, passed on roll call vote 5-0 in favor. Commissioner DuPont made a motion to approve Ordinance 553, Commissioner Mercier seconded, passed on roll call vote 5-0 in favor.

8. Old Business

a. Program Open Space Grant Authorization Request

Rob Straebel requested approval from the Commissioners for the \$1.7 million Program Open Space Grant to reimburse the town for the acquisition costs. The Town has designated 5.9 acres out of 7.6 acres as being potential open space and that will hopefully be awarded the \$1.7 million. Rob stated the Town did receive two appraisals; one came in at \$1.8 million and another for \$1.6 million, therefore averaging the request for the \$1.7 million. Rob stated that there is approximately 0.6 acres off of the Boundary Lane area designated for parking that will not be included in the Open Space Grant as well as about 1.1 acres for the current buildings and parking area that are currently on the property off of West Chew. Commissioner DuPont made a motion to approve, Commissioner Whittington seconded, passed on roll call vote 5-0 in favor.

9. New Business

a. COSM Staff Report on Short Term Rentals

Steve Ball stated that almost every week, the Town receives inquiries about short term rentals. Steve stated that there were inconsistencies with what was required in our licensing over the years and what is actually in the code and we needed to clean this up. Steve stated that there are 28 Short Term Rental Sites now and that we have identified 5 or 6 that are operating without a license. Steve presented a map showing 3 categories of short term rentals; Bed and Breakfast, Vacation Cottages and short term rentals that occur on the second story or commercial buildings. Steve stated that in reviewing other jurisdictions in the area (i.e. Ocean City, Easton, Oxford, Annapolis, etc.), there was a lot of variation in Short Term Rentals. He and other members from the staff came up with 9 changes that they felt would be beneficial to all the codes and remove the inconsistencies. Commissioners asked that town staff meet with the Lodging Association to review ideas for potential changes/language updates to the current code and application and to return to the Commissioners to discuss next steps.

b. San Domingo Creek Park Site - Annexation and Rezoning Discussion

Steve Ball stated that the San Domingo Creek Park Property is partially in the County jurisdiction and would like to bring that within the Town boundary through an annexation process. Steve Ball stated that Chief Oswald would like to include Boundary Lane as part of the annexation area, which is currently also in County jurisdiction, so that the entrance to the park (off of Boundary Lane) would be within the Town boundary. Chief Oswald would then have the ability to patrol and regulate it as needed and enforce the law on the road. Steve also stated in conjunction with the annexation area we would need a zoning district that is within the Town jurisdiction. Steve stated that if approved, the zoning should be residential as many of the grants the town is applying for require the property to be in a "priority funding area", essentially an urban area where the state would want to invest their money for infrastructure. Steve is seeking permission from the Commissioners to initiate the annexation and zoning process. Commissioners have advised to go forward to Planning Commission with annexation and zoning process leaving off Boundary Lane until they can gain more understanding from Chief Oswald and his rationale for wanting to have control over Boundary Lane.

c. IT Network Upgrades to EC Administration Building

Rob Straebel introduced Max Sedgi from ICSI to review quote for IT setup for the San Domingo Creek Park Property, new administrative building for the Town Office. Max stated that he and Rob did a walkthrough of the San Domingo Creek Park building a few weeks back and discovered that some of the wire that was currently in the building was able to be repurposed. ICSI will need to go through and test each line to make sure they can certify that there are no breaks in the lines. Max stated that the infrastructure that the Town currently has for IT is outdated and would use this opportunity to install new IT equipment, new firewall to new Wi-Fi access points. Commissioners expressed concern for cost and would like town staff to seek additional bids. Commissioners request to table until Town staff create an RFP and come back with competitive bids.

d. 2024 Proposed Fee Schedule

Rob Straebel presented new fee schedule based on the information obtained by surrounding communities (Oxford, Easton, Talbot County, Berlin). Rob asked Commissioners to consider these changes and to see if staff is on the right track. Rob states that these changes could create more revenues to recoup the costs of reviewing development permits and different applications they are coming in on a consistent basis. Commissioners request for staff to provide a report reflecting the breakdown of what the fee schedule currently produces, review and bring back to present to Commissioners for further discussion.

e. Etherton Hall - Contract Review for future COSM Meetings and Election

Kristen Payne presents final contract to Commissioners for approval of utilizing Etherton Hall, Christ Church for all future COSM meetings and this year's Commissioners Election 2024, starting March 13, 2024. Christ Church generously waived all costs for securing Etherton Hall for upcoming COSM meetings and Election. Commissioners will only be responsible for a \$50 cleaning fee/per meeting (Election). Commissioner Whittington has offered to donate one month of her salary to Christ Church. Commissioner DuPont made a motion to approve contract, Commissioner Whittington seconded, passed by roll call vote 5-0 in favor.

f. RFP Window Replacement at the Administrative Building

Rob Straebel presented an amendment to the agenda to include the RFP Window Replacement for the Administrative Building, 201 Boundary Lane. Rob stated he worked with a window consultant to create an inventory of all the windows that needed to be replaced, which includes 41 windows. Commissioners approved for staff to send out

RFP.

g. RFP Remodel of Public Restroom at Administrative Building

Rob Straebel presented a second amendment to the agenda for the RFP Remodel of Public Restroom at the Administrative Building, 201 Boundary Lane. Rob stated that he worked with Lee Weldon to develop plans for a remodel of the current bathroom to be an ADA compliant bathroom. Commissioners approved for staff to send out RFP.

10. Comments from the Public

Resident from the public asked for Commissioners to review Boundary Lane, and the speed limit. Resident suspects that is why Chief Oswald is interested in the Town acquiring this area so that Chief and other officers have the ability to enforce the speed limit.

11. Comments from the Commissioners

12. Commissioners Proposed Calendar

Commissioner Briemhurst requested that the Ethics Committee Bylaws be added to the February 14, 2024 meeting.

13. Adjournment of Open Session

Commissioners mention that the closed session held at the beginning of tonight's meeting, will continue in a closed session scheduled for January 30, 2024 at 5pm. Commissioner Harrod motions to adjourn.

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.