

June 1, 2009

Executive Session

At 6:03 PM Mayor Foster called to order an executive session to hold discussion on a personnel issue and some potential business matters. All Council members were present for this session, along with the Town Administrator and the Clerk-Treasurer. No decisions were made. This session was adjourned at 6:57 PM.

Regular Meeting

Mayor Foster called the regular meeting of the Denton Town Council to order at 7:02 PM on this date leading everyone in the Pledge of Allegiance to the Flag.

Mayor Foster asked that the record reflect that the Council had met in executive session earlier to discuss personnel issues.

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

Councilman Clendaniel made a motion to approve the minutes of the May 4, 2009 regular meeting, the May 13, 2009 working session and the May 18, 2009 special meeting, seconded by Councilman Branson, passing unanimously.

Public Hearing

Ordinance #578

Mayor Foster opened a public hearing at 7:05PM to receive public comments on Ordinance #578 - An Ordinance of the Town of Denton amending the Denton Town Code Chapter 28, Section 128-8 to add a definition of "Lodging House."

The Mayor asked if there were any comments from the Council, Staff and Public – there were none.

With no further comments Mayor Foster closed this public hearing at 7:06PM.

Ordinance #579

Mayor Foster opened a public hearing at 7:07PM to receive public comments on Ordinance #579 - an ordinance amending the Water Rates for Denton. The Ordinance establishes an Administrative Fee in the amount of \$10.35 per quarter and sets user rate of \$2.50 per 1000 gallons of usage for the in-town rate. Out-of-town or properties on a waiver will have their rate set at double - \$20.70 Administrative Fee and \$5.00 per 1000 gallons of usage.

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

With no further comments Mayor Foster closed this public hearing at 7:08 PM.

Ordinance #580

Mayor Foster opened a public hearing at 7:09PM to receive public comments on Ordinance #580 - an ordinance amending the Sewer Rates for Denton. The Ordinance establishes an Administrative Fee in the amount of \$9.00 per quarter and sets the user rate of \$5.66 per 1000 gallons for the in-town rate. Out-of-town or properties on a waiver will have their rate set at double - \$18.00 Administrative Fee per quarter and \$11.32 per 1000 gallons of usage.

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
With no further comments Mayor Foster closed this public hearing at 7:09 PM.*

Petitions, Remonstrance's and Communication

Friends of Linchester Request

Ms. Maggie Rogers, a member of the Friends of Linchester, had written the Town requesting consideration of donating a 4 foot tree, native to this area, in honor of the veterans from our town.

Councilman Porter made a motion to donate a white oak tree, seconded by Councilman Clendaniel, passing unanimously. The Council asked to try to locate and acquire the tree from a local nursery.

Ordinances and Resolutions

Ordinance #576

An Ordinance of the Town of Denton to amend the Denton Town Code to add Chapter 98 titled “Residential Rental Housing License and Inspection” to establish a licensing and inspection program for residential rental dwelling units within the Town of Denton.

Councilman Gregory made a motion to honor the request and adopt Ordinance #576, seconded by Councilman Branson. In discussion, Councilman Branson clarified that the ordinance sets forth the legislation and that the Council would need to adopt the fees separately. Staff advised that the Council would set the fees by the adoption of a resolution. Staff recommended a fee of \$25.00 per unit per year, and advised that inspections would be done as a turn over in tenants occurs or every three years. The motion to adopt Ordinance #576 passed 3-2 with Councilman Clendaniel and Councilman Porter abstaining due to possible conflict of interest, being rental property owners.

Staff advised that the Resolution for the fees has not been written yet, but asked for consideration to adopt based on the recommendation.

Councilman Gregory made a motion to have the verbiage in place using the fees recommended to be considered for adoption at the July meeting, seconded by Councilman Branson, the motion passed 3-2 with Councilman Clendaniel and Councilman Porter abstaining due to possible conflict of interest, being rental property owners.

Ordinance #578

An Ordinance of the Town of Denton amending the Denton Town Code Chapter 28, Section 128-8 to add a definition of “Lodging House.”

Councilman Porter made a motion to adopt Ordinance #578, seconded by Councilman Clendaniel, passing unanimously.

Ordinance #579

An ordinance amending the Water Rates; establishing an Administrative Fee in the amount of \$10.35 per quarter and setting the user rate of \$2.50 per 1000 gallons of usage as the in-town rate. Out-of-town or properties on a variance will have their rate set at double - \$20.70 per quarter Administrative Fee and \$5.00 per 1000 gallons of usage.

Councilman Porter made a motion to adopt Ordinance #579, seconded by Councilman Branson, passing unanimously.

Ordinance #580

An ordinance amending the Sewer Rates; establishing an Administrative Fee in the amount of \$9.00 per quarter and setting the user rate of \$5.66 per 1000 gallons of usage as the in-town rate. Out-of-town or properties on a waiver will have their rate set at double - \$18.00 per quarter Administrative Fee and \$11.32 per 1000 gallons of usage.

Councilman Gregory made a motion to adopt Ordinance #580, seconded by Councilman Branson, passing unanimously.

Ordinance #581 Notification of Property Owners

An Ordinance of the Town of Denton, amending the Denton Town Code by amending §128-79 regarding public notice to require specific notification to neighboring property owners if concept plan, site plan, or subdivision approval is required.

Councilman Branson made a motion to introduce Ordinance #581, seconded by Councilman Clendaniel, passing unanimously.

Ordinance #582 Townhouse and Multifamily Table of Density and Dimensional Regulations

An ordinance of the Town of Denton amending the Zoning Ordinance provisions contained in Chapter 128 of the Denton Town Code with respect to multi-family dwellings including apartments and townhouses.

Councilman Branson made a motion to introduce Ordinance #582, seconded by Councilman Clendaniel, passing unanimously.

Councilman Porter asked Staff for additional details.

Staff advised that the ordinance is more stringent on regulations in adjusting the number of dwelling units per structure and per acre.

Reports of officers, board and committees

None

Unfinished Business

Agenda #1 - Board of Appeals Alternate Appointment

The Board of Appeals request the Town Council appoint an alternate to replace Michele Wasson's alternate position. Two letters from interested persons, Troy Livingstone and Mary Lori Schmidt, were provided for review.

Councilman Gregory made a motion to nominate Troy Livingstone, seconded by Councilman Clendaniel, passing unanimously.

With no further discussion Mayor Foster adjourned this meeting at 7:25 PM.

Respectfully submitted,

*Karen L. Monteith
Clerk-Treasurer*