

1 **TOWN OF EASTON, MARYLAND**
2 **Easton Town Hall**
3 **14 S. Harrison Street**

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October 20, 2008

PRESENT AT CONVENING

8 Mayor Robert C. Willey
9 Council President John F. Ford
10 Councilmember Maureen Scott-Taylor
11 Councilmember Scott R. Jensen
12 Councilmember Leonard E. Wendowski

IN ATTENDANCE

Also in attendance were the Town Attorney Mr. Kehoe, Town Manager Mr. Karge, Town Planner Mr. Hamilton, Building Code Official Mr. Richardson and Town Clerk Ms. Ruf.

CONVENING

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

Ms. Scott-Taylor opened the meeting with prayer and led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES OF OCTOBER 6, 2008 MEETING

Upon motion by Mr. Wendowski seconded by Mr. Jensen and carried unanimously, minutes of the October 6, 2008 meeting were approved as written.

THE HONORABLE SENATOR RICHARD F. COLBURN AND HONORABLE THOMAS G. DUNCAN, TALBOT COUNTY COUNCIL TO ADDRESS COUNCIL REGARDING SHORE HEALTH SYSTEM IN EASTON, MARYLAND

County Councilperson Duncan and Senator Colburn addressed the Town Council and thanked them for their cooperation and the letter sent in support of keeping Shore Health System in or near the town of Easton.

Senator Colburn stated that the hospital is centrally located, beneficial for the economy and the best location for public safety. He stated that it may not hurt to write a letter to the new president of UMMS Board of Directors. Senator Colburn discussed efforts by the nearby writing letters to keep the hospital in or near Easton.

ITEMS BY MAYOR WILLEY

Mayor Willey discussed the Easton Utilities Commission annual meeting with the employees scheduled at 7:00 a.m. Tuesday, October 21 at the firehouse.

Mayor Willey stated that Attorney General Gansler will be visiting the Town of Easton October 21 at 4:00 p.m.

Mayor Willey asked for Council consideration on the confirmation of the Economic Development Coordinator position.

CONFIRMATION OF APPOINTMENT OF ECONOMIC DEVELOPMENT COORDINATOR

Ms. Scott-Taylor excused herself from the meeting.

President Ford read an e-mail from Ms. Jackson-Amis requesting that this matter be deferred citing that the Charter states that the Council is typically given 20 day advance notice before presenting an appointment to the Council for action. Mr. Ford stated that he has no reservations moving forward.

Upon motion by Mr. Wendowski seconded by Mr. Jensen and carried unanimously, Ms. Scott-Taylor's appointment was approved.

Mayor Willey stated that Ms. Scott-Taylor's resignation from the Council will be forthcoming at which time a special election will be set.

1 Mr. Kehoe congratulated Ms. Scott-Taylor and discussed the outline for the process of fulfilling the
2 Ward I council seat.

3
4 Mr. Ford congratulated Ms. Scott-Taylor.

5
6 **RECOGNITION OF PROCLAMATION PRESENTED BY MAYOR AND COUNCIL TO**
7 **DECLARE SILVER STAR BANNER DAY**

8
9 Mr. Wendowski read aloud the proclamation proclaiming Silver Star Banner Day in the Town of
10 Easton on May 1st.

11
12 **ITEMS BY THE TOWN MANAGER**

13
14 Mr. Karge stated that the Easton Police Department ground breaking will be held October 22 at 10:00
15 a.m.

16
17 Mr. Karge discussed the schedule for the pickup of leaves and stated that bulk pickup must now be
18 pre-scheduled.

19
20 **AWARD OF HAWKES HILL ROAD RECONSTRUCTION PROJECT**

21
22 Mr. Karge asked that the low bid from Dixie Construction in the amount of \$754,349.40 be accepted
23 for the Hawkes Hill Road reconstruction project.

24
25 Upon motion by Mr. Jensen seconded by Mr. Wendowski and carried, the bid was accepted.

26
27 Mr. Jensen thanked Mayor Willey for his consistent dedication towards this project.

28
29 Mr. Jensen asked that a letter be sent to residents regarding the time frame for reconstruction and
30 discuss the costs involved.

31
32 **MR. GARY E. PEARCE, EXECUTIVE DIRECTOR, TALBOT PARTNERSHIP TO UPDATE**
33 **COUNCIL ON BLUE RIBBON COMMISSION**

34
35 Mr. Pearce discussed Talbot Partnership's mission and activities. He thanked the Mayor and Council
36 for their financial support.

37
38 Mr. Hugh Dawkins discussed Talbot Partnerships efforts in supporting the Blue Ribbon Commission.
39 He discussed the problems related to alcohol, tobacco and drug abuse and the use by Talbot County
40 youth.

41
42 **LETTER FROM MR. ALBERT PRITCHETT, PRESIDENT, WATERFOWL FESTIVAL**
43 **REQUESTING APPROVAL OF 2008 WATERFOWL FESTIVAL TRANSPORTATION PLAN**

44
45 Upon motion by Mr. Jensen seconded by Ms. Scott-Taylor and carried unanimously, the Waterfowl
46 Festival transportation plan as outlined was approved.

47
48 **CONSENSUS ON PHASE 2, WATERSIDE VILLAGE PUD AMENDMENT (BEST BUY)**

49
50 Mr. Jensen stated that he is in support of this application with two caveats: 1) the requests by the
51 Planning and Zoning Commission related to the parking circulation and the entrance and 2) the wedge
52 issue. Mr. Jensen stated that as proposed that wedge is an architectural feature and needs to be
53 incorporated into a sign with further review by the Planning Commission.

54
55 Mr. Ford stated that on behalf of the Planning Commission, they would probably not want to be
56 subject but rather objective of what you want them to do such as the blue wedge is part of the sign and
57 needs to be treated as established in the sign regulations, they know how to do that.

58
59 Mr. Wendowski stated that if they could shrink the blue wedge a bit it is acceptable to him. He stated
60 he wished it could be a little more subdued and he would appreciate Mr. Stagg informing him what
61 could be done and he would be happy to vote in favor of the project.

62
63 Mr. Stagg stated that they need to have discussion with the retailer and inform them of the conditional
64 improvement.

65

1 Mr. Jensen stated that he wants Best Buy to operate with the same rules as Chili's.

2
3 Mr. Hamilton stated that a master plan for signage has not been presented.

4
5 Ms. Scott-Taylor stated that she has no problem with the size of the blue wedge or the price tag.

6
7 Mr. Stagg stated that they are prepared to make some adjustments.

8
9 Mr. Kehoe was asked to draft Findings of Facts with 3 in favor of the amendment and 1 against.

10
11 Mr. Ford stated that he will vote in the negative for this project based on his concern for the downtown
12 merchants.

13
14 **RESOLUTION NO. 5939, "A RESOLUTION AMENDING AND SUPPLEMENTING**
15 **RESOLUTION NO. 5920 ADOPTED BY THE COUNCIL OF THE TOWN ON DECEMBER**
16 **17, 2007 AND APPROVED BY THE MAYOR OF THE TOWN ON AND EFFECTIVE**
17 **DECEMBER 20, 2007 TO (1) AUTHORIZE AND PROVIDE FOR THE ISSUANCE AND**
18 **SALE BY THE TOWN, PURSUANT TO THE MARYLAND ECONOMIC DEVELOPMENT**
19 **REVENUE BOND ACT, AS ITS LIMITED OBLIGATIONS AND NOT UPON ITS FAITH**
20 **AND CREDIT OR PLEDGE OF ITS TAXING POWERS, OF ONE OR MORE SERIES OF**
21 **ITS BONDS (AS DEFINED IN SUCH ACT) FOR THE PURPOSE OF REFUNDING ALL OR**
22 **A PORTION OF ITS TAXABLE VARIABLE RATE DEMAND/FIXED RATE REVENUE**
23 **BONDS (WILLIAM HILL MANOR FACILITY) SERIES 2008B ISSUED IN THE ORIGINAL**
24 **AGGREGATE PRINCIPAL AMOUNT OF \$4,180,000; (2) ADD TO THE DESCRIPTION OF**
25 **THE FACILITY (AS DESCRIBED AND DEFINED IN RESOLUTION NO. 5920) AND (3)**
26 **EXTEND THE TIME FOR ISSUANCE OF THE BONDS AUTHORIZED BY RESOLUTION**
27 **NO. 5920."**

28
29 President Ford introduced Resolution No. 5939 and stated that the Public Hearing will be held
30 November 3 at 7:30 p.m.

31
32 Mr. Karge discussed the request of the issuance of the revenue bonds. He stated that the applicant
33 prefers to defer part of their project due to the market situation until the next calendar year.

34
35 **RESOLUTION NO. 5940, "RESOLUTION OF THE EASTON TOWN COUNCIL**
36 **APPROVING THE EASTON COMMUNITY LEGACY AREA AND EASTON COMMUNITY**
37 **LEGACY PLAN AND APPLICATION AND RECEIPT OF FINANCING FOR COMMUNITY**
38 **LEGACY PROJECTS FURTHER DESCRIBED IN THE COMMUNITY LEGACY**
39 **APPLICATION, TO BE FINANCED EITHER DIRECTLY BY THE DEPARTMENT OF**
40 **HOUSING AND COMMUNITY DEVELOPMENT (THE "DEPARTMENT") OF THE STATE**
41 **OF MARYLAND OR THROUGH OTHER DEPARTMENTS OR AGENCIES OF THE STATE**
42 **OF MARYLAND."**

43
44 Upon motion by Mr. Wendowski seconded by Mr. Jensen and carried unanimously, Resolution No.
45 5940 was passed following a roll call vote.

46
47 The council asked that the list of projects be forwarded for their review.

48
49 **RESOLUTION NO. 5941, "A RESOLUTION OF THE TOWN OF EASTON ESTABLISHING A**
50 **THREE FOOT SETBACK FOR THE "NORTHERN BLOCK" OF DOWNTOWN EASTON."**

51
52 Upon motion by Mr. Jensen seconded by Ms. Scott-Taylor and carried unanimously, Resolution No.
53 5941 was passed following a roll call vote.

54
55 **AMENDED ORDINANCE NO. 537, "AN ORDINANCE OF THE TOWN OF EASTON**
56 **AMENDING CHAPTER 14 LICENSE AND PERMITS FOR LICENSING OF**
57 **ELECTRICIANS."**

58
59 Mr. Kehoe asked that this matter be tabled until after the scheduled workshop on November 10.

60
61 **ORDINANCE NO. 538, "AN ORDINANCE OF THE TOWN OF EASTON GRANTING THE**
62 **APPLICATION OF FREDERICK WARD ASSOCIATES, INC., FOR AN AMENDMENT TO**
63 **A PLANNED HEALTH CARE (HC) ZONING DISTRICT UNDER THE PROVISIONS OF**
64 **THE EASTON ZONING ORDINANCE."**

65

1 Upon motion by Mr. Wendowski seconded by Ms. Scott-Taylor and carried unanimously, Ordinance
2 No. 538 was passed following a roll call vote.

3
4 **ORDINANCE NO. 539, "AN ORDINANCE OF THE TOWN OF EASTON AUTHORIZING**
5 **THE PURCHASE OF PROPERTY LOCATED ON BRYAN DRIVE, IN TALBOT COUNTY,**
6 **MARYLAND FOR THE PURCHASE PRICE OF \$2,702,000 FOR THE PUBLIC PURPOSE**
7 **OF USING THE SAME AS A PUBLIC WORKS FACILITY AND FOR RELATED USES."**

8
9 Mr. Karge discussed the ideal nature of the facility for the public works function and various financial
10 considerations involved in the pricing.

11
12 Upon motion by Ms. Scott-Taylor seconded by Mr. Jensen and carried unanimously; Ordinance No.
13 539 was passed unanimously following a roll call vote.

14
15 **ORDINANCE NO. 540, "AN ORDINANCE OF THE TOWN OF EASTON AUTHORIZING**
16 **THE EXECUTION AND DELIVERY OF A PROMISSORY NOTE IN A PRINCIPAL**
17 **AMOUNT OF \$2,750,000 PAYABLE TO THE TALBOT BANK OF EASTON, MARYLAND**
18 **FOR THE PUBLIC PURPOSE OF ACQUIRING REAL PROPERTY LOCATED IN TALBOT**
19 **COUNTY, MARYLAND TO HOUSE A PUBLIC WORKS FACILITY AND TO BE USED**
20 **FOR OTHER RELATED PUBLIC PURPOSES AND PLEDGING THE FULL FAITH AND**
21 **CREDIT AND TAXING AUTHORITY OF THE TOWN OF EASTON TO THE REPAYMENT**
22 **OF SAME."**

23
24 Upon motion by Ms. Scott-Taylor seconded by Mr. Jensen and carried unanimously; Ordinance No.
25 540 was passed following a roll call vote.

26
27 **ORDINANCE NO. 541, "AN ORDINANCE OF THE TOWN OF EASTON GRANTING THE**
28 **APPLICATION OF KETTLER HOMES AT ASHBY COMMONS, LLC FOR AN**
29 **AMENDMENT TO THE EXISTING PLANNED UNIT DEVELOPMENT KNOWN AS ASHBY**
30 **COMMONS UNDER THE PROVISIONS OF THE EASTON ZONING ORDINANCE."**

31
32 President Ford introduced Ordinance No. 541 for a first reading.

33
34 **ORDINANCE NO. 542, "AN ORDINANCE OF THE TOWN OF EASTON TERMINATING**
35 **THE TOWN'S RIGHT TO IMPROVE GLEBE ALLEY AND ASHBY LANE, TWO**
36 **UNIMPROVED STREETS OF THE TOWN OF EASTON BUT RETAINING UTILITY**
37 **EASEMENT OVER GLEBE ALLEY AND ASHBY LANE, AND AUTHORIZING THE**
38 **EXECUTION AND DELIVERY OF QUITCLAIM DEEDS OR OTHER INSTRUMENTS OF**
39 **CONVEYANCE BY THE TOWN TO NEIGHBORING PROPERTY OWNERS."**

40
41 President Ford introduced Ordinance No. 542 for a first reading.

42
43 **ORDINANCE NO. 543, "AN ORDINANCE TO AUTHORIZE AND EMPOWER THE TOWN**
44 **OF EASTON (THE "TOWN") TO ISSUE AND SELL, UPON ITS FULL FAITH AND**
45 **CREDIT, ELEVEN MILLION NINE HUNDRED NINETY-FIVE THOUSAND DOLLARS**
46 **(\$11,995,000) MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF ITS SERIAL OR TERM**
47 **MATURITY GENERAL OBLIGATION, FULLY REGISTERED BONDS PURSUANT TO**
48 **THE AUTHORITY OF SECTIONS 31 TO 37, INCLUSIVE, OF ARTICLE 23A OF THE**
49 **ANNOTATED CODE OF MARYLAND (2005 REPLACEMENT VOLUME AND 2007**
50 **SUPPLEMENT) AND SECTION 19 OF ARTICLE VI OF THE CHARTER OF THE TOWN**
51 **OF EASTON, THE BONDS, TO BE DESIGNATED "TOWN OF EASTON PUBLIC**
52 **FACILITIES BONDS OF 2008", THE NET PROCEEDS OF THE SALE THEREOF TO BE**
53 **USED AND APPLIED FOR THE PUBLIC PURPOSE OF FINANCING OR REFINANCING:**
54 **(A) THE ITEMS DESCRIBED ON EXHIBIT A TO THIS ORDINANCE (COLLECTIVELY,**
55 **THE "2008 UTILITIES PROJECTS"); (B) THE ITEMS DESCRIBED ON EXHIBIT B TO**
56 **THIS ORDINANCE (THE "2008 PUBLIC FACILITIES PROJECTS"); (C) ALL RELATED**
57 **ARCHITECTURAL, FINANCIAL, LEGAL, PLANNING AND ENGINEERING EXPENSES,**
58 **AND (D) ALL EXPENSES INCURRED IN THE ISSUANCE OF THE BONDS, WHICH**
59 **EXPENSES INCLUDE COSTS OF DOCUMENT PRODUCTION AND REPRODUCTION,**
60 **AND FINANCIAL ADVISORY AND COUNSEL FEES AND EXPENSES; PRESCRIBING**
61 **THE FORM AND TENOR OF THE BONDS AND THE TERMS AND CONDITIONS FOR**
62 **THE ISSUANCE AND SALE OF THE BONDS AT PUBLIC SALE, INCLUDING THE FORM**
63 **OF THE NOTICE OF SALE; PRESCRIBING THE TERMS AND CONDITIONS OF THE**
64 **BONDS AND ALL OTHER DETAILS INCIDENT TO THE ISSUANCE, SALE AND**
65 **DELIVERY OF THE BONDS; PROVIDING FOR THE TOWN'S EASTON UTILITIES**

1 **COMMISSION TO CHARGE, COLLECT AND REMIT TO THE TOWN FROM TARIFFS,**
2 **SERVICE CHARGES OR OTHERWISE, REVENUES SUFFICIENT TO MEET THAT**
3 **PORTION OF THE DEBT SERVICE REQUIREMENTS ON THE BONDS ATTRIBUTABLE**
4 **TO THE 2008 UTILITIES PROJECTS, AND IN THE EVENT SUCH UTILITY REVENUES**
5 **ARE INSUFFICIENT TO MEET SUCH DEBT SERVICE REQUIREMENTS, AND TO MEET**
6 **THAT PORTION OF THE DEBT SERVICE REQUIREMENTS ON THE BONDS**
7 **ATTRIBUTABLE TO THE 2008 PUBLIC FACILITIES PROJECTS, FURTHER PROVIDING**
8 **FOR THE LEVY AND COLLECTION OF TAXES SUFFICIENT FOR THE PROMPT**
9 **PAYMENT OF THE MATURING PRINCIPAL OF AND INTEREST ON THE BONDS AND**
10 **PLEDGING THE TOWN'S FULL FAITH AND CREDIT AND UNLIMITED TAXING**
11 **POWER TO THE PROMPT PAYMENT OF SUCH PRINCIPAL AND INTEREST;**
12 **GENERALLY RELATING TO THE ISSUANCE, SALE AND DELIVERY OF THE BONDS;**
13 **AND AUTHORIZING THE ISSUANCE OF A NOTE IN THE MAXIMUM PRINCIPAL**
14 **AMOUNT OF ELEVEN MILLION NINE HUNDRED NINETY-FIVE THOUSAND DOLLARS**
15 **(\$11,995,000) UNDER THE AUTHORITY OF SECTION 12 OF ARTICLE 31 OF THE**
16 **ANNOTATED CODE OF MARYLAND (2003 REPLACEMENT VOLUME AND 2007**
17 **SUPPLEMENT) AND SECTION 19 OF THE CHARTER OF THE TOWN OF EASTON IN**
18 **ANTICIPATION OF THE ISSUANCE OF THE TOWN OF EASTON PUBLIC FACILITIES**
19 **BONDS OF 2008.”**

20
21 President Ford introduced Ordinance No. 543 for a first reading.

22
23 **REVIEW OF INVOICES TOTALING \$851,610.93**

24
25 Upon motion by Ms. Scott-Taylor seconded by Mr. Jensen and carried unanimously; the payment
26 listing was reviewed.

27
28 **PROXY AND ABSENTEE VOTING-MARYLAND MUNICIPAL LEAGUE ANNUAL FALL**
29 **CONFERENCE**

30
31 Mayor Willey stated that he will be in attendance at the Fall Maryland Municipal League Conference.

32
33 **DISCUSSION OF TOWN TREE PROGRAM**

34
35 Upon motion by Mr. Jensen seconded by Mr. Wendowski and carried, discussion of a Town Tree
36 Program was tabled.

37
38 **ITEMS BY MEMBERS OF THE COUNCIL**

39
40 Ms. Scott-Taylor thanked everyone for their support.

41
42 **ADJOURNMENT**

43
44 Upon motion by Mr. Jensen seconded by Ms. Scott-Taylor and carried unanimously; President Ford
45 adjourned the regularly scheduled meeting at 9:17 p.m.

46
47 _____
48 Kathy M. Ruf, Town Clerk