

September 14, 2010

Present

Commissioners Michael Brady, Joanne Clark, T. Coleman duPont, Donna Hunt, and Michael Vlahovich, Town Manager Cheril Thomas, Codes Enforcement Officer Deborah Renshaw, Town Attorney Charles MacLeod, Administrative Clerk Sabrenia Yohn, and approximately 50 members of the public.

530 p.m. - Special Working Session

Call to Order

President Brady called to order the special public working session of the Commissioners of St. Michaels at 5:30 p.m. in the meeting room of the St. Michaels Public Library, 106 S. Fremont Street, St. Michaels, Maryland. The Pledge of Allegiance was recited.

Discussion Items:

- **Chesapeake Bay Maritime Museum Proposed Zoning Text Amendment**
President Brady opened the discussion, noting that the Commissioners would be taking public comment on this topic as promised at their August 25, 2010. President Brady also stressed that this is not a public hearing, but a public discussion, and that Mr. Shook was present to answer any questions. Mrs. Thomas provided an overview of the Museum's proposed zoning text amendment changes to Section 340-30 of the Town's Code. The Commissioners said they had no additional comments and would like to hear public comment.

Comments were taken from:

Marion Brown
Helen Van Fleet
Cathy Stinchcomb
Brad Fout
Barney Kastel
James Valliant
Marianne Yost
Sandy McAllister, Esq.
Roy Myers
Pat Howell
Joe Peters
Rupert Armatage
Bruce Bedford
Ida Heelan
Robin Gordon
Steve Florkowicz
Diana Mautz
Sherry Manning
Jim Ward
Tracy Jones

President Brady then asked for comments from the Commissioners. The Commissioners agreed that changes were needed to provide clarification to the legislation and that it is important for the businesses and the museum to work together. Commissioner Vlahovich said he did not want the legislation going to the Planning Commission until the Commissioners had made a list of everything that needs further definition and that the Commissioners should direct the Planning Commission on the work they will do. Commissioner duPont and Commissioner Clark agreed. Museum Director Langley Shook offered to include definitions in the text amendment and said he would work with members of the business community. Mr. Shook agreed to have changes back to the Commissioners in time for their October 27, 2010 meeting.

President Brady called a 10-minute recess, after which he reconvened the meeting at 7:50 p.m.

- **Contract of Sale for the Miles Point Property**

Town Attorney MacLeod gave an overview of the contract of sale and the changes that have been made since the last Commissioners' meeting. In response to a question from Commissioner Clark, Attorney MacLeod said the owners of the property are willing to allow access to the property for citizens who wish to see it, but that liability issues would need to be worked out. President Brady asked for comments from the Commissioners on the Contract.

Commissioner duPont said that the document favored the Town, and he saw no reason not to proceed. Commissioner Hunt thanked Attorney MacLeod for his efforts to date and the Commissioners agreed to proceed. Commissioner Clark then made a motion that pursuant to the Purchase Option Agreement between the Town and Miles Point Property, LLC, approval of the form and terms of the Contract of Sale for the Miles Point property acquisition, as embodied in Draft #5, exclusive of the Purchase Price in Section 2 which will be determined by the parties on or before October 28, 2010. Commissioner Hunt seconded the motion which passed on a roll call vote of 5-0 in favor. The approved Purchase Option Agreement is attached to these minutes.

Attorney MacLeod then gave an overview of the next steps in the process and the corresponding timelines. He recommended closed sessions for the price determination, and, once appraisals are received, he suggested that a meeting be held on September 15, 2010 to set guidelines for price negotiations. Attorney MacLeod also said he would provide information to the Town on the authorizing of debt.

Helen Van Fleet of E. Chew Avenue thanked the Commissioners for their work on this very complicated project. Bruce Bedford of Fogg Cove said his homeowner's association was ready to commence a community fundraising campaign. Roy Myers of E. Chestnut Street said he will look into making the harbor shuttle available to anyone who wished to view the property from the water.

Comments from the Public:

Helen Van Fleet of E. Chew Avenue thanked the Commissioners for their work on this very complicated project. Bruce Bedford of Fogg Cove said his homeowner's association was ready to commence a community fundraising campaign, but suggested that the "no trespassing" signs were prohibitive. Attorney MacLeod said he was working on doing something about the signage. Roy Myers of E. Chestnut Street said he will look into making the harbor shuttle available to anyone who wished to view the property from the water.


Comments from the Commissioners

Commissioner duPont suggested declaring 101 Conner Street surplus property and raffling it off with proceeds going toward the purchase of the Miles Point property. Commissioner duPont also commented that the conduit being buried under Mulberry and Cherry Streets should go to the property lines and that he would work with staff on this point. Commissioner Vlahovich said he agreed with the Commissioner duPont regarding the conduit and would have voted for it to go to the property lines, and not the right-of-way. Mrs. Thomas said she would look into whether this would be a change order for the project.

Adjournment

As there were no additional comments, President Brady adjourned the meeting at 8:45 p.m.

Respectfully submitted,


Sabrenia L. Yohn, Administrative Clerk

Attachments:

- CBMM Proposed Zoning Text Amendment
- Miles Point Purchase Option Agreement