

**February 2, 2017**

**Regular Meeting**

*Vice Mayor Porter called the regular meeting of the Denton Town Council to order at 7:00 PM on this date, leading everyone in the Pledge of Allegiance to the Flag.*

*Vice Mayor Porter asked that the record reflect that all Councilmembers were present, with the exception of Mayor McNinch. Mayor McNinch was out of Town attending a Mayors Conference. Vice Mayor Porter ~~resided~~ presided over the meeting.*

*Councilman Lister made a motion to approve the minutes of the January 5, 2017 Regular Meeting, the January 23, 2017 Working Session and the January 30, 2017 Strategic Planning Working Session as presented, seconded by Councilman Branson, passing unanimously.*

**Public Hearing**

*None*

**Petitions, Remonstrance's, and Communication**

**Proclamations – Water & Wastewater Operators**

*Vice Mayor Porter read and presented proclamations to recognize Mr. Mark Chandler, Mr. Ed Bridwell and Mr. Bob Flanagan for their continued dedication to their duties and hard work at the Waste Water Treatment Plant. Employees were commended for having successfully maintained the operations of the plant and for reducing the waste water discharge of nitrogen and phosphorous by 50% under state regulations during the preceding year.*

**Communication – Letter from Delmarva Community Services, Inc.**

*The Council reviewed a letter received from Delmarva Community Services, Inc. advising the Town that Talbot County is applying for grant funds from the Mass Transit Administration. This item was informational only and no action was taken.*

**Communication – Crouse Park Letter from County Commissioners**

*The Council reviewed a letter from the Caroline County Commissioners to the Caroline Economic Development Corporation announcing the County's plan to take over Economic Development, sharing their intent to contract privately with the former Economic Development Director, and to create an ED Coordinator position within their agency. The letter also explained the level of support the County will continue to provide for the CEDC for Tourism, however expressing the County is not interested in having any of their Tourism money spent on funding staff for the Visitor Center.*

*Mr. Don Mulrine, Town Administrator, and Vice Mayor Porter provided a synopsis, and discussion was held on the affect this may have on the Visitor Center being built at Crouse Park.*

*This item was on the agenda for discussion only, no action was taken.*

**Ordinances and Resolutions**

**Resolution #838 – Sustainable Community Renewal Application**

*A Resolution of the Town of Denton approving the submission of a renewal application to continue the designation of a Sustainable Community and a Sustainable Community Plan, seeking approval from the Department of Housing and Community Development of the State of Maryland or through the Smart Growth Subcabinet of the State of Maryland.*

*Mr. Mulrine asked for consideration to table this item until next month.*

Councilman Branson made a motion to table any action on Resolution #838 as requested, seconded by Councilman Johnson, passing unanimously.

**Resolution #839 – Maryland Energy Administration (MEA) Grant Application**

A Resolution of the Town of Denton approving the application and receipt of financing for a Maryland Smart Energy Communities Grant, to be funded by the Maryland Energy Administration of the State of Maryland.

Councilman Branson made a motion to adopt Resolution #839, seconded by Councilman Lister.

In discussion, Mr. Mulrine provided an overview of the history on what items have been purchased and accomplished with grant funds from this program in the past, and shared what energy saving items would be replaced if additional funding is awarded.

With no further discussion, Vice Mayor Porter asked for a vote on the motion on the floor to adopt Resolution #839.

The motion to adopt Resolution #839 passed unanimously.

**Ordinance No. 683 – Accessory Structures**

An Ordinance repealing Chapter 128 Section 113, entitled, “Accessory Building Setback Requirements”, of the Town of Denton Code and adding a new section in Chapter 128, Section 26, entitled, “Accessory Structures”, hereby amending the standards for accessory structures in residential zoned districts and establishing standards for accessory structures in nonresidential zoned districts, and amending Chapter 128 Section 184, entitled Development Types or Land Uses Requiring Site Plan Approval for Accessory Structures.

Councilman Lister made a motion to introduce Ordinance #683, seconded by Councilman Branson.

In discussion: Mr. Tom Batchelor, from Planning & Codes, provided an overview, indicating the amendment only applies to predeveloped properties. He shared that the Planning Commission recently reviewed the draft.

Mr. Chris Drummond, Town Attorney, and Councilman Lister shared concerns about the Ordinance removing all setbacks.

Vice Mayor Porter, questioned effect on residential properties.

Mr. Batchelor provided additional details, stated he will review the setbacks; sharing that once introduced, the Ordinance will go before the Planning Commission on February 28<sup>th</sup> for final review.

Mr. Keith Neal, owner of Nuttle Builders, spoke in support of the Ordinance and shared how it will make a significant impact in helping him to be able to utilize his property better, and allow him to be able to construct a building to store his equipment.

With no further discussion, Vice Mayor Porter asked for a vote on the motion to introduce Ordinance #638.

The motion passed unanimously.

**Reports of Officers, Board, and Committees**

Mr. Mulrine shared that the Public Works Department has been working on a sewer main issue on North Sixth St., which may require an emergency repair that maybe quite expensive. He will keep the Council informed and let them know if a special meeting will be necessary for awarding to a contractor for repair.

**Unfinished Business**

**Agenda #1- Denton Police Dept. Update on Radio System**

Chief Cox provided an update on funding identified for the new radio system that was approved on Nov. 3, 2016. The cost for the RELM Radios was finalized at \$32,393. It was recommended to use the extra \$17,704 in State Income Tax Revenues received and for the rest to come out of the Police Budget.

Councilman Lister made a motion to approve funding as recommended, seconded by Councilman Branson, passing unanimously.

**Agenda #2 – Plain Dealing Demolition Contractor**

The contractor previously selected for the demolition of the Plain Dealing Project has backed out of the Project. The contract from JNT Enterprises, the 2<sup>nd</sup> lowest bidder, was provided to the Council for consideration to award.

Councilman Lister made a motion to accept the JNT Contract, seconded by Councilman Branson.

In discussion: Mr. Mulrine shared that the original contractor had subcontracted with Mickey McCrea of Linchester Trading Company, who has been removing the historical items, as per the Town's agreement with the Maryland Historical Trust. Since Mr. McCrea has already been doing the work, Mr. Mulrine stated that the Town will honor his expenses and pay him directly.

Mr. Mulrine provided additional information and stated that he had already received approval form DHCD for the changes.

With no further discussion, Vice Mayor Porter called for a vote on the motion to accept the contract.

The motion passed unanimously.

**Agenda #3 - Mallard Landing Waste Update**

Mr. Mulrine provided an update to the Council about the Waste Collection Contract for Mallard Landing. Staff and Councilman Johnson recently met with the Mallard Landing Home Owners Association regarding issues, and ways to help resolve them.

Mr. Mulrine shared that the contract for dumpster collection services will be put back out to bid next month. Discussion only, no action was taken.

**New Business**

**Agenda #1 – Downtown Denton Main Street**

Mr. Steve Konopelski, resident and owner of 119 Gay St. and President of the Downtown Denton Main Street Board, came before the Council to provide an update on their events and activities.

Mr. Konopelski asked for approval to draw on the \$2,500 previously allocated to cover the insurance for the Downtown Denton Main Street Board.

Councilman Branson made a motion to approve the \$2,500 to be paid for the insurance for the Downtown Denton Main Street. Seconded by Councilman Lister, passing unanimously.

**Agenda #2 –Audit Bids**

Staff announced that the bids recently received for auditing services have been reviewed by a Committee that was made up of staff, a former Town Auditor, and several Council persons. It was the Committee's recommendation to award the Town's Auditing Services for Fiscal Year 2017 through 2019 to TGM Group, LLC.

Councilman Lister made a motion to accept the bid and award the services to TGM, seconded by Councilman Branson, passing unanimously.

**Tourism Lease – Crouse Park**

*Mr. Mulrine provided an update on the progress and discussed with the Council the lease with the Caroline Economic Development Corporation regarding renting the Visitor Center.*

*Staff will continue to working with the CEDC on tweaking the lease for consideration for approval later.*

**Miscellaneous**

*Councilman Lister asked for discussion on an email received from Caroline County Commissioner Dan Franklin regarding the Royal Farms potential expansion.*

*Mr. Mulrine shared that staff has started researching to see what can and cannot be done, noting that nothing formal has been received.*

*Mr. Batchelor talked about the residential zoning that applies to the neighboring property.*

*And Mr. Drummond explained how zoning changes can occur, indicating that any change may have to wait until the next Comprehensive Plan is adopted.*

*Mr. Bill Jesmer, of 700 Gay St. and part owner of 12 N. Seventh Street, came before the Council and inquired about the recordings of the meeting being made available on the Website.*

*Vice Mayor Porter and Councilman Johnson both shared that the Town is looking to see what the cost will be.*

*Mr. Jesmer cited language in the Town Charter about passing ordinances that shall not be contrary to the Constitution and Laws of the State of Maryland, and provided each Council member with a copy of The Constitution of the United States. Expressing that it is the duty of the Council to make sure Ordinances do not affect the Constitution.*

*With no further discussion, Vice Mayor Porter adjourned the meeting at 8:19 PM.*

*Respectfully submitted,*

*Karen L. Monteith,  
Clerk - Treasurer*

Pg. 1, Paragraph 2 amended upon adoption ~~resided~~ changed to presided.  
Adopted 3/2/2017