



Town Council MEETING MINUTES

Monday, October 16, 2023 - 5:30 PM
Council Chambers, Easton Town Office
14 S Harrison Street

4:30 PM Workshop.

Mayor Megan JM Cook
Council President Frank Gunsallus
Ms. Maureen Curry
Mr. Don Abbatiello
Mr. David Montgomery
Rev. Elmer Davis

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

Maryland Department of Transportation/State Highway Administration to discuss US 50 From Dutchmans Lane to West of Lomax Street Geometric and Safety Improvements.

At 4:30 p.m., President Gunsallus called the workshop to order.

Mr. Ken Fender, District Engineer, introduced representatives present from District 2. Rich Baker, District Engineer for Traffic from SHA, James Robinson from Whittman, Requardt & Associates; their design company, Sherry Russell, SHA Admin Assistant, and Bob Rager, SHA Public Relations Representative.

Mr. Fender stated that the project will improve safety for all users. He discussed the overview of the project.

In 2019, the town voiced concerns and requested a new traffic study which resulted in more meetings with town and businesses.

Mr. Fender stated that the construction review will be submitted tomorrow, October 17, 2023. Discussion occurred regarding current and proposed project designs.

Mr. VanEmburch, Town Engineer, stated SHA stormwater's design meets code and they will manage the stormwater.

The schedule for the project was discussed

SHA stated that the notice to proceed is tentatively May 2024. They are currently going through options for funding.

President Gunsallus asked council if there are any questions.

Mr. Montgomery asked what the project improvements will do to the summer beach traffic.

Mr. Fender stated they are making these improvements to ensure pedestrian safety. They intend to monitor the improvements.

Discussion occurred regarding improvements and notice to proceed for Black Dog Alley.

At 5:26 p.m., the workshop was adjourned.

5:30 PM: Call to Order by President Gunsallus.

Opening remarks and Pledge of Allegiance by Councilmember Curry.

Ms. Curry gave opening remarks and led those present in the Pledge of Allegiance.

Moment of silence to underscore the Town of Easton's profound sympathy and support for Israel following the October 7 attacks.

President Gunsallus asked for a moment of silence.

Presentation of Proclamation stating the Town of Easton's Sympathy and Support for Israel after the October 7 attacks.

Rabbi Hyman and guests were present to receive the Proclamation in support for Israel from Mayor Cook and members of the council. Rabbi Hyman extended thanks for the proclamation.

Approval of Minutes.

Minutes of the October 2, 2023 workshop and meeting.

Upon motion by Rev. Davis, seconded by Mr. Abbatiello and carried unanimously, minutes of the October 2, 2023 meeting were approved as written.

Municipal Official Items.

Items by Mayor Cook.

Mayor Cook discussed the bond expenditures and stated we are confident the last \$500,000 will be spent by Friday. She stated the amount spent to date is \$6,422,952.

Mayor Cook stated the Town of Easton has spent bond dollars on the dog park, Hunter's Mill Playground, lights at North Easton Park, storage buildings, the skate park, sidewalks on Matthewstown Run, and the north-south rail to trail. She stated the Town of Easton will hit the mark.

Mayor Cook reminded the listening audience that public works is picking up leaves and they should not be put in the road as they clog the storm drains.

Mayor Cook discussed the small east end area kickoff meeting held October 5.

She stated that the Planning Commission this week will be discussing the hospital plan and the zoning on cannabis.

Mayor Cook stated that on October 24, the Board of Zoning Appeals will hold a special meeting for Aspire and it will be streamed live.

Mayor Cook stated the Fall Kick Off was a huge success.

President Gunsallus asked for questions for Mayor Cook.

Items by Town Manager

Public Assembly Event: 52nd Annual Waterfowl Festival, 11/09 - 11/12/23

Upon motion by Ms. Curry, seconded by Mr. Montgomery and carried unanimously, Public Assembly Event: 52nd Annual Waterfowl Festival was approved.

Public Assembly Event: YMCA Turkey Trot 5K Run/Walk, 11/23/23

Upon motion by Mr. Abbatiello, seconded by Ms. Curry and carried unanimously, Public Assembly Event: YMCA Turkey Trot 5K Run/Walk was approved.

Public Assembly Event: Free Community Holiday Event "Frosty", 12/1/23

Upon motion by Ms. Curry, seconded by Mr. Montgomery and carried unanimously, Public Assembly Event: Free Community Holiday Event "Frosty" was approved.

Items by Town Attorney.

Letter from Planning & Zoning Commission Chair regarding PUD Amendment Application - Mallard Construction Group Inc. and Elliott Road, LLC.

Town Attorney Ms. VanEmburch asked that a Public Hearing be set for the PUD Amendment Application - Mallard Construction be set. President Gunsallus set the Public Hearing for November 20, at 5:40 p.m.

Police Board.

Chief Lowrey was present and stated he had forwarded statistics. He stated he has met with Fire Marshals regarding Sidetracks Saloon and they have a 30 day notice to comply with it. He stated the Department is doing extra checks with the Islamic Society after prayers and at the synagogue. He discussed keeping everyone safe in the community.

Rev. Davis thanked Chief Lowrey for continuing to patrol and doing our part to make sure everyone is safe in our community.

Presentations.

Mr. Phillip Munley, the Director, Service and Benefits Program Maryland Department of Veterans Affairs and Secretary Anthony Wood, present to answer any questions regarding the Veterans Center lease.

Secretary Anthony Wood discussed what the Department of Veterans Affairs does. He discussed supporting veterans and helping them to access their benefits. He stated there are 57,000 active duty service members and their family members are entitled to benefits.

Secretary Wood discussed the Maryland Veterans Trust Fund.

Governor Hogan implemented a program with the veterans to end suicide Governor Moore will reaffirm that program. He stated there is also training for Primary Care Providers. Mr. Phil Munley, discussed the relationship between Veterans Affairs and the Town of Easton. He stated they are here to help veterans navigate through the federal benefits. Mr. Munley stated that Veterans Affairs buries 3000 people per year. Mr. Gunsallus thanked Mr. Munley for being present to give an overview of their services. Mr. Munley stated they are open 7:30 a.m. to 3:30 p.m. Monday thru Friday, closing state and federal holidays.

Ms. Lyndee Zeller, Festival Director, to present the 2023 Waterfowl Festival Transportation Plan and Food Vendor List.
Ms. Lyndee Zeller, Festival Director, was present to ask for approval for the 2023 Waterfowl Festival Transportation Plan and Food Vendor List.
Upon motion by Mr. Montgomery, seconded by Ms. Curry and carried unanimously; the approvals were granted.

Public Hearing.

(cont'd.) PUBLIC HEARING to discuss Ordinance Number 799, "AN ORDINANCE OF THE TOWN OF EASTON ADOPTING A TEMPORARY MORATORIUM ON THE APPLICATION FOR, APPROVAL OF, CONSTRUCTION OF, EXPANSION OF, PROCESSING OF, OR ISSUANCE OF BUILDING PERMITS FOR THE OPERATION OF A BUSINESS ENGAGED IN THE GROWING, PROCESSING, AND/OR SELLING OF CANNABIS WITHIN THE TOWN OF EASTON FOR A PERIOD OF NINE (9) MONTHS PENDING CONSIDERATION AND ADOPTION OF REVISED ZONING ORDINANCE PROVISIONS AS THE TOWN COUNCIL MAY CONSIDER ADVISABLE TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE."

At 6:26 p.m., President Gunsallus continued the public hearing on Ordinance No. 799.

President Gunsallus opened the floor for comments.

President Gunsallus stated that Planning and Zoning has offered a recommendation.

President Gunsallus opened the floor for public comment.

Mr. Daryl Hill, owner-operator of Sunburst Farms, stated getting a license involves a lot of complexities. He stated that the Planning & Zoning Department may need help. He stated he could confer with Planning & Zoning. The process may take two years. Cannabis can be a big shot in the arm for communities, but zoning is critical.

Mr. Hill discussed social equity and standard licenses. He stated the license could benefit the city as it could be a

top three out of 105 dispensaries. Mr. Hill stated that Sunburst leads in sales and profits. He stated that cannabis is a pharmaceutical and people need the product. He discussed Easton and stated they could get home delivery. Mr. Hill stated he would like to offer services and interact with Planning & Zoning.

President Gunsallus asked for public comments.

Mr. David Ferraris, 604 Wayside, sent a statement and asked that it be read into the record.

Mr. Gunsallus read comments during the public hearing opposing the cannabis moratorium. Comments included asking for a business plan with detail, proof that you have control of the site (lease or purchase agreement), diversity and capital.

Rev. Davis asked if the license is for those seeking a license or those that have licenses.

Discussion occurred regarding pre-approval, documentation from local jurisdiction, submitting plans with planning commission followed by approval.

President Gunsallus discussed putting the burden on licensees.

Noah Matten, of 128 S West Street, suggested the town engage outside counsel that has experience with legislation around cannabis applications.

Mr. Montgomery asked that the legislation be brought to the floor and amended should the council want a shorter amount of time.

Ms. Curry suggested dialing the moratorium back to six months.

Mr. Hill stated that the state deals with the license, and the towns deal with the zoning.

President Gunsallus continued the public hearing until the Planning & Zoning Commission puts forth their recommendation from their meeting this week.

The Town Attorney stated that the council can override President Gunsallus if they want to vote.

Mr. Montgomery made a motion to take Ord. 799 to a vote, seconded by Rev. Davis.

Mr. Abbatiello stated that it has been the precedent that if a councilmember asks for more time, they are granted more time.

Rev. Davis rescinded his second on the motion to vote on the legislation.

President Gunsallus continued the public hearing until the November 6 council meeting.

Legislation.

Resolution No. 6174, "A RESOLUTION OF THE TOWN OF EASTON APPROVING THE ALLOCATION OF THE PROCEEDS OF SALE FROM THE TOWN OF EASTON PUBLIC FACILITIES BONDS OF 2020."

Mr. Richardson provided history on the facilities bonds of 2020. He stated the resolution expands the list of projects and re-allocates some of the expenditures.

Mr. Montgomery asked if this could be done under the terms of the bond. Mr. Richardson stated it can be done and it brings more clarity to the 2020 bond.

Upon motion by Mr. Montgomery, seconded by Rev. Davis and carried unanimously following a roll call vote, Resolution No. 6174 was passed.

Public Participation/Comments.

There were no public comments.

Items by Members of the Council:

Mr. Abbatiello stated members of Easton Fire Department will be participating in the Ocean City Stair Climb on October 28.

Mr. Montgomery reminded the listening audience that Rabbi Hyman will be holding a vigil on Thursday evening at 7:00 p.m. at Temple B'Nai. He encouraged attendance to show sympathy and support for Israel.

Rev. Davis asked for prayers for Don Abbatiello while participating in the stair climb. He stated there are great projects going on. Rev. Davis reiterated that Easton is the safest town on the eastern shore. He asked everyone to keep up the good work.

President Gunsallus thanked everyone that is in attendance tonight. He thanked the town staff for their work to help the citizens of Easton.

Closed Session General Provisions Article 3-305(b)(4) to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.

At 7:34 p.m., upon motion by Mr. Abbatiello, seconded by Rev. Davis, President Gunsallus moved into Closed Session to consider a matter that concerns the proposal for a business or industrial organization to locate, expand or remain in the State.

At 8:16 p.m., upon motion by Mr. Montgomery, seconded by Rev. Davis and carried unanimously, President Gunsallus closed the Executive Session and moved into Open Session.

Adjournment.

At 8:17 p.m., upon motion by Ms. Curry, seconded by Mr. Abbatiello and carried unanimously, President Gunsallus adjourned the regularly scheduled meeting.

Respectfully submitted,

Kathy M. Ruf, Town Clerk