

MINUTES
Town of Easton Council Meeting
October 4, 2010

PRESENT AT CONVENING

Mayor Robert C. Willey
Council President John F. Ford
Councilmember Kelley K. Malone

Councilmember Pete Leshar
Councilmember Leonard E. Wendowski
Councilmember Megan M. Cook

IN ATTENDANCE

Also in attendance were the Town Manager Mr. Robert F. Karge, Town Attorney Ms. Sharon VanEmburch, and Town Clerk Mrs. Kathy Ruf.

CONVENING

At 7:00 p.m., President Ford called the meeting to order.

OPENING PRAYER BY MRS. COOK AND PLEDGE OF ALLEGIANCE.

Ms. Malone opened the meeting with prayer and led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES OF SEPTEMBER 7 AND SEPTEMBER 14, 2010 MEETINGS.

Upon motion by Mr. Leshar seconded by Mrs. Cook and carried unanimously, minutes of the September 20, 2010 meetings were approved as written.

REPORT FROM EASTON VOLUNTEER FIRE DEPARTMENT

Assistant Chief Jamie McNeal presented the September statistical report. He stated that year to date they have had over 700 fire calls with an increase of 55 calls from last year. Mr. McNeal stated that their fundraiser was a success and the Bull Roast tickets are now on sale.

ITEMS BY MAYOR WILLEY.

Mayor Willey stated that the Mayor's Prayer Breakfast will be held October 22 at 7:00 a.m. at the Tidewater Inn.

**LETTER FROM SANTO A. GRANDE, PRESIDENT DELMARVA COMMUNITY TRANSIT
REQUEST A LETTER OF SUPPORT AS PART OF A GRANT APPLICATION TO THE MARYLAND
TRANSIT ADMINISTRATION FOR THE ESTABLISHMENT OF TRANSIT SERVICE.**

Upon motion by Mr. Wendowski seconded by Mr. Leshar permission was granted to draft a letter of support.

Mayor Willey asked for a Closed Session for Advice of Counsel and Business Retention.

ITEMS BY THE TOWN MANAGER:

Mr. Karge stated that Public Works will begin picking up leaves this month. He asked that leaves be placed in the vicinity of bulk pick up.

Mr. Karge stated that there will be another brick order going in for the Memorial Walk to honor police and service personnel.

**APPROVAL OF BID AWARD FOR A ONE TON DUMP TRUCK WITH A PLOW AND SALT
SPREADER.**

Upon motion by Mr. Leshar seconded by Ms. Malone and carried unanimously, the bid in the amount of \$62,766.90 submitted by Preston Ford was approved.

**APPROVAL OF PUBLIC ASSEMBLY PERMIT REQUESTS AS RECOMMENDED BY EASTON
POLICE DEPARTMENT.**

Public Assembly process and guidelines were reviewed by the Town Manager.

1 10/08/10 – 6:00 p.m. to 9:00 p.m., Academy Art Museum Craft Show & Sale, Academy Art Museum and
2 Waterfowl Festival Building with waiver of two hour parking limit.

3
4 10/09/10 – Neighborhood Service Center, Latino Community Gathering, Idlewild Park with loud speakers.

5
6 10/10/10 – 10:00 a.m. – 5:00 p.m., Easton High School Class of 1980 Reunion, Gazebo at Idlewild Park with
7 live band.

8
9 11/26/10 – 9th Annual YMCA Run for Hospice 10K & 5K, Peachblossom Road with assigned traffic control.

10
11 Upon motion by Mr. Leshar seconded by Mrs. Cook and carried unanimously, the Public Assembly Permit
12 requests as recommended by Easton Police Department were approved with stipulations as recommended by the
13 Town Manager that Easton Parks and Recreation has granted approval.

14
15 **LETTER FROM MR. HARRY D. SLAUGHTER, III FINANCE MANAGER REQUESTING**
16 **PROPERTY TAX CREDIT FOR HABITAT FOR HUMANITY.**

17
18 Mr. Karge discussed the request from Habitat for Humanity and the requirements by law. He stated that it may
19 not behoove the council to blanket the request but to approve the request as an annual abatement.

20
21 Upon motion by Mr. Leshar seconded by Mrs. Cook and carried unanimously, the request from Habitat for
22 Humanity for an abatement of their taxes for FY 2010/2011 was approved.

23
24 **LETTER FROM MS. VICTORIA WOOTEN, STORE MANAGER REQUESTING PERMISSION TO**
25 **HAVE 19 STORAGE TRAILERS IN THE AREA OF THE GARDEN CENTER PARKING LOT**
26 **OCTOBER 1 THRU DECEMBER 31, 2010.**

27
28 Mr. Lynn Thomas, Long Range Planner was present and discussed the Zoning Ordinance in relation to the
29 request.

30
31 Upon motion by Ms. Malone seconded Mr. Ford, permission was granted for placement of 19 storage trailers in
32 the area of the Garden Center at Wal Mart.

33
34 **ITEMS BY THE TOWN ATTORNEY.**

35
36 Ms. VanEmburch stated that the workshop next Wednesday will be to discuss Charter changes. She stated that
37 the draft for the DRRRA is not ready but will be discussed during the November workshop.

38
39 Ms. VanEmburch asked for a Closed Session to consult with counsel to obtain legal advice and to consider a
40 matter that concerns the proposal for a business or industrial organization to locate, expand or remain in the
41 State.

42
43 **APPROVAL OF FOOD CONCESSIONS FOR 2010 WATERFOWL FESTIVAL, NOVEMBER 12 – 14.**

44
45 Upon motion by Mr. Wendowski seconded by Ms. Malone and carried unanimously, the Food Concessions for
46 the 2010 Waterfowl Festival were approved.

47
48 **RESOLUTION NO. 5972, “A RESOLUTION OF THE TOWN OF EASTON AUTHORIZING THE**
49 **EXECUTION OF A LICENSE AGREEMENT TO ALLOW A HEDGEROW ON THE RAILS TO**
50 **TRAILS PROPERTY ADJACENT TO THE DIXON SQUARE COMMUNITY.”**

51
52 It was the consensus of the Council to have Mr. Mike Burlbaugh send specific picture and intended plantings on
53 a revised plat.

54
55 Upon motion by Mr. Wendowski, seconded by Mr. Leshar Resolution No. 5972 was tabled.

56
57 President Ford tabled Resolution No. 5972 until the next meeting.

58
59 **ORDINANCE NO. 580, “AN ORDINANCE OF THE TOWN OF EASTON GRANTING THE**
60 **APPLICATION OF EASTON INVESTMENTS I, INC. AND EASTON INVESTMENTS II, INC. FOR**
61 **AN AMENDMENT TO THE EXISTING PLANNED UNIT DEVELOPMENT KNOWN AS**
62 **“LAKELANDS” UNDER THE PROVISIONS OF THE EASTON ZONING ORDINANCE.”**

63
64 Upon motion by Mr. Leshar seconded by Mr. Ford and carried, Ordinance No. 580 was approved 3 to 2 with Ms.
65 Malone and Mr. Wendowski voting no.

66
67 **ORDINANCE NO. 581, “AN ORDINANCE OF THE TOWN OF EASTON TO AMEND CHAPTER 2 OF**
68 **THE EASTON TOWN CODE TO ADD ARTICLE X ENTITLED “ADMINISTRATIVE SEARCH**

1 **WARRANTS; RIGHT OF ENTRY” TO ESTABLISH THE STANDARDS AND REQUIREMENTS FOR**
2 **OBTAINING AN ADMINISTRATIVE SEARCH WARRANT TO ENTER A PREMISES LOCATED**
3 **WITHIN THE TOWN OF EASTON.”**
4

5 Upon motion by Mr. Lesher seconded by Ms. Malone and carried unanimously, Ordinance No. 581 was
6 approved.

7
8 **ORDINANCE NO. 582, “AN ORDINANCE OF THE TOWN OF EASTON AMENDING THE**
9 **CONDITIONS OF APPROVAL FOR ORDINANCE 461, WHICH GRANTED THE AMENDMENT TO**
10 **A PLANNED UNIT DEVELOPMENT FOR ELM STREET DEVELOPMENT, LC, TO MODIFY THE**
11 **REQUIREMENTS FOR RENOVATIONS AND/OR RESTORATIONS.”**
12

13 President Ford introduced Ordinance No. 582 for a first reading.

14
15 **PUBLIC HEARING TO DISCUSS:**
16

17 At 7:34 p.m., President Ford opened the Public Hearing for comments and questions.

18
19 **ORDINANCE NO. 578, “AN ORDINANCE OF THE TOWN OF EASTON REENACTING WITH**
20 **AMENDMENTS PORTIONS OF CHAPTER 6 BUILDING CODES, FOR TEMPORARY**
21 **STRUCTURES AND REVISING THE ZONING REGULATIONS TO ADD PROVISIONS DEFINING**
22 **AND REGULATING THE USE; MARKETPLACE BUILDINGS” AND;**
23

24 Mr. Don Richardson, Building Code Official discussed Ordinance No. 578.

25
26 Mr. Wendowski asked if they have water and sewer, will the structures be considered permanent buildings.

27
28 Mr. Richardson stated that these buildings are still considered temporary buildings and will need periodic
29 updates if they are in place for longer than a three year building.

30
31 Mr. Lesher stated that what defines them as temporary is the lack of a foundation.

32
33 **RESOLUTION NO. 5964, “A RESOLUTION OF THE TOWN OF EASTON REVISING THE TOWNS’**
34 **LICENSE, APPLICATION, PERMITS, INSPECTION, CERTIFICATE AND OTHER FEES.”**
35

36 Mr. Richardson stated that Resolution No. 5964 updates the Schedule of Fees to include temporary structures and
37 their applicable fees.

38
39 Mr. Richardson discussed other updates included in Resolution No. 5964 such as fees for fences, signs, decks
40 and swimming pools.

41
42 At 7:43 p.m., President Ford opened the Hearing for public comments.

43
44 Mr. Lehr Jackson, 6 Meadow Road, Baltimore, MD thanked the council for their attention in this matter and
45 asked for an applicable Schedule of Fees for Temporary Structures.

46
47 Ms. Libby Dawkins, 11 N. Thorogood Lane, Easton, asked for clarification concerning locations of Temporary
48 Structures. She asked if temporary structures could be included in Talbottown.

49
50 Mr. Lesher stated that Talbottown is in the CR District.

51
52 Mr. Thomas stated that the Zoning Ordinance would limit the Temporary Structures in the CR Zone; the Historic
53 District in downtown Easton.

54
55 At 7:51 President Ford closed Public Hearing. He stated that public comments will be accepted until close of
56 business on Friday.

57
58 **ITEMS FROM MEMBERS OF THE COUNCIL**
59

60 Ms. Malone thanked everyone for their attendance at the recent Airport Public Hearing on Tuesday.

61
62 Ms. Malone stated that the RTC Task Force will be meeting with the Park Board regarding Project Open Space
63 Thursday, 5:00 p.m. in the Council’s Chambers.

64
65 Mr. Lesher discussed a meeting he recently attended at Hog Neck regarding watershed plans. Mr. Lesher
66 commended the leaders of this town and Easton Utilities Commission for their foresight.
67

1 Mr. Wendowski discussed attending the ribbon cutting for Mrs. Potter's Habitat Home and the Eagle Scout Court
2 of Honor.

3
4 Mr. Wendowski stated that he had a request from a constituent to please move up discussion and action on the
5 Noise Ordinance.

6 **COMMENTS FROM THE AUDIENCE**

7
8 Mrs. Dawkins discussed a meeting she attended regarding the RTC property. She asked for clarification
9 regarding the purchase of the property.

10
11 Ms. Malone stated that she had been misinformed and the land was not purchased with Open Space funds.

12
13 Mr. Karge clarified that the money was purchased with money loaned from Easton Bank & Trust.

14
15 At 8:09 p.m. upon motion by Mr. Leshner, seconded by Ms. Malone and carried unanimously, President Ford
16 convened the regularly scheduled meeting into Closed Session.

17
18 **ADJOURN**

19
20 At 8:27 p.m., upon motion by Mr. Leshner, seconded by Ms. Malone and carried unanimously, President Ford
21 adjourned the regularly scheduled meeting.

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24 _____
25 Kathy M. Ruf, Town Clerk
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