

MINUTES



**Commissioners of
St Michaels
Minutes Working Session
Wednesday, February 14, 2024, 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 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, Katrina Whittington and Al Mercier. Other Representatives included Town Administrator - Rob Straebel, Town Clerk - Kristen Payne, Town Planner - Steve Ball, General Service Clerk - Jenn Whiting, Code Compliance Officer - Kathy Thomas, Public Works Operations Manager - Brian Thompson and Chief Oswald. With approximately 25 members of the public and Zoom present as well.

2. Announcements from COSM and Staff

Commissioner Breimhurst stated that Commissioner DuPont submitted his resignation due to health reasons and proceeded to read aloud Commissioner DuPont's resignation letter upon his request to the public. Commissioner Harrod stated that the St. Michaels Firemen's Banquet is scheduled for Saturday, February 17, 2024 at the Miles River Yacht Club. Commissioner Harrod stated that the Troubled Waters: Black Watermen event will be held at the CBMM Van Lennep Auditorium on Saturday, February 17, 2024. Hosting keynote speakers Edzel Turner and Rev. Dr. William Wallace. Commissioner Harrod also stated that there was an event scheduled in the town of Easton to celebrate Black History.

Rob Straebel stated that the agenda for this meeting (2.14.2024) needed to be amended to include the Event - ChocolateFest. This application was submitted late but seeking approval from the Commissioners along with the other events that were on the agenda as this event is scheduled for March 2, 2024. Rob stated that staff had worked with Rauch Engineering in submitting a grant for the lead and copper piping inventory project. Rob stated that the grant is for \$222,500 over a 3 year period to create a plan to replace those areas that have lead and copper pipping. Rob stated that we are moving forward with the instillation of the water spickets on the Town slips on West Harbor Road. Rob stated that the Town had received a \$30,000 grant to install spickets in that area. Rob stated meters will be in place to monitor water usage and this project will need to be completed by July. Brian Thompson will be seeking bids. Rob stated that two tours have been completed at the San Domingo Creek Park property for contractors seeking to submit bids for the ADA compliant bathroom and the window installation. Rob stated that those bids are due Monday, February 19, 2024. Rob stated the Town is advertising for two additional RFP's for the SDCP administrative building; one for carpeting the building and one for shelving in the file room. Rob stated that there is a Board of Zoning Appeals meeting scheduled for Tuesday, February 20, 2024 at 5:30pm requesting a special exception for government facilities and parks and recreation facilities in a R1 zoning district for the San Domingo Creek Community Park. Rob stated, lastly that he had a very productive meeting with Royal Plus and numerous sub-contractors regarding the Marengo Water Treatment Plant. Rob stated everything should be moving forward fairly quickly.

Steve Ball stated that we should have a decision on Program Open Space in the next 4 or 5 weeks. Steve stated that after the Board of Zoning Appeals meeting scheduled for 2.20.2024 regarding the special exception, he would be following up with the Commissioners with information about the zoning and annexation. Commissioner Whittington asked Steve what the "Plan B" was should the Program Open Space grant fall through. Steve stated that he would continue seeking other grants to clear the land and build the park.

Brian Thompson stated that they met with all the general contractors regarding the Marengo Water Treatment Plant and there is a plan in place and hopeful that in 4-6 weeks, there will be pumpable, treated water to put back to the system on a as-needed basis until the plant is fully back up and running. Brian stated that the new Ford Maverick Hybrid vehicle came in at the end of January and has been a great addition to the Public Works Department. Commissioner Breimhurst asked Brian to confirm that the Marengo Water Treatment Plant would have the ability to pump but not full-scale ability in 4-6 weeks. Brian stated that the plant would have the ability to run on a full-scale function but that it's only a temporary set-up while they work to get the permanent repairs completed. Brian stated it will be in a manual capacity until it is fully up and running. Brian stated that the hope is that the Marengo Street Treatment Plant be completely finished in a few months. Commissioner Breimhurst stated that he noticed on Brian's monthly report that water usage was 147,000 gallons more this January (2024) than last (2023). Brian confirmed yes due largely to more accurate metering.

Chief Oswald stated that arrests for January were a little higher. However, a majority of those were warrants or summons. Chief Oswald stated that he attended a training on January 18, 2024 where he worked on several emergency situation scenarios and emergency operations plan for the County. Chief stated that their February 6, 2024 event, Skyworn Presentation and Coffee with a Cop went well and that approximately 20 people were in attendance. Chief stated that on January 18, 2024 he submitted a request for continued financial support for the crossing guard funding and will update once he receives a response. Chief stated that he was notified by the State that their Community Precinct Report was accepted, and they received positive feedback. Chief stated that he is currently in the process of assigning 18hrs of in-service training that will need to be completed by all officers. Commissioner Breimhurst addressed Chief, referencing the 2.14.2024 meeting when the annexation and rezoning of the San Domingo Creek Park property was being discussed, and also the roadway be included in the annexation, what Chief's thoughts were and why he wanted the roadway to be included. Chief stated that he felt it was important to be a talking point. Chief Oswald stated that, that particular section is out of their jurisdiction, and it would nice if they could have enforcement over that area.

3. Comments from the Public

4. Special Presentation

a. Mike Bibb - Police Accountability Board

Commissioner Breimhurst introduced Mike Bibb to present the Police Accountability Report to the Commissioners. Mike Bibb stated that he sat on the Police Accountability Board as the Vice Chair. Mr. Bibb stated that the Police Accountability Board came to be in February of 2022 during the session of the Legislative group that mandated all municipalities to put a board together. Talbot County decided to create a county board instead of one for each individual police department. Mr. Bibb stated that the board was officially established in August of 2022. Mr. Bibb stated that there are two parts to this board: administrative, where the PAB (Police Accountability Board) set the rules and regulations to oversee what goes on and the ACC (Administrative Charging Committee) actually charges. Mr. Bibb stated that if an officer has things brought against him, the ACC are the ones that decide what happens. The decision will then be brought back to

the PAB for a final review. Mr. Bibb stated that the PAB oversee 4 police departments: Talbot County Sherriff, Oxford, Easton and St. Michaels. Mr. Bibb went on to present the report to the Commissioners. After a brief discussion with Commissioners and Chief, Commissioner Breimhurst thanked Mr. Bibb for the update and his presentation.

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

Commissioner Breimhurst reminded all event organizers that the Town requires all permit requests be submitted at least 60 days prior to the event. Commissioner Breimhurst stated that this allows staff enough time to process and to please adhere to the 60-day provision. Commissioner Harrod made motion to approve Consent Agenda (minutes, events and department reports) as presented, seconded by Commissioner Mercier, was passed on roll call vote 4-0 in favor.

6. Ordinance for Public Hearing/Discussion

- a. Ordinance No. 550 - Cannabis Zoning - **AN ORDINANCE AMENDING CHAPTER 340, "ZONING", OF THE CODE OF THE TOWN OF ST. MICHAELS, TO ADD PROVISIONS RELATING TO THE OPERATION OF CERTAIN CANNABIS BUSINESSES IN TOWN BY AMENDING THE LISTINGS OF PERMITTED USES IN THE AGRICULTURAL USE CATEGORY AND THE COMMERCIAL USE CATEGORY; PROVIDING FOR SUPPLEMENTAL USE REGULATIONS FOR CANNABIS BUSINESSES; REORDERING THE USE LISTED IN THE AGRICULTURAL USE CATEGORY; AND AMENDING THE TABLE OF PERMITTED USES TO PERMIT THE OPERATION OF CANNABIS BUSINESSES IN CERTAIN ZONES.**

Steve Ball presented the ordinance stating that the proposed zoning text allows for cannabis sales and dispensaries. Steve stated that some areas were commercial, and some areas were Historic Redevelopment. Steve stated that this was sent to the Planning Commission who voted to have this brought back before the Commissioners to discuss the legislature as permitted in those zoning districts. Steve requested Commissioners to discuss the legislation, open for public hearing considering any comments and make a final decision to adopt or revise the zoning ordinance. Commissioner Breimhurst asked for clarification on retail outlets and cannabis dispensaries. Steve stated that the legislature refers to retail outlets as cannabis dispensaries, they are the same thing. Commissioner Mercier suggests a special exception to allow more control. Steve stated that there could be a change to the ordinance to "require" a special exception if the Commissioners preferred to do that. Commissioners open for public comment. Multiple members of the public also suggested that the Commissioners consider a change to include "special exception" in the language of the ordinance. Rob stated that staff could revise ordinance to include special exception and other minor changes. Commissioner Breimhurst called for motion to approve Ordinance No. 550 with changes, Commissioner Harrod made motion to approve, seconded by Commissioner Whittington, was passed on roll call vote 4-0 in favor.

- b. Ordinance No. 554 - Window Signs - **AN ORDINANCE AMENDING THE CODE OF THE TOWN OF ST. MICHAELS CHAPTER 340, "ZONING", ARTICLE XV, "SIGNS", §340-158 "DEFINITIONS" AND §340-161, "PERMITTED SIGNS", TO ALTER/DEFINE WINDOW SIGNS AND ALTER THE TREATMENT OF WINDOW SIGNS IN CERTAIN RESPECTS.**

Steve Ball stated that staff have difficulty implementing sign regulations related to variations and interior illumination of windows. The code regulates and limits both

temporary signs to 25% of the window and permanent signs to 25% of the window, which can be difficult to determine. Steve stated that staff is suggesting that window signs be clarified to allow up to 50% coverage of the window area regardless of whether they're temporary or permanent. Steve stated that the current code also prohibits string lights inside the window but that staff is also seeking to change this to allow string lights inside of the windows. Steve requests that the Commissioners direct staff to go to the Planning Commission to get their input and then come back before the Commissioners with a formal ordinance amending the zoning ordinance. Commissioners approve for staff to go before the Planning Commission and the Historic District Commission.

7. Old Business

a. Discussion - Trash Truck

Brian Thompson stated that the Town should lease a dumpster and get rid of the current trash truck that the Town is using for trash pick-up in communal areas. Brian stated that the trash truck is old and wouldn't be road worthy by next year. Brian stated that it would be much more feasible to lease a dumpster for \$1500/yr verses buying a new truck. Brian confirms they are looking to sell the current trash truck. Commissioners give the approval to move forward with leasing a dumpster.

b. ICSI - Updated Proposal

Rob presents ICSI proposal for network set-up at San Domingo Creek Park Administrative Office. Rob stated that ICSI is currently under contract with the Town for consulting. Once the network is built, ICSI will manage the system. Commissioner Mercier made motion to approve ICSI proposal, seconded by Commissioner Whittington, was passed on roll call vote 4-0 in favor.

8. New Business

a. Ethics Commission Code Review Committee

Rob stated the current Ethics Code, Chapter 22, has not been updated for several years and may be inconsistent with the Ethics Code of the State of Maryland. Rob suggests appointing members to an independent board to serve on an Ethics Code Advisory Review Committee. Commissioners approve to move forward with setting up committee and members to include one Commissioner, one Ethics Board Member and take applications from the public for three additional members.

b. Budget Workshops

Rob stated that the Budget Workshop dates have been confirmed and are as follows: All meetings will be held at the Boy Sout Cabin, 407 St. Mary's Square - Tuesday, March 5, 3pm - 5pm, Monday, March 18, 5pm - 7pm, Tuesday, April 2, 2:30pm - 4:30pm and Tuesday, April 9, 5pm - 7pm. Commissioners approve.

c. Commissioner DuPont's Resignation

Commissioner Breimhurst stated that per the Charter, since Commissioner DuPont resigned less than 90 before the next election, Commissioners will not be appointing another candadite.

9. Comments from the Public

10. Comments from the Commissioners

11. Commissioners Proposed Calendar 2024

12. Announcement of Future Meetings

February 28, 2024 - COSM Legislative Session

The following will be held at Etherton Hall moving forward:

March 13, 2024 - COSM Working Session

March 27, 2024 - COSM Legislative Session

April 10, 2024 - COSM Working Session

April 24, 2024 - COSM Legislative Session

May 8, 2024 - COSM Working Session

May 22, 2024 - COSM Legislative Session

13. Adjournment of Open 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.