

September 8, 2016

Executive Session – 6:07 PM

At 6:07 PM, Councilman Clendaniel made a motion to hold an Executive Session to discuss personnel items, “The Town Administrator’s Annual Performance Evaluation”, some personnel issues, and to seek legal advice from the Town Attorney on possible pending litigation. The motion was seconded by Councilman Lister, passing unanimously.

This session was held in the second floor training room of the Town Hall at 4 N. Second Street.

Present

Mayor McNinch, Councilman Clendaniel, Councilman Branson, Councilman Porter and Councilman Lister were present.

Staff present during all or part of the closed session included Mr. Don Mulrine, Town Administrator; and Karen Monteith, Clerk-Treasurer; Chief Cox, Lt. Bacorn and Mr. Chris Drummond, Town Attorney.

Discussion

At 6:07 PM, the Town Council discussed the Town Administrator’s Annual Performance Evaluation as a Board.

At 6:21 PM, Mr. Mulrine joined the Council for a brief discussion on the evaluation.

At 6:25 PM all were present and part of a discussion on letter regarding a personnel item.

At 6:35 discussion and legal advice was provided on potential pending litigation items.

No action was taking during the closed session.

At 6:56 PM, Councilman Porter made a motion to close the Executive Session, seconded by Councilman Branson, passing unanimously.

The Executive Session was adjourned and the Council relocated to the Council’s meeting to prepare for the regular monthly meeting.

Regular Meeting

Mayor McNinch 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.

Councilman Porter asked everyone to continue to stand for a minute for a moment of silence in honor of the upcoming 15th Anniversary and Victim’s of 911.

~~*Mayor McNinch made an announcement of the Executive Session held earlier this evening to discuss personnel items and to seek legal advice.*~~

~~*Mr. Christopher Drummond, Town Attorney, added that no decisions were made during the closed session, only for advice.*~~

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

Mayor McNinch announced for the record that the Town council held two closed executive session earlier this evening.

Mayor McNinch mentioned that the first executive session was on the Town Administrator’s Performance Evaluation. Asking members if they had any comments.

Councilman Clendaniel made a motion, that in accordance with the contract that the Town give the Town Administrator a 2% raise based on performance evaluation. The motion was seconded by Councilman Branson, passing unanimously.

Mayor McNinch mentioned that the second closed session was for legal advice on personnel and pending or potential litigation.

Mr. Chris Drummond, Town Attorney added that during the executive session for legal matters relating to pending or potential litigation and personnel, that no decisions were made, this session was only for legal advice.

Councilman Clendaniel made a motion to approve the August 4, 2016 minutes of the regular meeting as presented, seconded by Councilman Branson.

Councilman Clendaniel amended his motion, requesting a correction on page 3457, agenda item Executive Session, replacing “seconded” with “second”. Councilman Branson seconded the motion as amended.

The motion to adopt the August 4, 2016 minutes of the regular meeting as amended passed with four votes. Councilman Porter abstained from voting, because he was absent for that meeting.

Public Hearing

None

Petitions, Remonstrance’s and Communication

Letter of Appreciation to the Denton Police Department

Councilman Porter read letters of appreciation received thanking the Police Dept. for all they do.

The Mayor and Council also expressed their thanks and gratitude to the Chief and his staff.

28th Caroline Summerfest

Mr. Donald Mulrine, Town Administrator, gave a post festival update and presented the Mayor with a picture of her family that was signed by Governor Hogan.

Mayor McNinch read the Governor’s Citation that was presented during the Festival, and expressed the Town’s gratitude that the Governor and his wife were in attendance.

Mayor McNinch thanked Town Staff for going above and beyond, acknowledging all the hard work Town Staff and County Recreation & Parks Staff put into making the event such a success.

Willows at Denton

Mr. David Holden, with the Ingerman Group, was present and gave an overview of the Willows at Denton Redevelopment Project that is being proposed for the former Southern States Property.

Mr. Mulrine and Mr. Tom Batchelor, Planning & Codes Director, added to the presentation, asking the Council for preliminary support and approval to refer this item to the Planning Commission, for review for consideration as a Redevelopment Overlay Project.

Councilman Lister made a motion to send this item to the Planning Commission. The motion was seconded by Councilman Porter and passed unanimously.

Ordinances and Resolutions

None

Reports of Officers, Board and Committees

Mayor McNinch read a letter that was recently provided to the County Commissioners with regard to a parking issue.

Unfinished Business

Agenda #1- McCaw Water/Sewer Connection Agreement

The Council reviewed and discussed an agreement drafted by the Town Attorney providing for a two-year extension for a water and sewer connection of 902 Old Camp Road as previously requested.

Councilman Porter made a motion to authorize the Mayor to sign the Public Works Agreement as presented. The motion was seconded by Councilman Branson, passing unanimously.

Agenda #2 – Bates Trash Removal Update

Mr. Mulrine provided an update on the Bates Trash Removal Services and ongoing issues. Mr. Mulrine suggested allowing Bates to continue handling the trash service for now, and to plan to seek bids within the next six months.

Councilman Branson made a motion to have the Attorney send a letter to Bates regarding the issues and providing notice of the Town's plan to place this service out to bid. The motion was seconded by Councilman Clendaniel, passing unanimously.

Agenda #3 - FACES Lease Renewal

The Fiber Arts Center of the Eastern Shore (FACES) has a lease for the use of 7N. Fourth Street that is about to expire.

Mr. Mulrine requested for this item to be deferred, as the lease is still being modified.

Councilman Porter made a motion to table this item until October. The motion was seconded by Councilman Clendaniel, passing unanimously.

Agenda #4 - Court House Parking

The Council continued discussion on proposals for making parking changes around the courthouse.

Discussion will resume for the October Working Session.

New Business

Agenda #1 - Sharp Road Park – Pre Fabricated Concrete Building

Mr. Mulrine provided an overview and asked the Council to consider approving to purchase a pre-fab concrete building for Sharp Road Park. This building will serve as an enclosure for irrigation well controls, as well as storage for lawn maintenance equipment and irrigation equipment. The building can be purchased under a State contract in the amount of \$18,000 via Smith Midland, a pre-fab building manufacturer, using funding from the CIP Fund.

Councilman Lister mentioned setting a date for a follow-up meeting with the Sharp Road Park Committee to work on providing community awareness about the park improvements.

Councilman Lister made a motion to approve the purchase, seconded by Councilman Porter, passing unanimously.

Mayor McNinch spoke about the recent basketball tournament that was held at Sharp Road Park by EYCP – Engaging Youth to Clear Paths. Indicating the tournament was well attended, it was a great event for the community. Everyone had a great time and the Mayor thanked everyone who assisted with the event.

Agenda #2 - Public Works – Purchase of Toro 74991

Public Works submitted a request seeking approval to purchase a Toro 74991 from Atlantic Tractor for Sharp Road Park, using CIP funds. Total cost is \$9,758.88.

Councilman Lister made a motion to approve the purchase, seconded by Councilman Porter, passing unanimously.

Agenda #3 - Public Works – Purchase of Dragon Crack Filler Sealer

Public Works submitted a request to purchase a Dragon Crack Filler Sealer with Crack Filler and road sand, to start sealing cracks in all road surfaces. This would allow them to help preserve newer roads longer, as well as hold the older surfaces until they can fund resurfacing projects. To be purchased using Highway User Funds. Dragon Crack Filler Sealer is \$19,750.00 and materials to get started are rubberized crack filler and black road sand for a pallet of each is \$1,631.00. Public Works would like to order 2 pallets of supplies.

Councilman Branson made a motion to approve the purchase, seconded by Councilman Porter. In discussion, Mr. Mulrine clarified that the request also includes the Dragon Milling Mixer-Heater for \$39,750 and the Millings Rejuvenator for \$1,746 that were shown on the quotes provided. Total purchase of \$62,877.

Councilman Branson amended his motion to approve the purchase for \$62,877. The amended motion was seconded by Councilman Porter, passing unanimously.

Agenda #4 - Tennis Courts

A complaint was received about the use of the tennis court at the 4th Street Park. Discussion was held about possibly changing the hours the park is open and whether additional signage needs to be installed. Comments were shared about changing the hours and how it would affect the use of the courts by the Schools, YMCA and the public, that use it legitimately.

Chief Cox mentioned that proposals are being sought for installing security cameras to help deter issues.

Mr. Ken Gornic of 206 S. Fifth Ave., shared concerns that he and his wife Melissa have about the inappropriate use of the park and the tennis courts, noise, and the lights shining into their house. Mr. Gornic mentioned that closing the tennis courts at 9:00 PM would be acceptable to them to try, and if possible, to require adult supervision for anyone under 25.

Councilman Porter made a motion to do a trial period through December 31, 2016 for closing the tennis courts at 9:00 PM and then evaluate and have Chief Cox explore options. The motion was seconded by Councilman Lister.

In discussion: additional comments about signage and whether the lights could be set to automatically go off at 9PM was received.

With no further comments, the Mayor called for a vote on the motion on the floor to do a trial period through December 31, 2016 for closing the tennis courts at 9:00 PM.

The motion passed unanimously.

Mr. Mulrine will have Public Works look at the lights to see if they can be repositioned or to install a shield that may reduce them shining onto the neighboring houses.

Miscellaneous

Mr. Mulrine announced that on Sept. 19th, a community informational meeting will be held at the Denton Town Office with regard to joining the Caroline County Solar Co-op Program.

Mr. Mulrine announced that on Nov. 15th, the Maryland Dept. of Transportation will hold their Capital Program Tour Meeting in Caroline County at the Library. The Council and Mr. Mulrine discussed the Town's priorities for transportation request for next year.

Councilman Clendaniel ask Mr. Mulrine to contact SHA about the lack of signage on Franklin St., with regard to the new traffic patterns.

Councilman Branson asked for update on the WWTP project.

Mr. Mulrine provided information on recent meetings about the WWTP, mentioning that they are working with USDA on reviewing the next phase; hope to have authorization for the design by the end of the month.

Councilman Lister took a moment to publicly recognize the Denton Volunteer Fire Dept. in regard to recent high-incident motor vehicle accidents that occurred within minutes of each other, which taxed the volunteers, and with the mutual aid, everything went very seamlessly. He wanted to commend the fire company and everyone that assisted for their amazing work, under such tremendous adversity.

Councilman Lister recognized the Police Chief for having members participate in the Fed-Up Rally held at the New Bridge Church. Fed-up is a Privatized Outreach Group, speaking out to attack the use of opioids, heroin. The Church sponsors a Drug Recovery Program. Thanked everyone for their participation.

Mayor McNinch provided an update on the Maryland Municipal League's Legislative Committee Meeting and went over the priority action requests.

Mayor McNinch announced that on Sept. 20th, the Eastern Shore Association of Municipalities quarterly meeting will be held in Chestertown.

Mr. Dean Danielson announced that Sept 9th, will be the last Cruise-in for the year, and a Pennsylvania Group "Cars for Cures" will be attending the car show.

Mayor McNinch commended Mr. Danielson for all the work he does putting on the car shows every year.

Mr. William Clemens announced that Tuckahoe Habitat for Humanity will be holding a 5K- Walk/Run Event as a fund raiser in Denton on Oct. 1st.

Mr. Mulrine mentioned the State of Maryland, Dept. of Housing and Community Development, recently conducted a monitoring on the Town's North Denton and Micro Enterprise Projects. A public hearing will be scheduled for October meeting to finalize the close-out requirements.

With no further discussion, Mayor McNinch adjourned the meeting at 8:09 PM.

Respectfully submitted,

*Karen L. Monteith,
Clerk – Treasurer*

Page 3459 – Correction discovered, content ~~deleted~~ and replaced. Council approved amended minutes on December 5, 2016.