

January 5, 2009

Regular Meeting

Mayor Foster 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 Foster asked that the record reflect that Councilman Branson was absent due to illness, the rest of the members were present.

Councilman Clendaniel made a motion to approve the minutes of the December 1, 2008 regular meeting, seconded by Councilman Porter, passing unanimously.

Councilman Clendaniel made a motion to approve the minutes of the December 15, 2008 regular meeting, seconded by Mayor Foster, passing unanimously.

Swearing in of New Denton Town Council Members

Conway Gregory was sworn into office to serve a two year term on the Denton Town Council by Councilman Robert Clendaniel.

John Foster was sworn into office to serve a five year term on the Denton Town Council by Councilman Robert Clendaniel.

Annual Election of Officers

Office of Mayor

Councilman Clendaniel made a motion to appoint John Foster to serve as Mayor of the Denton Town Council for 2009, seconded by Councilman Gregory, passing unanimously.

Office of Vice Mayor

Councilman Gregory made a motion to appoint Robert Clendaniel to serve as Vice Mayor of the Denton Town Council for 2009, seconded by Councilman Porter, passing unanimously.

Office of Mayor Pro-tem

Councilman Clendaniel made a motion to appoint Lester Branson to serve as Mayor Pro-tem of the Denton Town Council for 2009, seconded by Councilman Porter, passing unanimously.

Mayor Foster asked that the record reflect the installation of officers for 2009.

Public Hearing

Ordinance #570

Mayor Foster opened a public hearing at 7:11PM to receive public comments on Ordinance #570; an Ordinance of the Town of Denton authorizing the purchase and acquisition of property located at 303 Market Street.

Mayor Foster asked for comments from the State – there were none

Mayor Foster asked for comments from the County – there were none

Mayor Foster asked for comments from the Council – there were none

Mayor Foster asked for comments from the Public – there were none.

A letter received from the Denton Development Corporation offering their support for the Town reacquiring the property was presented.

With no further comments Mayor Foster closed this public hearing at 7:14PM.

Petitions, Remonstrance's and Communication

Shore Health Systems Presentation

Mr. Joseph P. Ross, CEO, Shore Health System came before the Town Council to provide an update on the strategic planning of Shore Health System and answer questions about future plans and concerns.

FY2008 Financial Report Presentation

Mr. John Montoro of Cherry, Bekeart & Holland, the Town's Auditor, came before the Council to provide an overview of the Town's FY2008 Financial Report regarding the annual audit. Mr. Montoro advised that the review of the Town finances went smoothly and the Town was found in compliance with all laws.

Councilman Clendaniel took the opportunity to express appreciation and thanks to the Staff of the finance department and the Town Administrator for doing such a good job in keeping the Town's financial records in compliance.

Caroline County Hospice

Caroline County Hospice Director, Linda Evans came before the Council to present a special invitation to the open house scheduled for Jan. 22, 2009. Mrs. Evans expressed appreciation for the Council's support.

Market St.

Mr. Yarber had previously asked for an opportunity to meet with the Council to discuss some issues on Market Street. Mr. Yarber was absent, the Council moved onto the next agenda item.

Ordinances and Resolutions

Ordinance #570

Ordinance #570 authorizes the purchase and acquisition of 303 Market Street. This ordinance was introduced at the December 1, 2008, Council meeting and was brought before the Town Council for consideration of adoption.

Councilman Porter made a motion to adopt ordinance #570 to repurchase 303 Market St for \$63,000, seconded by Councilman Clendaniel, passing unanimously.

Reports of Officers, Board and Committees

None

Unfinished Business

Agenda #1 Denton Police Dept. Capital Expenditure

This item was deferred at the request of Mayor Foster to be discussed in Executive Session later in the evening.

New Business

Agenda #1 – Moratorium Ordinance #571

An Ordinance adopting a moratorium on the processing and approval of any residential floating zone, major subdivision, and any site plan which would permit development of more than three (3) residential dwelling units for a period of ten (10) months pending consideration and adoption of a revised Comprehensive Plan and such other legislation as the Town Council may consider advisable to promote the public health, safety and welfare. This ordinance was presented for consideration of introduction.

Councilman Gregory questioned what effect this would have on developments already in the pipeline; wanting to make sure that all the legalities have been thought out. Staff advised that this ordinance would not affect the projects that have already received preliminary or final approval.

Councilman Clendaniel explained that the moratorium would only be for a short term to allow staff the time to finish the comprehensive plan and implement the updates.

Staff had recently made a presentation on the status of the proposed developments and which ones would be affected by this ordinance. This information will be provided to Councilman Gregory for review.

Mr. Nick Carter addressed the Council on behalf of the Caroline Citizens for responsible growth committee. Mr. Carter submitted a petition with 437 signatures in support of a moratorium, and discussed with the Council their reasons why.

Mr. Dean Danielson asked that the Council to not be so concerned for the developers as the residents should come first.

Councilman Clendaniel made a motion to introduce Ordinance #571, seconded by Councilman Porter, passing unanimously.

Councilman Porter commented that he was generally opposed to a moratorium unless in an emergency situation, hopefully there would be no anticipated consequences.

Agenda #2 - Planning Commission Appointments Resolution #710

A Resolution to re-appoint the existing regular members of the Planning Commission to staggered five-year terms to comply with the requirement of MD. Code Ann. Article 66B, § 3.02 that terms be staggered. All regular Planning Commission members have agreed to their new terms. The resolution also reconfirms the recent appointment of the one alternate.

Councilman Porter made a motion to adopt resolution #710, seconded by Councilman Clendaniel, passing unanimously.

Agenda #3 - Planning & Codes Department Wide-Format Printer

The Planning and Codes Department came before the Council to request permission to purchase an HP Plotter Designjet T1100ps Printer. Price quote and product description were provided. The net purchase price of \$6,265.00 includes a three-year warranty, on-site installation & set-up and a cash-in trade up promotion of \$1,000.00. This wide-format printer will produce color and black and white GIS and CAD drawings up to 44-inches in width on various output mediums (paper, polypropylene, etc.). It supports input files formats include JPEG, TIFF, PDF and PostScript. The device will allow wide-format printing for Comprehensive Planning Process. If approved, the DPW, Administration and Planning and Codes will share the cost of the acquisition using the capital impact funds for the Planning & Codes portion. Staff anticipates the life of the machine to 4-5 years.

Councilman Porter made a motion to authorize the purchase of the printer, seconded by Councilman Clendaniel, passing unanimously.

Agenda #4 - Maryland Municipal League Convention

The Annual MML Convention is scheduled for June 28 – July 1. Notification for reservations is generally provided by MML by the third week in January. Town staff came before the Council seeking direction on attendance for this year's event as well as participation in the Municipal Main Street. The Town has participated as an exhibitor the past two years.

Councilman Gregory made a motion to attend the MML Convention and to register to participate by having a booth in the Municipal Main Street area, seconded by Councilman Clendaniel, passing unanimously.

Agenda #5 - Caroline County Council of Governments Bylaw Amendment

A letter from Ms. Betty Ballas, President COG, providing each of the Towns notice of the "proposed amendment change" was reviewed by the Council. The meetings

are proposed to be changed to January, May and September, with September being designated as the annual meeting. The group is requesting support from the towns.

The Council unanimously acknowledged the proposed changes and offered their support.

Governor's letter of Economic Recovery Package

The Council reviewed a letter from Governor O'Malley regarding the federal Economic Recovery package.

The Council asked staff to prepare a letter for the Mayor to sign to send in response to the Governor's letter listing the projects that the Town is working on that the federal funding would be most needed.

Agenda #6 - Mutual Aid Agreement

The Kent County Sheriff's Office provided a Police Mutual Aid Agreement between Kent County and Denton, Maryland for consideration. At the Mayor's recommendation discussion on this item was deferred until after the executive session.

Executive Session

At 8:57 PM Councilman Clendaniel made a motion to hold an executive session to seek legal advice on personnel matters, water and sewer allocations and mutual aid agreements, seconded by Councilman Porter, passing unanimously.

At 10:35 Pm Councilman Porter made a motion to close the executive session and reconvene the regular meeting, seconded by Councilman Gregory, passing unanimously.

Regular Session Reconvened

NB – Agenda #6 – Mutual Aid Agreement

The Council directed Chief Cox to send a letter to the Kent County Sheriff's Office that the Town does not want the Denton Police Dept. to go out of Caroline County at this time.

Chief Cox mentioned holding an open house for the Council to have an opportunity to meet the individual Officers and to see some of their specialized training abilities.

UB – Agenda #1 - Denton Police Dept. Capital Expenditure

Chief Cox is seeking authorization to spend capital funds in the amount of \$8,551.16 to purchase new tactical bullet resistant vests for the tactical team. Currently officers are using their issued concealable body armor they wear while on routine patrol to conduct special operations. The concealable body armor is less resistant to bullet penetration, covers less of the body and is not designed for high threat operations. The proposed body armor is more resistant to bullets, covers more of the body and is designed for higher risk operations. A total of 6 vests will be purchased.

Councilman Clendaniel made a motion to authorize the purchase of the tactical vest, seconded by Councilman Porter, passing unanimously.

Miscellaneous

Fearins Crossing – Phase II Water/Sewer Allocation

Councilman Clendaniel made a motion to grant a water/sewer allocation for twelve (12) units for Fearins Crossing – Phase II, seconded by Mayor Foster, passing unanimously.

Boat Ramp Fees

Mr. Dave Thompson, Attorney for the Town would like some additional time to research the topic and to talk about the rates proposed in the County plan. The Council agreed to hold discussion during an executive session on February 2, 2009.

With no further discussion Mayor Foster adjourned this meeting at 10:45 PM.

Respectfully submitted,

*Karen L. Monteith
Clerk-Treasurer*