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3 **TOWN OF EASTON, MARYLAND**
4 **EASTON TOWN HALL**
5 **14 S HARRISON STREET**
6

7 **March 18, 2019**
8

9 **PRESENT AT CONVENING.**

10 Mayor Robert C. Willey
11 President of the Council John Ford
12 Councilmember Alan I. Silverstein
13 Councilmember Ron E. Engle
14 Councilmember Megan M. Cook
15

16 Also present was the Town Manager Mr. Don Richardson, Town Attorney Mrs. Sharon
17 VanEmburch, Town Planner Mr. Lynn Thomas and Town Clerk Mrs. Kathy M. Ruf.

18 **CALL TO ORDER.**

19 At 6:15 p.m., President Ford called the meeting to order.

20 Upon motion by Mr. Silverstein seconded by Mr. Engle and carried unanimously, President Ford
21 convened into Executive Session.

22 **6:15 PM EXECUTIVE SESSION GENERAL PROVISIONS ARTICLE § 3-305(B) (1) TO**
23 **DISCUSS THE APPOINTMENT, EMPLOYMENT, ASSIGNMENT, PROMOTION,**
24 **DISCIPLINE, DEMOTION, COMPENSATION, REMOVAL, RESIGNATION, OR**
25 **PERFORMANCE EVALUATION OF APPOINTEES, EMPLOYEES, OR OFFICIALS OVER**
26 **WHOM THIS PUBLIC BODY HAS JURISDICTION; OR ANY OTHER PERSONNEL**
27 **MATTER THAT AFFECTS ONE OR MORE SPECIFIC INDIVIDUALS,” AND;**

28 Mayor Willey discussed a personnel matter and the prospect of interviewing for open positions.

29 Mr. Richardson discussed the auditing requirements and the segregation of duties.

30 **GENERAL PROVISIONS ARTICLE § 3-305(B) (4) TO CONSIDER A MATTER THAT**
31 **CONCERNS THE PROPOSAL FOR A BUSINESS OR INDUSTRIAL ORGANIZATION TO**
32 **LOCATE, EXPAND, OR REMAIN IN THE STATE.**

33 Discussion occurred regarding a business that currently leases property from the town and county and
34 has inquired about the possibility of purchasing their location.

35 **RECESS.**

36 At 6:51p.m., upon motion by Mr. Silverstein seconded by Mr. Engle and carried unanimously,
37 President Ford adjourned the Closed Session.

38 **RECONVENE.**

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

40 President Ford stated that a Closed Session had occurred prior to the regularly scheduled council
41 meeting to discuss personnel and business retention.

42 **7:00 PM OPENING REMARKS BY MR. ENGLE AND PLEDGE OF ALLEGIANCE.**

43 Mr. Engle gave opening remarks and led those present in the Pledge of Allegiance.

44 **APPROVAL OF MINUTES OF MARCH 4 MEETING.**

45 Upon motion by Mr. Silverstein seconded by Mr. Engle and carried unanimously, minutes of the
46 March 4, 2019 meeting were approved as written.

47 **MS. DONNA HARRISON, CEO/PRESIDENT AND MS. KELLEY K. MORAN,**
48 **RESIDENTIAL DIRECTOR; CHESAPEAKE CENTER TO RECEIVE PROCLAMATION**
49 **FOR DEVELOPMENT DISABILITY AWARENESS MONTH.**

50 President Ford presented a Proclamation to Ms. Donna Harrison for Development Disability
51 Awareness Month.

52 Ms. Harrison shared what Development Disability is and discussed their facility on Dover Road. Ms.
53 Harrison stated that the Chesapeake Center employs 130 staff members.

54 Maurice Julian Jones was present on behalf of the Chesapeake Center. He discussed moving here in
55 1991. He stated he has graduated from Vo-Tech and implemented a Dare Program to get rid of drugs
56 and alcohol. Mr. Jones stated it is hard living with cerebral palsy.

57 **MR. PAUL MOFFETT, P.E., ENGINEERING/WATER& WASTEWATER MANAGER TO**
58 **DISCUSS WINDMILL STATION PROJECT.**

59 Mr. Moffett was present to discuss the Windmill Station Project.

60 Mr. Moffett stated he has two requests to come before the council. One is the request to construct a
61 new facility on Washington Street on higher ground and replace the aging facility. Mr. Moffett stated
62 he wants to relocate the pump station. He stated Easton Utilities will continue with community
63 outreach to let everyone know what is gong on. Mr. Moffett stated that the total for the project is 5
64 million dollars which is the second request; approval to spend more than what is currently more than
65 the 2 million dollars allowed without council approval.

66 President Ford clarified that any related costs not covered by grant funding would be borne by Easton
67 Utilities.

68 Mr. Moffett stated that the building proposed will be smaller than what is currently there now.

69 Mrs. Cook asked if any trees would have to be removed.

70 Mr. Moffett stated any trees removed would follow the Forest Conservation Plan for replacement.

71 Upon motion by Mr. Silverstein, seconded by Mr. Engle and carried unanimously, the two requests for
72 the Windmill Station Project were approved.

73 Mr. Moffett stated that may look to improve and accommodate pedestrian safety as well.

74 **ITEMS BY THE MAYOR.**

75 Mayor Willey stated that Arbor Day at Idlewild Park is scheduled for March 30. He stated that
76 distribution of saplings will occur to the first 100 participants.

77 Mayor Willey asked for approval to fill the Customer Service position and possibly an Assistant
78 Finance Director in the near future to alleviate auditors concern for the segregation of duties.

79 Upon motion by Mr. Engle, seconded by Mrs. Cook and carried unanimously, approval was granted.

80 **ITEMS BY THE TOWN MANAGER.**

81 **PUBLIC ASSEMBLY EVENT PERMITS:**

82 Town Manager Mr. Richardson asked for approval for the following Public Assembly Events:

- 83 ○ Easton Farmer's Market 4/13 – 12/14/19.
- 84 ○ Easton Church of God Easter EGGstravaganza 4/13/19.
- 85 ○ Easton Church of God Prayer Walk 4/21/19.
- 86 ○ Knights of Columbus 5K Run/Walk 5/25/19.
- 87
- 88

89 Upon motion by Mrs. Cook seconded by Mr. Engle and carried unanimously, the Public Assembly
90 Event Permits were approved as recommended by staff.

91
92 **DISCUSSION ON ORDINANCE NUMBER 730 WHICH PROPOSES AMENDMENTS TO**
93 **SECTION 28-414 OF THE TOWN CODE, WHICH ARE THE REGULATIONS OF THE**
94 **MIXED USE WATERFRONT (MXW) ZONING DISTRICT.**

95 Mr. Thomas, Town Planner discussed the Easton Planning & Zoning Commission's proposed bonus
96 fee of \$9.50 per square foot and stated that they are suggesting to incentivize early development at
97 Easton Point by phasing in the fee over the course of the next four years. Furthermore, the Planning
98 and Zoning Commission also proposes to incentivize mixed use projects by including a discount for
99 such projects.

100 Mr. Silverstein stated he supports the Planning & Zoning Commission's recommendation.

101 Mr. Don Cochran, Planning & Zoning Commission discussed changing the fee schedule.

102 **ORDINANCE NO. 730, "AN ORDINANCE OF THE TOWN OF EASTON AMENDING**
103 **SECTION 28-414 OF THE EASTON TOWN CODE (ZONING) TO REVISE PORTIONS OF**
104 **THE MIXED-USE WATERFRONT ZONING (MXW) DISTRICT."**

105 Upon motion by Mr. Engle, seconded by Mr. Silverstein and carried unanimously, approval was
106 granted to accept Ordinance No. 730 as presented by the Planning & Zoning Commission.

107 **7:05 PM PUBLIC HEARING FOR COMMENTS ON RESOLUTION NO. 6102.**

108 At 7:51 p.m., President Ford opened the public hearing to solicit public comment on Resolution No.

109 6102.

110 Mr. Thomas stated that the public hearing is to discuss the Arts & Entertainment District which will
111 attract artists and offer tax incentives.

112 Mr. Ross Benincasa stated that there have been a few revisions to the map. Mr. Benincasa stated that
113 the artists would have to produce and sell the work in the proposed District in order to qualify for the
114 state income tax exemptions.

115 Mr. Richardson discussed income tax reductions and stated that they reached out to the Maryland
116 Comptroller's office. He stated that there may be about a \$10,000 income tax reduction.

117 President Ford opened the floor for public comments.

118 Mr. Joe Minarick, President of EENA, discussed the area impacted. On behalf of EENA, Mr. Minarick
119 stated that they support Resolution No. 6102. Mr. Minarick asked for a revision to the lines to include
120 south street

121 Mr. Ben Simons, Director, Academy Art Museum stated he is fully behind and supports Ross
122 Benincasa and all his hard work.

123 Ms. Carolyn Jaffe, was present and stated that she supports the Arts & entertainment District.

124 President Ford asked for any additional comments. There were none.

125 At 8:02 p.m., President Ford closed the public hearing.

126 Town Manager, Mr. Richardson suggested revisions to the map such as putting Talbot Lane in the
127 District and taking Talbot County Courthouse out.

128 **RESOLUTION NO. 6102, "A RESOLUTION OF THE TOWN OF EASTON IN SUPPORT OF**
129 **THE APPLICATION FOR AN ARTS AND ENTERTAINMENT DISTRICT DESIGNATION**
130 **IN THE TOWN OF EASTON AND APPROVING TAX EXEMPTIONS AND BENEFITS FOR**
131 **QUALIFYING ACTIVITIES IN THE DISTRICT."**

132 Upon motion by Mr. Engle, seconded by Mrs. Cook, Resolution No. 6102 was approved with
133 amendments to include Talbot Lane and remove Talbot County Courthouse as recommended.

134 **7:10 PM PUBLIC HEARING ON TWO ORDINANCES RELATED TO PERMITS FOR**
135 **PLACEMENT OF FACILITIES OR UTILITIES IN PUBLIC ROADS, PUBLIC RIGHTS-OF-**
136 **WAYS AND PUBLIC UTILITY EASEMENTS AND RELATED TO ZONING CHANGES**
137 **ADDING THE USE SMALL CELL FACILITY AND MODIFYING THE REQUIREMENTS**
138 **FOR TOWERS.**

139 At 8:05 p.m., President Ford opened the 7:10 p.m., scheduled public hearing.

140 Mr. Thomas stated that Planning & Zoning Commission recommended approval.

141 President Ford asked for council questions. There were none.

142 President Ford asked for public comments. There were none.

143 At 8:07 p.m., President Ford closed the scheduled public hearing.

144 **ORDINANCE NO. 731, "AN ORDINANCE OF THE TOWN OF EASTON REQUIRING A**
145 **PERMIT FOR PLACEMENT OF FACILITIES OR UTILITIES IN THE TOWN RIGHT OF**
146 **WAY AND ADOPTING SPECIFIC REGULATIONS APPLICABLE TO**
147 **COMMUNICATIONS FACILITIES INCLUDING SMALL CELL FACILITIES AND**
148 **WIRELESS SUPPORT STRUCTURES IN THE RIGHT OF WAY."**

149 Upon motion by Mr. Silverstein seconded by Mr. Engle and carried unanimously, Ordinance No. 731
150 was approved.

151 **ORDINANCE NO. 732, "AN ORDINANCE OF THE TOWN OF EASTON AMENDING THE**
152 **TOWN OF EASTON ZONING ORDINANCE WHICH IS CHAPTER 28 OF THE CODE OF**
153 **THE TOWN OF EASTON TO ADD A DEFINITION FOR SMALL CELL FACILITY AND**
154 **TO MODIFY THE DEFINITION FOR TOWER, TO AMEND THE TABLE OF USES FOR**
155 **THE USE SMALL CELL FACILITY AND TO CREATE SUPPLEMENTAL STANDARDS**
156 **FOR THE USE SMALL CELL FACILITY AND TO MODIFY THE SUPPLEMENTAL FOR**
157 **THE USE TOWER."**

158 Upon motion by Mr. Silverstein seconded by Mr. Engle and carried unanimously, Ordinance No. 732
159 was approved.

160 **MR. CORTLAND WELLS, SOUTH PENNSFIELD TO DISCUSS STORM WATER EXCESS.**

161 Mr. Wells, 603 Windmill Road, was present to discuss the excessive amount of stormwater coming
162 thru the neighborhood. He stated he brought the subject matter to the attention of the town in 2016. He
163 discussed his eroding lot, and stated that the water is devaluing his property value. He stated that he

164 has been trying pleasantly and persistently to get attention from the town.

165 President Ford stated the Town Engineer has submitted into the upcoming budget monies for design of
166 the system. President Ford stated that the Town Engineer and staff realize it is an issue that needs to be
167 addressed and they have been looking for funding.

168 President Ford stated that the Town is starting budget appropriations in April with deliberations
169 ongoing until the passage by July 1st.

170 **REVIEW OF INVOICES TOTALING \$696,923.88.**

171 Upon motion by Mr. Silverstein seconded by Mr. Engle and carried unanimously, invoices totaling
172 \$696,923.88 were reviewed.

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

174 Mr. Silverstein thanked EBA for the St. Patrick's Day Parade.

175 Mr. Engle thanked EBA as well for the St. Patrick's Day Parade.

176 Mrs. Cook stated that she will address the 4th Grade Class regarding municipal government.
177

178 **ADJOURNMENT.**

179 At 8:20 p.m., upon motion by Mr. Silverstein seconded by Mr. Engle and carried unanimously,
180 President Ford adjourned the regularly scheduled meeting.

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183 Kathy M. Ruf, Town Clerk