

April 4, 2011

Regular Meeting

Mayor Clendaniel 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 Clendaniel asked that the record reflect that all Council members were present with the exception of Councilman Porter who was expected to arrive shortly.

Mayor Clendaniel announced that the Town Council had held an executive session on March 21, 2011 as part of the special meeting to discuss a personnel matter. The executive session convened at 7:40 PM and was adjourned at 8:16 PM.

Councilman Danielson made a motion to accept the minutes of the March 7, 2011 regular meeting, the minutes of the March 21, 2011 working session and special meeting as printed, seconded by Councilwoman Case, passing unanimously.

Public Hearing

There were no public hearings held on this date

Petitions, Remonstrance's and Communication

Spring Gala

Mrs. Marina Dowdall provided an update to the Town Council on the Spring Gala Event scheduled for May 7, 2011. She mentioned that approval has been received by the Caroline County Liquor Board. Four banners have been acquired to be placed on the poles downtown to promote the event. They anticipate about 250 attendants and asked the Council for continued support in promoting the event.

Main Street Businesses – Sign Ordinance

Mrs. Anna Jacobs, Denton Downtown Main Street Manager and several downtown business owners came before the Council with concerns about the sign ordinance restrictions and to request changes to allow them to fly flags in front of their businesses with their business logos on them. The current Sign Ordinance No. 594 was provided to the Council for to review.

The business owners in attendance that spoke about the changes include Mr. Greg Eigenbrode, Owner of Denton Hardware, and Mrs. Janice Clere, Owner of the What's New Shop.

Mr. Eigenbrode stated that it was possibly an oversight when the ordinance was recently amended, as the flag promoting Denton Hardware has been flown in front of the store for over 20 years. He asked that the sign regulations be amended to allow the flag to be displayed in order for the ordinance to be more business friendly.

Councilman Porter arrived at 7:12 PM.

Mr. Bill Kastning, Director of Planning & Codes, stated that the planning staff does not foresee any problems with the changes discussed regarding displaying flags, but he asked for the Council to be specific as to whether the proposed changes to the sign ordinance would be universal all over town or would it just apply to the Downtown Central Commercial District, and to take into consideration the non-business flags. Mr. Kastning also asked if there would be size restrictions and if there would be specific hours that the flags can be displayed.

Mrs. Jacobs and Mr. Eigenbrode shared views against having restrictions on the hours the flag can be displayed. Mr. Eigenbrode mentioned that just because a business

is closed they shouldn't have to take the flag down, as it promotes the business to those driving through town any time of day or night.

Mayor Clendaniel expressed the need to make the changes, but to insure that it would be easy for staff to implement and control.

Councilwoman Case expressed that the Town should be friendlier to the businesses by tweaking the ordinance for the downtown business owners.

Councilman Gregory stated that he agreed with Councilwoman Case, in that the business owners know their businesses better than the Town and that he had no problem with displaying flags.

Councilman Porter and Councilman Danielson supported making the changes and if the number of flags becomes a problem the Council could revisit again.

Everyone agreed to limit the size to nothing larger than a 3x5 flag, and that flag can advertise the business, but must not be offensive in any way, and to allow flags to be flown in the Central Commercial Business District, 24hours a day.

Staff will prepare new legislation for the May meeting.

Habitat for Humanity – 8 N. Fourth Street Letter of Interest

Caroline County Habitat for Humanity submitted a letter of interest to use 8 N. Fourth Street, a town owned property, as an office space and possibly a restore location for the next 5 years. They are interested in trading their manual labor to rehabilitate the property in exchange for using the dwelling for 5 years.

The Council expressed support in moving forward with this proposal.

9 N. Fourth Street – Proposal for Rehabilitation

A proposal from Choptank Design and Custom Furnishings LLC was presented to the Council to rehabilitate 9 N. Fourth Street in cooperation with the Town of Denton and DDC. Choptank Design would make renovations to the dwelling to include ADA standards on the first floor to be used as an architectural studio and to have an apartment upstairs. Mr. Mulrine mentioned that Choptank Design has expressed interest in acquiring a small business loan to begin the modifications.

Staff needs to confirm paying off any State loans on the property and to insure that all grant requirements are met.

The Mayor acknowledged that the proposal sounds promising and asked for staff to keep the Council advised how the research turns out.

Ordinances and Resolutions

Ordinance #628 Building Code Amendments

An ordinance amending the Town of Denton building code, residential code, mechanical code, protection of structures with historic significance, existing building code, and energy conservation code provisions contained in Chapter 38 of the Denton Town Code with respect to article and section references, and green construction.

Mr. Kastning advised that the Planning & Codes Dept. is supportive of the amendments and the ordinance includes the Councils previous concerns about applying to all properties; changes have been made so that this will only apply to new homes and not existing homes.

Councilman Porter made a motion to introduce Ordinance #628, seconded by Councilman Danielson, passing unanimously.

Ordinance #629 – Property Maintenance Code Amendment

An ordinance of the Town of Denton amending the Denton Property Maintenance Code provisions contained in Chapter 94 of the Denton Town Code with respect to unsafe, abandoned, vacant, and foreclosed properties building standards.

Mr. Tom Batchelor, Senior Codes Enforcement, explained that the language has been amended at the direction of the Council to account for the concerns previously expressed by Mrs. Anne Ogletree. Any language referring to the Trustee has been removed.

Councilman Porter made a motion to introduce Ordinance #629, seconded by Councilman Danielson, passing unanimously.

Reports of Officers, Board and Committees

None

Unfinished Business

None

New Business

Agenda #1 – Dobson Dogs

Mr. Rodney Dobson came before the Council requesting permission to set up his hot dog cart on the empty lot owned by the Town at the corner of Third and Market Streets (Old Dollar General site).

The Planning Commission approved the proposal on March 29, 2011 with conditions.

Councilman Porter made a motion to approve Dobson's Dogs request, seconded by Councilman Gregory. In discussion: Mr. Don Mulrine, Town Administrator, explained that should the property be sold Mr. Dobson would have to relocate his operation, and that he would not be able to interfere with Summerfest.

Mr. Kastning added that the Planning & Codes Department is working on drafting a Peddler's License and that once adopted, Mr. Dobson would have to comply with the requirements.

The motion to allow passed unanimously.

Agenda #2 – FY2012 General Fund Budget

As required by the Denton Town Charter the first submission of the General Fund FY2011 budget is to be presented to the Town Council no later than the April meeting. While a rough draft was actually presented to the Council at the March 21, 2011 working session, a second draft was submitted tonight for further discussions.

The next working session is scheduled for April 18, 2011 at which time each Department will be present to provide an overview of the projected changes in the FY2011 year end balances and their proposed request for FY2012 and answer any questions. The Council may set up additional working sessions to go over the budget details to work toward a successful adoption by the June 6, 2011 deadline.

Staff explained that due to the significant decrease in assessed property values, the Town is exempt this year from having to incur expenses and hold a separate constant yield hearing. According to the State's constant yield report, in order for the Town to maintain the same real estate tax revenues in FY2012 as was received in FY2011, the Town would have to raise the property tax rate from \$.64/\$100 of assessed value to \$.76/\$100.

Mr. Mulrine provided a summary overview and pie chart of the general fund budget in which there is a \$318,000 gap in balancing. The budget as presented included

a 2% merit increase for employees; the State adopted legislation that mandates a 2% increase in employee retirement contributions. Promotions for four police officers and one public works employee and filling the police officer vacancy; a 10% projected increase in employee health benefits.

Councilman Gregory asked to have additional information pulled together to show the salary changes compared to the benefit cost.

The next budget working sessions will be held at the Town Office Bldg at 13 N. Third St. at 6:00PM on April 18, 2011 or as otherwise published in the lobby and posted on the Town website – www.dentonmaryland.com

With no further discussion, Councilwoman Case made a motion to close the meeting at 8:07PM, seconded by Councilman Gregory, passing unanimously.

Respectfully submitted,

*Karen L. Monteith
Clerk-Treasurer*