

1 TOWN OF EASTON, MARYLAND
2 EASTON TOWN HALL
3 14 S HARRISON STREET
4

5 January 7, 2019
6

7 **PRESENT AT CONVENING.**

8 Mayor Robert C. Willey
9 President of the Council John Ford
10 Councilmember Alan I. Silverstein
11 Councilmember Ron E. Engle
12 Councilmember Megan M. Cook
13

14 Also present was the Town Manager Mr. Don Richardson, Town Attorney Mrs. Sharon VanEmburch,
15 and Town Clerk Mrs. Kathy M. Ruf.

16 **MEETING.**

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

18 **OPENING REMARKS BY MRS. COOK AND PLEDGE OF ALLEGIANCE.**

19 Mrs. Cook gave opening remarks and led those present in the Pledge of Allegiance.

20 **APPROVAL OF MINUTES OF DECEMBER 17 AND DECEMBER 20, 2018 MEETINGS.**

21 Upon motion by Mr. Engle seconded by Mr. Silverstein and carried unanimously, minutes of the
22 December 17 and December 20, 2018 meetings were approved as written.

23 **ITEMS BY THE MAYOR.**

24 Mayor Willey reminded those present that the audit outbrief will take place at the next regularly
25 scheduled council meeting.

26 **ITEMS BY THE TOWN MANAGER.**

27 **REQUEST FROM SUPERINTENDENT OF PUBLIC WORKS TO ACCEPT BID FOR USED
28 FORKLIFT FROM UNITED RENTAL IN THE AMOUNT OF \$19,775.**

29 Upon motion by Mr. Silverstein seconded by Mr. Engle and carried unanimously, the bid for the used
30 forklift as recommended by staff in the amount of \$19,775 from United Rental was unanimously
31 approved.

32 **ITEMS BY THE TOWN ATTORNEY.**

33 **RESOLUTION NO. 6100, "A RESOLUTION OF THE TOWN OF EASTON AMENDING THE
34 CHARTER OF THE TOWN OF EASTON TO ESTABLISH A PROCEDURE FOR
35 RESOLVING A TIE VOTE IN AN ELECTION AND MATTERS GENERALLY RELATED
36 THERETO."**

37 The Town Attorney stated that state law requires that tie votes be resolved within 90 days.

38 President Ford set the Public Hearing for February 18, 7:15 p.m. for public comments.

39 President Ford introduced Resolution No. 6100 for a first reading.

40 **MEMO FROM TOWN PLANNER REGARDING MXW ZONING ISSUES.**

41 President Ford set the Public Hearing regarding the MXW Zoning issues for February 4, 2019, 7:15
42 p.m.

43 **ITEMS BY MEMBERS OF THE COUNCIL:**

44 Mrs. Cook wished everyone a happy New Year.

45 **RECESS.**

46 At 7:08 p.m., President Ford recessed the regularly scheduled meeting until 7:15 p.m.

47 **RECONVENE.**

48 At 7:15 p.m., President Ford reconvened the regularly scheduled meeting.

49 **7:15 PM PUBLIC HEARING TO DISCUSS ORDINANCE NO. 728 WHICH PROPOSES TO
50 AUTHORIZE THE TOWN TO EXECUTE AND DELIVER A PROMISSORY NOTE IN THE
51 AMOUNT OF \$6,500,000 PAYABLE TO PNC BANK, NATIONAL ASSOCIATION FOR THE
52 PUBLIC PURPOSE OF PROVIDING FINANCING AND ASSOCIATED LOAN DOCUMENTS**

53 **TO THE EASTON UTILITIES COMMISSION FOR THE REPLACEMENT OF THE COAX**
54 **CABLING OF EASTON VELOCITY PLAN INFRASTRUCTURE WITH FIBER AND**
55 **SUPPORTING EQUIPMENT AND PLEDGING THE FULL FAITH AND CREDIT AND**
56 **TAXING AUTHORITY OF THE TOWN OF EASTON FOR THE REPAYMENT OF SAME.”**

57 At 7:15 p.m., President Ford opened the Public Hearing to discuss Ordinance No. 728.

58 Mr. Steve J. Ochse, VP of Finance for Easton Utilities discussed replacing the backbone of cable with
59 fiber which will enhance reliability and reduce outages. Mr. Ochse discussed technologies and
60 customer demands and offering state-of-the-art services. He stated that this is the second largest project
61 since 2006 which was the wastewater treatment plant. Construction for this project began in October
62 2018 and is expected to be completed by December 2018 and is not to exceed 12 million.

63 Mr. Ochse introduced Ted Book, Director of Cable Communications and asked the Council if they had
64 any questions.

65 President Ford stated that this is a Public Hearing and asked for audience comments. There were none.

66 At 7:18 p.m., President Ford closed the Public Hearing.

67 The Town Attorney stated that Ordinance No. 728 was eligible to be voted on. Mrs. VanEmburch
68 stated that the bank hopes to settle in January.

69 **ORDINANCE NO. 728, “AN ORDINANCE OF THE TOWN OF EASTON**
70 **AUTHORIZING THE EXECUTION AND DELIVERY OF A PROMISSORY NOTE IN**
71 **THE PRINCIPAL AMOUNT OF \$6,500,000 PAYABLE TO PNC BANK, NATIONAL**
72 **ASSOCIATION FOR THE PUBLIC PURPOSE OF PROVIDING FINANCING AND**
73 **ASSOCIATED LOAN DOCUMENTS TO THE EASTON UTILITIES COMMISSION**
74 **FOR THE REPLACEMENT OF THE COAX CABLING OF EASTON VELOCITY**
75 **PLANT INFRASTRUCTURE WITH FIBER AND SUPPORTING EQUIPMENT AND**
76 **PLEDGING THE FULL FAITH AND CREDIT AND TAXING AUTHORITY OF THE**
77 **TOWN OF EASTON FOR THE REPAYMENT OF SAME.”**

78
79 President Ford brought Ordinance No. 728 to the floor for a vote.

80
81 Upon motion by Mr. Silverstein, seconded by Mr. Engle and carried unanimously, Ordinance
82 No. 728 was approved.

83
84 **7:20 PM PUBLIC HEARING TO DISCUSS ORDINANCE NO. 729, “AN ORDINANCE**
85 **OF THE TOWN OF EASTON AMENDING THE PURCHASING POLICY OF THE**
86 **TOWN CONTAINED IN CHAPTER 2 OF THE CODE OF THE TOWN OF EASTON.”**

87
88 At 7:20 p.m., President Ford opened the Public Hearing on Ordinance No. 729.

89
90 The Town Attorney discussed Ordinance No. 729 and the purchasing provisions.

91
92 Mr. Silverstein stated that the Town’s previous purchasing policy is antiquated.

93
94 President Ford asked for public comments. There were none.

95
96 At 7:24 p.m., President Ford closed the public hearing.

97
98 **ORDINANCE NO. 729, “AN ORDINANCE OF THE TOWN OF EASTON AMENDING**
99 **THE PURCHASING POLICY OF THE TOWN CONTAINED IN CHAPTER 2 OF THE**
100 **CODE OF THE TOWN OF EASTON.”**

101
102 Upon motion by Mr. Silverstein, seconded by Mr. Engle and carried unanimously, Ordinance
103 No. 729 was approved.

104
105 **AVALON PROJECT.**

106 Ryan D. Showalter, McAllister, DeTar, Showalter & Walker LLC was present on behalf of the Avalon.
107 He discussed the lack of restrooms due to the construction project at the Avalon. Mr. Showalter
108 discussed the possibility of a portable restroom for events that could be placed late in the afternoon the
109 day of the event and removed the next day after the event.

110 Alternative provisions and venue sites were discussed.

111 President Ford stated that he will support the portables if the town cannot be held liable

112 Town Manager Mr. Richardson discussed what is needed in order to proceed with the building
113 inspection staff as well as the approval of a Public Assembly Event by the Council. He stated that he

114
115
116
117
118
119
120
121
122
123
124

would prefer to have council approval for the events.

Mr. Silverstein stated that Mr. Bond is encumbered to resolve the issues with the Town. He stated that he looks forward to hearing from the staff.

President Ford asked if there is anything else to come before council. There being no further business, President Ford entertained a motion for adjournment.

ADJOURNMENT.

At 7:39 p.m., upon motion by Mr. Silverstein, seconded by Mrs. Cook and carried unanimously, President Ford adjourned the regularly scheduled meeting.

Kathy M. Ruf, Town Clerk