

**May 25, 2016**

**Present**

Commissioners Joanne Clark, Ann Borders, Joyce Harrod, Jaime Windon, and Roy Myers, Town Manager Jean Weisman, Zoning Officer Sarah Abel, Administrative Clerk Suzanna Warnick., Commissioner's Elect William Boos and Michael Bibb, and five members of the public.

**Call To Order**

President Clark called to order the regular legislative session of the Commissioners of St. Michaels at 6:10 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.

**Public Announcements from COSM, Staff and Public**

Mrs. Weisman said that an election of Commissioners was held on Monday, May 2, 2016 and that, in addition to Commissioner Joyce Harrod being re-elected to a second term, Bill Boos of South Talbot Street and Michael Bibb of East Marengo Street were also elected, succeeding Commissioners Ann Borders and Joanne Clark. Mrs. Weisman said the newly elected Commissioners would be sworn in at the June 8, 2016 meeting. Commissioner Harrod said that on Monday, May 23, 2016, she had attended the monthly meeting of the Neighborhood Service Center, a community service organization in Easton, which helps area low income and distressed individuals and families, and she encouraged the other Commissioners to become familiar with the organization. Commissioner Myers noted that the Running Festival raised a significant amount of money for local charities at their RunFest over the May 20-22<sup>nd</sup> weekend. Mrs. Weisman also noted that on June 26-29, 2016, the Commissioners would attend the Maryland Municipal League Convention in Ocean City, Maryland. Commissioner Clark said the event was an invaluable learning experience, especially for newly elected individuals participating in municipal government.

**Special Presentation**

Commissioner Myers made presentation of the Town Seal to departing Commissioners Ann Borders and Joanne Clark, and making special note of Ann Borders' work on the 1812 Celebration and Joanne Clark's perseverance on the repair of Town streets.

**Public Hearing and Possible Vote**

- Ordinance No. 473: Amend Chapter 340-27, Critical Area Notification

President Clark opened the Public Hearing on Ordinance No. 473, noting that the ordinance was discussed on May 11, 2016 and introduced by Commissioners Harrod and Borders. President Clark then asked Mrs. Warnick for the sign-in sheets. There were no signatures. Zoning Officer Sarah Abel then said there had been no changes in the ordinance since the last discussion. As there were no additional comments from the Commissioners or the public, President Clark closed the public hearing and called upon Mrs. Warnick who read the title of the ordinance and the exhibits into the record as follows:

ORDINANCE NO. 473, AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF ST. MICHAELS; CHAPTER 340 ZONING, §340-27 CHESAPEAKE BAY CRITICAL AREA OVERLAY DISTRICT; TO AMEND ATTACHMENT 2, APPENDIX B FOR "SUMMARY OF NOTIFICATION REQUIREMENTS CRITICAL AREA COMMISSION" TO FOLLOW STATE OF

MARYLAND CRITICAL AREA COMMISSION NOTIFICATION REQUIREMENTS FOR  
LOCAL GOVERNMENTS UNDER COMAR 14.20

Exhibits

- Ex. 1 Copy of draft Ordinance No. 473
- Ex. 2 Copy of the notice of public hearing to be held on May 25, 2016, which was posted on the bulletin board at the Town Office, in the St. Michaels Post Office and on the Town's website, and published in the Star Democrat and on the Chesapeake internet site on May 10<sup>th</sup> and 17<sup>th</sup>, 2016.
- Ex. 3 Affidavit of publication of the Notice of Public Hearing in the Star Democrat

As there were no changes to the ordinance, President Clark called for a motion to approve Ordinance No. 473 as written. Commissioner Borders made the motion, which was seconded by Commissioner Harrod, and which passed on a roll call vote of 5-0 in favor.

- Ordinance No. 474: Amend Chapter 340 Zoning, regarding Sheds

President Clark opened the Public Hearing on Ordinance No. 474, noting that this ordinance was discussed on May 11, 2016 and introduced by Commissioners Borders, Myers and Windon. President Clark asked Mrs. Warnick for the sign-in sheets. There were no signatures. President Clark then called upon Sarah Abel, who noted there had been no changes to Ordinance No. 474 and there were no other comments or questions from the Commissioners or the public. President Clark then closed the public hearing and called upon Mrs. Warnick who read the title into the record as follows:

ORDINANCE NO. 474, AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF ST. MICHAELS; CHAPTER 340 ZONING, TO MODIFY THE TERM AND DEFINITION OF "SMALL UTILITY STRUCTURE" TO "ACCESSORY STRUCTURE, SHED" UNDER §340-108 DEFINITIONS; TO ADD SIDE YARD REQUIREMENTS FOR AN "ACCESSORY STRUCTURE, SHED" TO BE PERMITTED WITHIN TWO FEET FROM THE SIDE PROPERTY LINE WITH A LETTER OF NO OBJECTION FROM THE NEIGHBORING PROPERTY OWNER WHO ABUTS THE AFFECTED SIDE PROPERTY LINE IN THE RESIDENTIAL 3 (R3) ZONE UNDER §340-21 AND RESIDENTIAL GATEWAY (RG) ZONE UNDER §340-22; TO AMEND THE SIDE YARD REQUIREMENTS UNDER RESIDENTIAL 1 (R1) ZONE UNDER §340-19 AND RESIDENTIAL 2 (R2) ZONE UNDER §340-20 TO REFLECT THE REVISED TERM "ACCESSORY STRUCTURE, SHED"; AND TO LIMIT ONE "ACCESSORY STRUCTURE, SHED" TO BE PERMITTED WITHIN TWO FEET FROM THE SIDE PROPERTY LINE WITH A LETTER OF NO OBJECTION FROM THE NEIGHBORING PROPERTY OWNER WHO ABUTS THE AFFECTED SIDE PROPERTY LINE IN ALL RESIDENTIAL ZONES

Exhibits

- Ex. 1 Copy of draft Ordinance No. 474
- Ex. 2 Copy of the notice of public hearing to be held on May 25, 2016, which was posted on the bulletin board at the Town Office, in the St. Michaels Post Office and on the Town's website, and published in the Star Democrat and on the Chesapeake internet site on May 10<sup>th</sup> and 17<sup>th</sup>, 2016.
- Ex. 3 Affidavit of publication of the Notice of Public Hearing in the Star Democrat

As there are no substantive changes to Ordinance No. 474, President Clark called for a motion to adopt Ordinance No. 474 as written. Commissioner Windon made the motion, which was seconded by Commissioner Harrod, and which passed on a roll call vote of 5-0 in favor.

### **Consent Agenda**

President Clark announced that a vote to approve the items on the consent agenda would include approval of department reports for the month of April 2016; and approval of public event permit application from the St. Michaels Community Center for Concerts in the Park, approval of a public event permit application from the St. Michaels Museum for the annual 4<sup>th</sup> of July celebration, and approval of Sarah Abel as Zoning and Code Enforcement Officer for a one-year term. President Clark asked if there were any items that the Commissioners wished to remove from the consent agenda for discussion on the regular agenda. There were no requests, and no comments from the public. President Clark then called for a motion to approve the consent agenda as presented. Commissioner Windon made the motion, which was seconded by Commissioner Harrod, and which passed on a roll call vote of 5 -0 in favor.

### **Ordinance Eligible for a Vote**

- Ordinance No. 475: Amend FY16 Budget

President Clark announced that Ordinance No. 475 was discussed on May 11, 2016 and introduced by Commissioners Clark and Myers, and as no public hearing was required, President Clark said that the ordinance was now eligible for a vote. Mrs. Warnick then read the title of the ordinance into the record for the second time as follows:

ORDINANCE NO. 475, AN ORDINANCE OF THE COMMISSIONERS OF ST. MICHAELS TO AMEND THE BUDGET FOR FISCAL YEAR 2016, AS ADOPTED ON APRIL 22, 2015, EFFECTIVE MAY 13, 2015

As there were no additional comments from the staff, the Commissioners or the public, President Clark called for a motion to adopt Ordinance No. 475 as presented. Commissioner Borders made the motion, which was seconded by Commissioner Myers, and which passed on a roll call vote of 5-0 in favor.

### **Boards and Commissions - Appointments**

President Clark said there is one vacancy on the Ethics Committee to replace Rev. Mark Nestlehutt, who was stepping down due to a re-location. President Clark also noted two vacancies on the Waterways Advisory Board, and one of the vacancy on the Parks and Recreation Advisory Board. President Clark said John Marrah had applied for one of the vacancies on the Waterways committee. Mrs. Weisman said Mr. Marrah's application was the only one received, but noted the addition of an upcoming Alternate vacancy on the Board of Appeals. After some discussion, Commissioner Myers nominated John Marrah for the first vacancy with a term expiring in December 2016. Commissioner Harrod seconded the nomination, and the appointment carried on a roll call vote of 5-0 in favor.

### **Items for Discussion**

- Announcement of Contract Award for engineering design services related to the relocation of power lines

President Clark called upon Town Manager Jean Weisman, who said that Booth & Associates had been awarded the contract and were in a contract review with the Town's attorneys. Mrs. Weisman said the initial part of the contract would be \$38,662.00. Commissioner Borders said she was pleased that the project had reached this phase and looked forward to its continuation.

### **Commissioners' Calendar**

The Commissioners made changes and additions to their agendas for meetings in June and July, 2016.

The Commissioners of St. Michaels  
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**Comments from the Public (Residents and Taxpayers)**

There were no comments.

**Comments from the Commissioners**

There were no additional comments.

**Announcement of Future Meetings/Events**

- May 30, 2016 – Town Office closed for Memorial Day
- June 8, 2016 – 4:00 p.m. - Town Office – Regular Work Session
- June 22, 2016 – 6:00 p.m. – Town Office – Regular Legislative Session

**Adjournment**

The meeting was adjourned at 6:55 p.m.

Respectfully submitted,

Suzanna Warnick  
Administrative Clerk

**Public Handouts:**

Agenda

Ordinance No. 473: Amend Chpt 340-27, Critical Area Notification

Ordinance No. 474: Amend Chpt 340 Sheds

Ordinance No. 475: Amend FY16 Budget