

**The Commissioners of St. Michaels**

**Public Working Session**

**March 10, 2010**

**5:00 p.m. – Public Working Session**

**Present:**

Commissioners Michael Brady, Robert Snyder, Donna Hunt and Philip Dinkel, Town Manager Cheril Thomas, Administrative Clerk Sabrenia Yohn, and approximately 16 members of the public. Commissioner Joanne Clark was absent.

**Call to Order:**

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

**Consent Agenda:**

President Brady announced that the Consent Agenda included departmental reports for the month of February, 2010, with disbursements noted in the amount of \$384,530.35 of which \$151,419.82 was expended for capital projects and engineering, and \$575.00 was reimbursable legal costs. There were no comments on the monthly reports. President Brady said that the Consent Agenda also included a request on behalf of the Girl Scouts of Royal Oak, Maryland to do stenciling on the Town's storm drains as part of earning their Water Drop Badge which is an EPA badge and with the permission of the Commissioners, he would like to move the discussion of the request from the Girl Scouts to after the vote on the Consent Agenda. Commissioner Hunt made a motion to accept the Consent Agenda for reports only. Commissioner Snyder seconded the motion which passed on a roll call vote of 4-0 in favor.

President Brady then announced that there will be an election for Commissioners on Monday, May 3, 2010. There are two seats with 4-year terms expiring in 2014, and one seat with a term expiring in 2012. Information is available at the Town office and also on the Town's website at [www.townofstmichaels.com](http://www.townofstmichaels.com). The election will be held at the Town Office between the hours of 7:00 a.m. and 7:00 p.m. All qualified persons wishing to be a candidate for the office of Commissioner must file a Certificate of Candidacy on or before 4:30 p.m., Friday, April 2, 2010 at the Town office.

**Request from Phillips Wharf Environmental Center, Inc. to allow the Girl Scout Troop from Royal Oak to do stenciling on the Town's Storm Drains:**

President Brady then called upon Kelley Cox from the Phillips Wharf Environmental Center, Inc., who was requesting permission for the Girl Scouts of Royal Oak to stencil some of the storm drains in St. Michaels for their Water Drop Badge, a badge sponsored by the Environmental Protection Agency. Ms. Cox explained that the participating eighteen Girl Scouts would be stenciling the storm drains at Talbot and Green Streets near the PNC Bank building and near the 208 Talbot Restaurant. Ms. Cox requested that the town provide some traffic cones that can be set out while the girls are doing the stenciling. The Commissioners had no objection to the project. There were no comments from the public. Commissioner Snyder made the motion to accept the request for the Girl Scouts to stencil storm drains in St. Michaels. Commissioner Dinkel seconded the motion which passed on a roll call vote of 4-0 in favor.

**Board Appointments - St. Michaels Parks and Recreation Advisory Board:**

President Brady announced that Roger Galvin had applied for appointment to the St. Michaels Parks and Recreation Advisory Board to fill the remainder of the term of Morris Osborn which expires September 30, 2010. Commissioner Hunt made the motion to accept the appointment of Roger Galvin to the Board. Commissioner Dinkel seconded the motion which passed on a roll call vote of 4-0 in favor.

**Items for Discussion/Possible Introduction:**

- **Ordinance 413** - AN ORDINANCE OF THE COMMISSIONERS OF THE TOWN OF ST. MICHAELS AMENDING THE CODE OF THE TOWN OF ST. MICHAELS, CHAPTER 340 (ZONING), §340-18 "AGRICULTURE ZONE A", §340-19 "RESIDENTIAL ZONE R-1", §340-20 "RESIDENTIAL ZONE R-2", §340-21 "RESIDENTIAL ZONE R-3", §340--22 "NEIGHBORHOOD COMMERCIAL ZONE NC", §340-23 "WATERFRONT DEVELOPMENT ZONE WD", §340-24 "SELECT LIGHT COMMERCIAL ZONE SLC", §340-25 "MARITIME COMMERCIAL ZONE MC", §340-26 "CENTRAL COMMERCIAL ZONE CC", §340-29 "MUSEUM ZONE MM", §340-30 "LIMITED COMMERCIAL ZONE LC", §340-31 "AGRICULTURE ZONE B LOW DENSITY" AND §340--33.1 "RESIDENTIAL GATEWAY RG ZONE" TO PERMIT CARNIVALS IN ALL OF THE AFOREMENTIONED ZONES PURSUANT TO A TEMPORARY USE PERMIT ISSUED BY THE COMMISSIONERS: AMENDING THE CODE OF THE TOWN OF ST. MICHAELS, CHAPTER 340 (ZONING), §340-340-108 (DEFINITIONS) TO ADD A DEFINITION OF "TEMPORARY USE PERMIT"; PROVIDING THAT THE TITLE OF THIS ORDINANCE SHALL BE DEEMED A FAIR SUMMARY OF ORDINANCE NO. 413; AND MATTERS GENERALLY RELATING TO CARNIVALS AND TEMPORARY USE PERMITS IN THE TOWN OF ST. MICHAELS

Mrs. Thomas provided an overview of Ordinance 413, noting that it would allow temporary use permits to be issued by the Commissioners for carnivals and sets the permit parameters. Commissioner Hunt said she was comfortable with the Ordinance. Commissioner Dinkel said that he would like to see the types of insurance, specifically comprehensive and liability, included in the Conditions of Approval section of the Ordinance. Jim Baynard of the Fire Department commented that the Fire Department provides a certificate of insurance covering the grounds and liability and that the carnival itself has its own insurance certificates. After some additional discussion, President Brady directed staff to add "comprehensive" and "liability" as clarifying language to the draft Ordinance, and noted that there would be a public hearing on Ordinance 413 during the Commissioners' regular meeting on April 14, 2010 beginning at 5:00 p.m.

- **Resolution 2010-02** - A RESOLUTION OF THE COMMISSIONERS OF ST. MICHAELS, MARYLAND TO AMEND THE CHARTER OF THE TOWN OF ST. MICHAELS FOR THE PURPOSE OF MAKING TEXTUAL CHANGES TO ARTICLE IV (PERSONNEL), SECTION §C-69 (EMPLOYEE BENEFIT PROGRAM), REMOVING THE REQUIREMENT THAT THE COMMISSIONERS MUST ADOPT AN ORDINANCE TO INCLUDE IN THE ANNUAL BUDGET OF THE TOWN THE PROVISION OF HEALTH CARE OR OTHER BENEFIT PROGRAMS FOR THE OFFICERS AND EMPLOYEES OF THE TOWN, PROVIDING THAT THIS TITLE SHALL BE A FAIR SUMMARY AND GENERALLY RELATING TO BENEFITS FOR THE OFFICERS AND EMPLOYEES OF THE TOWN OF ST. MICHAELS

President Brady called for any comments from staff and the Commissioners. There were none. President Brady then called upon the Commissioners to introduce Resolution 2010-02. Commissioners Brady, Snyder, Hunt and Dinkel all introduced Resolution 2010-02. President Brady said a public hearing on this Resolution would be held at the Commissioners' regular meeting on March 24, 2010 beginning at 6:30 p.m.

- **Staff Report on FY 2010 Budget.** President Brady called upon Mrs. Thomas, who commented that the 2010 Budget with respect to the General Fund was on target with only two deviations to be noted. Payment of delinquent taxes had resulted in a net pickup of \$55,000.00 however the interest income on investments was approximately \$32,000.00 less than projected. Mrs. Thomas said the deviations do not affect the General Budget but may affect the Capital Budget. Mrs. Thomas concluded by noting that even with the deviations the General Budget still had a surplus of \$47,000 so no budget amendments were being proposed at this time. Commissioner Hunt thanked the Town staff, and particularly Mrs. Thomas, for their diligent work on the budget.
- **Trash Policy.** President Brady called upon Mrs. Thomas, who provided an overview of the proposed changes to the Town's Trash Policy. Mrs. Thomas said that the Talbot County Landfill in Easton will be closing the end of December, 2010 and beginning in January, 2011, all trash collected in Talbot County will be transported to the Midshore II facility in Caroline County. Mrs. Thomas said there is currently no funding for county-wide recycling. Mrs. Thomas proceeded to outline the various issues to be taken into consideration by the Commissioners in looking at the Town's policy. After a discussion some considerable length and involving Town staff, the Commissioners and public input, the Commissioners instructed staff to produce a letter to the residents and set a special meeting on Wednesday, April 7, 2010 at 5:00 p.m. for a public discussion of the trash policy.
- **Calendar Discussion.** The Commissioners made additions and changes to their calendar through the end of May 2010, including a discussion of a "volunteer of the Year Award" in honor of former Commissioner, Russel E. Kacher. President Brady said he would draft the necessary legislation for the volunteer award, which could be discussed at the Commissioners April 28, 2010 meeting. A public hearing on the tax rate was also set for the April 28, 2010 meeting, preceded by a public working session on the Fiscal Year 2011 Budget at 3:00 p.m. on that day.

#### **Comments from the Public:**

- Ann Borders of Cherry Street commented on loose trash coming into her yard and proposed having lids put on the trash cans on Talbot Street. President Brady said the Commissioners would be looking into complaints and will work on enforcement issues. Ms. Borders also had questions regarding the tax rate and accommodations taxes.
- Ann Hymes of Grace Street offered suggestions to the Commissioners of things to be included in the trash policy, including public trash receptacles having a recycle component especially during tourist season.
- Tad duPont asked about the placement of a street light at the Grace Street crosswalk for people going to restaurants in that area. Mr. duPont also suggested the parking kiosks be un-installed and attempts be made to sell them.

#### **Comments from the Commissioners**

There were no additional comments from the Commissioners.

The Commissioners of St. Michaels  
March 10, 2010

**Announcement of Future Meetings**

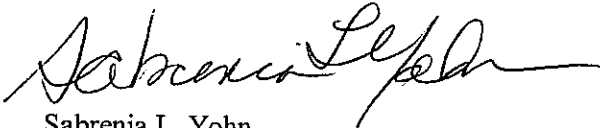
President Brady announced future meetings of the Commissioners as follows:

- March 12, 2010 – 3:00 p.m. – Town Office – Tentative Closed Session to discuss personnel matters.
- March 17, 2010 – 3:00 p.m. – Town Office – Workshop with the Town’s Codes Enforcement Officer, Deborah Renshaw, on business signage
- March 24, 2010 – 4:00 p.m. – Town Office – Closed Session to discuss the FY 2011 Budget
- March 24, 2010 – 6:30 p.m. – Town Office – Regular Legislative Session
- March 31, 2010 – 4:00 p.m. – Town Office – Closed Session to discuss the FY 2011 Budget

**Adjournment**

President Brady adjourned the meeting at 6:35 p.m.

Respectfully submitted,



Sabrenia L. Yohn  
Administrative Clerk

**Attachments:**

- February, 2010 Departmental Reports
- Ordinance 413
- Resolution 2010-02
- Staff Report on Fiscal Year 2010 Budget