

MINUTES  
Town of Easton Council Meeting  
September 7, 2010 – 7:00 PM

**PRESENT AT CONVENING**

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

Councilmember Pete Leshner  
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.

Mr. Wendowski opened the meeting with prayer and led the audience in the Pledge of Allegiance.

**APPROVAL OF THE MINUTES OF AUGUST 16, 2010 MEETINGS AND AUGUST 30, 2010 WORKSHOP**

Upon motion by Mr. Leshner seconded by Ms. Malone and carried unanimously, minutes of the August 16 and August 30, 2010 meetings were approved.

**ITEMS BY MAYOR WILLEY**

Mayor Willey discussed Resolution No. 5965. He stated that passage of this resolution would support the request to the state to reinstate shared revenues.

**RESOLUTION NO. 5965, "FOR THE PURPOSE OF PETITIONING THE ADMINISTRATION AND THE MARYLAND GENERAL ASSEMBLY TO REINSTATE STATE SHARED REVENUES DIVERTED FROM MUNICIPAL GOVERNMENTS TO FUND OPERATIONS OF THE STATE AND TO PROVIDE MORE DIVERSE REVENUE RAISING AUTHORITY TO MUNICIPALITIES."**

Upon motion by Ms. Malone seconded by Mrs. Cook, Resolution No. 5965 passed unanimously.

Discussion occurred regarding the proposed false fire alarm law.

President Ford discussed a proposed fee structure.

Mayor Willey discussed Mr. Sadler's request for the Chesapeake Film's Festival's restoration of funds from the Town of Easton.

It was the consensus of the Council to support Mr. Sadler's request to reinstate Chesapeake Film's Festival budget allocation.

Mayor Willey discussed capital projects that are underway this year and what is planned in the near future.

Developers' bonds and infrastructure concerns were discussed.

**ITEM BY THE TOWN MANAGER**

Upon motion by Mr. Leshner seconded by Ms. Malone and carried the street resurfacing bid in the amount of \$91,920.50 by David A. Bramble was approved as recommended.

The Town Manager asked for approval for the following Public Assembly Permits:

Tour de Talbot-Benefit Bike Ride, Saturday Sept. 11, 2010 0700-1400 hrs.

LOCATION: Easton Middle School

DATE/TIME: September 11, 2010 0700-1400

Talbot Humane-Benefit Dog Walk and Festival, Saturday October 16, 2010 0800-1400 hrs.

LOCATION: Idlewild Park

DATE/TIME: October 16, 2010 0800-1400

Revival Services, Each Saturday & Sunday Sept. 11-Oct. 31, 2010 1500-1800 hrs.

LOCATION: 16 S. Locust Lane

DATE/TIME: Saturdays and Sundays Sept. 11-Oct. 31, 2010 1500-1800

Arbor Place Block Party, Saturday Sept. 15, 2010 1500-1900 hrs-Rain date Sunday Sept. 26, 2010 1500-1900)

LOCATION: Arbor Place

DATE/TIME: September 25, 2010 1500-1900

Upon motion by Mr. Leshar seconded by Mrs. Cook and carried unanimously, the Public Assembly Permits as recommended by Easton Police Department were unanimously approved with conditions as outlined by staff.

Town Manager Mr. Karge asked for abatement of Talbot County Garden Club taxes due to their tax exempt status.

Upon motion by Mr. Leshar seconded by Ms. Malone and carried unanimously, approval was granted to abate the Talbot County Garden Club taxes.

Mr. Karge stated that implementation of tipper cans in area of Calvert Terrace will take place on or around October 5.

Mr. Karge discussed a letter from Ms. Karen Harrison, Cooke's Hope requesting the Town of Easton Public Works Department pick up trash. He stated that this would be an amendment to the original PUD and the request is not recommended by staff.

Mr. C. William Jones, 7055 Thomas Lane, Easton was present representing the Homeowner's of Cooke's Hope. He stated that their residents are asking for a portion of services other residents already have. Mr. Jones discussed options for pickup should the town consider the request.

Mr. Wendowski asked that the request be referred to the Town's legal counsel.

It was the consensus of the Council to not grant the request of Cooke's Hope homeowner's association for trash pickup.

**CHIEF DAVID SPENCER TO UPDATE COUNCIL ON STATISTICS, OPEN HOUSE, DUTCHMAN'S LANE RENOVATIONS AND SCHOOL OPENING.**

Chief Spencer discussed personnel. He stated that they currently have two open positions.

Chief Spencer discussed building updates. He stated that the Open House is scheduled for Thursday from 1:00 p.m. to 3:00 p.m. with a tour and light refreshments.

Chief Spencer reported that school has started with a good start.

Chief stated that the new evidence collection vehicle has been put in service.

Chief Spencer stated that Dutchman's Lane construction is under way. Road to be closed at a minimum to complete project.

Chief Spencer discussed July and August statistics. He stated that crime statistics are down in comparison to last year.

Mrs. Cook discussed crossing guard reassignments.

Mr. Wendowski discussed traffic concerns at the Parkway and Glenwood Avenue. Chief Spencer will talk with State Highway Administration regarding that intersection.

**ITEMS BY THE TOWN ATTORNEY**

Ms. VanEmburch reminded the Council about the council workshop September 14 at 6:00 p.m. regarding the hospital and DRRA terms.

Ms. VanEmburch stated that she would like to continue with Charter revision discussions.

President Ford stated that would occur in October.

**MS. KATHERINE CLENDANIEL TO DISCUSS THE PROCESS/FUNDING FOR THE TECHNICAL ASSISTANCE GRANT**

Ms. Clendaniel stated that Resolution No. 5968 and Resolution No. 5969 are in preparation and support of grant applications. She stated that the total funding request is for \$285,000. She discussed the Funding Source Summary presented to the Council.

Ms. Clendaniel discussed Community Legacy Funding. She stated that it is very competitive.

**RESOLUTION NO. 5968, "APPROVING THE APPLICATION AND RECEIPT OF FINANCING FOR COMMUNITY LEGACY PROJECTS FURTHER DESCRIBED IN THE COMMUNITY LEGACY APPLICATION."**

Upon motion by Mr. Leshar seconded Ms. Malone and carried unanimously, Resolution No. 5968 was approved following a roll call vote.

**RESOLUTION NO. 5969, "A RESOLUTION OF THE TOWN OF EASTON AUTHORIZING THE APPLICATION AND ACCEPTANCE OF A TECHNICAL ASSISTANCE GRANT FROM THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OF THE STATE OF MARYLAND."**

Upon motion by Mr. Leshar seconded by Mrs. Cook and carried unanimously, Resolution No. 5969 was approved following a roll call vote.

**LETTER FROM MR. TOM MCCALL, PROGRAMMING DIRECTOR, CHESAPEAKE FILM FESTIVAL REQUESTING PERMISSION TO HANG BANNERS IN SUPPORT OF WEEKEND-LONG FILM ARTS EVENT SEPTEMBER 24 – 26, 2010.**

Mr. McCall was present to discuss a banner to encourage local excitement about the Festival. He stated that the banner would be 4' x 30' above Bountiful in Talbottown. He stated that they would like to put up small simple banners on poles. He stated that they would erect a banner at the Bullitt House and YMCA and possibly have a tent at Thompson Park.

Ms. Malone stated that she supports banners for Chesapeake Film Festival.

Upon motion by Ms. Malone seconded by Mrs. Cook and carried unanimously, approval was granted.

**TALBOT RIVER PROTECTION ASSOCIATION, INC. TO DISCUSS TREE CROWNING VERSUS TREE CUTTING FOR EASTON'S AIRPORT**

Mr. Richard Klein 811 Krystal Palace Court discussed The Mistletoe Forest and the ecology of Miles Creek. He stated that there are alternatives available to meet Talbot County Airport's and FAA needs and maintain environment benefits.

Mr. Bob Stanley stated he was present on the request of TRPA to present alternatives. He stated he is a licensed MD tree expert. He discussed how to best care for the resource. Mr. Stanley discussed crown reduction versus tree cutting and the proper process.

**LETTER FROM MR. JOHN ATWOOD, CHAIRMAN; EASTON PLANNING AND ZONING COMMISSION REGARDING THE TOWN'S ZONING ORDINANCE.**

President Ford brought to the floor a letter from Mr. Atwood regarding the Town's Zoning Ordinance.

**AMENDED ORDINANCE NO. 579, "AN ORDINANCE OF THE TOWN OF EASTON AMENDING THE TOWN OF EASTON ZONING ORDINANCE."**

(This ordinance was incorrectly referred to in the public meeting as 577).

Upon motion by Mr. Leshar seconded by Ms. Malone and carried unanimously, Ordinance No. 579 was approved.

**ORDINANCE NO. 578, "AN ORDINANCE OF THE TOWN OF EASTON REENACTING WITH AMENDMENTS PORTIONS OF CHAPTER 6 BUILDING CODES, FOR TEMPORARY STRUCTURES AND ACCESSORY STRUCTURES."**

President Ford introduced Ordinance No. 578 for first reading. President Ford set the public hearing for October 4 at 7:15 p.m.

**RESOLUTION NO. 5964, “A RESOLUTION OF THE TOWN OF EASTON REVISING THE TOWN’S LICENSE, APPLICATION, PERMITS, INSPECTION, CERTIFICATE AND OTHER FEES.”**

President Ford set the public hearing to coincide with Ordinance No. 578; October 4 at 7:15 p.m.

**RESOLUTION NO. 5966 (ON BEHALF OF HABITAT CHOPTANK), “RESOLUTION TO ACCOMPANY THE APPLICATION TO MD DEPT OF HOUSING AND COMMUNITY DEVELOPMENT FOR STATE TAX CREDITS**

Upon motion by Mrs. Cook seconded by Mr. Leshar and carried unanimously, Resolution No. 5966 was approved following a roll call vote.

**RESOLUTION NO. 5967, (TO FURTHER EXPAND AND SUSTAIN FREEDOM ROWERS) “A RESOLUTION TO APPROVE PHASE TWO OF A PROJECT.”**

Upon motion by Mr. Leshar seconded by Ms. Malone and carried unanimously, Resolution No. 5968 was approved following a roll call vote.

**CONSENSUS ON THE AMENDMENT APPLICATION PROPOSING TO MODIFY THE PREVIOUSLY APPROVED LAKELANDS PUD SUBDIVISION (LETTER FROM MR. JOHN ATWOOD, CHAIRMAN; EASTON PLANNING AND ZONING COMMISSION ATTACHED).**

Mr. Leshar stated that the applicant has made significant changes. He stated the revised application has improved traffic circulation, and eliminates the cul-de-sac. There is also increased parking. Mr. Leshar stated that he supports the applicants’ request.

President Ford stated that he supported the application before changes to Michigan Drive. He stated that the applicant makes an even better plan now. President Ford stated that he prefers the stub road and if it is not built now, it will never be built. President Ford stated that he supports the project on the condition that the stub road will be built. He asked that a sign be erected stating that the road will be extended at some future date.

Mr. Wendowski congratulated the developer for eliminating the cul-de-sac. He discussed the purpose of a PUD. Mr. Wendowski stated that the townhomes are not Easton. He stated that he still believes there is a parking problem and he does not support the amendment with additional units. Mr. Wendowski stated that the community is not getting a development worthy of Easton.

Mrs. Cook supported the changes. She stated that she believes that the developer has made initial attempts to please the homeowners. Mrs. Cook discussed open space and the trail and stated that the developer has been able to address concerns. Mrs. Cook stated that the extension of Michigan Drive is a nice asset. She stated that she is not a fan of front loader townhouses but the plan is better than what was originally planned and presented. Mrs. Cook agreed that a sign should be placed at the end of the street to make future intentions clear now. She stated that she is in support of the extension with Beechwood and in favor of a sign.

Ms. Malone agrees with Mr. Wendowski. She stated that the community is much divided. She stated that there are still parking issues, density concerns and the consideration of lowering the value of existing homes. Ms. Malone stated that she is very bothered with the Beechwood extension as there is a need for connectivity. Ms. Malone stated that the town needs the developer to pitch in and accomplish the extension.

Ms. Malone, Mrs. Cook, Mr. Leshar and Mr. Ford want to see the paved stub.

**LETTER FROM MR. JOHN ATWOOD, CHAIRMAN; EASTON PLANNING AND ZONING COMMISSION REGARDING A PUD AMENDMENT APPLICATION PROPOSING TO CONSTRUCT A 5 PUMP FUEL FACILITY ASSOCIATED WITH THE GIANT GROCERY STORE WITHIN THE SHOPPES AT EASTON PUD SHOPPING CENTER.**

Mr. Thomas stated that the applicant wants to delay the request to address the concerns as set forth by the Planning Commission.

President Ford stated that the applicant should reapply. If there are substantive changes, the Planning Commission would look at the application again.

The Town Attorney stated she will pass along the information to the applicant’s attorney Mr. Showalter.

**ITEMS BY MEMBERS OF THE COUNCIL**

Ms. Malone reminded everyone about the runway expansion public hearing scheduled for September 28 at 6:00 p.m.

Mr. Wendowski asked if notification is necessary.

The Town Attorney stated that notification is not necessary if the meeting is not a scheduled council meeting.

President Ford reminded everyone that residents of Easton will be seeing fundraising solicitation from EVFD. He stated that the Easton Fire Department is a wonderful asset and does a great service to the town.

**ADJOURN**

At 9:13 p.m., upon motion by Mr. Leshar seconded by Mrs. Cook and carried unanimously, President Ford adjourned the meeting.

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Kathy M. Ruf, Town Clerk