

January 8, 2015

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 Clendaniel made a motion to approve the minutes of the December 11, 2014 regular meeting, seconded by Councilwoman Lightner, passing unanimously.

Swearing in of New Denton Town Council Member

Lester L. Branson was sworn into office to serve a five year term on the Denton Town Council by Mayor Dennis Porter.

2015 Annual Election of Officers

Office of Mayor

Councilman Clendaniel made a motion to appoint Abigail McNinch to serve as Mayor of the Denton Town Council for 2015, seconded by Councilwoman Lightner, passing unanimously.

Office of Vice Mayor

Councilman Clendaniel made a motion to appoint Tara Lightner to serve as Vice Mayor of the Denton Town Council for 2015, seconded by Councilman Branson, passing unanimously.

Office of Mayor Pro-tem

Councilman Porter made a motion to appoint Robert Clendaniel to serve as Mayor Pro-tem of the Denton Town Council for 2015, seconded by Councilwoman Lightner, passing unanimously.

With the installation of officers now complete for 2015, Mayor McNinch presided over the remainder of the meeting.

Public Hearing

none

Petitions, Remonstrance's and Communication

FY2014 Financial Report Review

Mr. Chris Edmunds, Senior Account Manager for Cherry Bekaert, LLP, provided an overview of the Town of Denton's June 30, 2014 Annual Audit and Financial Report. Mr. Edmunds shared that it was a very clean audit and that there were no findings or issues.

Councilman Clendaniel made a motion to accept the Annual Financial Report as presented, seconded by Councilman Branson, passing unanimously.

Ordinances and Resolutions

Ordinance #664 – Flood Plain Ordinance

An Ordinance amending the provisions contained in Chapter 58 of the Denton Town Code with respect to floodplain zones.

Councilwoman Lightner made a motion to introduce Ordinance #664, seconded by Councilman Porter.

In Discussion: Mr. Donald Mulrine, Town Administrator, provided an overview of the amendments being proposed.

With no further discussion, Mayor McNinch asked for a vote on the motion on the floor to introduce Ordinance #664.

The motion to introduce Ordinance #664 passed unanimously.

Reports of Officers, Board and Committees

None

Unfinished Business

Agenda #1- Nitrogen Credits

Mr. Bob Rauch, Rauch Engineering Design and Development Services, representing Prettyman Manor Mobile Home Park came before the Council seeking to trade credits with the Town. Mr. Rauch explained that Prettyman Manor is in the process of completing an application to the State to construct a 20,000 GPD Waste Water Treatment Plant for their 80 unit mobile home park, which is necessary. Mr. Raush shared that Prettyman Manor is in need of phosphorus credits. In working with the State, the State has indicated that the Town of Denton has excess phosphorus credits. If the Town will allow Prettyman to use their phosphorus credits, Prettyman Manor would be able to trade their available nitrogen credit that they will obtain with their ENR plant project that they are proposing to construction.

Mr. Mulrine shared that, Mr. Chandler, himself, along with Mr. Getchell of George Miles and Buhr, are exploring the proposal and what affects, if any, it may have on the Town's WWTP. Staff is seeking the Council's approval to continue to research, begin negotiations and to seek legal review, and will report back to the Council for consideration of approval.

Councilman Clendaniel made a motion to authorize staff to begin or continue negotiations with Prettyman Manor, and to conduct legal research. The motion was seconded by Councilman Porter, passing unanimously.

Agenda #2 – Memorandum of Understanding – Hotel Tax

As requested previously by the Council, Mr. Mulrine provided a draft Hotel Tax MOU between the County and the Town to replace the agreement that has expired. Discussion was held, and the Council directed Mr. Chris Drummond, Town Attorney, to contact the County Attorney to discuss.

Agenda #3 – Lily Pad Café Loan Request

Previously the Council approved the refinancing of the Lily Pad Café Business Loans with a reduced interest rate.

Mr. Mulrine shared that Mrs. Redden would like to additionally request to re-borrow the principal that has been paid on these loans, approximately \$32K, to complete renovations to the building. The renovations are more expensive than was originally thought they would be.

The Council discussed the change of the use of the property from commercial to residential. Mr. Mulrine stated that it falls under a caveat because it was a former business and an existing loan. He expressed that he has previously discussed with the State CDBG Office, and that he has an email from the State approving the loan modification.

Councilman Clendaniel made a motion to grant the request from Mrs. Redden to re-loan the CDBG business loan monies, seconded by Councilwoman Lightner. Additional discussion was held in which Councilman Porter questioned what happens if the loan is not repaid, and Mr. Mulrine said the Town would have a lien on the property.

With no further discussion, Mayor McNinch asked for a vote on the motion on the floor to approve.

The motion passed unanimously.

New Business

Agenda #1 – Planning Commission Appointment

Mr. Matthew Breedlove's five year term on the Planning Commission as a regular member expired December 31, 2014. Mr. Breedlove did not request reappointment for this position, however, Mr. Dean Danielson, who is currently serving as an Alternate member, has expressed interest in serving as a regular member.

Staff requested appointment by the Town Council for a five year term beginning January 1, 2015, and expiring December 31, 2019.

Councilman Porter made a motion to approve Mr. Dean Danielson to serve a five-year term as a regular member on the Planning Commission. The motion was seconded by Councilman Clendaniel, passing unanimously.

Mr. Mulrine shared that Mr. Breedlove is interested in serving as the alternate member.

Councilwoman Lightner made a motion to appoint Mr. Breedlove to serve as the alternate member, seconded by Councilman Branson, the motion passed unanimously.

Agenda #2 - Historic & Architectural Review Commission Appointment

Mrs. Kathy Mackel's term expired December 31, 2014.

Staff is requesting reappointment by the Town Council for a three year term beginning January 1, 2015, and expiring December 31, 2017.

Councilman Branson made a motion to re-appoint Mrs. Mackel to the Historic & Architectural Review Commission. The motion was seconded by Councilwoman Lightner, passing unanimously.

Agenda #3 -Board of Appeals Appointments

Mr. Dallas Lister and Mr. Brian Tyler's terms on the Board of Appeals expired December 31, 2014.

Staff is requesting reappointment for Mr. Lister and Mr. Tyler to the Board of Appeals beginning January 1, 2015, and expiring December 31, 2017.

Councilman Branson made a motion to re-appoint Mr. Lister and Mr. Tyler to continue to serve on the Board of Appeals. The motion was seconded by Councilwoman Lightner, passing unanimously.

Agenda #4 - Document Retention Policy

Staff presented the draft Document Retention Policy to the Town Council for consideration to authorize the Mayor and or the Clerk-Treasurer to sign. The Policy has been prepared by Staff using other municipal jurisdictions, primarily the City of Salisbury, and reviewed by the Town Attorney. Once the policy is signed by the Mayor, it will be submitted to the Maryland State Archives for review and will come back to the Council in the future for final implementation.

Councilman Porter made a motion to approve the policy for the Mayor to sign and to authorize for either the Mayor or the Clerk-Treasurer to sign future modifications. The motion was seconded by Councilwoman Lightner, passing unanimously.

Agenda #5 - Culinary School Business Loan

Mr. Mulrine presented a letter from the Friends of the Grape / Chesapeake Culinary School requesting for their business loan to be modified by reducing the interest rate and to be able to re-borrow the original amount of \$25,000.00.

Councilman Porter made a motion to approve to lend the Friends of the Grape the requested amount, seconded by Councilman Branson. Councilman Porter amended his motion to add "pending approval by the State CDBG Office", the amended motion was seconded by Councilman Branson. The amended motion passed unanimously.

Mayor McNinch asked for additional discussion to be held on the business loan process during the upcoming working session.

Councilman Branson asked to have additional discussion on the Nitrogen/Phosphorus credit program during the next working session.

New Business #6 - Town Hall Generator

Mr. Mulrine asked for approval to take the old generator from the Public Works Pump Station and relocate it to the New Town Hall Building, after the Pump Station has its new generator. Mr. Mulrine recommended using the remaining fund from the building construction for the cost to relocate and connect the generator to the Town Hall.

Councilwoman Lightner made a motion to move the generator as requested and to explore solar energy. The motion was seconded by Councilman Branson, passing unanimously.

Miscellaneous

Councilwoman Lightner took a moment to thank the Police Officers, Fire and Emergency Rescuers for the wonderful professional service they provide.

With no further discussion, Councilman Branson made a motion to close the meeting at 8:20 PM, seconded by Councilwoman Lightner, passing unanimously.

Respectfully submitted,



*Karen L. Monteith,
Clerk - Treasurer*