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Denton Town Council & Planning Commission
Joint Working Session
January 28, 2019

Attendance: *Abigail McNinch, Lester Branson, Dallas Lister, Walter Keith Johnson, Doncella Wilson (Town Council Members)*

Doris Walls, William Quick, Sue Cruickshank, Nicholas Iliff, Jr., Lauren Shilling, Joseph Mayer, Jr. (Planning Commission Members)

Donald Mulrine, Jr., Karen Monteith, David Renshaw, Phil Clark, Rodney Cox, George Bacorn, Donna Todd (Town Employees)

Derrick Kennedy (Town Consulting Engineer)

Mayor McNinch called the Joint Working Session to order at 6:30 p.m., leading everyone in Pledge of Allegiance, followed by introductions of all in attendance.

Discussion was held on the following items:

Consideration of Live Chickens in Town Residential Areas:

Two Town residents have requested permission to allow chickens in Town residential areas.

This Joint Working Session was scheduled to discuss and evaluate the impacts on neighboring properties and the burden of cost on the Town code enforcement of properties.

Talbot County allows chickens but is currently experiencing problems with free range chickens.

The Town would require strict regulations if allowing chickens for monitoring and enforcement.

Licensing fees and penalty fees should be established at a fee to ensure the Town is not subsidizing the licensing, monitoring, and enforcement costs.

Registration with the MD Dept. of Agriculture is mandatory.

Regulations would need to require all chickens to be vaccinated and registered, and include guidelines for proper enclosure facilities, disposal methods, composting, maximum number of chickens, exclude roosters, setback requirements, fencing requirements, feed storage, minimum lot size requirements, nuisance clauses, exclude slaughtering, mandatory inspections, and critical area requirements.

A sunset ordinance to allow chickens was suggested with legislation to be re-evaluated in one year.

Fees should be established for revoking licenses due to violations that would include disposal methods.

Regulations should include prohibiting the sale of eggs, chickens, manure, etc.

Staff will research State critical area requirements for chickens and other jurisdiction's regulations.

Composting does not eliminate nitrogen. Composting may be used in gardens and flower beds.

Composting should not be used on gardens, flower beds, etc., within the 1,000 ft. Critical Area Buffer. All composting should be within barrels.

Setback requirements for side yards and rear yards should be restrictive.

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Need to inquire that if residents will not meet the criteria to keep backyard chickens, should the Town proceed with the legislation?

An evaluation of the effect of nitrogen in the waterways by runoff should be considered.

Members of both Boards and Staff will continue to research and work on drafting legislation for consideration.

Ordinance No. 697 Parking Restrictions

A review of the proposed parking restrictions Ordinance included a slide show of the traffic issues throughout the Town. The potential safety hazards are long-term parking and/or storage of oversized vehicles, recreational vehicles, boats, and trailers on narrow streets that impede the movement of snow plows, fire trucks, and school buses.

The Planning and Codes Department contacted the Home Owners Associations regarding the proposed parking amendments whom provided their support of these amendments. The Home Owners Associations does not have the authority to enforce street parking.

Maryland law requires vehicles to be insured if on the roadway. Trailers on the roadway are not insured because the vehicle towing the trailer is insured. Trailers on the roadway could be towed because they are not insured unless there is insurance on the registration.

Long-term parking should be defined longer than 72 hours.

Fairfield Subdivision's roads are a safety hazard due to the width of the roadway.

Parking on curves, narrows the road width and travel lane.

Vehicles are driving across sidewalks and curbs and parking in the front yard damaging infrastructure.

Maryland Transportation Article 21-1103 already prohibits driving on sidewalks and 21-1003 prohibits parking on sidewalks.

Maryland law prohibits obscuring license plates or avoiding identification of vehicles with covers on Maryland roadways.

A recommendation was made to allow parking on one side of the street on narrow streets and abandoned vehicles be removed from the streets due to safety hazards.

Police can tow vehicles from roadways that are unregistered, uninsured, if they have a motor vehicle pick-up order for safety equipment repairs or insurance violations or inoperable.

Signs were posted at Mallard Landing to remove vehicles for snow plowing if there is 2 inches or more of snow. This has not been successful because vehicles are not removed from the roadways.

Recommended changes to the proposed ordinance included the following:

- (1) 72 hours should be 7 days (3 warnings before a citation)*
- (2) 2 hours should be 72 hours (Differentiate between utility trailers and other trailers)*
- (3) State Code Title 11 definitions*
- (4) No change*
- (5) Remove under his/her control for legal reasons this would be interpreted physical control*
- (6) No change*
- (7) No change*
- (8) No change*

All definitions should be consistent with State Code Title 11 for vehicles and trailers.

2019-3

Police would enforce the street violations and Code Enforcement would enforce property violations.

Fees would need to be established and escalated by each issuance of the violation.

Enforcement of weight of vehicles may be difficult. Change weight to commercial vehicles or width of the vehicles for enforcement.

Weight of the parked vehicles do affect the construction of the roadways.

Comprehensive Planning

A brief overview of the next Comprehensive Plan update included the clarification of zoning chapters.

A planner consultant is necessary to identify conflicts in the Town Code for Planning Commission approvals, update Comprehensive Plan, and provide GIS mapping for the Town.

The Comprehensive Plan update will be a two-year process and will include the 2020 Census data.

KIOSK Parking System Updates

The survey has not been completed because of the difficulty locating the deeds for the County parcels and ownership of the parking meters has not been verified.

This KIOSK parking system is similar to the ones located at the beach.

Another option is to locate the KIOSK in the bumpouts on the street when the crosswalks are improved to satisfy the ADA compliance requirements.

The Council requested a budget for this option.

Policy of Policing

Due to the incident in Greensboro, Denton is evaluating their police policies.

LGIT offers a premium discount for CALEA Members, and is evaluating other policies, like Lexipol that the Town has implemented for consideration to reduce the insurance premiums.

The policies are reviewed daily by the police officers as a requirement of their training certification.

Lexipol is used by the Police Department and provides the updates to the laws for daily training for the police officers.

Reviews of critical incidents include a criminal investigation and administrative investigation.

This discussion will continue at the Town Council Executive Session on February 7, 2019.

Town Council Working Session

The next Town Council Working Session will be held on Tuesday, February 19, 2019, Mayor McNinch invited other Council members to join her on January 29th to speak to the Fourth Grade Class at Denton Elementary School about the role of Municipal Government.

Mayor McNinch thanked the Planning Commission Members for coming.

With no further discussion Councilman Johnson made a motion to adjourn the Working Session at 8:50 PM, seconded by Councilman Branson, passing unanimously.

Respectfully submitted,

*Karen L. Monteith
Clerk-Treasurer*