

October 6, 2016

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.

Mayor McNinch asked that the record reflect that Councilman Clendaniel and Councilman Lister were present; and acknowledged Councilman Porter arriving at that moment. Councilman Branson was absent.

Councilman Lister made a motion to approve the minutes of the September 8, 2016 Regular Meeting as presented. The motion was seconded by Councilman by Councilman Porter, passing unanimously.

Moment of Silence – Richard Warfield

Mayor McNinch asked for a moment of silence in memory of Mr. Richard Warfield, a former Mayor and Councilman for the Town, whom passed away on September 23, 2016.

A moment of silence was held.

Councilman Clendaniel paid tribute to Mr. Warfield, sharing his knowledge of the dedicated service Mr. Warfield provided to his country and the Town of Denton. Mr. Warfield served in the U.S. Navy and on many local community boards. He served on the Town Council from 1971-1981, holding the office of Mayor for three terms between 1975 and 1981. Councilman Clendaniel stated Mr. Warfield was “One of the guys of the greatest generation”. Additional information on Mr. Warfield can be found in the October edition of the Caroline Review.

Public Hearing

323 Market St. -Microenterprise Project

Mayor McNinch opened a public hearing at 7:03 PM to receive public comments on the 323 Market Street – Micro Enterprise Center Project.

Mayor McNinch asked for comments from the State: there were none

Mayor McNinch asked for comments from the County: there were none

Mayor McNinch asked for comments from the Council: there were none

Mayor McNinch asked for comments from the Public: there were none

Mr. Donald Mulrine, Town Administrator, provided a synopsis of the Micro Enterprise Center Project, which is currently occupied by Sweetly Made Bakery. Mr. Mulrine shared that the project was funded through the Maryland Department of Housing and Community Development. This public hearing is an audit requirement to close out the project.

With no further comments, Mayor McNinch closed this public hearing at 7:04 PM.

Petitions, Remonstrance’s and Communication

Proclamation – Bullock’s Deli

Mayor McNinch read a proclamation recognizing and extending the Town Council’s congratulations to Bullock’s Deli on their successful benefit fundraiser for the Leukemia and Lymphoma Society.

Proclamation – Downtown Denton Main Street Board Members

Mayor McNinch read proclamations to recognize the 2015-2016 volunteer board members of the Downtown Denton Main Street. The DDMS members have been busy dedicating time promoting and holding community events in the downtown. Mayor McNinch recognized and presented proclamations to: Mr. Jeff Wright, President; Ms. Patti Wood, Vice President; Mrs. Marina Dowdall, Secretary; and Mr. Steve Konopelski as Treasurer.

Downtown Denton Main Street Organization

Mr. Steve Konopelski, the 2016-2017 President of the DDMS, announced the organization has received notice of grant funds being awarded to be used for installing a welcome sign marquee, and indicated they would like to place the sign on the Town's property at Third and Market Street. Discussion was held in regards to the Town's plans for the vacant lot.

The Council supported putting the sign at that location.

Staff will research the parcel history.

2017 Health Benefits Open Enrollment

It was announced that the 2017 Health Benefit Open Enrollment for Town Employees and Council members will begin on October 13, 2016, for the upcoming plan year. Any changes or new enrollment must be completed before November 15.

Staff shared that the 2017 rates were received on this day, and indicated there will be a 5% increase in the health care coverage and 9% for prescription.

No action was taken on this item.

Bates Trucking Company Letter

Mr. Mulrine provided an update on the issues with Bates Trucking, indicating they still need to fix the gates at Mallard; however, some of the other service issues have been getting better.

Notice has been issued to Bates of the Town's intent to seek new bids for the trash collection contract within the next six months.

Denton Plaza/Legion Road Access

The Council held discussion regarding a request received from the Caroline County Commissioners. To make it easier for emergency vehicles to exit the Denton Plaza from the Urgent Care Center when transporting a patient to the hospital, the County is asking the Town to remove the median strip on Legion Road or modify it.

Mr. Mulrine shared that he has reached out to Delegate Ghrist and met with State Highway Official, as the design was done based on the State's specifications. The State Highway is working on reviewing the request.

A response will be sent to the County Commissioners providing them an update.

Mr. Mulrine will continue to work with the State and identify funding resources.

Caroline County Department of Social Services

Mayor McNinch shared a letter received from the Caroline County Department of Social Services, thanking the Town for their support during their recent annual Family Fund Fest.

LGIT - 29th Anniversary Membership Letter

Mayor McNinch shared a letter received from LGIT – Local Government Insurance Trust, acknowledging the Town's 29th Anniversary as a member of the Trust.

MDE - WIP Letter

Mr. Mulrine shared a letter received from the Maryland Department of Environment seeking assistance and support from the Town regarding the local clean water and a healthy Chesapeake Bay Program.

Mr. Mulrine shared the efforts the Town is currently providing to meet the Watershed Implementation Plans requirements.

Councilman Clendaniel made a motion to send a letter of support to MDE, seconded by Councilman Porter. The motion passed unanimously.

Draper Thank you

Mayor McNinch shared a thank you note received from Mrs. Cindy Draper in regards to the recent passing of her husband, Mr. John Draper.

Ordinances and Resolutions

Ordinance #682 – Critical Area Map Amendment

An Ordinance to repeal and reenact a new official Critical Area Map for the Town of Denton.

Councilman Porter made a motion to introduce Ordinance #682, seconded by Councilman Clendaniel.

In discussion: Mr. Mulrine provided an overview of the requirement for repealing the former map and adopting a new map. Mr. Mulrine shared that no changes have been made to the map. Additional discussion was held pertaining to the different types of area designation, the effects of the designations, and when changes can be considered.

With no further discussion, Mayor McNinch called for a vote on the motion on the floor to introduce Ordinance #682.

The motion passed unanimously.

Reports of Officers, Board and Committees

None

Unfinished Business

None

New Business

Agenda #1 – Market Street Public House Business Loan

Mr. Mulrine provide an overview on a Business Loan Application received from the Market Street Public House, seeking a small business loan for funding to cover the water and sewer allocation permit and impact fees, associated with their business expansion. Mr. Mulrine asked the Council to approve a loan up to \$75,000, to make sure there are enough funds to cover legal fees and settlement cost, in addition to the permit fees. Mr. Mulrine announced that he has already received approval from the State CDBG office for using the Small Business Loan Funds for this request.

Councilman Porter made a motion to approve a \$75,000 Small Business Loan to the Market Street Public House, as requested. The motion was seconded by Councilman Clendaniel, passing unanimously.

Agenda #2 – Shore Health Systems Water & Sewer Allocation

Mr. Thomas Prete submitted a request for approval for thirty-three and one half (33.5) ERU's for the Shore Health Systems medical building.

Councilman Lister made a motion to approve the water and sewer allocation as requested, seconded by Councilman Clendaniel, passing unanimously.

Agenda #3 – Kathryn Court – Resident Concerns

Ms. Anita McQuighan, of 504 Kathryn Court, and Ms. Patricia Mimms, of 500 Kathryn Court, came before the Council seeking approval to make changes to the large ditch that runs through their yards, wanting to know if it can be filled in.

Mr. Tom Batchelor, Director of Planning & Codes, provided an overview and explained that the ditches are governed by State regulations. He indicated that the property owners would need to have the stormwater ditches re-engineered and seek State approval.

Mr. Chris Drummond, Town Attorney, added that Town will need to gather additional information to research this, before the Town can explain the restrictions or possibly offer any solutions.

The Council agreed to refer this to Planning & Codes, Mr. Batchelor for review.

Agenda #4 - FY2018 Homestead Tax Credit Cap

This item was placed on the agenda for discussion to see if the Council wanted to make any changes to the Homestead Tax Credit Percentage for July 1, 2017. The Homestead Tax Credit is available to all owner-occupied residential properties in which the real estate tax on a qualifying property cannot increase by more than 5% each year, no matter how much the assessment changes. The Tax Credit Cap has remained the same since July 1, 2008, when the Council decreased the percentage from 10% to 5%.

The Council agreed to take no action, leaving the cap at 5%.

Agenda #5 – Tax Differential

Discussion was initiated to prepared for the annual Tax Differential submission request to the County Commissioners. The Council will continue discussions at their October working session.

Agenda #6 – The Willows at Denton

Mr. David Holden, of the Ingerman Company, provided an overview on the proposed redevelopment project to be located at the former Southern States property. Mr. Holden asked for a letter of support from the Town and for consideration for a 10-year tax abatement discount on 63 of the proposed 70 units, to submit the application to the State.

Discussion was held about the request for a \$200 per unit tax abatement for 10-years. Council members expressed, they needed additional time to make this decision and discussed holding a special meeting.

Councilman Porter made a motion to send a letter of support for the redevelopment overlay, seconded by Councilman Clendaniel, passing unanimously.

Additional discussion was held in regards to the tax abatement request. Inquiring as to whether the County would consider splitting the tax abatement. The Town give \$100 per unit and the County give the other \$100.

Councilman Clendaniel made a motion to schedule a special meeting for October 17, 2016 at 7:30 PM, to give consideration of a tax abatement for the Willows at Denton. The motion was seconded by Councilman Lister, passing unanimously.

Agenda #7 – Plain Dealings Property

Mr. Mulrine gave an update on the Plain Dealings Property. Sharing that with the support of Delegate Ghrist, and several State representatives, their efforts to get the Maryland Historic Trust to release the historic restrictions on the property is moving forward. Mr. Mulrine indicated that the Department of Housing and Community Development will be awarding the funding work to be done on the project.

Mr. Mulrine asked for consideration to allow him to continue to work with the Maryland Historic Trust and the Dept. of Housing and Community Development on this

project; to sign a Memorandum of Understanding with MHT for the preservation of the historical items that have been identified, that will be removed by the Caroline County Historical Society, and to see this through demolition and the sale of the property to Choptank Community Health.

Councilman Lister made a motion to allow Mr. Mulrine to proceed as requested, the motion was seconded by Councilman Porter, passing unanimously.

Agenda # 8 -Sweetly Made – Lease Renewal

Mr. Mulrine shared that the lease for Sweetly Made for occupying the Microenterprise Center at 323 Market Street will soon expire. Mr. Mulrine asked for consideration to seek to renew the lease for another two years, with an increase in the rent to cover the property taxes, that are now being accessed on the tenants use.

Councilman Clendaniel made a motion to grant the updated lease for two-years at the new rate, seconded by Councilman Lister, passing unanimously.

Agenda #9 – DeWitt Water and Sewer Allocation

Joseph and Stacey DeWitt submitted a request seeking approval for one water and sewer allocation for their property located at 1379 Market Street.

Councilman Porter made a motion to grant the allocation as requested. Seconded by Councilman Clendaniel, passing unanimously.

Miscellaneous

Mayor McNinch shared information about the recent Eastern Shore of Municipalities Meeting that she attended along with Councilman Branson and Mr. Mulrine.

Mayor McNinch mentioned, she will be attending the Maryland Municipal League Fall Convention next week, and that Mr. Batchelor will be speaking at one of the session.

Mayor McNinch and Mr. Mulrine attended the Caroline County Association of Municipalities meeting this month.

Mayor McNinch announced that Shore Gourmet recently opened in the Chesapeake Culinary School. They will be providing breakfast and lunch items; open from 7AM-3PM, Monday thru Friday.

Mayor McNinch and Mr. Mulrine gave an update on the Sharp Road Park Project.

Councilman Porter mentioned, he has completed the Town Administrator's Performance Evaluation and will provide it to the Mayor.

With no further announcement or comments from the Council, Mayor McNinch asked if there were any comments from the Public.

Mr. Bill Jesmer, of 700 Gay St. and co-owner of 12 N. 7th St., asked why some changes to the website he has requested multiple times, have not be completed.

Mr. Batchelor mentioned that the website re-design project is still being worked on, and that it is anticipated to be ready in November.

Mr. Jesmer asked if the public will be able to give input on the Willows at Denton Project.

Councilman Porter responded, absolutely. It was explained that the Planning Commission will hold a public hearing, once the project is approved by the State.

Mr. Jesmer mentioned the ongoing litigation involving 700 Gay Street and inquired about making a roof repair on the property.

Mr. Drummond responded, that this was not an item to be addressed with the Town Council during this meeting. Reminding Mr. Jesmer that there is a debate in Court, in

which he has blamed the Town for the damage, and the Town has contested this allegation, and that the Town Council cannot discuss this with him.

The Mayor and Council had no further comments.

Mr. Bill Clemens, Director of Habitat for Humanity, announced there 5K Run has been rescheduled for October 29.

With no further discussion, Mayor McNinch adjourned the meeting at 9:07 PM.

Respectfully submitted,

*Karen L. Monteith,
Clerk - Treasurer*