

April 3, 2014

Regular Meeting

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.

Mayor Porter asked that the record reflect that all Council members were present.

Councilman Branson made a motion to approve the minutes of the March 6, 2014 regular meeting and the March 27, 2014 Working Session as presented. The motion was seconded by Councilwoman Lightner, passing unanimously.

Public Hearing

None

Petitions, Remonstrance's and Communication

Proclamation – Albert McCullough

Mr. Al McCullough recently resigned from the Denton Utility Commission after 9 years of service.

Mayor Porter read a proclamation to honor and extend the Denton Town Councils gratitude to Mr. Al McCullough for his time and dedication for having served on the Denton Utility Commission with 9 years of service.

Proclamation – Cindy Towers

Mrs. Cindy Towers created an amazing quilt celebrating 25 years of Caroline Summerfest using t-shirts from past events. The quilt has been donated to Caroline Summerfest to help promote the event around the region.

Mayor Porter read a proclamation to extend the Denton Town Councils gratitude to Mrs. Cindy Towers in recognition of creating a Caroline Summerfest Anniversary Quilt and her dedication to the festival.

Open Meetings Act Training

Councilwoman Lightner, as the Town's Open Meetings Act designee for the Town, reported on the Open Meetings Act Training that she recently attended.

Branson – Letter to the Editor – Times Record

Councilman Branson, for the record, read his letter to the Editor that appeared in the April 2, 2014 Times Record with an explanation of CYTR – Constant Yield Tax Rate.

Ordinances and Resolutions

Resolution #796 - CDBG Grant Funds FY 2015

A Resolution of the Town of Denton approving the application and receipt of financing for a Community Development Block Grant FY 2015 to be funded by the Department of Housing and Community Development of the State of Maryland to apply for additional funding to purchase and demolish blighted properties.

Councilman Branson made a motion to adopt Resolution #796, seconded by Councilman Clendaniel.

Discussion was held in which Mr. Don Mulrine, Town Administrator, provided an overview of application for Phase 2 of the DHCD grant funding. If funding is approved, this will also assist with Parks and storm water issues to help reduce flooding in the South Fifth Ave and Legion Road areas. By partnering with Caroline County Habitat for Humanity, the funds will be used for construction/renovations on several properties,

which will add assessed value and get the properties back on the tax roll.

With no further discussion, Mayor Porter asked for a vote on the motion to adopt Resolution #796. The motion passed unanimously.

Ordinance #658 - Sign Ordinance

An Ordinance of the Town of Denton to amend the Denton Town Code §128-126 through §128-127 Sign Regulations and The Official Table of Sign Types and Dimensional Regulations.

Councilwoman Lightner made a motion to introduce Ordinance #658, seconded by Councilwoman McNinch.

Discussion was held: Mr. Tom Batchelor, Senior Codes Enforcement Officer, provided an overview of the changes proposed for the Highway Commercial District and stated that the Town will also be reviewing changes in the fee structures.

With no further discussion, Mayor Porter asked for a vote on the motion to introduce Ordinance #658. The motion passed unanimously.

The changes presented have received approval from the Denton Planning Commission.

Reports of Officers, Board and Committees

None

Unfinished Business

Agenda #1- Comcast Cable Franchise Agreement Renewal

As a follow-up to the November 7, 2013 Council meeting, the Comcast Cable Franchise Agreement has been reviewed by Mr. Chris Drummond, Town Attorney, and was presented to the Council for approval. The current agreement is due to expire April 18, 2014.

Mr. Tom Worley, Sr. Director of Government Regulatory Affairs with Comcast Cable was present to answer any questions.

Councilwoman Lightner made a motion to approve the agreement, seconded by Councilwoman McNinch. Motion passing unanimously.

Agenda #2 – 404 Lincoln Street

As a follow-up to the November 7, 2013 meeting, Mr. Mulrine and Mr. Drummond provided an update on the status of property. The Town currently holds a 1984 unsecured note.

The holder, of the 2012 Tax Sale Certificate, has issued Notice in Accordance with 14-833 Complaint to Foreclose All Rights of Redemption of the Property free and clear of any liens.

The Council took no action on this item.

New Business

Agenda #1 - Ethics Committee Appointments

Mr. Mulrine conducted an outreach for citizens that were interested in becoming a part of the Town's Ethics Committee and asked for consideration to appoint Mr. Scott Brewster, Mr. Harry Cole, and Mr. Joseph Beales.

Councilman Branson made a motion to appoint all three to serve on the Ethics Commission. The motion was seconded by Councilwoman McNinch, and passed unanimously.

The Town Attorney, with the assistance of Town Staff will schedule training for the appointees.

Agenda #2 - Police Car Financing

Chief Cox asked for approval using the State of Maryland contract to purchase a 2014 Ford Inceptor and to obtain a financing from Provident State Bank for \$30,700 at 2.67%.

Councilwoman Lightner made a motion to approve the request, seconded by Councilman Clendaniel. The motion passed unanimously.

Agenda #3 - FY2015 General Fund Budget

The Mayor deferred this discussion on the General Fund FY2015 Budget until the end of the meeting.

Agenda #4 - Caroline Apartments Rehabilitation Support Letter

Mr. Tim Barila, Vice President of Pax Edwards, LLC, requested a letter of support from the Town of Denton to include with their federal funding application for the rehabilitation of the Caroline Apartments located at 301 South Eighth Street.

Councilman Clendaniel made a motion to approve the Mayor to sign the letter of support, seconded by Councilwoman McNinch, passing unanimously.

Agenda #5 - 406 Market Street – Loan Extension Request

A letter from 406 Market Street LLC was provided requesting to extend their existing Business Loan Agreements to reallocate funds paid to date of approximately \$14,000 for reinvestment into the project, with a consolidation of the two loans into one and to reduce the interest rate.

Councilwoman Abigail McNinch went on the record for a full disclosure that she is a partner in this project and recused herself from the discussion.

Mr. Michael McCrea, partner/owner of the parcel, provided details of the renovations completed and the underlying issues that came about as part of the renovations. Mr. McCrea explained what renovations still need to be completed and how the extra loan proceeds would be used.

Mr. Mulrine shared that the two loans are funded through different sources, therefore, the Town will not be able to combine the loans into one. Mr. Mulrine mentioned that he has already spoken verbally with the State Representative and received preliminary approval for modification to the CDBG portion of the Small Business Loan, and if approved by the Council, he will seek final approval from the State.

Councilman Clendaniel made a motion to approve the loans, seconded by Councilwoman Lightner.

In further discussion: Mayor Porter recommended amending the motion subject to CDBG approval. Councilman Clendaniel amended the motion as requested, seconded by Councilwoman Lightner, passing 4-0~~1~~, with Councilwoman McNinch ~~being~~ recused herself.

Summer Hours

Mr. Mulrine held discussion with the Council, mentioning that with the pending renovations to the new Town Hall building, that staff will not be able to move in before summer. In order to save on equipment and building overhead cost, Mr. Mulrine asked for consideration to observe the same summer hours schedule as in prior years. The Town office will be open Monday through Thursday with extended hours, and closed on Fridays.

Councilman Clendaniel made a motion to adopt summer hours as discussed, seconded by Councilwoman McNinch, passing unanimously.

Miscellaneous**Calvary Baptist Church**

Mayor Porter recognized that Mr. Ellery Adams of Calvary Baptist Church was in the audience and asked if he had anything he wanted to share.

Mr. Adams announced that the Church will be celebrating its 40th Anniversary and holding a ground breaking this coming Sunday and invited everyone to attend.

Mr. Adams asked if the Council had given the subject of waiving their capacity fees or restructuring of the fees discussed at the previous meeting any more thought.

Mayor Porter responded that they had not, and that the Town needs to comply with the State to be logical and legal.

Mr. Adams expressly implored the Council to work on this.

Mayor Porter also added that the Town needs also need to pay for the debt on the plant.

April 14 Working Session

Councilman Branson mentioned that he will be out of Town for the April 14th Working Session and asked for an alternative date so that he would not miss the budget discussions.

The Council moved on to the budget discussion and came back to this at the end of the meeting.

Back to Unfinished Business

Agenda #3 - FY2015 General Fund Budget – The General Fund FY2015 Budget was presented and the FY2015 General Fund Appropriations Ordinance.

Discussion was held pertaining to concerns about not wanting to increase the tax rate.

Councilwoman Lightner made a motion to set the FY2015 Real Property Tax rate at Constant Yield \$.7277 per \$1,000 of assessment. The motion died for a lack of a second.

Discussion continued in which the Mayor asked the Police Dept. to go back and do an assessment of what is necessary to Police the Town.

Chief Cox stated that he had put back in few items for funding to make up for the cuts from the past years; with the changing in staff and the increases in cost, it is becoming more difficult to manage, but that he will take another look.

Councilwoman Lightner expressed that she understands that it is not desirable for the Council to raise the tax rate, but staff needs to keep the Town running.

Mayor Porter asked to continue discussion at the working session along with taking a look at the health insurance.

Councilman Clendaniel made a motion to introduce Ordinance #659, with a tax rate between the current rate of \$.68 and the CYTR of \$.73. The motion passed unanimously.

The Council agreed to schedule the next working session to be held on Friday, April 11, 2014 at 3 PM at the Town Office. Staff will take care of posting the meeting change.

Other Miscellaneous

Councilwoman McNinch announced that the downtown businesses will be hosting a 3rd Thursday's shopping promotion beginning this month. The stores will be open from 5 to 7 PM on the 3rd Thursday of each month with special deals.

Mr. Ryan Shay asked if he could expect an email response from the Town by Monday about his questions on the speed cameras from a prior meeting.

Mr. Mulrine responded that the Lieutenant is investigating.

Mr. Shay said he was just asking because he had not received a response.

Councilwoman Lightner mentioned that she had a long conversation with him about it.

Mr. Mulrine mentioned that the Town will follow up, once the investigation is finished.

With no further discussion, Councilman Branson made a motion to close the meeting at 9:07 PM, seconded by Councilman Clendaniel, passing unanimously.

Respectfully submitted,

*Karen L. Monteith,
Clerk - Treasurer*

****Adopted with amendments on 5/1/2014. Amendments reflected on Page 3325, **BOLD** indicates new, ~~strikeout~~ indicated deleted.**