

The Commissioners of St. Michaels

Public Working Session

December 2, 2009

Present:

Commissioners Michael Brady, Joanne Clark, Donna Hunt and Robert Snyder, Town Manager Cheril Thomas, Administrative Clerk Sabrenia Yohn, and 22 members of the public. Commissioner Philip Dinkel was absent.

Call to Order:

President Brady called to order the public working session of the Commissioners of St. Michaels 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 Brady announced that on December 2, 2009 at 4:00 p.m. pursuant to Maryland Code, State Government Art., § 10-508 (a) (1) and (8); Administrative Matters The Commissioners met in closed session to discuss: (1) Scheduling of agenda items with related legal issues; (2) Personnel matters related to three specific employees; (3) Scheduling of responsive actions related to two Public Information Act requests; (4) Status of Florkewicz vs. the Commissioners of St. Michaels; (5) Status of Wood vs. the Commissioners of St. Michaels; and (6) Status of appeal filed by Bruce Bedford, et al. vs Cheril Thomas, Town Manager to the Board of Appeals.

Presentation by Choptank Electric:

President Brady introduced Mike Wheatley of Choptank Electric, who provided a handout to the Commissioners (a copy of which is attached to these minutes) and introduced two other Choptank representatives, Jeff Rathell and Curtis Short. Mr. Wheatley reported on the status of the company, noting that the electrical company had made \$6.2 million in capital improvements to its system. Mr. Short noted that outages are down, and that there will be a rate reduction for its customers effective December, 2009. Mr. Short also said the company had a proposal before the Historic District Commission to bury power lines at Muskrat Park. Commissioners Clark and Snyder thanked Choptank for their presentation and praised the company for their excellent customer service department. Mrs. Thomas also thanked the company for their assistance with the Town's Christmas lighting. Steve Florkewicz of Marengo Street complimented Choptank for its efficient repair of street light outages. Mike Estrella of Rio Vista thanked Choptank for the rate reduction. Ann Hymes asked about electricity from renewable resources to which Mr. Wheatley responded that Choptank has bought renewable power from windmills in Pennsylvania and Western Maryland, and is looking into other resources. Mr. Wheatley said Talbot County is working on solar power, and that Choptank offers buyable renewable credits to its customers, with over 4,200 sold last month.

Items for Discussion:

- **Resolution 2009-26** - RESOLUTION 2009-26, A RESOLUTION OF THE COMMISSIONERS OF THE TOWN OF ST. MICHAELS TO ENUMERATE ALL GOODS AND SERVICES THAT MAY BE GIVEN, LOANED OR OTHERWISE PROVIDED TO THE COMMISSIONERS DURING THEIR TENURE, WHICH GOODS AND SERVICES SHALL BE IN ADDITION TO THE SALARY RECEIVED BY EACH COMMISSIONER AS MANDATED BY THE TOWN CHARTER

Commissioner Clark said she was satisfied with the current version that incorporated changes from the November 18, 2009 meeting. Commissioner Clark then provided an overview of the Resolution,

which among other things, addressed health care benefits for Commissioners. Commissioner Hunt said she favored continuing health care coverage for Commissioners, noting that it is an incentive to get people to run for office in the future. President Brady agreed with making the compensation for Commissioners clear, but said that the Resolution was the wrong piece of legislation at an inappropriate time and should be discussed further. The discussion of this issue continued at length with comments from Steve Florkewicz of Marengo Street and Ted Doyle of Perry Cabin Drive, both of whom favored removal of health benefits for Commissioners. President Brady then noted that the Resolution would be eligible for a vote at the Commissioners' December 16, 2009 meeting.

- **Resolution 2009-28 - RESOLUTION 2009-28, A RESOLUTION OF THE COMMISSIONERS OF ST. MICHAELS APPROVING A STORM WATER MANAGEMENT PLAN, INCLUDING A QUANTITATIVE WAIVER FOR THE PROJECT KNOWN AS CHESAPEAKE REACH, OWNED BY WINDWARD INVESTMENTS, LLC**

There were no comments from the Commissioners. President Brady noted that the Resolution would be eligible for a vote at the Commissioners' December 16, 2009 meeting.

- **St. Michaels Art League Banner Program**

President Brady introduced William Cook of the St. Michaels Art League. Mr. Cook said his presentation today was a follow-up to the presentation on October 14, 2009. Mr. Cook had brought sample rods on which the art would hang, noting that he and Public Works Director Jeff Richardson had tried them and the rods fit perfectly on the Verizon poles. Mr. Cook also brought a sample poster (18 x 20 ft) and a hand-out which included a budget for the costs of the project (a copy of which is attached to these minutes). Mr. Cook said the Art League was not asking the Town for money, but for the Town's commitment to putting up the standards, hanging the banners, and taking them down at the end of the season. Commissioners Snyder, Clark and Hunt commented that the project sounded like a good idea and that the Town would coordinate with Jeff Richardson and look at the logistics. Ann Hymes of Grace Street asked if the brackets on the poles would remain through the winter. Mr. Cook said they could be taken down when the banners come down. The Commissioners directed Staff to look at the poles and make recommendations to them regarding the hanging and taking down of the banners.

- **St. Michaels School Complex Bell Tower Monument and Sign**

President Brady introduced John Masone, Assistant Superintendent of schools for Talbot County, who presented photographs of the proposed monument and sign (a copy of which is attached to these minutes). Mr. Masone explained that fundraising was underway with the St. Michaels School community having already pledged \$10,000.00. Mr. Masone said the sign would be an LED, computer driven sign and could be programmed to display different messages every ten minutes. Mr. Cook said the new sign was about the same square footage as the old one, approximately 30" x 60". Mrs. Thomas said that variances would be required for the setback of the structure, for the size of the sign, and a text amendment would be required to consider an illuminated sign. Mr. Masone said that the LED lighting emits less light and added that the sign would be turned off at 10:00 p.m. each night. President Brady called for comments from the Commissioners. Commissioner Clark said she would like to have recommendations from the Town's Zoning Officer, Deborah Renshaw, and would want to talk to Town residents Mr. and Mrs. Morse who live the closest to the proposed structure. Mrs. Thomas offered to have Staff look into the possibility of a text amendment to the Town's Code with respect to the illuminated sign, and then make recommendations to the Commissioners. Mrs. Thomas also noted that the text amendment process does not preclude Mr. Masone from filing for variances with the Board of Appeals. Commissioner Snyder said he favored the concept and the potential for community announcements. President Brady then asked for public comment. Several parents and PTA members spoke in favor of the sign stating that it was much

needed to provide announcements for school functions as well as other community events. Ann Hymes of Grace Street and Steve Florkewicz of Marengo Street expressed concerns regarding the esthetics of the proposed structure. Mr. Masone said that the construction would be consistent with the school bricks and that the existing pin oaks will canopy over the sign. Mr. Masone also said he had no objection to a review by the Historic District Commission of the structure design. As there were no additional comments, President Brady said the next steps were for Mr. Masone to pursue the necessary variances and he directed Staff to get an opinion from the Zoning Officer regarding a text amendment.

- **Choptank River Eastern Bay Conservancy**

President Brady introduced Timothy Junkin, Director of the Choptank River Eastern Bay Conservancy, who gave an overview of his organization and their proposed fundraising event, a "Triatha-boat-alon." Mr. Junkin said his group was partnering with the Miles River Yacht Club for the race, which would begin with a biking event starting in Easton, a running event along the St. Michaels Nature Trail, and a boating event on the Miles River. Mr. Junkin said he was requesting crossing guards from the Town and permission to use the Nature Trail. Mr. Junkin said that his hope was to fill the Town with people on the weekend of June 19, 2010, to participate in the "Triatha-boat-alon." Commissioner Clark mentioned that the Town has its "Paint the Town" event that weekend, as well as the Maritime Museum Boat Show. Mr. Junkin said he would like to begin advertising in January-February. Commissioner Brady suggested that Mr. Junkin contact the St. Michaels Art League regarding any potential conflicts with the "Paint the Town" event. Mrs. Thomas proposed a meeting between Mr. Junkin, Police Chief Miguel Dennis, and Fire Chief J.D. Patrick to coordinate efforts. President Brady said Mr. Junkin should come before the Commissioners with an update of his plans in January.

- **Trash Policy**

Mrs. Thomas provided an overview of the Town's current trash policy which has been in effect since 1991. Mrs. Thomas added that the policy has not in the past been strictly enforced and that strict enforcement could upset the commercial community especially, and proceeded to provide the Commissioners with photos of violations. She noted that some businesses are putting out trash in five or six oversized cans. Mrs. Thomas said other problems include weekend residents putting trash out on Sunday in plastic bags, and business owners putting out unsecured packing materials and other loose trash. Mrs. Thomas said that Public Works would soon need a new trash truck because the current one was having serious transmission problems and that the cost of a new truck is approximately \$150,000.00. In addition, Mrs. Thomas noted that the Talbot County landfill will be closing in January 2011 and there will be an increase in tip fees of about ten percent. If the County does not build the transfer station, St. Michaels will be traveling to the Ridgley site at double the mileage and wear and tear on the truck. Mrs. Thomas said Town staff was proposing the initiation of a contracted single stream curbside recycling program to reduce trash. Mrs. Thomas said the Commissioners needed to look at all the issues and options and consider changing or tightening the policy, possibly charging a trash fee, or considering outsourcing the trash service completely. The Commissioners discussed the various options. President Brady agreed that the trash should include recycling, and that a tax increase may be needed to pay for a new trash truck. President Brady also said that perhaps the pickup area could be expanded to Rio Vista residents, who could then be charged for the service to help offset the cost of the truck. Commissioner Clark proposed changing trash days to Monday and Thursday to accommodate weekend residents. There was additional discussion of problems and possible solutions, after which President Brady called for public comment. Steve Florkewicz of Marengo Street expressed concerns regarding commercial trash pickup and the costs but said that he favored a single stream recycling program. Ann Hymes of Grace Street expressed the need for the Town to move forward with a recycling program. After some

additional discussion, President Brady directed Staff to develop a cost analysis for outsourcing trash pickup and recycling, and to provide a comparison to the costs of the Town expanding its service.

Calendar Discussion

The Commissioners discussed revisions to their Calendar and set the briefing on the Audit for the January 27, 2010 meeting. Regarding the rezoning request of 104 Carpenter Street, Staff was instructed to forward the request to the Planning Commission to be included as part of their Comprehensive Plan discussion.

Comments from the Public

Residents Julie and Bob Hockaday questioned the zoning of the property located at 929 S. Talbot Street. President Brady said it was more appropriate for the Hockadays to continue working with the Town's Zoning Officer on the matter. Mrs. Thomas explained that the Commissioners could not engage in a dialogue on this topic because was not part of the evening's public agenda, but noted that the Hockadays could request to be put on a future agenda.

Ann Hymes of Grace Street asked about the status of the Nature Trail. Mrs. Thomas provided an update and noted that the ribbon cutting was planned for some time in March 2010.

Comments from the Commissioners

There were no additional comments.

Announcement of Future Meetings

President Brady announced future meetings as follows:

- December 16, 2009 – 6:30 p.m. - Regular Public Session at the Town office
- December 24, 2009 and December 25, 2009 – Town office will be closed for the Christmas holiday
- December 28, 2009, December 29, 2009 and December 30, 2009 – Town office will be closed for furlough days
- December 31, 2009 and January 1, 2010 – Town office will be closed for New Year's

Adjournment

President Brady adjourned the meeting at 8:00 p.m.

Respectfully submitted,



Sabrenia L. Yohn
Administrative Clerk

Attachments:

- Choptank Electric Cooperative Year End Report
- Draft Resolution 2009-26
- Draft Resolution 2009-28
- St. Michaels Art League Banner Program Proposal
- Bell Monument and New Sign Proposal for St. Michaels School