



Town Council MEETING MINUTES

Monday, March 4, 2024 - 5:30 PM
Council Chambers, Easton Town Office
14 S Harrison Street

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

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

Mr. Montgomery was excused.

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

At 5:30 p.m., President Gunsallus called the meeting to order.

Opening remarks and Pledge of Allegiance by Councilmember Abbatiello.

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

Approval of Minutes.

Minutes of the February 19, 2024 meeting.

Upon motion by Rev. Davis seconded by Ms. Curry and carried unanimously, the minutes of the February 19, 2024 meeting were approved as written.

Municipal Official Items.

Items by Mayor Cook.

Mayor Cook gave an update on the budget season. Mayor Cook stated that last week was MML Advocacy Day and the Mayor's Conference in Annapolis.

Mayor Cook stated the 2002 Engine 63 Fire Truck has been sold.

She thanked Ms. DeShields at Easton Elementary and Talbot County Library for the opportunity to read to students.

Mayor Cook asked the Council to consider an amendment to Ord. 810. She suggested removing the Golton Stream Restoration project at \$390,000 and reallocating those funds for police cars.

Items by Town Manager

Public Assembly Event: Farmer's Market, April 20 - December 14

Upon motion by Ms. Curry seconded by Mr. Abbatiello and carried unanimously, Public Assembly Event: Farmer's Market, April 20 - was approved.

Public Assembly Event: Plein Air, July 12 - July 20

Upon motion by Rev. Davis seconded by Mr. Abbatiello and carried unanimously, Public Assembly Event: Plein Air, July 12 - July 2 was approved.

Items by Town Attorney.

Town Attorney Ms. VanEmburch stated she has nothing at this time.

Public Hearing.

(cont'd.) PUBLIC HEARING to solicit public comment on Ordinance Number 809, which proposes amendments to Chapter 28 of the Town Code (Zoning). The purpose of the proposed amendments is to revise the Code to regulate cannabis related uses in light of the State of Maryland's approval of various recreational cannabis uses.

Town Planner Mr. Thomas discussed the updates made to the Zoning Ordinance. He stated this is a continuation of the public hearing that began two weeks ago. Mr. Thomas stated he had done some research following the opening of the public hearing. He stated he has printed a zoning map for each of the council members. Mr. Thomas presented some findings regarding the parking. At the conclusion, he has drafted another version of Ordinance No. 809 which includes the recommended parking standard that requires each application for a cannabis dispensary to be evaluated on a unique traffic analysis and rely on the applicant's experience. He discussed clarification and refinements to the regulations regarding separation requirements. He stated the town may impose lesser requirements but not greater. The standards which can be applied are still vague. Mr. Thomas discussed pending legislation. He discussed existing and proposed requirements for growing facilities. Mr. Thomas discussed odor and what the Planning Commission considered and other municipalities' approach. Mr. Thomas discussed treating cannabis the same as other uses which are shown in the table. Mr. Abbatiello asked about anything coming from the state regarding waste disposal. Mr. Thomas stated the town could enact waste disposal legislation. President Gunsallus discussed greener waste and stated that technically, they can dispose of materials in their dumpsters.

Mr. Abbatiello asked about allowing dispensaries in the Historic District. Mr. Thomas stated he wasn't sure that could be a distinguishing factor but CB could be treated differently.

The Town Attorney stated that the state has stated that cannabis has to be treated like other uses such as pharmacies.

President Gunsallus asked for public comments.

Mr. Greg Zimmerman, 319 August Street, read a statement regarding Ordinance No. 809 and suggested that rails-to-trails be designated as a park in the town, which would be an allowable restriction under Maryland State Law. He asked if there had been any discussion on rails-to-trails and its designation. He asked if rails-to-trails is maintained by Parks and Recreation Department.

The Town Manager, Mr. Richardson stated that the rails-to-trails is not listed as a park.

Mr. Zimmerman asked if the rails-to-trails could be considered a park due to its history.

The Town Attorney, Ms. VanEmburch stated it may be considered a park.

President Gunsallus discussed children using the rails-to-trails for students/children walking to school.

Mayor Cook asked how that would differ from a liquor store.

Ms. Curry stated the liquor store was there before the rails-to-trails and might be grandfathered in.

The Town Attorney stated that the state statute is the one that imposes it from parks. She discussed implementation of regulations.

Mr. Zimmerman asked the council to deliberate and act on the operation of cash at cannabis facilities and dispensaries. He stated that the risk is much higher than other retail establishments.

Rev. Davis stated it is on the facility to obtain security and those he has visited all have security and cameras.

President Gunsallus stated they are not all cash base businesses.

Mr. Zimmerman discussed crime in some of these establishments. He suggested putting provisions in the ordinance for public safety.

President Gunsallus left the public hearing open at the request of Councilmember Montgomery so he may be a part of the vote.

Mr. Thomas discussed part of the licensing which requires the submission of a safety plan.

Mr. Abbatiello discussed where the cannabis facilities and growing facilities will be permitted. He asked where his constituents would be allowed to voice their concerns.

Mr. Thomas stated that permitted use would have to go through the site plan process and would require Planning and Zoning review. He stated that concerns could be voiced at a regular Planning Commission meeting or with Planning staff. He discussed moving in to an allowable use facility and if the facility is part of a PUD which would constitute a PUD amendment. Rev. Davis asked for clarification regarding the procedure for approval.

Mr. Thomas stated under the most common scenario request for approval would go to the Planning Commission which is a public meeting, with notice in the paper with review and comment. Should there be an amendment to the PUD, there would be a public hearing.

Walmart and Target shopping centers would both be treated as PUDs.

President Gunsallus discussed zoning. He stated that requiring a grow to only be indoors, unduly burdens the applicant per the state statute. He read from state documents regarding security and video surveillance.

The Town Attorney discussed agricultural within municipal limits. She stated we do have an ag zone but it's a holding zone until development. She stated that growing cannot occur on Mistletoe Farm due to Federal regulations.

Mayor Cook stated that MACO and MML are holding a webinar and she has forwarded the link if there is interest in attending.

President Gunsallus stated the public hearing would be left open for comments and would be

continued at the next meeting.

Legislation.

Ord. 809, "AN ORDINANCE OF THE TOWN OF EASTON AMENDING CHAPTER 28 OF THE TOWN CODE (ZONING)."

Not acted on.

Ord. 810, "AN ORDINANCE OF THE TOWN OF EASTON AMENDING THE TOWN BUDGET FISCAL YEAR 2024 FOR THE AMERICAN RESCUE PLAN ACT."

Town Manager, Mr. Richardson discussed the amendment to the budget FY2024 for the American Rescue Plan Act. He stated it provides funding for the Doverbrook project, funding for N Harrison Street and the Glenwood Avenue stream restoration project. He stated bid documents will be put out for a traffic conversion project. Mr. Richardson stated all the money should be spent by December 2026.

Mayor Cook stated there is an opportunity for grant funding for the stream restoration project which seems more plausible than looking for funding for the police cars. She stated this will cover almost four cars.

Mr. Richardson stated that after N. Higgins, N. Harrison Street and Doverbrook, there is approximately \$568,000 left. Mr. Richardson stated there are eight vehicles needed in the next fiscal budget.

Chief Lowrey stated that it would complete the take-home program.

Mayor Cook stated that each vehicle after being outfitted and with the wrap comes to approximately \$80,000 to \$85,000.

Mayor Cook stated that the ask right now is to remove the Golton project.

President Gunsallus asked that the public hearing be advertised and scheduled.

Mr. Richardson stated that the ARPA funds need to be allocated by December 2024. He stated that it is his understanding to remove the Golton project and add in the police cars.

Mr. Abbatiello made a motion to remove the Golton project and fund the four police cars and advertise the public hearing as such, seconded by Rev. Davis and carried.

President Gunsallus stated that the metal detectors for the building also need consideration.

Res. No. 6181, "A RESOLUTION OF THE TOWN OF EASTON AMENDING THE CHARTER OF THE TOWN OF EASTON REGARDING THE SUPERVISOR OF ELECTIONS."

The Town Attorney stated that this is for introduction, and we would need to advertise with 21 days prior notice. She stated that the first available date would be April 1.

Res. No. 6182, "A RESOLUTION OF THE TOWN OF EASTON AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE GARDEN CLUB OF THE EASTERN SHORE, INC. FOR THE MAINTENANCE OF TEAK BENCHES AT THOMPSON PARK."

Upon motion by Ms. Curry, seconded by Mr. Abbatiello and carried unanimously, Res. No. 6182, was approved.

Public Participation/Comments.

There was no public comment.

Review of Invoices.

Invoices totaling \$1,506,720.03

Mr. Abbatiello asked for clarification regarding the payment to Talbot County for \$400,000. He asked if other municipalities pay that sum. Mr. Richardson stated they do not but they do not have the volume of calls Easton has in their 911 Center. Rev. Davis asked how long since the agreement had been visited. He asked how much would it cost to fund the dispatchers ourselves. Chief Lowrey stated there is an issue with staffing call centers.

Upon motion by Ms. Curry, seconded by Mr. Abbatiello and carried unanimously, invoices totaling \$1,506,720.03 were approved.

Items by Members of the Council:

Ms. Curry congratulated President Gunsallus for young Professional of the Year by Talbot County Chamber of Commerce as well as Hugh Grunden, Man of the Year and EEDC for 10 years of service. Mr. Abbatiello and Rev. Davis congratulated President Gunsallus as well.

President Gunsallus gave kudos to Bay Vanguard for their 150 years and all others that received an award.

Adjournment.

At 6:54, upon motion by President Gunsallus seconded by Ms. Curry and carried unanimously, President Gunsallus adjourned the regularly scheduled meeting.

Respectfully submitted,

Kathy M. Ruf, Town Clerk