

January 13, 2016

Present

Commissioners Joanne Clark, Jaime Windon, Joyce Harrod, Ann Borders and Roy Myers, Chief of Police Anthony Smith, Lieutenant Jeffrey Oswald, Officer Jason Chance and K-9 Max, Zoning Officer Sarah Abel, Communication Manager Kim Weller, Administrative Clerk Suzanna Warnick, and 15 members of the public.

Call to Order

President Clark called to order the meeting of the Commissioners of St. Michaels at 5:00 p.m. in the meeting room of the Edgar M. Bosley, Jr. Municipal Building, 300 Mill Street, St. Michaels, Maryland, and the Pledge of Allegiance was recited.

Announcements

Mrs. Weisman noted that by all accounts of attendance, especially at Christmas in St. Michaels and Midnight Madness, that tourism was strong with lots of feet on the street and bags in the hands. Mrs. Weisman said Kim Weller would be sending out a mailer urging everyone to join the Town's "email list." Commissioner Myers said he and Commissioner Harrod attended the Shared Table dinner. Commissioner Myers said that suggestions made at the dinner were that there be a community bulletin board at the Community Center and that the ball field be lighted for use at night by the young people. Mrs. Weisman said she would be looking into both suggestions.

President Clark said that the Commissioners had several pieces of legislation that were eligible for a vote at tonight's meeting, and she called for a motion to convene into special legislative session. Commissioner Borders made the motion, which was seconded by Commissioner Harrod and which passed on a roll call vote of 5-0 in favor.

Special Presentations

- Business Association

President Clark called upon members of the St. Michaels Business Association, including Bob Hockaday, President, who presented a check in amount of \$3,000 in support of the Police Department for their work in fighting drug use and prevention in the community. Police Chief Smith and the Commissioners thanked the Business Association for their most generous donation.

- Presentation of the FY2015 Audit

President Clark called upon Rick Tull of Lank, Johnson & Tull, Auditors, who provided highlights of the FY2015 audit of the Town's financials. Mr. Tull said the Town had once again received the highest level of financial health.

Public Hearing

- Ordinance No. 470: Side Yard Setback in WD zone

President Clark opened the public hearing on Ordinance No. 470 and called upon Zoning Officer Sarah Abel, who provided an overview of the proposed ordinance. Ms. Abel said the revision would facilitate progress on the Inn at Perry Cabin expansion project and was a prelude to a full review of the Zoning Code by the Planning Commission. President Clark then called upon Mrs. Warnick, who read the title of the ordinance and exhibits into the record as follows:

ORDINANCE NO. 470: AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF ST. MICHAELS, CHAPTER 340 ZONING, SUBSECTION 340-23; TO REVISE THE MINIMUM SIDE YARD SETBACK REQUIREMENTS FROM 100' TO 65' IN THE WATERFRONT DEVELOPMENT (WD) ZONE

Exhibits

1. Draft Ordinance No. 470
2. Notice of Public Hearing, published in the Star Democrat on December 29, 2015 and January 5, 2016
3. Letter proposing the setback change from the Planning Commission, dated December 18, 2015
4. Copy of Table 4.1

There were no additional comments from the Commissioners. Sarah Abel responded to Marie Martin of Cherry Street, who objected to the modification of the setback requirements. Zack Smith, attorney for the Perry Cabin project, said he supported the setback change. As there were no additional comments, President Clark called for introduction of Ordinance No. 470. Commissioners Myers and Harrod introduced the ordinance. President Clark then closed the public hearing.

Consent Agenda

President Clark announced that a vote to approve the items on the consent agenda would include approval of the department reports for the month of December, 2015, and approval of public event application from TriCycle and Run LLC, subject to receipt of approval from Board of Education for use of school parking lot. President Clark noted that the disbursements for December 2015 totaled \$ 550,581.80, of which the following were expenditures:

- \$ 14,000 to Funk & Bolton for Bond Counsel for Arsenic Engineering;
- \$ 196,986.12 to Johnston Construction Co. for Arsenic project contract;
- \$ 28,680.10 to URS Corp., Arsenic project engineers.

President Clark asked if the Commissioners wanted to remove any item from the consent agenda for discussion on the regular agenda. There were no requests. President Clark then called for a motion to approve the consent agenda as presented. Commissioner Windon made the motion, which was seconded by Commissioner Myers and then passed on a roll call vote of 5-0 in favor.

Ordinances Eligible for Vote

- Ordinance No. 468: Critical Area Map

President Clark announced that Ordinance No. 468 was introduced by Commissioners Myers, Borders and Harrod at the Commissioners' meeting of December 9, 2015, that a public hearing was held on December 9, 2015, and that the ordinance was now eligible for a vote. President Clark called upon Mrs. Warnick, who read for the second time the title of the Ordinance into the record as follows:

ORDINANCE NO. 468, AN ORDINANCE TO AMEND THE OFFICIAL CRITICAL AREA OVERLAY DISTRICT MAP FOR THE TOWN OF ST. MICHAELS TO RECORD 13.42 ACRES OF INTENSELY DEVELOPED AREA (IDA) AS PER THE GROWTH ALLOCATION AWARDED BY THE COMMISSIONERS OF ST. MICHAELS AND STATE OF MARYLAND CRITICAL AREA COMMISSION FOR

RDC INN AT PERRY CABIN LLC AT 308 WATKINS LANE; AND TO INCLUDE THE EXISTING BUFFER MANAGEMENT AREAS (BMA) ON THE OFFICIAL CRITICAL AREA OVERLAY DISTRICT MAP FOR THE TOWN OF ST. MICHAELS

As there were no additional comments or questions from the Commissioners, President Clark called for a motion to adopt Ordinance No. 468 as presented. Commissioner Borders made the motion, which was seconded by Commissioner Windon, and which passed on a roll call vote of 5-0 in favor.

- **Ordinance No. 469: Comprehensive Re-Zoning Map**

President Clark announced that Ordinance No. 469 was introduced by Commissioners Clark, Myers and Harrod at the Commissioners' meeting of December 9, 2015, that a public hearing was held on December 9, 2015, and the ordinance was now eligible for a vote. President Clark called upon Mrs. Warnick, who read for the second time the title of the Ordinance into the record as follows:

ORDINANCE NO. 469, AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP FOR THE TOWN OF ST. MICHAELS TO RECORD THE COMPREHENSIVE REZONING OF INDIVIDUAL PARCELS AS NOTED HEREIN AND FURTHER DETERMINED IN THE LAND USE AND GROWTH MANAGEMENT CHAPTER OF THE 2015 COMPREHENSIVE PLAN FOR THE TOWN OF ST. MICHAELS AS ADOPTED ON OCTOBER 28, 2015

As there were no additional comments from the commissioners, President Clark then called for a motion to adopt Ordinance No. 469 as presented. Commissioner Windon made the motion, which was seconded by Commissioner Myers, and which passed on a roll call vote of 5-0 in favor.

Items for Discussion

- **Heritage Day**

President Clark called upon Kimberly Weller, Communication Manager, who outlined her proposal for a one-day event in coordination with St. Michaels Museum in late September 2016. Mrs. Weller said this shorter event was a conversation that had taken place after the success of the 1812 event in 2014. Mrs. Weller said that a committee could be formed including the Maritime Museum, St. Michaels Museum, the Community Center and the Town to come up with activities for the event. Commissioner Borders said she would like the Heritage Day to be more for residents than for tourists, and that the Town should provide leadership. After some discussion, Mrs. Weller offered to provide more specific information on the staff required and budgeting, including grants that might be available for the event.

- **Policy on Parades**

President Clark opened the discussion on frequency and time length of parades in Town. After some discussion of complaints about road closures, Commissioner Borders said she thought that if the time of day and the length are widely publicized, it can be managed. President Clark also said if the application came to the Town before it goes to the State Highway Administration, it would allow the Commissioners to say no before the event got too far along in the planning. President Clark suggested using Commissioner Windon's generic language to come up with a policy, which could be included with the permit application.

- Attendance Rules for Commissioners in Charter

Commissioner Borders led the discussion. Commissioner Borders recommended language dealing with absences from meetings be added to the Charter just to provide a guideline for future absence situations. The Commissioners agreed staff should draft language for a Charter Amendment dealing with the “willful disregard of duties”, and that the Commissioners would have another discussion in conjunction with meeting times..

Commissioners’ Calendar

The Commissioners made changes and additions to the agenda for their legislative session on January 27, 2016 and for meetings in February 2016.

Comments from the Commissioners

Commissioner Harrod noted that former Commissioner Rosella Camper had passed away last Friday after a long illness.

Comments from the Public

Jim Fulton of Cherry Street asked about sewer work on Cedar Street and Locust Street. Mrs. Weisman said that that work was in the County’s next phase of repairs.

Announcement of Future Meetings/Events

President Clark made announcements as follows:

- January 18, 2016 – Town Office closed for Martin Luther King Jr. Day
- January 27, 2016 – 5:00 – Town Office – COSM Regular Legislative Session
- February 10, 2016 – 5:00 – Town Office – COSM Regular Work Session

Adjournment

The meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Suzanna Warnick
Administrative Clerk

Public Handouts:

Agenda
Department Reports
Ordinance No. 470: Side Yard Setback in WD Zone
Ordinance No. 468: Critical Area Map
Ordinance No. 469: Comprehensive Re-Zoning Map