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

February 17, 2009

**PRESENT AT CONVENING**

8 Mayor Robert C. Willey	11 Councilmember Scott R. Jensen
9 Council President John F. Ford	12 Councilmember Leonard E. Wendowski
10 Councilmember Kelley K. Malone	13 Councilmember Moonyene Jackson-Amis

**IN ATTENDANCE**

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

In attendance from Easton Utilities were President & CEO Hugh E. Grunden, Vice President & CFO Paul Moeller, Gas Department Manager James P. Crowley and Director of Marketing & Communications Geoffrey F. Oxnam.

**CONVENING**

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

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

**APPROVAL OF MINUTES OF FEBRUARY 2, 2009 MEETINGS**

President Ford tabled the minutes.

**ITEMS BY MAYOR WILLEY**

Mayor Willey discussed an upcoming meeting with Mayor Bailey in Chestertown in regards to their new recycling program.

**ITEMS FROM THE TOWN MANAGER**

Town Manager Mr. Karge stated that it is time to have the council approve water quality testing funded by Elm Street Development in order to get the monitoring started.

Upon motion by Mr. Jensen seconded by Mr. Wendowski and carried, approval was granted to engage Creek Watchers to begin water testing and monitoring.

Mr. Karge stated that bids have been received for two sports utility vehicles for the Building Inspection Department for \$37,986. He stated that \$38,000 had been budgeted.

Upon motion by Mr. Jensen seconded by Ms. Jackson-Amis and carried unanimously, approval was granted for the purchase of the two vehicles from Norris Ford of Easton.

**MS. JUDE CARMEN TO ADDRESS COUNCIL REGARDING DOWNTOWN PARKING AND LIGHT ON GOLDSBOROUGH STREET**

President Ford tabled Ms. Carmen's appearance before the Council as Ms. Carmen left a message that she is in Florida.

**GANNON PROPERTY CONCERN**

Mr. Jensen discussed his concern with the removal of trees at the Gannon property which previously had been granted approval for the barn burning.

Mr. Hamilton stated that the Gannon's had contacted the Planning Department and there is no Town ordinance that regulates the removal of trees. He stated that they are moving the house and had to remove the trees to get the house out.

1 Mr. Jensen asked for consensus to write a letter asking the Gannons to save the remaining trees. Mr.  
2 Jensen stated that he would write the letter and send to President Ford for his thoughts.

3  
4 **REPORT FROM EASTON VOLUNTEER FIRE DEPT.**

5  
6 Assistant Chief Jamie McNeal welcomed Mr. Wendowski back.

7  
8 Assistant Chief McNeal gave the monthly activities report.

9  
10 Assistant Chief McNeal discussed the county's request for EVFD to decrease their budget by 4% and  
11 Station 60's budget hearing at the County March 10 at 5:20 p.m. Most of the companies are in favor of  
12 the decrease in their budget but Easton and St. Michaels have gone on record as not supporting the  
13 budget cut.

14  
15 Mr. McNeal advised that the residential ordinance is in effect now in nine counties in Maryland.

16  
17 He stated that it costs more than \$2,000 to put a firefighter on the street and they need to know where  
18 to go to for additional funds as they have had an influx of recruits.

19  
20 **AFFORDABLE HOUSING COALITION OF TALBOT COUNTY TO ADDRESS COUNCIL**  
21 **REGARDING JOINT OPPORTUNITY INITIATIVE**

22  
23 Ms. Barbara Heatley discussed a joint opportunity initiative proposal. She asked the council for the  
24 benefit for a consensus that will encourage their effort to help the Town of Easton to return  
25 neighborhoods to a historic roll where people can start out not where they can just end up. She stated  
26 that they have chosen which is bordered by South Street, Higgins Street, South Lane and Locust Street.

27  
28 Mr. Jensen reiterated that they want smart codes, fast track permitting, special use permits, waiving  
29 fees and taxes and money from the Affordable Housing Trust Fund for short term loans to help  
30 citizens.

31  
32 Mr. Hamilton stated that the area addressed falls within the Redevelopment District and the Zoning  
33 Ordinance gives the Planning Department the ability to grant some minor variances and it is not  
34 necessarily a requirement to go to the Board of Appeals for a waiver.

35  
36 Ms. Jackson-Amis asked if property owners or renters had been contacted to see how they feel about  
37 the proposal.

38  
39 Ms. Heatley stated that they did a survey with a 50% reply; some needing additional information. She  
40 stated that there are three things: repair, rehab and infill; all very different. Ms. Heatley stated that  
41 there are many kinds of grants and they want to help these people find out what they can apply for.

42  
43 Discussion occurred regarding a project manager.

44  
45 Ms. Jackson-Amis asked if they are asking for the Town to waive fees and taxes.

46  
47 Ms. Heatley stated that they are but that may need to be refined. She said that all they want now is for  
48 the Council to say this sounds interesting and they should proceed.

49  
50 President Ford stated that things change and council decisions may change as well.

51  
52 Ms. Malone stated that she is very impressed with the thought and time that has gone into this project  
53 and applaud their efforts.

54  
55 Mr. Wendowski stated that the key to the entire project is the project manager and how many years he  
56 will be involved.

57  
58 Ms. Jackson-Amis stated that she has a concern because she really doesn't know what they want but if  
59 they want more than encouragement she would like it clarified.

60  
61 President Ford stated that things change and council decisions may change as well.

62  
63 Ms. Jackson-Amis stated that her caveat would be regarding waving fees and taxes for another non-  
64 profit. She stated that the Council should be cautious.

65

1 Mayor Willey stated that he cannot see the Town waiving taxes.

2  
3 President Ford stated that they are supportive of the concept and want to see more.

4  
5 **PUBLIC HEARING TO DISCUSS THE EASTON PLANNING AND ZONING**  
6 **COMMISSION'S ANNUAL PACKAGE OF AMENDMENTS TO THE TOWN'S ZONING**  
7 **ORDINANCE**

8  
9 At 7:58 p.m., President Ford opened the public hearing scheduled for 7:15 p.m.

10  
11 Mr. Thomas discussed the annual package of amendments to the Zoning Ordinance. He stated that in a  
12 few weeks he will be back to the Council with the proposed revisions to the Subdivision Regulations.  
13 He referred to the ad and summarized the proposed changes as recommended by the Planning  
14 Commission.

15  
16 President Ford stated that this is a public hearing with no decision to be made tonight.

17  
18 At 8:31 p.m., President Ford opened the floor for public comments.

19  
20 Ms. Libby Dawkins, 11 N Thorogood Lane discussed the different landscape requirements for  
21 residential versus commercial/industrial property. Discussion occurred regarding trees.

22  
23 Mr. Thomas discussed landscaping standards.

24  
25 At 8:40 p.m., President Ford closed the Public Hearing and stated that written comments would be  
26 received until close of business Friday.

27  
28 **PUBLIC HEARING TO PROVIDE THE PUBLIC AN OPPORTUNITY TO COMMENT ON**  
29 **PROPOSED GAS SERVICE RATE REVISIONS**

30  
31 Mr. Grunden, President & CEO, Easton Utilities Commission stated that they formally present to  
32 present the recommendation for a gas rate increase. He discussed the multi rate process. Mr. Grunden  
33 stated that rising costs are out of their control and have driven them to the point where they are earning  
34 about .3 of 1%.

35  
36 Mr. Grunden introduced Mr. Paul Moeller, Vice President of Finance & CFO; Mr. Jim Crowley,  
37 Manager of the Gas Department, Geoff Oxnam, Director of Marketing and Communications.

38  
39 Mr. Paul Moeller discussed the agenda for this evening and why they are requesting a gas rate increase  
40 now. He gave a brief overview of what the system entailed, what base rate revenue is which is what  
41 they are asking to be increased and the reasons behind the request. Mr. Moeller discussed the proposed  
42 gas tariff and a timeline for achieving the request as proposed.

43  
44 Mr. Moeller stated that they need to pay their bills when they come due such as operating and  
45 maintenance and be able to repay the debt they have borrowed to build the system and keep it  
46 functional and finally be able to invest in new plant equipment to ensure that the system remains  
47 reliable in order to safely and timely provide the service customers are requesting. Mr. Moeller stated  
48 that the base rates in place now will not allow them to achieve those goals. He stated that they realize it  
49 is a difficult time right now and they have evaluated their options and if they do not have an increase,  
50 there are some negative impacts that could arise regarding the continuing reliability of the system, the  
51 safety of the system or the need for higher revenues later. Revenue customers under this proposal will  
52 not begin to feel the bulk of the increase until they begin to use gas for the winter heating season of  
53 2009/2010. Mr. Moeller stated that acting now is the responsible thing to do in order to maintain the  
54 system and provide the service that the customers will demand from Easton Utilities.

55  
56 Mr. Moeller gave an overview of Easton Utilities gas service and the base rate that is incurred to gas  
57 customers.

58  
59 Mr. Moeller discussed the loop feed system recently implemented.

60  
61 In the last six years since the last base rate increase request, the number of customers served has  
62 increased by about 1,200. Mr. Moeller stated that they are currently asking for about a 4.5% increase in  
63 the total revenue collected from customers or about \$351,000. The average residential customer using  
64 100 cubic feet of gas would see an \$8.35 increase on their monthly bill; about \$.28 per day. Mr.  
65 Moeller reiterated that the change in rates will not happen until this summer during the lowest usage

1 point for a residential customer. Even with the increase, Easton Utilities would offer the lowest gas  
2 rates in the area.

3  
4 Mr. Moeller discussed the timeline for the request. He stated that the rate request revision would not go  
5 into effect until July 1, 2009.

6  
7 Mr. Moeller asked for questions.

8  
9 Ms. Malone applauded Easton Utilities' service. She asked if Easton Utilities has looked at reducing  
10 costs to avoid having to ask for an increase.

11  
12 Mr. Moeller stated that they have been able to manage expenses for six years. He stated that the budget  
13 is reviewed for several months to ensure that the budget developed as well as the expenses they plan to  
14 incur, are trimmed to the lowest level possible.

15  
16 At 9:10 p.m., President Ford opened the floor for public comments.

17  
18 There being no further comments, at 9:11 p.m., President Ford closed the public hearing and stated that  
19 written comments would be received at the Town Hall until close of business Friday.

20  
21 **ORDINANCE NO. 547, "AN ORDINANCE OF THE TOWN OF EASTON AMENDING**  
22 **CHAPTER 14 LICENSE AND CHAPTER 6 BUILDING CODE FOR THE REGULATION OF**  
23 **ELECTRICIANS**

24  
25 Mr. Don Richardson, Building Code official discussed the progress on former Ordinance 537  
26 regarding the Regulation of Electricians and have the Ordinance No. 547 introduced.

27  
28 Mr. Richardson discussed his work with Talbot County Board of Electricians and the modifications of  
29 the previous submitted ordinance. He stated that this ordinance as presented would not take effect  
30 until July 2009.

31  
32 Mr. Jensen commended Mr. Richardson on his work.

33  
34 Mr. Richardson stated that he is scheduled to attend Talbot County Board of Electrician's meeting  
35 Thursday.

36  
37 Mr. Wendowski asked what other changes may be incorporated into the revised ordinance and if we  
38 shouldn't wait until there is a final product.

39  
40 Mr. Joe Secrist, Chairman of the Talbot County Electrical Board commended Mr. Richardson for all  
41 the amendments. He stated that the concern is the actual permit; Area 6-5 through 6-5-4. He thinks  
42 having to purchase an additional permit will increase costs to homeowners and add another level of  
43 bureaucracy.

44  
45 Mr. Richardson stated that he would be attending the next meeting with the Talbot County Board of  
46 Electricians to further discuss Ordinance No. 537.

47  
48 President Ford introduced Ordinance No. 547 for a first reading; "AN ORDINANCE OF THE TOWN  
49 OF EASTON AMENDING CHAPTER 14 LICENSE AND CHAPTER 6 BUILDING CODE FOR  
50 THE REGULATION OF ELECTRICIANS."

51  
52 President Ford thanked everyone for their hard work.

53  
54 **ORDINANCE NO. 548, "AN ORDINANCE OF THE TOWN OF EASTON AUTHORIZING**  
55 **THE SALE OF UNIT 3 OF THE PORT STREET COMMERCIAL CONDOMINIUM**  
56 **LOCATED AT 126 PORT STREET, EASTON, TALBOT COUNTY, MARYLAND, TO THE**  
57 **HOUSING COMMISSION OF TALBOT COUNTY FOR THE PRICE OF ONE DOLLAR."**

58  
59 Ms. VanEmburch discussed the procedure.

60  
61 Ms. Jackson-Amis asked about the procedure for determining the property a surplus.

62  
63 Ms. VanEmburch stated that there is not really a procedure but she is aware that the Town Manager  
64 has contacted all the department heads regarding the need for space.

65

1 Ms. Jackson-Amis stated that there is an obligation to look and determine whether the property is a  
2 surplus and what the town is obliged to do for its citizens.

3  
4 Ms. VanEmburch stated that it is a case by case basis.

5  
6 Ms. Jackson-Amis asked if the property had been advertised for \$1. She stated that if there is  
7 discussion about selling property in town, particularly in Ward 4, she should be made aware in case  
8 there are citizens or organizations interested; opened to a broader array of community especially since  
9 this property was purchased explicitly to improve the opportunities for African Americans.

10  
11 Mr. Jensen asked what a time frame would be to see if anyone is interested which would satisfy Ms.  
12 Jackson-Amis.

13  
14 Ms. Jackson-Amis discussed soliciting funds for repairs. She suggested advertising the property for  
15 sale.

16  
17 Ms. VanEmburch stated that whoever purchases the property would be responsible for the repairs  
18 which could be in excess of \$100,000; closer to \$200,000. She stated that you are buying the property  
19 as is.

20  
21 Ms. Jackson-Amis stated that it should be looked at whether there are any other services for  
22 organizations or visions for works that would satisfy our obligations for our constituents.

23  
24 President Ford introduced Ordinance No. 548 for a first reading; "AN ORDINANCE OF THE TOWN  
25 OF EASTON AUTHORIZING THE SALE OF UNIT 3 OF THE PORT STREET COMMERCIAL  
26 CONDOMINIUM LOCATED AT 126 PORT STREET, EASTON, TALBOT COUNTY,  
27 MARYLAND, TO THE HOUSING COMMISSION OF TALBOT COUNTY FOR THE PRICE OF  
28 ONE DOLLAR."

29  
30 **LETTER FROM MS. VICTORIA A. WOOTEN, STORE MANAGER, WAL MART**  
31 **REQUESTING APPROVAL FOR TRAILERS DURING CONSTRUCTION/REMODELING**  
32 **PROCESS (THRU MAY 27).**

33  
34 Mr. Karge advised that Mr. Hamilton pointed out before he left, that the Planning Commission has  
35 previously looked at this and approved this request at their January 15 meeting.

36  
37 Mr. Jensen discussed the noise complaint from their parking lot cleaning process and stated that he  
38 thinks that this approval should be conditioned upon working with the community to address Mr.  
39 Kilmon's noise complaints.

40  
41 Mr. Karge discussed efforts to work out the noise complaint.

42  
43 President Ford asked Mr. Karge to pass on the concerns regarding the noise complaint about cleaning  
44 the parking lot during early morning hours.

45  
46 **APPROVAL OF INVOICES TOTALING \$932,374.00**

47  
48 Upon motion by Mr. Wendowski seconded by Mr. Jensen and carried unanimously, invoices totaling  
49 \$932,374.00 were approved.

50  
51 **ITEMS FROM MEMBERS OF THE COUNCIL**

52  
53 Ms. Malone discussed a recent meeting with Mr. Jim Riley, the development company for Waterside  
54 Village to get up to speed on the project.

55  
56 **ADJOURNMENT**

57  
58 Upon motion by Mr. Jensen seconded by Mr. Wendowski and carried unanimously; President Ford  
59 adjourned the regularly scheduled meeting at 10:00 p.m.

60  
61 \_\_\_\_\_  
62 Kathy M. Ruf, Town Clerk