

October 14, 2009

4:00 p.m. – Special Public Working Session

Present:

Commissioners Michael Brady, Joanne Clark, Robert Snyder, Philip Dinkel, and Donna Hunt, Town Manager Cheril Thomas, Administrative Clerk Sabrenia Yohn, Secretary Dorothy Olley, and approximately 20 members of the public.

Announcement of Prior Closed Session

President Brady announced that the Commissioners met in closed session at 3:30 p.m., pursuant to Maryland Code, State Government Art., § 10-508 (a) (1) (ii) and administrative matters to discuss a personnel matter related to a specific employee and to discussion Fiscal Year 2010 budget amendments.

Call to Order

President Brady called to order a special public working session at 4:00 p.m. in the meeting room of the Edgar M. Bosley, Jr. Municipal Building, 300 Mill Street.

Special Public Working Session - Discussion of amendments to the Fiscal Year 2010 Budget

President Brady said this meeting was a continuation of the October 7, 2009 working session on proposed amendments to the Fiscal Year 2010 Budget. Mrs. Thomas said the Commissioners had before them proposed budget cuts that included comments from their previous discussion. Mrs. Thomas said that staff had obtained the amount of expenditures already spent or committed to for fiscal year 2010 from the Tourism Board, noting that \$71,298.58 had been spent or committed for advertising and that \$19,104.00 remained in their budget. Commissioner Clark said she was drafting an ordinance and resolution to delineate Commissioners' expenses, and the Commissioners agreed to place this on an upcoming agenda as a discussion item. After discussion, the Commissioners agreed to the budget amendments as proposed by staff and directed staff to use funds from prior years' reserves to balance the general fund and funds from the street bond to balance the capital fund. As there were no additional comments from the Commissioners, President Brady called for comments from the public.

Ted Doyle of Perry Cabin Drive congratulated the Commissioners for addressing ways to cut the budget.

Commissioner Snyder asked Mrs. Thomas to provide background on municipal investment requirements. Mrs. Thomas said municipal governments are restricted by asset coverage requirements and are encouraged by the State to use the Government Investment Pool. Mrs. Thomas said that the Commissioners are working on a Request for Proposal (RFP) for banking services to look into alternative investments and possibly moving at least one account out of the Government Investment Pool. As there were no additional comments from the Commissioners, President Brady directed staff to prepare a final draft of the proposed budget cuts, which would be eligible for a vote at the October 28, 2009 meeting of the Commissioners.

5:00 p.m. - Public Working Session

Call to Order

President Brady called to order a regular public working session of the Commissioners of St. Michaels at 5:15 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 Brady announced that the Commissioners had met in Closed Session at 3:30 p.m., pursuant to Maryland Code, State Government Article, §10-508 (a)(1)(ii) to discuss a personnel matter related to a specific employee.

Presentation by St. Michaels Parks and Recreation Committee

President Brady recognized Marie Wroten, Chairman of the St. Michaels Parks and Recreation Committee. Ms. Wroten brought the following requests before the Commissioners:

- That the Town's skateboard park be dedicated to the late Beverly Richardson, who was dedicated to working with the Town's young people and to fundraising for additional equipment for the skateboard park.
- Funding for a plaque in memory of Morris Osborn to be placed in the garden next to the Town office in the amount of approximately \$225.00.
- Permission for the Parks and Recreation Committee to do landscaping around the Town Office, with assistance from the Town's public works crew in removing overgrowth, and salvaging grasses and flowering plants that could be re-used.
- Assistance in recruiting volunteers for the Parks and Recreation Committee.
- Assistance in recruiting for a committee to plan a celebration in honor of the 200th anniversary of the War of 1812.
- Funding for the purpose of a live Christmas Tree for the gazebo in Muskrat Park.

Commissioner Hunt suggested that Ms. Wroten contact Janet Berg, who is already working on fundraising for the 2012 event. Mrs. Thomas proposed that a live evergreen tree could be obtained through the Town's tree mitigation program. President Brady directed staff to put a request for volunteers for the Parks and Recreation Committee in the Town newsletter. The Commissioners agreed to consider the requests from Ms. Wroten and provide a response during their October 28, 2009 meeting.

Presentation by the St. Michaels Art League

Jo Merrill and William Cook, representing the St. Michaels Art League, introduced their banner program, which Mr. Cook said was similar to that of the Town of Easton, under which Art League members would paint 2' x 4' banners to be hung the Verizon poles along Talbot Street. Mr. Cook said the banners could then be made into posters to be sold by businesses. Mr. Cook said the banners would be suspended from the poles on 11 standards, but noted that the existing standards were not wide enough for the 2-ft. wide banner, and would have to be modified. Mr. Cook also requested assistance from the Town's public works crew to hang and remove the banners. Mrs. Thomas noted that none of the poles are owned by the Town and their use would need to be investigated with Verizon. Also, the Town no longer has a bucket truck which would make it difficult for public works staff to assist in the hanging of the banners. The Commissioners thanked the Art League members for their presentation and asked that they come back to the Commissioners with further detail, including estimated costs of the project. The Commissioners asked staff to research the current lease that the Town has with Verizon pertaining to the poles.

Consent Agenda

President Brady said the Consent Agenda included departmental reports for the month of September with disbursements noted in the amount of \$66,670.75. As there were no comments from the Commissioners, President Brady commended Chief Dennis for the significant reduction in false alarms. Commissioner Dinkel made the motion to accept the Consent Agenda as presented. Commissioner Snyder seconded the motion which passed on a roll call vote of 5-0 in favor.

Items for Discussion

- **Ordinance 409-** AN ORDINANCE OF THE COMMISSIONERS OF THE TOWN OF ST MICHAELS AMENDING CHAPTER 22 (ETHICS, CODE OF) OF THE CODE OF THE TOWN OF ST. MICHAELS, PROVIDING THAT CAMPAIGN CONTRIBUTIONS SHALL BE CONSIDERED GIFTS UNDER THE TOWN ETHICS CODE AND SHALL BE REGULATED ACCORDINGLY; PROVIDING THAT CERTAIN GIFTS SHALL NOT BE REGULATED UNDER THE TOWN ETHICS CODE, INCLUDING GIFTS OF MEALS AND BEVERAGES CONSUMED IN THE PRESENCE OF THE DONOR, GIFTS INVOLVING CERTAIN TRAVEL, LODGING AND MEAL EXPENSES WHEN THEY ARE PROVIDED UNDER CERTAIN CIRCUMSTANCES, AND GIFTS FROM PERSONS RELATED BY BLOOD, ADOPTION OR MARRIAGE, OR FROM A STEP CHILD OR WARD; AND PROVIDING THAT CERTAIN LOBBYING ACTIVITIES MUST BE DISCLOSED TO THE TOWN ETHICS COMMISSION; AND RELATING GENERALLY TO MATTERS OF ETHICS IN TOWN GOVERNMENT IN THE TOWN OF ST. MICHAELS, MARYLAND

Mrs. Thomas explained that the purpose of Ordinance 409 was to update the Town's Ethics policies to follow State guidelines and that the Ordinance is an amendment, not a repeal and re-enactment. Mrs. Thomas said the Ordinance clarifies and adds definitions and terms, as well as a new section on lobbying requirements. Mrs. Thomas said the Ordinance must go to the State for their review/approval. After some additional discussion, the Commissioners agreed to direct staff to send the draft Ordinance 409 to the State as written.

- **Ordinance 410-** AN ORDINANCE OF THE COMMISSIONERS OF THE TOWN OF ST. MICHAELS AMENDING THE CODE OF THE TOWN OF ST. MICHAELS, CHAPTER 340 (ZONING §340-26 "CENTRAL COMMERCIAL ZONE", TO ALLOW COMMUNITY CENTERS AS A PERMITTED USE AND TO AMEND § 340-108 (DEFINITIONS) TO ADD A DEFINITION OF "COMMUNITY CENTER", PROVIDING THAT THE TITLE OF THIS ORDINANCE SHALL BE DEEMED A FAIR SUMMARY OF ORDINANCE NO. 410; AND MATTERS GENERALLY RELATING TO COMMUNITY CENTERS IN THE TOWN OF ST. MICHAELS

Mrs. Thomas explained that Ordinance 410 provides a definition for Community Centers and allows them as permitted uses in the Central Commercial Zone. There were no comments or questions from the Commissioners or the public. In consensus agreement, the Commissioners referred Ordinance 410 to the Planning Commission for their review and recommendation. President Brady said the public hearing on this ordinance was tentatively scheduled for November 4, 2009.

- **Resolution 2009-21 -** A CHARTER AMENDMENT TO CHANGE MEETING DAY OF THE COMMISSIONERS OF ST. MICHAELS FROM TUESDAY TO WEDNESDAY AND THE ABILITY OF APPOINTED COMMISSIONERS TO BE ELECTED TO HOLD OFFICE

Mrs. Thomas said this Resolution make changes in the Code necessary to update the Commissioners' meeting day, identifies the first regular meeting in June for new Commissioners to take office, and removes the restriction on appointed Commissioners serving as officers. There were no comments

The Commissioners of St. Michaels
October 14, 2009

from the Commissioners or the public. President Brady said the public hearing on this Resolution was tentatively scheduled for November 4, 2009.

- **Higgins Boatyard Bulkhead**

The discussion of the bulkhead at the lower end of Carpenter Street was deferred. Mrs. Thomas said that the Town had an agreement to deliver clam shells for the parking area.

- **Commissioners' Calendar**

The Commissioners reviewed agenda items on their calendar through the end of December 2009.

Comments from the Commissioners

There were no additional comments from the Commissioners.

Comments from the Public

- Elizabeth Beggins of 112 Conner Street asked about the application process for the Farmers Market. Mrs. Thomas said there was no fee at this time and there would be an application form, which could be processed once Ordinance 408 becomes effective.
- Ann Hymes of Grace Street urged the Commissioners to implement a recycling program for the Town and to encourage the use of biodegradable bags for leaves. President Brady directed staff to find out how far along Talbot County is with its planned recycling program. The Commissioners agreed to add a discussion regarding trash and recycling to their December 2, 2009 meeting agenda.

Announcement of Next Meetings

Brady said the next meetings of the Commissioners would be held at the Town Office on October 28, 2009 at 6:30 p.m., November 4, 2009 at 5:00 p.m., and November 18, 2009 at 6:30 p.m. President Brady also noted that Town offices would be closed on Wednesday, November 11, 2009 in observance of Veterans' Day.

Adjournment

President Brady adjourned the meeting at 7:10 p.m.

Respectfully submitted,


Dorothy C. Olley
Assistant Town Clerk

Attachments:

- Reports: Administrative, Public Works, Police Department
- Draft Ordinance 409
- Draft Ordinance 410
- Draft Resolution 2009-21