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**TOWN OF EASTON, MARYLAND
EASTON TOWN HALL
14 S HARRISON STREET**

June 19, 2017

PRESENT AT CONVENING.

Mayor Robert C. Willey 12 Councilmember Pete Leshar
Council President John Ford 13 Councilmember Ron E. Engle
Councilmember Alan I. Silverstein
Mrs. Cook was excused.

7:00 PM OPENING REMARKS BY MR. LESHAR AND PLEDGE OF ALLEGIANCE.

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

APPROVAL OF MINUTES OF JUNE 5, 2017 MEETING.

Upon motion by Mr. Leshar seconded by Mr. Engle and carried unanimously, the minutes were approved as written.

ITEMS BY THE MAYOR.

Mayor Willey stated that he will have a recommendation for an appointment to the Planning and Zoning Commission at the upcoming meeting.

ITEMS BY THE TOWN MANAGER.

APPROVAL TO INSTALL SECURITY SYSTEM AT STATION 60 AND STATION 66.

Upon motion by Mr. Silverstein seconded by Mr. Engle and carried unanimously, the security system as proposed for Station 60 and Station 66 was approved.

MR. BOB PORTER TO ADDRESS COUNCIL REGARDING ICONS OF THE EASTERN SHORE.

Mr. Porter was present to update on the Shore Icons mural project. Mr. Porter stated that the murals by Michael Rosato will include identifiable points of interest. Mr. Porter stated that Perdue has permitted use of the silos and parking lot and will enable them with electric. Mr. Porter introduced the painter, Mr. Rosato. Mr. Rosato discussed how to protect the murals. He stated that the murals will be sealed and isolated and protected with varnish. Mr. Porter stated that the project is approximately \$250,000. Mr. Porter suggested those interested sign on shoreicons.com or shoreiconsmural.com to receive additional information. Mr. Porter stated that the project will take approximately one year.

7:15 PM PUBLIC HEARING TO RECEIVE COMMENTS ON ORDINANCE NO. 711.

At 7:22 p.m., President Ford opened the public hearing to receive comments on Ordinance No. 711.

The Town Attorney discussed the necessity of Ordinance No. 711 which is a mutual aid agreement with Dorchester County.

Mr. Silverstein asked if there is language for hold harmless.

Mr. Engle stated that some of the officers may be put in difficult situations. The Town Attorney stated that the officers would still be covered with the Town of Easton's insurance.

President Ford opened the floor for comments. There were none.

President Ford closed the public hearing at 7:26 p.m.

ORDINANCE NO. 711, "AN ORDINANCE OF THE TOWN OF EASTON AUTHORIZING THE EXECUTION OF A LAW ENFORCEMENT MUTUAL AID AGREEMENT IN ACCORDANCE WITH MARYLAND ANNOTATED CODE, CRIMINAL PROCEDURE ARTICLE, SECTION 2-105."

Upon motion by Mr. Engle seconded by Mr. Leshar and carried unanimously, Ordinance No. 711 was approved.

RESOLUTION NO. 6084, "A RESOLUTION OF THE TOWN OF EASTON AMENDING TOWN OF EASTON MARYLAND DEFINED CONTRIBUTION RETIREMENT PLAN."

Town Manager Mr. Richardson stated that this is a housekeeping Resolution.

Upon motion by Mr. Silverstein seconded by Mr. Engle and carried unanimously, Resolution No. 6084 was approved.

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56 **CONT'D. PUBLIC HEARING TO CONSIDER COMMENTS ON RESOLUTION NO. 6079.**

57 At 7:28 p.m., President Ford opened the public hearing.

58 Town Manager Mr. Richardson discussed changes for the structure of the fee and the modifications.

59 Mr. Silverstein stated Mid Shore Board of Realtors is in favor of the revised Schedule of Fees.

60 Mr. Duane Hilghman, 28652 Clubhouse Drive thanked the Mayor and Council for the changes to the
61 fees that are more palatable.

62 At 7:31 p.m., President Ford closed the public hearing.

63 **RESOLUTION NO. 6079, "A RESOLUTION OF THE TOWN OF EASTON REVISING THE TOWN'S**
64 **LICENSE, APPLICATION, PERMITS, INSPECTION, CERTIFICATE AND OTHER FEES."**

65 Upon motion by Mr. Leshar seconded by Mr. Engle and carried unanimously, Resolution No. 6079
66 was approved.

67 **CONT'D. PUBLIC HEARING TO DISCUSS THE REQUEST OF LIDL GROCERY FOR AN AMENDMENT TO**
68 **THE APPROVED WATERSIDE VILLAGE, PHASE 2C PLANNED UNIT DEVELOPMENT (PUD).**

69 At 7:32 p.m., President Ford opened the public hearing.

70 Town Attorney Mrs. VanEmburch asked the audience members that intend to testify to take the
71 oath.

72 Mr. Showalter stated that Chris Karman had addressed the traffic challenges.

73 Mr. Showalter discussed the history of the June 2004 approved PMR which was amended in 2005 to
74 accommodate the smaller stores. He stated it was amended again in 2013 to expand the PUD
75 through four phases. Mr. Showalter discussed the proposed amendment to Phase 2C. He stated
76 that the PUD which is currently approved is for a 37,500 sq. ft. store.

77 Mr. Showalter discussed Phase 2C which was approved in 2013. He stated that the approval looked
78 at the consolidated traffic study. Mr. Showalter stated that Lidl would not have any greater impact
79 than what was addressed in the traffic study. Mr. Showalter stated that he is interested in
80 attempting to address the concerns of Easton Village residents.

81 President Ford discussed the need for another grocery store. He stated that there will be changes in
82 the grocery market in the near future.

83 President Ford asked if there were questions for Mr. Showalter

84 Mr. Charles Hopkins, 8208 Easton Village Drive questioned the setback requirements of the
85 approved building in the development. He stated that it is his understanding that the setback which
86 is approved is 50' and Lidl is asking for an amendment to accommodate a 10' setback. Mr. Hopkins
87 stated that what is proposed is not the village feeling.

88 Mr. Richard Tettlebaum, Chairman of Town of Easton's Planning & Zoning Commission, 7477 Casey
89 Avenue, Easton discussed the competitive issue. He stated that the Planning & Zoning Commission
90 gave a negative recommendation but not because this is a grocery store. The issue is one big
91 building instead of the three smaller spaces which were already authorized. Mr. Tettlebaum stated
92 that the Council made a conscious decision to have three smaller spaces.

93 Ms. Bonnie Morro, 8094 North Fork Boulevard, discussed the application for the amendment to the
94 approval for the PUD. She stated that the arguments are not compelling to change the PUD. Ms.
95 Morro stated that there are now 11 grocery stores in Easton.

96 Mr. Dan Watson, 8404 Aveley Manor Road, supports Mr. Tettlebaums' comments. He discussed free
97 enterprise and stated that he is in support of that. Mr. Watson stated that to approve this plan is to
98 put the council's thumb on free enterprise and competition. He stated that the approved PUD plan
99 is for a gentler, smaller scale project.

100 Mr. Reed Mulligan, 28290 Hemmersley Street, President Resident Advisory Board of Easton Village,
101 stated there are 123 lot owners. He stated that he is against changing the PUD. He stated that it is
102 not appropriate to change the PUD at this time and the Planning and Zoning Commission made
103 great points. Mr. Mulligan stated that he does not support modification of the PUD.

104 Ms. Alexis Seip, 7961 Bloomfield Road, asked the council to remember Easton's Comprehensive Plan
105 and not turn this village shopping center into a retail center.

107 At 8:07 p.m., President Ford closed the public hearing. President Ford stated that written comments
108 can be submitted until close of business on Friday.

109 **CONT'D. PUBLIC HEARING TO RECEIVE COMMENTS ON THE REQUEST TO ANNEX APPROXIMATELY**
110 **6.533 ACRES, MORE OR LESS LYING CONTIGUOUS TO THE EXISTING BOUNDARIES OF THE TOWN**
111 **OF EASTON.**

112 At 8:08 p.m., President Ford opened the continued public hearing. President Ford stated that the
113 council is not taking a vote due to Ms. Cook's scheduled absence.

114 Mr. Paul Prager, 9 Federal Street, Easton; asked for a delay in the vote and encouraged the town
115 council to consider a reasonable delay to work with the development parties to put forward
116 suggested ideas to amend the Annexation Agreement which would govern the parties in the event
117 the annexation is approved. Mr. Prager stated that the Annexation Agreement may have the
118 opportunity to have more forward looking tools. He asked the Town council to consider a
119 reasonable period of time to give everyone concerned a chance to work with interested parties to
120 propose forward looking tools. Mr. Prager stated he is committed to the community. He asked the
121 council to consider affirmative protection.

122 President Ford stated that he is amenable to a reasonable delay and delaying the annexation further
123 may result in a better product. President Ford stated that he is concerned that the four applicants
124 need to be given value that it is due.

125 Mr. Prager stated that he is grateful for the delay. He stated that the parties need to be interested in
126 what is best for the town. As an investor, he stated that he is willing to agree to forward looking
127 mechanisms, and to work with the Easton Economic Development team.

128 At 8:15 p.m., President Ford stated that the he would leave the hearing open.

129 **RES. NO. 6071, "A RESOLUTION TO ANNEX CERTAIN LANDS LOCATED ALONG PORT STREET AND**
130 **CONSISTING OF 6.533 ACRES OF LAND, MORE OR LESS, INTO THE TOWN OF EASTON AND TO**
131 **PROVIDE FOR THE TERMS AND CONDITIONS OF THE ANNEXATIONS."**

132 Not acted on.

133 **ORD. NO. 690, "AN ORDINANCE OF THE TOWN OF EASTON AMENDING THE OFFICIAL ZONING**
134 **MAP OF THE TOWN OF EASTON TO APPLY THE GENERAL COMMERCIAL (CG) ZONING DISTRICT TO**
135 **CERTAIN LOTS OR PARCELS OF LAND ANNEXED TO THE TOWN OF EASTON BY RESOLUTION NO.**
136 **6071 LOCATED ALONG PORT STREET AND CONSISTING, COLLECTIVELY, OF 6.533 ACRES OF LAND,**
137 **MORE OR LESS."**

138 Not acted on.

139 **REVIEW OF INVOICES TOTALING \$751,963.24.**

140 Upon motion by Mr. Silverstein seconded by Mr. Engle and carried unanimously, invoices totaling
141 \$751,963.24 were approved.

142 **ITEMS BY MEMBERS OF THE COUNCIL.**

143 Mr. Engle stated that Easton Police Department cadets recently finished training school.

144 **ADJOURN.**

145 At 8:16 p.m., upon motion by Mr. Silverstein seconded by Mr. Leshner and carried unanimously,
146 President Ford adjourned the regularly scheduled meeting.

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Kathy M. Ruf, Town Clerk