



Town Council MEETING MINUTES

Monday, April 1, 2024 - 5:30 PM
Council Chambers, Easton Town Office
14 S Harrison Street

4:30 PM Building Department/Codes 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, Building Code Official Tom Diem and Ryan Heckler and Town Clerk Mrs. Kathy M. Ruf.

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

Energy Code.

Thomas Diem, Building Code Official and Ryan Heckler, Building Inspector; were present to discuss the Codes.

Mr. Diem stated that this evening we will cover the trades. He started with the Plumbing Code. He discussed the changes and stated the most stringent code would apply in the Plumbing Code. Mr. Diem stated that non-gender restrooms are now permitted.

Mr. Montgomery discussed accessibility.

Mr. Diem discussed changes to Chapter 6, Article 7 of the Town Code - Mechanical Code. Chapter 6, Article 6 - Gas Code.

Mr. Diem stated that 2018 IFGC will be the Code established in the Town of Easton. He stated these codes are making things better and safer.

Rev. Davis asked if there were any Code changes that might save money. Mr. Diem stated that he does not think the changes will reflect cost savings, but they are making the interior safer.

Mr. Diem stated that there are no changes to the Electrical Code.

HB 830 will require all new SFD houses built to have an electrical charging station per housing unit. Mr. Diem stated this will add a cost to the builder/homeowner.

Maryland has adopted the 2020 Pool & Spa Code which will need to be adopted. He stated he has ordered the Code and will review it.

Mr. Montgomery asked if the county will also adopt the same building codes. Mr. Diem stated he understands it is scheduled for later in the year.

Mr. Diem stated that when the Town adopts and building permit application is made afterwards, plans may have to be changed.

Mr. Diem discussed getting the information out to contractors and the public.

At 5:06 p.m., President Gunsallus recessed the workshop and stated the regular meeting will reconvene at the scheduled time.

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

At 05:30 PM, President Gunsallus called the regular council meeting to order.

Opening remarks and Pledge of Allegiance by Councilmember Rev. Davis.

Rev. Davis gave opening remarks and led those present in the Pledge of Allegiance.

Approval of Minutes.

Minutes of the March 18, 2024 meetings.

Upon motion by Mr. Abbatiello, seconded by Mr. Montgomery and carried unanimously, minutes of the March 18, 2024 meeting were approved as written.

Presentation by EEDC of Parade Winners for St. Patrick's Day Parade.

Mr. Lance Morris, Communications Coordinator, was present to announce the parade winners from the St. Patrick's Day Parade:

Best Commercial Entry: Express Employment Professionals
Best Non-Profit: Talbot Pride
Best Marching Band: Easton Middle School Band
Mr. Morris thanked everyone for coming.

Municipal Official Items.

Items by Mayor Cook.

Mayor Cook stated she hoped everyone had a nice Easter. She thanked EEDC for a nice holiday. She thanked EVFD for their participation.

Mayor Cook stated that the Ward Room is asking for a letter of support to renovate and restore the former Harrison's Flower Shop and move the market to that location. The Market is considered an alcohol dispensary and is prohibited due to their proximity to Thompson Park. She stated they are asking for a letter of support for an amendment from the County for an alcohol dispensary bistro. The consensus was to permit the letter of support. She stated that they want to encourage this type of business in the downtown.

Work on Harrison Street is continuing on the sidewalks. She stated that spring paving is also about to begin and she thanked everyone for their patience.

Confirmation of Appointments to Attainable Housing Task Force.

Mayor Cook asked for confirmation for the following appointments to the Housing Task Force:

Talbot County - Lynn Mielke

Easton Planning Commission - Michael Ports, Frank Klein

Easton Utilities - John Horner

Easton Affordable Housing Board - Jim Bent

EEDC - Holly DeKarske

TC Housing Authority - Don Bibb

Mid-Shore Board of Realtors - Susie Hayward

Housing Organization - Julie Lowe

Architecture - Lauren Dianich

HOA Board - Michael Forester

Business - Ryan Groll

At Large - Paul Weber, Corey Pack, Troy Sherwood, Ramon Gras

President Gunsallus stated he has questions regarding the Planning Commission. Mayor

Cook stated Mr. Klein was inadvertently omitted. He stated he would like to add himself and Mr. Montgomery as representatives from the Council

She stated that At Large there are 4 members for more input.

Rev. Davis stated there are not enough black/brown representatives on the Attainable Task Force. She stated she appreciates his concern.

Mayor Cook stated there is diversity in the members-at-large.

Mayor Cook congratulated the first graduating class of the Community Police Academy. She stated two town employees also attended.

Items by Town Manager

Public Assembly Event: Frederick Douglas Parade - 9/28/2024.

Upon motion by Mr. Abbatiello seconded by Ms. Curry and carried unanimously, the Public Assembly Event: Frederick Douglas Parade - was approved.

Accept recommendation from Town Engineer, Rick VanEmburch for the purchase of the Traffic Signal Controller for 5 Corners from Econolite in the amount of \$19,625.94.

Town Manager, Mr. Richardson asked that this be tabled until the next meeting to make sure it meets the ARPA guidelines. He stated there will also be an amendment to an ordinance regarding the procurement policy due to comments in the Single Audit.

Mr. Abbatiello asked the Town Engineer Mr. VanEmburch if there is any movement regarding the intersection of Glebe and Washington Street.

Mr. VanEmburch stated a traffic study was done in 2020 but there needs to be funding to implement those changes to incorporate improvements.

Rev. Davis asked about a timetable.

Mr. VanEmburch stated that ARPA funds have been allocated to a bigger traffic signal program. He stated that they have \$1.3 million allocated from ARPA funds.

Items by Town Attorney.

Introduction of Corrigan & Trippe Ventures, LLC Annexation.

President Gunsallus brought the petition for annexation to the floor.

The Town Attorney briefed on the request for annexation and stated the resolution and ordinance need to be introduced and referred to the Planning Commission for review and recommendation.

Res. No. 6185, "A RESOLUTION TO ANNEX A PARCEL OF LAND OWNED BY CORRIGAN TRIPPE VENTURES, LLC LOCATED ON THE EAST SIDE OF OCEAN GATEWAY/US ROUTE 50, CONSISTING OF 17.329 ACRES OF LAND, MORE OR LESS, INTO THE TOWN OF EASTON AND TO PROVIDE FOR THE TERMS AND CONDITIONS OF THE ANNEXATION."

President Gunsallus introduced Resolution No. 6185 and referred it to the Planning and Zoning Commission for review and recommendation. He set the Public Hearing for May 6.

Ord. No. 811, "AN ORDINANCE OF THE TOWN OF EASTON AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF EASTON TO APPLY THE R-10A RESIDENTIAL ZONING DISTRICT TO CERTAIN LOTS OR PARCELS OF LAND ANNEXED TO THE TOWN OF EASTON BY RESOLUTION NO. 6185 LOCATED TO THE EAST OF OCEAN GATEWAY/US ROUTE 50 CONSISTING OF 17.329 ACRES OF LAND, MORE OR LESS."

President Gunsallus introduced Ordinance No. 811 for a first reading. May 6 Public Hearing.

Public Hearings.

(cont'd.) PUBLIC HEARING to solicit public comment on Ord. 809, which proposes amendment 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.

5:49 continued public hearing.

President Gunsallus asked Mr. Thomas if there are any updates. Mr. Thomas confirmed that the Senate passed a version different from the House of Representatives regarding separation. The last day of the session is next Wednesday.

President Gunsallus asked for questions and asked for public comment. He stated this will be continued until the next meeting.

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

Not acted on at this time.

5:35 PM PUBLIC HEARING to discuss Res. No. 6181.

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

5:53 p.m. President Gunsallus opened the 5:35 p.m. scheduled Public Hearing.

The Town Attorney discussed the Charter change and explained that the Supervisor of Elections would need to be a resident of Talbot County.

President Gunsallus asked for public comment. There was none.

At 5:54 p.m. President Gunsallus closed the public hearing.

Upon motion by Mr. Abbatiello, seconded by Rev. Davis and carried unanimously, Resolution No. 6181 was approved.

Public Participation/Comments.

President Gunsallus asked for public comment. There was no one present to address the Council.

Items by Members of the Council:

Ms. Curry offered prayers to the families and workers that perished during the accident at the Francis Scott Key Bridge. She recognized the MTA staff that gave notice to shut down the bridge and saved numerous lives.

Mr. Abbatiello stated that Easton Volunteer Fire Department secured a 1 million dollar grant from Congressman Andy Harris' office for the Fire Department Training Facility. He thanked Ed Forte and

Brett Whitehead for working with Congressman Harris' office. He stated with ARPA money disappearing, grants will help to offset shortfalls.

Mr. Montgomery thanked the Mayor for the appointment to the Housing Task Force. He stated he looks forward to taking this on.

Rev. Davis discussed the incident in Baltimore with the Francis Scott Bridge. He discussed collaboration in dealing with emergency services. He stated he is grateful to have a lot of activities in town for everyone.

Rev. Davis thanked Chief Lowrey for Coffee with a Cop at the Cultural Center. He stated Chief Lowrey answered some serious concerns regarding the perception of EPD. Rev. Davis recognized EVFD for working for a training facility in Easton.

President Gunsallus recognized EPD for bridging the divide. He thanked EEDC for putting on a wonderful Easter Egg Hunt.

Adjournment.

At 6:02 p.m., upon motion by Rev. Davis seconded by Ms. Curry and carried unanimously, President Gunsallus adjourned the regularly scheduled meeting.

Respectfully submitted,

Kathy M. Ruf, Town Clerk

Workshop to discuss exempt, non-exempt employees and budget preparation.

Rick Farr, Chief Human Resource Officer joined the meeting remotely.

6:13 p.m., President Gunsallus opened the workshop to discuss exempt versus nonexempt employees and budget preparation. President Gunsallus prefaced the meeting by saying to public comment there is no public comment in this workshop.

President Gunsallus Mayor Cook is taking steps to address overtime by removing most overtime in the departments, although there is still a few with overtime. He stated he would like to see police overtime fulfilled. He opened the workshop to the council for comments.

Ms. Curry appreciates Mayor Cook eliminating overtime for exempt employees. She stated she thinks it is the right thing to do. Ms. Curry stated she is also struggling with some of the remuneration.

Mayor Cook stated Mr. Farr has been a great help and has agreed to zoom in for questions while on vacation.

She discussed the method she used for overtime. She stated she looked at the last five years, did an average and banded it out. Mayor Cook stated that all employees received a 3% increase then on top Ms. Curry stated that in the last three years, there has been an influx of cash in the past years and those projects drove overtime.

Mayor Cook stated that most OT was from bond the projects and there was a great importance in finishing due to deadlines. She stated that's why she looked at five years.

Ms. Curry stated she was not paid OT as Director of Economic Development or when she was employed at Easton Utilities. She stated she is uncomfortable with the overtime and she wants to get it right.

Mr. Abbatiello stated he appreciates that the move is to exempt employees. He stated his concerns is with the increase of salaries for some of the employees as they are already towards the high end.

Mr. Abbatiello discussed comp time for exempt employees and not paying out comp time down the road.

Mayor Cook stated comp time would be an hour to hour. She discussed increasing the number of comp hours for exempt employees. She stated comp time would not be paid out upon retirement.

Mr. Farr discussed exempt versus non-exempt employees. Mr. Farr stated that currently, all the town employees are non-exempt and receive overtime pay. He stated it is an employer's right to decide who is exempt or how to bank and pay out comp time. He discussed an add on to salaries for employees moving from non-exempt to exempt. Mr. Farr stated the job survey showed where the town is with the economy and what was being paid to employees which contributes to a 1% turnover. He stated the survey had looked at job descriptions and changed some salaries October 2023 based on knowledge skills and abilities of some employees.

Mr. Farr stated that it is the right of an employer to assign exempt or non-exempt to employees as all employees in the town qualify. She stated that different supervisors may not have allowed overtime.

The Town Attorney discussed what the law allows. She stated that exempt employees qualify for overtime.

Mr. Farr stated that when you become an exempt employee, you are not paid out for comp time. Best interest of the town, able to align the knowledge, and skills of the employees.

Rev. Davis stated that exempt is what it is and the salary should be based on the salary study. He discussed the employees that are not eligible for overtime.

Rev. Davis stated he would like an explanation regarding how the percentages were figured.

Mr. Montgomery asked about a spreadsheet and if it included salary and overtime.

The Town Attorney stated that based on the law, there are town employees that meet the criteria for being exempt employees but the law allows the governing body to allow overtime or comp time. Comp time for non-exempt would be paid out at retirement for non-exempt employees. The handbook now has a 50 hour cap for compensatory time.

President Gunsallus stated that he thinks exempt is department heads. President Gunsallus read from the handbook regarding exempt employees.

Mr. Farr stated that some employees could be classified exempt and get comp time hour for hour and would be more manageable.

Mr. Abbatiello asked about pay-out for comp time. Mr. Farr stated that comp time is non-paid when you are an exempt employee with no pay out at retirement

Mayor Cook stated we know there are necessary revisions to the handbook.

President Gunsallus asked who approves the Town Manager's timecard. He replied that HR approves his timecard.

Mr. Abbatiello stated that he has two concerns with the plan. One of his concerns is with the increase in salaries for employees already on the high end of salary ranges.

Mr. Montgomery incredibly well run town but we need to be fiscally responsible. Like to find out more about how raise practices are being done such as more than a COLA.

Mr. Farr discussed how salaries had been accomplished prior to the budgetary timeline and how it aligns with the corporate world.

Rev. Davis stated that exempt is exempt and is what it is and those employees should be given a fair market value and should not receive compensatory time. He stated that you are feeding both hands.

He thanked Mayor Cook for the work and being fiscally responsible. He stated that this is beneficial to the whole town and constituents. Rev. Davis stated that more work and discussions need to be done.

Pres. Gunsallus stated he has looked at salaries and personally he is not comfortable voting for departments that do not have salaries as a line item.

At 7:01 p.m., upon motion by Ms. Curry seconded by Rev. Davis and carried unanimously, President Gunsallus adjourned the regularly scheduled meeting.

Respectfully submitted,

Kathy M. Ruf, Town Clerk