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

January 20, 2010

PRESENT AT CONVENING

8 Mayor Robert C. Willey	11 Councilmember Pete Leshner
9 Council President John F. Ford	12 Councilmember Leonard E. Wendowski
10 Councilmember Kelley K. Malone	13 Councilmember Megan M. Cook

IN ATTENDANCE

Also in attendance were the Town Manager Mr. Karge, the Attorney Ms. VanEmburch, and Town Clerk Mrs. 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 MINUTES

Upon motion by Mr. Leshner seconded by Ms. Malone and carried unanimously, minutes of the January 4 and January 11, 2010 meetings were approved as written.

ITEMS BY MAYOR WILLEY

Mayor Willey discussed upcoming cuts to the Town's budget due to a decrease in state aid.

ITEMS BY THE TOWN MANAGER

Mr. Wendowski discussed the snow removal policy and how to notify the general public.

Mr. Karge stated that the website would be updated and that the Town may be implementing the reverse 911 call from Talbot County Emergency Management.

Mr. Wendowski asked Mr. Karge to start review the Homestead Tax Credit ordinance.

ITEMS BY THE TOWN ATTORNEY

Ms. VanEmburch asked for a closed session to discuss three matters permitted under State Government Article § 10-508(a) 7 consult with counsel to obtain legal advice; § 10-508 (a) (8) consult with staff, consultants, or other individuals about pending or potential litigation.

REPORT FROM EASTON VOLUNTEER FIRE DEPARTMENT

Assistant Chief Jamie McNeal was present to discuss the yearend report for 2009.

President Tim Knotts introduced the 2010 Administrative officers. Chief C.R. Chance introduced the line officers for the current year.

President Ford thanked the Fire Department for all their hard work.

Upcoming fundraisers were discussed.

MR. ROGER BOLLMAN, CHAIRMAN HISTORIC DISTRICT COMMISSION TO PRESENT ANNUAL REPORT.

Mr. Bollman discussed Historic District Commission's applications for 2009. He stated that Mr. Mark Beck had replaced Mr. Leshner and Mr. Mac Brittingham, Ms. Lena Gill and himself had been reappointed. Mr. Bollman discussed enforcement in the Historic District.

PRESENTATION OF 2009 HISTORIC DISTRICT AWARDS

1 The following Historic District citations were presented for projects in 2009:

- 2
3 Mr. John Haught, 124 N. Harrison Street
4 Ms. Christine Dayton, Architect; 110 Talbot Street
5 Mr. Ed Simonoff, 110 Talbot Street
6 Mr. Eugene Walbridge, Contractor; 327 N. Washington Street
7 Mr. Brendan O'Neill, 113 Talbot Street
8 Ms. Fran Duncan, Spring Hill Cemetery
9 Mr. Adam Mayock, 107 S. Hanson Street
10 Mr. David North, 212 North Street
11 Mr. Bradley Hutchison, Contractor; 212 North Street

12
13 President Ford congratulated the recipients.

14
15 **PUBLIC HEARING TO DISCUSS A PROPOSED AMENDMENT TO THE TOWN'S ZONING**
16 **ORDINANCE REGARDING ADULT ORIENTED BUSINESSES AND AN ORDINANCE TO**
17 **ADD A NEW CHAPTER TO THE TOWN CODE REGARDING ADULT ORIENTED**
18 **BUSINESSES.**
19

20 At 7:40 p.m., President Ford opened the Public Hearing.

21
22 The Town Attorney, Ms. VanEmburch discussed the history of the adult moratorium and the reason
23 for the proposed legislation which would govern adult businesses. She discussed the study and the
24 reviews from other communities.

25
26 Ms. VanEmburch stated that based on the studies it has been demonstrated that adult oriented
27 businesses should be segregated from certain land uses. She identified six sensitive land uses which are
28 residential, schools, houses of worship, park or recreation facilities, daycares and the historic district.
29 Ms. VanEmburch stated that I-1 is the appropriate zoning district which is already segregated to some
30 extent which allows opportunity for those businesses while allowing a buffer. The Hospital is also
31 requesting buffering from their proposed medical complex which has recently been annexed.

32
33 Ms. VanEmburch discussed other recommendations including creating a reasonable licensing program
34 for adult oriented businesses, to minimize the physical contact between the employees and their
35 clientele to the extent that is allowed by law and to create reasonable standards for architectural and
36 physical configuration and lighting, to create reasonable standards for the presence and conducts of
37 managers and other employees, to create reasonable standards for hours of operation, prohibit
38 individuals under the age of 18 from entering and to create reasonable regulations specific to adult
39 cabaret and businesses that contain viewing booths as those businesses present some more
40 particularized risks for illegal and unhealthy behavior.

41
42 Ms. VanEmburch discussed the proposed ordinances and the importance of objective standards.

43
44 Ms. VanEmburch suggested two additional changes to the Ordinance No. 565. In the licensing
45 provisions, she suggested defining influential interest holders in the business as being 10% ownership
46 interest in the business or part of a control group that is managing the business. Secondly, she
47 suggested banning the viewing booths entirely.

48
49 Mr. Ford questioned why all adult oriented businesses could not be banned throughout the town.

50
51 Ms. VanEmburch stated that it would be too restrictive. Reasonable opportunity should be provided for
52 adult oriented businesses to locate in Easton.

53
54 Ms. VanEmburch stated that an adult bookstore looking to locate in Easton initiated this legislation.

55
56 Mrs. Cook discussed land around Waterside Village and the area being family oriented.

57
58 Ms. VanEmburch stated that adjustments may need to be made as areas are developed.

59
60 Mr. Leshar discussed proposed adult businesses competing in the marketplace for actual locations.

61
62 President Ford opened the floor for public comments.

63
64 Mr. Ryan Showalter, Esquire on behalf of Shore Health System stated that he has a very strong
65 concern about the possibilities of adult businesses immediately adjacent to the new medical campuses.

1 He discussed residential uses or residential type uses at the hospital and stated that the patients will be
2 captive in their rooms and anxious to look outside and hopefully would not have the view of a cluster
3 of adult oriented businesses. He stated that it is very appropriate to also apply the same 1000' setback
4 to the Regional Healthcare District. Mr. Showalter requested the Council's support.

5
6 Mr. Wendowski supports buffering Shore Health System.

7
8 Ms. Malone concurs and stated that she wants to protect the citizens.

9
10 At 8:08 p.m., President Ford closed the public hearing and left the public record open until close of
11 business on Friday for public comments.

12
13 **APPROVAL OF INVOICES TOTALING \$559,071.22**

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15 Upon motion by Ms. Malone seconded by Mrs. Cook and carried unanimously, invoices totaling
16 \$559,071.22 were approved for payment.

17
18 **ITEMS BY MEMBERS OF THE COUNCIL**

19
20 Ms. Malone discussed a recent meeting regarding the RTC property. She stated that there will be
21 another meeting in February.

22
23 Mrs. Cook thanked Mayor Willey for his participation at the Martin Luther King basketball
24 tournament. She discussed the 10 mile run to benefit the Frederick Douglass Honor Society.

25
26 President Ford stated that there will be a public hearing on the Comprehensive Plan February 1.

27
28 **CLOSED SESSION**

29
30 At 8:11 p.m., President Ford convened into Executive Session to consult with counsel to obtain legal
31 advice and to consult with staff, consultants, or other individuals about pending or potential litigation.

32
33 **ADJOURNMENT**

34
35 Upon motion by Mr. Wendowski seconded by Mr. Leshner and carried unanimously; President Ford
36 adjourned the regularly scheduled meeting at 8:45 p.m.

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38 _____
39 Kathy M. Ruf, Town Clerk

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