

**The Commissioners of St. Michaels
Special Public Session and Legislative Session**

April 28, 2010

3:00 p.m. Special Public Working Session

Present

Commissioners Michael Brady, Joanne Clark, Robert Snyder, Donna Hunt and Philip Dinkel, Town Manager Cheril Thomas, Administrative Clerk Sabrenia Yohn, and approximately 30 members of the public.

Call to Order

President Brady called to order the special public working session at 3:06 p.m. in the meeting room of the Edgar M. Bosley, Jr. Municipal Building (Town Office), 300 Mill Street, St. Michaels, Maryland. The Pledge of Allegiance was recited.

Announcement of Prior Closed Session

President Brady announced that on April 28, 2010 at 2:30 p.m. pursuant to Maryland Code, State Government Art., § 10-508 (a) Administrative Matters - the Commissioners met in closed session to discuss appointees to the St. Michaels Planning Commission.

Discussion Items

- **Fiscal Year 2011 Budget - General Fund, Capital Fund and Water Fund: Fiscal Year 2010 Amendments for the Capital Fund and the Water Fund**

Mrs. Thomas provided an overview of the changes made to the budget since the previous discussion on April 14, 2010. Mrs. Thomas said that the Commissioners had directed staff to maintain the Real Estate Property Tax Rate at \$.64 cents per \$100.00 of assessed value, to maintain the Business Inventory Tax Rate at \$.65 cents per \$100.00 of assessed value, to fund the street bond payment out of the General Fund, to fund the shortfall in the Capital Budget from the General Fund in the amount of \$43,150.00, to fund a 2.5% pay increase for administrative and public works staff, and a one-step increase to the police department. Mrs. Thomas also said there would be no long-term disability or dental reimbursement to the employees and that current employees will be charged 7.5% of their health insurance premiums this year, with an additional 7.5% next year. All new employees will be charged 25% of their health insurance premiums. Mrs. Thomas said that the Commissioners had designated certain donations to outside agencies, and staff was instructed to show any resulting deficit from revenues to expenditures of the General Fund coming from prior year reserves. Mrs. Thomas said the first draft of the 2011 Budget for the General Fund is \$3,737,927.00 compared to 2010, which was \$3,253,650.00. Mrs. Thomas said the increase reflects a payment to the Town from Associated Investors for loans made in 1985, and reflects the transfer of the money received from Associated Investors into an encumbered fund until the Commissioners decide what to do with those funds. Mrs. Thomas said the Capital Fund Budget is in the amount of \$728,282.00 for FY 2011, compared to \$2,130,700.00 for FY 2010, and reflects costs of street work for those streets that have sufficient design to be priced for us. Mrs. Thomas said the 2011 Water Fund is \$540,856.00, down from last year, which was \$600,460.00. Mrs. Thomas said the total overall budget for St. Michaels for 2011 in this first draft is \$5,765,000.00, compared to last year, which was

\$5,984,810.00 - a decrease of \$977,745.00, reflecting the decrease in the capital budget. Mrs. Thomas also cited personnel costs in the General Fund and for the Water Fund.

Mrs. Thomas noted that changes from the last draft of the budget included moneys received from Talbot County for interest on old investments, fire and rescue services, and school crossing guards in the approximate total amount of \$3,000.00. Mrs. Thomas said \$2,000.00 was added to the Capital Fund to repair a drainage problem on Railroad Avenue, and the Mulberry Street repair was moved into the 2011 budget and postponed to August or September due to delays in Talbot County's work schedule and lack of funding. Mrs. Thomas continued that amendments would be made to the 2010 budget for the Water Fund to reflect a \$39,000.00 shortfall in revenue. Mrs. Thomas said the 2011 water budget would be fairly even with the amended 2010 budget with the exception of some minor capital costs. In conclusion, Mrs. Thomas said that staff was recommending that the Commissioners delay a review of water rates until maintenance costs for arsenic testing stabilize. As there were no additional questions from the Commissioners, President Brady called for public comment. Jane Hopkinson of W. Chestnut Street had questions regarding the 2010 Capital budget. Marie Martin of Cherry Street inquired about Muskrat Park grants in the 2010 budget. Ann Borders of Cherry Street referenced written questions she had supplied to the Commissioners at the beginning of the meeting. President Brady approved Ms. Borders' reading of her questions into the record. Mrs. Thomas responded to Ms. Borders' questions and to additional questions regarding salaries and pensions. Following a discussion of how the State pension system operates, Mrs. Thomas said that staff had looked into alternative pension systems and she outlined how the State pension system operates. After additional discussion, President Brady directed staff to look into issues involved with moving new employees to a new pension system, while maintaining the state system for current employees. President Brady and Commissioner Clark also answered questions regarding the Town's legal costs, taxes, and funding for tourism and economic development. Tad duPont of Locust Street suggested the Town should table the vote on the tax rate, reduce budget expenses, and eliminate the inventory tax to assist businesses. As there were no additional comments or questions from the Commissioners or members of the public, President Brady reiterated directions to staff to research pension programs for employees, review the Tourism Board legislation for possible amendments to include a step increase process for funding, to look at donations to outside agencies for possible adjustment, and to provide percentages in a breakout of legal fees.

- **Budget Amendment for FY 2010 Capital Budget to Fund \$2,500.00 from Prior Years Reserve for Playground Equipment**
Following a discussion regarding the initial costs of the equipment and factoring in ongoing maintenance costs, the Commissioners directed staff to contact the donors of the equipment to let them know that, due to budget constraints, the Town would not be able to accept the donation.
- **Associated Investors Block Grant**
Mrs. Thomas provided a history of the Town's twenty-five year agreement with Associated Investors, under which the Town loaned money for the rehabilitation of the Frederick Douglas Schoolhouse into low income senior housing. Mrs. Thomas said the Town's loan to Associated Investors is coming due, and the Town has been approached by Interfaith Housing, a non-profit organization proposing to assume the Town's second mortgage on the property. President Brady called upon Reverend Steele from Interfaith Housing and his attorney to make their presentation. Reverend Steele provided a history of Interfaith Housing's work on affordable housing projects on the Eastern Shore, and presented drawings

and plans for the funding and improvement of the housing project in St. Michaels. The Commissioners had a number of questions regarding current liens against the property, its market value and the purchase price. President Brady called for any public comment. Marie Martin of Cherry Street said she favored an improvement of the property as well as the planned increase in the number of units. Alan Platow of W. Chestnut Street said he favored the project but noted that this may be the time that the Town could obligate future owners of the property to quality and standards of maintenance. President Brady said that the Commissioners were in general agreement to go forward with the project and directed staff to prepare the necessary documents for legal review. Counsel for Interfaith Housing offered to draft an agreement for the Commissioners' review. President Brady also said he would like to see something in writing that would ensure that the Town could recoup the \$10,130.00 which was additional funding of Town monies under the original agreement with Associated Investors.

Final Comments from the Public

There were no additional comments.

Final Comments from the Commissioners:

There were no additional comments.

Adjournment:

President Brady adjourned the special public working session at 5:30 p.m.

6:30 p.m. - Public Legislative Session

Present

Commissioners Michael Brady, Joanne Clark, Robert Snyder, Donna Hunt and Philip Dinkel, Town Manager Cheril Thomas; Administrative Clerk Sabrenia Yohn, Codes Enforcement Officer Deborah Renshaw; Town Attorney Karen Ruff, and approximately 50 members of the public.

Call to Order:

President Brady called to order the Public Legislative Session at 6:40 p.m. in the meeting room of the Edgar M. Bosley, Jr. Municipal Building (Town Office), 300 Mill Street, St. Michaels, Maryland. The Pledge of Allegiance was recited.

Announcement of Prior Closed Sessions:

Commissioner Brady announced that on April 28, 2010 at 2:30 p.m. pursuant to Maryland Code, State Government Art., § 10-508 (a) Administrative Matters - the Commissioners met in closed session to discuss appointees to the St. Michaels Planning Commission and on April 28, 2010 at 5:00 p.m. pursuant to Maryland Code, State Government Art., § 10-508 (a) (7) - the Commissioners met in closed session to discuss legal matters related to the provisions of Resolution 2010-01 – Heatherington Harbor Annexation.

Public Hearing on the Town of St. Michaels Tax Rate for FY 2011

President Brady opened the public hearing and asked for the public speakers' sign-in sheet. He then called on Mrs. Thomas, who explained how the constant yield tax rate is calculated. Mrs. Yohn read exhibits into the record as follows:

1. Town of St. Michaels Notice of a Proposed Real Property Tax Increase as published in the *Star Democrat* on April 11, 2010.

2. Town of St. Michaels Notice of a Proposed Real Property Tax which was posted on the bulletin board in the Town Office.
3. Notices of the public hearing scheduled for April 28, 2010 to consider the tax rate for fiscal year 2010-2011 as published in the *Star Democrat* on April 12, 2010 and April 19, 2010.
4. Notice of Public Hearing on April 28, 2010 to consider the tax rate for fiscal year 2010-2011 which was posted on the bulletin board in the Town Office.

President Brady asked if there were any comments from the Commissioners. There being none, President Brady called for public comment. Extensive public comment was taken on the tax rate issue, with a number of residents questioning the Town's acceptance of the State's current assessment numbers as a base for formulating a budget. Other speakers urged the Town to provide as much assistance for local businesses as possible. In response to a question from Kathy Stinchcomb of Locust Street, Commissioner Snyder said that based on the comments at the April 14, 2010 Commissioners' meeting, he was suggesting that the Commissioners take another look at the budget and the tax rate and make a decision at the meeting on May 12, 2010. George Wilson of the Old Brick Inn urged the Commissioners not to increase the budget, but to maintain it at the previous year's level. Ted Doyle of Perry Cabin Drive, representing the Talbot County Taxpayers Association said St. Michael's tax rate was reasonable when viewed in relation to other taxes, such as the homestead tax credit for residents, but he said he favored another look at the budget. Mr. Doyle said of greater concern for municipalities in the next few years will be the increasing cost of employee benefits. Mr. Doyle said St. Michaels police force was appropriate at its present size and cost, and a necessity for a Town that depends on tourism for its livelihood. Responding to a question from Commissioner Snyder, Mr. Doyle explained why the homestead tax credit was important to residents, taxpayers, and voters. After some additional public comments, President Brady asked if there were any further comments from the Commissioners. There being none, President Brady asked staff to contact Talbot County and ask if the May 3, 2010 deadline for submission of the Town's tax rate could be extended. If so, the Commissioners will delay their vote on the rate until their May 12, 2010 meeting. President Brady then closed the public hearing on the tax rate.

Consent Agenda:

President Brady announced that the Consent Agenda included a review and approval of minutes from the March, 2010 meetings, a request from Albert Woodroof of 217 E. Chestnut Street to make alterations to his driveway and sidewalk, and a request from four residents on Mulberry Street for brick sidewalks. The Commissioners agreed to move Mr. Woodroof's request and the request of Mulberry Street residents for brick sidewalks out of the Consent Agenda for discussion separately. President Brady asked if there were any comments from the Commissioners or the public on the Consent Agenda. There were no comments. Commissioner Snyder made a motion to accept the Consent Agenda for the March 2010 minutes only. Commissioner Dinkel seconded the motion which passed on a roll call vote of 5-0 in favor.

After the vote on the consent agenda, President 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. The election will be held at the Town Office between the hours of 7:00 a.m. and 7:00 p.m. The following individuals are running for Commissioner:

Virginia L. Adams
Joanne R. Clark
T. Coleman duPont

James W. Knepper, Jr.
Marie M. Martin
A. Michael Vlahovich

Commissioner Hunt, said forms were available in the Town Office lobby regarding the proposed closure of the Easton processing site of the U.S. Postal Service, which could affect the timely delivery of mail on the entire eastern shore. Commissioner Hunt urged everyone to take some time to fill out a form and return it to the Post Office.

President Brady then opened a discussion of the request of Mr. Woodroof for driveway and sidewalk alterations and the request of Mulberry Street residents for brick sidewalks. President Brady asked if the sidewalk request should be delayed until the street repair work was complete. Mrs. Thomas said a letter would need to go to the affected residents explaining their responsibility for the total cost of the sidewalks and advising them that the brick sidewalks could incur damage or removal if installed before Talbot County's work on the sewers was completed and street paving by the Town was completed. Mrs. Thomas added that Talbot County hopes to have the funds to make sewer repairs on Mulberry Street by August, 2010. Following some additional discussion, Commissioner Clark made a motion to approve the request from Mr. Woodroof and the Mulberry Street residents. Commissioner Dinkel seconded the motion which passed on a roll call vote of 5-0 in favor.

Items Eligible for Vote:

- **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), §340-108 (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

President Brady announced that all five Commissioners had introduced Ordinance 413 at their meeting on March 24, 2010, and a public hearing was held on April 14, 2010. As there were no additional comments from staff, the Commissioners or the public, Commissioner Clark made a motion to adopt Ordinance 413. Commissioner Snyder seconded the motion which passed on a roll call vote of 5-0 in favor.

- **Ordinance 414** – AN ORDINANCE OF THE COMMISSIONERS OF THE TOWN OF ST. MICHAELS AMENDING CHAPTER 54 (SALARIES AND COMPENSATION), TO ADD A NEW ARTICLE II (EMPLOYEES) TO ADD A NEW SUB-SECTION §54.3 (EMPLOYEE BENEFIT PROGRAM) TO PROVIDE FOR THE PARTICIPATION IN HEALTH INSURANCE, LIFE INSURANCE, SHORT-TERM DISABILITY INSURANCE

AND/ OR OTHER FORMS OF BENEFIT OR WELFARE PROGRAMS FOR THE EMPLOYEES OF THE TOWN OF ST. MICHAELS; PROVIDING THAT THIS TITLE SHALL BE A FAIR SUMMARY AND RELATING GENERALLY TO MATTERS OF BENEFITS FOR THE EMPLOYEES OF THE TOWN OF ST. MICHAELS, MARYLAND.

President Brady announced that all five Commissioners had introduced Ordinance 414 at their meeting on March 24, 2010. As there were no additional comments from staff, the Commissioners or the public, Commissioner Hunt made the motion to adopt Ordinance 414. Commissioner Snyder seconded the motion which passed on a roll call vote of 5-0 in favor.

- **Ordinance 415** - AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF ST. MICHAELS, TO OVERLAY A TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) ZONE ON THE UNDERLYING R-1 ZONING ON THE LAND IDENTIFIED ON TALBOT COUNTY TAX MAP 23 AS PARCEL 111, WHICH IS GENERALLY BORDERED BY PERRY CABIN DRIVE, YACHT CLUB ROAD, MD ROUTE 33, AND THE MILES RIVER AND ENCOMPASSES APPROXIMATELY 72 ACRES, PURSUANT TO THE ST. MICHAELS CODE, SECTIONS 340-32 AND 340-89

President Brady announced that Ordinance 415 was introduced by Commissioners Clark and Snyder at the April 14, 2010 meeting of the Commissioners. President Brady asked the Commissioners to consider holding a public hearing on the Ordinance based on comments received during the April 14, 2010 meeting of the Commissioners. Commissioner Snyder asked for a comment from the Town's attorney on this matter. Town Attorney Ruff stated that a public hearing was not necessary on Ordinance 415 as it provides the direction to place the designation on the zoning map based on the Commissioners' Decision on Miles Point III-150 Application for TND Overlay Zone for a 238 Lot/247 Unit Subdivision which was adopted on February 24, 2010. President Brady then asked if it was illegal to have a public hearing on the matter. Town Attorney Ruff responded that it was not but reiterated that a public hearing was not required. President Brady made a motion to conduct a public hearing on Ordinance 415 on May 19, 2010. Commissioner Hunt seconded the motion which passed on a roll call vote of 4-1 in favor, with Commissioner Dinkel dissenting.

- **Resolution 2010-01** -A RESOLUTION OF THE COMMISSIONERS OF ST. MICHAELS TO ANNEX CERTAIN LANDS LOCATED TO THE SOUTH OF THE TOWN OF ST. MICHAELS ON THE SOUTHWEST SIDE OF MARYLAND ROUTE 33, IN THE SECOND ELECTION DISTRICT, TALBOT COUNTY, MARYLAND, CONSISTING OF 23.07 ACRES, MORE OR LESS; TO PROVIDE FOR THE TERMS AND CONDITIONS OF THE ANNEXATION TO THE TOWN OF ST. MICHAELS; TO AMEND THE CHARTER OF THE TOWN OF ST. MICHAELS TO INCLUDE THE ANNEXED PROPERTY WITHIN THE LEGAL DESCRIPTION OF THE CORPORATE LIMITS OF THE TOWN; AND ALL MATTERS GENERALLY RELATING TO SAID ANNEXATION.

President Brady announced that Resolution 2010-01 was introduced by all five Commissioners at their meeting on February 24, 2010 and that a public hearing was held on March 24, 2010. There were no comments from Town staff. Commissioner Clark said that she could not support the Resolution at this time based on comments received during the public hearing on March 24, 2010 and the letter received from the County Council of Talbot County dated April 20, 2010. Town Attorney Ruff noted the Annexation Plan which is a part of Resolution 2010-01 had been amended based on comments received during the public hearing. After some additional discussion between the Commissioners, Town Attorney Ruff

and Mrs. Thomas, it was suggested that the Commissioners could hold another public hearing just on the Annexation Plan. Commissioner Clark made a motion to hold a public hearing on the amended Annexation Plan for Heatherington Harbor on May 19, 2010 and to admit the letter from the Talbot County into the record. Commissioner Snyder seconded the motion which passed on a roll call vote of 5-0 in favor. Commissioner Snyder also requested that the amended plan be placed on the website.

- **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 DELETING SECTION §C-69 (EMPLOYEE BENEFIT PROGRAM) OF ARTICLE VI (PERSONNEL) FOR THE PURPOSE OF 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 announced that Resolution 2010-02 was introduced by all five Commissioners at their meeting on March 10, 2010 and that a public hearing was held on March 24, 2010. President Brady asked if there were any comments from staff, the Commissioners or the public. President Brady then called for a motion to adopt Resolution 2010-02 as presented. Commissioner Hunt made the motion as stated by President Brady. Commissioner Snyder seconded the motion which passed on a roll call vote of 5-0 in favor.

- **Tax Rate for Fiscal Year 2011.** President Brady asked if a motion was necessary to defer a vote on the tax rate based on discussions and comments during the 3:00 p.m. Session regarding the 2011 budget to which Mrs. Thomas responded yes. President Brady called for a motion to move the tax rate vote to May 12, 2010. Commissioner Clark made the motion as stated by President Brady. Commissioner Snyder seconded the motion which passed on a roll call vote of 5-0 in favor.

Board Appointments for 2010

President Brady announced that there is an opening on the St. Michaels Planning Commission. Commissioner Snyder made a motion for a paper ballot vote on the slate of three potential candidates for the St. Michaels Planning Commission. Commissioner Clark seconded the motion which passed on a roll call vote of 5-0 in favor. President Brady noted there were three candidates for the Planning Commission - Sidney Trond, James Burdick, and Bob Price. President Brady asked Mrs. Yohn to read the results of the ballot vote. There were two votes for James Burdick and three votes for Sidney Trond. President Brady announced that Sidney Trond was hereby appointed to fill the vacancy on the Planning Commission.

Items for Discussion/Possible Introduction

- **Ordinance 416** – AN ORDINANCE OF THE COMMISSIONERS OF ST. MICHAELS AMENDING THE CODE OF THE TOWN OF ST. MICHAELS, CHAPTER 340 (ZONING), ARTICLE I (ZONING MAPS AND BOUNDARIES), §340-1 (OFFICIAL ZONING MAP) TO DELETE AN EDITOR'S NOTE, TO REPLACE A REFERENCE TO "ZONING ORDINANCE OF THE SECTION 1" WITH "CHAPTER 340 OF THE CODE," AND TO CORRECT A REFERENCE TO A CODE SECTION; AMENDING TOWN CODE, §340-2 (REPLACEMENT OF OFFICIAL ZONING MAP) TO REPLACE A REFERENCE TO "ZONING ORDINANCE" WITH "CHAPTER 340;"

AMENDING TOWN CODE, §340-3 (OFFICIAL CRITICAL AREA OVERLAY DISTRICT MAPS) TO REPLACE A REFERENCE TO THE “ST. MICHAELS CHESAPEAKE BAY CRITICAL AREA PROGRAM” WITH “SECTIONS 340-27 THROUGH AND INCLUSIVE OF 340-27.19 OF THE TOWN CODE;” AMENDING TOWN CODE, §340-5 (RULES FOR INTERPRETATION OF ZONE BOUNDARIES) TO DELETE AN OUTDATED EDITORS NOTE; AMENDING TOWN CODE, ARTICLE II (APPLICABILITY) §340-6 (APPLICATION OF ZONE REGULATIONS) TO CLARIFY THAT THE BOARD OF APPEALS MAY GRANT VARIANCES TO CERTAIN ZONE REGULATIONS, TO PROVIDE THAT LOT SIZE, SETBACK AND LOT COVERAGE REQUIREMENTS WILL BE LOCATED IN ARTICLE IV (ZONING REGULATIONS), TO CHANGE THE PROVISIONS RELATING TO WHAT CONSTITUTES LOT COVERAGE AND HOW ONE CALCULATES MAXIMUM LOT COVERAGE FOR FAST LAND AND PRIVATE WETLANDS AND HOW ONE CALCULATES TOTAL LOT AREA FOR PRIVATE SUBMERGED LANDS; REPEALING AND REENACTING WITH AMENDMENTS TOWN CODE, ARTICLE III (NON-CONFORMING LOTS, USES OF LAND, STRUCTURES AND PREMISES) TO REDEFINE WHAT IS A NONCONFORMING STRUCTURE, LOT, USE, AND SIGN AND THE ABILITY TO ALTER AND MAINTAIN A NONCONFORMING STRUCTURE OR USE, AND TO PROVIDE, AMONG OTHER THINGS, THAT RESIDENTIAL STRUCTURES LEGALLY CONSTRUCTED AS OF THE DATE OF ENACTMENT OF THIS ORDINANCE THAT ARE NONCONFORMING AS TO YARD SETBACK AND LOT COVERAGE, SHALL BE DEEMED CONFORMING; REPEALING AND REENACTING TOWN CODE, ARTICLE IV (ZONING REGULATIONS), EXCLUDING THOSE PROVISIONS RELATING TO THE CHESAPEAKE BAY CRITICAL AREA (SECTION 340-27 THROUGH SECTION 340-28) TO DELETE THE AGRICULTURE ZONE B LOW DENSITY, THE NEIGHBORHOOD COMMERCIAL ZONE NC, THE LIMITED COMMERCIAL ZONE LC, AND THE SELECT LIGHT COMMERCIAL ZONE AND TO CREATE A GATEWAY COMMERCIAL ZONE AND A HISTORIC REDEVELOPMENT ZONE – HRZ AND TO ESTABLISH REGULATIONS THEREFOR, TO PLACE ALL LOT SIZE, DENSITY, YARD, STRUCTURE HEIGHT, LOT WIDTH, LOT DEPTH, MAXIMUM LOT COVERAGE REQUIREMENTS RELATING TO EACH ZONE WITHIN THE SECTION RELATING TO THE ZONE AND TO CLARIFY SAID REQUIREMENTS, TO CREATE A TABLE IDENTIFYING THE FRONT YARD SETBACKS FOR THE R-1 AND R-2 ZONES BASED UPON THE PREDOMINANT FRONT YARD SETBACK OF EACH BLOCK, TO CREATE A TABLE OF PERMITTED USES REFLECTING THE USES ALLOWED IN EACH ZONE, TO CREATE SECTION 340-32 “NOTES TO TABLE OF GENERAL LAND USES,” TO IDENTIFY SUPPLEMENTAL ZONING REGULATIONS FOR VARIOUS USES, AND TO RELOCATE THEREIN WITHOUT AMENDMENT THE PROVISIONS RELATING TO OVERLAY ZONES GENERALLY, THE PLANNED REDEVELOPMENT ZONE OVERLAY DISTRICT AND THE TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) ZONE; REPEALING AND REENACTING WITH AMENDMENTS TOWN CODE, ARTICLE V (SUPPLEMENTAL ZONE REGULATIONS) TO DELETE THE PROVISIONS RELATING TO THE PLANNED REDEVELOPMENT ZONE OVERLAY DISTRICT AND THE PLANNED REDEVELOPMENT AREA, AND TO AMEND THE SIGN PROVISIONS TO CLARIFY THE TYPES, SIZE AND NUMBER OF SIGNS PERMITTED FOR EACH USE, AND TO GENERALLY AMEND THE SUPPLEMENTAL ZONE REGULATIONS; AMENDING TOWN CODE, ARTICLE XV (DEFINITIONS), §340-

108 (DEFINITIONS) TO DELETE THE DEFINITION OF “THIS CHAPTER”, TO ADD DEFINITIONS OF CAFÉ/COFFEE HOUSE, CARNIVAL, GOVERNMENT SERVICES, LANDSCAPING/GREEN AREA, MAXIMUM LOT COVERAGE, MOTEL, RECYCLING COLLECTION CENTER, SIGN, SMALL UTILITY STRUCTURE, AND TEMPORARY USE PERMITS, AND TO AMEND THE DEFINITIONS OF BED AND BREAKFAST INN, BUILDING OR STRUCTURE HEIGHT, HOTEL, PRINCIPAL STRUCTURE, RESTAURANT, “SIGN, NUMBER AND SURFACE AREA”, “STORY; HALF STORY”, “STRUCTURE, PRINCIPAL”, AND “YARD, FRONT”; ALL MATTERS GENERALLY RELATING TO THE ZONING REGULATIONS FOR THE TOWN’S BASE ZONES, SUPPLEMENTAL ZONE REGULATIONS AND NONCONFORMING LOTS, USES, STRUCTURES AND SIGNS; AND PROVIDING THAT THIS TITLE SHALL BE A FAIR SUMMARY HEREOF.

President Brady asked if there was any objection from the Commissioners to dispense with the reading of the title of the Ordinance due to the extreme length. The Commissioners had no objection. President Brady called on Mrs. Renshaw and Bill Rose, Chairman of the Planning Commission, who noted that no changes had been made to the document since the last discussion, other than putting the document in legislative form. Commissioner Hunt asked if the base zones descriptions could be added to each page of the Table of General Land Uses. The Commissioners discussed additional minor changes to the document, after which President Brady directed staff to make the changes and called for introduction of Ordinance 416. All five Commissioners introduced the Ordinance. President Brady said the public hearing is scheduled for May 19, 2010 and would be eligible for a vote at the Commissioners' May 26, 2010 meeting.

- **Russel E. Kacher Volunteer Award Legislation**

President Brady provided an overview of the award program he envisioned and provided a draft of his proposal. President Brady asked for input from the Commissioners. Commissioner Snyder said he preferred that the award be for individual residents of St. Michaels and that there should be a nomination process with nominees reviewed and selected by the Commissioners. Following some additional discussion, President Brady said he would put the proposal in legislative form for a review by the Commissioners at a future meeting.

Comments from the Public

Ann Hymes of Grace Street thanked the Commissioners for addressing the Town's trash policy and recommended a short video called “The Story of Stuff”. Kathy Stinchcolm urged the Commissioners to remember the business community when considering the budget.

Comments from the Commissioners

President Brady shared a story of former Commissioner Russel Kacher donating corneas to two recipients.

Announcement of Next Meetings

President Brady announced the next meetings of the Commissioners as follows:

- May 1, 2010 – 11:30 p.m. – Ribbon Cutting Ceremony at Muskrat Park
- May 3, 2010 – 7:00 a.m. to 7:00 p.m. – Town Office – Commissioner Election
- May 7, 2010 – 10:00 a.m. – Ribbon Cutting Ceremony at the Nature Trail (Back Creek Park)
- May 12, 2010 – 5:00 p.m. – Town Office – Regular Public Session

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- May 19, 2010 – 4:00 p.m. – Town Office – Public Working Session on the Final Draft of the FY 2011 Budget
- May 19, 2010 – 5:30 p.m. – Town Office – Public Hearings on Ordinances 415, 416 and 418 and on Heatherington Harbor Annexation Plan
- May 26, 2010 – 6:30 p.m. – Town Office – Regular Legislative Session

Adjournment

President Brady adjourned the meeting at 8:45 p.m.

Respectfully submitted,



Sabrenia L. Yohn,
Administrative Clerk

Attachments:

- 2011 Draft Budget as of April 28, 2010
- Sign-up Sheet, Exhibit List and Exhibits for the Public Hearing on the Tax Rate
- Ordinance 413
- Ordinance 414
- Ordinance 415
- Resolution 2010-01
- Resolution 2010-02