

April 8, 2009

3:00 p.m. – Public Working Session

Present:

Commissioners Joanne Clark, Michael Brady, Robert Snyder, Donna Hunt, and Philip Dinkel, Town Manager Cheril Thomas, Town Attorney Karen Ruff, Administrative Clerk Sabrenia Yohn, Secretary Dorothy Olley, and approximately 15 members of the public.

Call to Order:

President Clark called to order the regular legislative session at 3:00 p.m. in the meeting room of the Edgar M. Bosley, Jr. Municipal Building, 300 Mill Street. The Pledge of Allegiance was recited.

Announcement of Prior Closed Session:

President Clark announced that the Commissioners had met in closed session at 2:00 p.m. on April 6, 2009, pursuant to Maryland Code, State Government Article § 10-508 to discuss administrative matters.

Discussion Items:

- **2009 Budget Amendments** -President Clark called on Mrs. Thomas, who provided an overview of the amendments to be made to the 2009 Budget, noting that the format of the budget had been changed to conform more closely to the format used by the Town's auditors. Mrs. Thomas also explained that decreases in water revenues, lower interest income on Town accounts, and decreases in the Town's portion of the accommodations and amusement taxes would require the Town to cut expenses to offset these deficits. Mrs. Thomas suggested that the Town consider cutting capital expenditures in all departments, and that certain projects, such as repairs to Honeymoon Bridge and renovations of the Town Office and Police Station, be moved into the 2010 Budget. Commissioner Dinkel asked if water rates should be increased. Mrs. Thomas replied that a rate increase could possibly be a part of the 2011 budget. Mrs. Thomas said there would be a public hearing on the 2009 Budget Amendments on April 22, 2009 at the St. Michaels Library.
- **Fiscal Year 2010 Town Budget** - President Clark provided a summary of the 2010 Budget and called upon Mrs. Thomas to provide additional detail. Mrs. Thomas said the 2010 Budget was still a work in progress, but that it had been drafted in the new format and included the proposed amendments to the 2009 Budget. Mrs. Thomas said the 2010 budget included projections based on continued declines in tax revenue and interest earned on investments. The draft also included salary and benefit estimates as directed by the Commissioners, tree replacement costs and donations to various local organizations. Mrs. Thomas said the repair of the Town's dinghy docks would go forward in the late fall and was fully funded by grants. President Clark said the Commissioners would have another closed session meeting on the budget on April 9, 2009 and that the public hearing on the 2010 Budget would be April 22, 2009 at the St. Michaels Library.

The Commissioners of St. Michaels
April 8, 2009

Comments from the Public:

President Clark asked if there were any comments from the Public. Chip Platow of W. Chestnut Street commented that town revenues should not be greatly affected by people on fixed incomes and pensions. Mr. Platow also suggested that the town consider raising its administrative fees. Marie Martin of Cherry Street said she agreed with the Town's conservative approach to budget planning and suggested that the Town look into additional grant funding.

Comments from the Commissioners:

There were no additional comments or questions from the Commissioners.

Adjournment:

President Clark adjourned the meeting at 4:15 p.m.

5:00 p.m. - Special Legislative Session and Work Session

Call to Order:

President Clark called to order the special legislative session and public work session at 5:05 p.m. in the meeting room of the Edgar M. Bosley, Jr. Municipal Building, 300 Mill Street. The Pledge of Allegiance was recited.

Announcement of Prior Closed Session:

President Clark announced that the Commissioners had met in closed session at 2:00 p.m. on April 6, 2009, pursuant to Maryland Code, State Government Article § 10-508 to discuss administrative matters.

Public Hearing:

Town of St. Michaels Tax Rate - President Clark opened the public hearing on the tax rate. Mrs. Yohn read exhibits into the record as follows:

1. Notice of Proposed Real Property Tax Increase and Public Hearing as published in the Star Democrat on March 25, 2009.
2. Confirmation of Publication from the Star Democrat of the Notice of a Proposed Real Property Tax Increase and Public Hearing on April 8, 2009.
3. Notice of a Proposed Real Property Tax Increase and Public Hearing on April 8, 2009, which was posted on the bulletin board in the Town Office.

Mrs. Thomas explained that the current tax rate was \$.64 per \$100 Dollars of assessed value and that the State had determined that the Constant Yield Rate would be \$.5942 per \$100 Dollars of assessed value. There were no comments or questions from the Commissioners. Mrs. Thomas confirmed for Roy Myers of E. Chestnut Street that the tax rate was the same as last year. There being no additional comments or questions, President Clark closed the public hearing on the tax rate. A copy of the letter from C. John Sullivan, Jr., Director, at the State of Maryland Department of Assessments and Taxation is attached as a part of these minutes.

Consent Agenda:

President Clark said the Consent Agenda included departmental reports for the month of March and three requests for over-the-street banners for upcoming town events. President Clark noted disbursements for the month of March, 2009 in the amount of \$581,256.61. Per the request of the Commissioners at the last meeting, Police Chief Miguel Dennis presented sample draft letters that

could be sent to citizens and business regarding false alarms. President Clark said the Commissioners would review the letters and get back to Chief Dennis. President Clark directed Town staff to work with Chief Dennis on possible fines and draft legislation. Commissioner Brady asked if the police were patrolling the Nature Trail. Chief Dennis said the trail was part of the officers' regular patrol schedule. The Commissioners agreed to approve requests for banners from St. Luke's Methodist Church for their annual strawberry festival on June 6, 2009 and from the St. Michaels Art League for "Paint the Town Day" on June 20, 2009. The Commissioners agreed to postpone a decision on the St. Michaels Art League's request for a banner for the Labor Day Show at St. Luke's Methodist Church because the procedures for banners would likely be changed before September. Commissioner Brady made a motion to accept the Consent Agenda as discussed and amended. Commissioner Hunt seconded the motion which passed on a vote of 5 to 0 in favor.

Special Presentation by Talbot County Economic Development Commission:

President Clark introduced Ms. Paige Bethke, Director of the Talbot County Economic Development Commission and Mr. Ron Frampton, Vice Chairman of the Talbot County Economic Development Commission. Ms. Bethke presented an overview of the County's current economic condition. She highlighted the Commission's efforts to provide outreach services to area businesses; to work toward the goals of business retention in the County; to growing middle-income jobs and to attracting new businesses to Talbot County.

Special Legislative Session – Legislation Eligible For Vote:

Ordinance 399 - President Clark noted that the vote on Ordinance 399 had been postponed from the March 25, 2009 meeting so that Commissioner Snyder could be present. Mrs. Yohn read the title of Ordinance 399 into the record as follows: ORDINANCE 399, AN ORDINANCE OF THE COMMISSIONERS OF ST. MICHAELS TO AMEND THE CODE OF THE TOWN OF ST. MICHAELS, CHAPTER 340 (ZONING), ARTICLE IV (ZONE REGULATIONS) §340-20 (RESIDENTIAL ZONE R-2), PARAGRAPH B (ACCESSORY USES) TO PERMIT THE SALE OF EVENT PACKAGES; TO AMEND CHAPTER 340 (ZONING), ARTICLE V (SUPPLEMENTAL ZONE REGULATIONS), TO ADD A NEW §340-51.3 (BED-AND-BREAKFAST INNS -EVENT PACKAGES) TO PROVIDE FOR THE SALE OF -EVENT PACKAGES AS AN ACCESSORY USE TO THE OPERATION OF A BED AND BREAKFAST INN, UNDER CERTAIN CONDITIONS, AS PART OF A PACKAGE OF SERVICES FOR WEDDING RECEPTIONS, FAMILY REUNIONS, BUSINESS ACTIVITIES AND OTHER EVENTS SIMILAR IN NATURE; TO AMEND CHAPTER 340 (ZONING), ARTICLE V (SUPPLEMENTAL ZONE REGULATIONS), TO ADD A NEW §340-51.4 (HOTELS - EVENT PACKAGES) TO PROVIDE FOR THE SALE OF EVENT PACKAGES UNDER CERTAIN CONDITIONS; TO AMEND THE DEFINITION OF BED AND BREAKFAST INN AND HOTEL AS SET FORTH IN ARTICLE IV, §340-108 (DEFINITIONS) TO INCLUDE PROVISIONS FOR THE SALE OF EVENT PACKAGES- PROVIDING THAT THE TITLE OF THIS ORDINANCE SHALL BE A FAIR SUMMARY AND GENERALLY RELATING TO THE OPERATION OF BED AND BREAKFAST INNS AND HOTELS IN THE TOWN OF ST. MICHAELS.

Commissioner Dinkel reiterated his concerns about parking and the potential for congestion on residential streets, and noise. Commissioner Snyder said he also had some concerns about noise. Commissioner Hunt said that other events in town are not cancelled because of the potential for noise or congestion, and that in the present economic climate the Town needs visitors and business to remain vital. Commissioner Brady said he favored the legislation and that there were ordinances in place to deal with parking and noise. Commissioner Clark said she supported the

The Commissioners of St. Michaels
April 8, 2009

ordinance as written. As there were no other comments, Commissioner Brady made a motion to adopt Ordinance 399. Commissioner Hunt seconded the motion which passed on a vote of 4 to 1 in favor with Commissioner Dinkel dissenting.

Legislation for Discussion and Introduction:

Ordinance 402 - Mrs. Yohn read the title of Ordinance 402 into the record as follows:

ORDINANCE 402, AN ORDINANCE OF THE COMMISSIONERS OF ST. MICHAELS TO AMEND THE CODE OF THE TOWN OF ST. MICHAELS, CHAPTER 340 (ZONING) §340-108 (DEFINITIONS) TO AMEND THE DEFINITION OF A PUBLIC PARK TO INCLUDE THE HOLDING OF COMMUNITY ENHANCEMENT EVENTS AS DEFINED; TO AMEND §340 (ZONING), TO ADD A NEW SUBSECTION 340-51.2 (COMMUNITY ENHANCEMENT EVENTS); TO DEFINE COMMUNITY ENHANCEMENT EVENTS AS OPEN AIR CONCERTS! PERFORMANCES, CULTURAL AND GOVERNMENT SPONSORED OR SUPPORTED EVENTS AND FARMERS MARKETS; TO DEFINE THE PURPOSE AND GENERAL REQUIREMENTS OF ALL COMMUNITY ENHANCEMENT EVENTS; PROVIDED THAT THIS TITLE. SHALL BE A FAIR SUMMARY AND GENERALLY RELATING TO PUBLIC PARKS AND COMMUNITY ENHANCEMENT EVENTS IN THE TOWN

President Clark said the public hearing on Ordinance 402 was held on March 11, 2009 and there would be another public hearing on April 22, 2009 at 6:30 p.m. in the St. Michaels Free Library meeting room. President Clark said the Commissioners had before them a re-draft of the ordinance with changes suggested at the public hearing and with the addition of definitions for "Community Enhancement Events", "Farmer's Market" and "Public Parks". The Commissioners were in agreement with the current version and had no additional comments. President Clark asked if the Commissioners had any questions for Attorney Ruff. There were no questions. President Clark then suggested deferring the introduction of Ordinance 402 until after the public hearing on April 22, 2009, with a possible vote at the May 27, 2009 meeting of the Commissioners. The Commissioners all agreed to deferring introduction as suggested.

Topics for Discussion:

109 Conner Street - President Clark said that the Commissioners have become concerned about the deteriorating condition of the structure located at 109 Conner Street and that they have also received concerns from residents regarding increased vandalism and the potential demolition of the property. She said that the Commissioners are working with the contract purchaser on a solution for possible restoration of the property. President Clark asked if the Commissioners or the public had any comments or questions. Marie Martin of Cherry Street spoke in favor of preserving the property and working on restoration possibilities. She also offered to research the historic nature of the property and to provide any information obtained to the Commissioners.

Discussion Items:

Signage on Talbot Street for Businesses - The Commissioners discussed additional signage on Talbot Street to call attention to shops and other businesses on Fremont Street. The Commissioners also discussed signage requests made by Mary Dabroski of the Blue Crab Coffeehouse. The Commissioners agreed to schedule a follow-up discussion at their May 13, 2009 meeting. A letter to the Commissioners from Ms. Dabroski is attached as a part of these minutes.

The Commissioners of St. Michaels
April 8, 2009

Commissioners' Calendar - The Commissioners discussed changes and additions to their calendar through the month of June, 2009. President Clark also noted that a closed session on the first draft of the 2010 Budget would be held on Thursday, April 9, 2009 at 1:00 p.m.

Comments from the Public:

Marie Martin of Cherry Street thanked Commissioners Dinkel and Snyder for raising concerns about noise and parking related to Ordinance 399.

Bill Frost of Railroad Avenue suggested that St. Michaels consider legislation to allow golf carts on Town streets to cut down on parking and traffic congestion, and that the Town could work with the State Highway Administration on establishing a Route 33 cross-over for the carts.

Comments from the Commissioners:

There were no additional comments from the Commissioners.

Adjournment:

President Clark adjourned the meeting at 7:30 p.m.

Respectfully submitted,

Dorothy C. Olley
Assistant Town Clerk

Attachments:

- Reports - Administrative, Public Works, Police Department
- Ordinance 399
- Draft Ordinance 402
- Tax Rate Exhibits
- Letter from Mary Dabroski of the Blue Crab Coffeehouse
- Letter from C. John Sullivan, Jr., Director, State of Maryland Department of Assessments and Taxation