

March 7, 2013

Regular Meeting

Mayor Danielson 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 Danielson asked that the record reflect that all Council members were present except Councilwoman Case.

Mayor Danielson asked to have the minutes of the February 7, 2013 regular meeting corrected as follows: on page 3253 the first two proclamations to replace the word serviced with served.

Councilman Clendaniel made a motion to approve the minutes of the February 7, 2013 regular meeting as amended and to approve the minutes of the February 21, 2013 working session as presented. The motion was seconded by Councilman Gregory, passing unanimously.

Public Hearing

Ordinance #651 – Microbrewery/Restaurant

Mayor Danielson opened a Public Hearing at 7:05 PM to receive public comments on Ordinance #651 - An Ordinance of the Town of Denton to amend the Official Use Table of the Denton Zoning Ordinance to permit “Micro-Brewery, Micro-Distillery, Micro-Winery and Coffee Roasting” uses in the zoning districts that permit restaurants.

Mayor Danielson asked for comments from the State: there were none

Mayor Danielson asked for comments from the County: there were none

Mayor Danielson asked for comments from the Council: there were none

Mayor Danielson asked for comments from the Public –there were none

With no further comments, Mayor Danielson closed this Public Hearing at 7:06 PM.

Ordinance #652 – Sign Ordinance

Mayor Danielson opened a Public Hearing at 7:06 PM to receive public comments on Ordinance #652 - An Ordinance of the Town of Denton repealing and reenacting with amendments the provisions contained in Chapter 128 of the Denton Town Code with respect to signs.

Mayor Danielson asked for comments from the State: there were none

Mayor Danielson asked for comments from the County: there were none

Mayor Danielson asked for comments from the Council: there were none

Mayor Danielson asked for comments from the Public –there were none

With no further comments, Mayor Danielson closed this Public Hearing at 7:07 PM.

Petitions, Remonstrance’s and Communication

Resignation Letter – Councilperson Case

Mayor Danielson read a letter of resignation received on March 6, 2013 from Councilwoman Case.

The Council discussed the requirements of the Town Charter for appointing a replacement to fill the vacant seat until the next election is held.

Councilman Clendaniel nominated Bryan Tyler, seconded by Councilman Porter.

Councilman Porter nominated Abigail McNinch, seconded by Councilman Gregory.

Discussion was held on the nominees and what voting method to use to appoint a replacement.

Councilman Gregory made a motion to vote by acclamation to appoint Abigail McNinch to replace former Councilwoman Agnes Case. The motion was seconded by Councilman Porter, and passed unanimously.

Leash Laws - Alice Birch

Mrs. Alice Birch came before the Council asking for something to be done about unattended dogs in Town, especially in the South Fourth Street area.

The Council instructed staff to have the Police Dept. increase monitoring of the South Fourth Street area for unattended dogs and to look into amending the Town Code with respect to leash laws.

Proclamation – Market Street Public House 5 Year Anniversary

Mayor Danielson read and signed a proclamation congratulating the Market Street Public House on their 5 year anniversary of being a business in downtown Denton.

Proclamation – Salad Star 3 Year Anniversary

Mayor Danielson read and signed a proclamation congratulating the Salad Star on their 3 year anniversary of being a business in downtown Denton.

Proclamation – Carolyn Spicher Most Beautiful Award

Mayor Danielson read and signed a proclamation congratulating Carolyn Spicher on receiving Caroline's Most Beautiful Volunteer Award.

Letter from the County Administrator

Mayor Danielson shared a letter received from the Caroline County Administrator about their discussions with the Department of Social Services and potential relocation.

The Council discussed concerns about annexation of more tax exempt land, the availability of water and sewer allocation that could take away from currently approved projects, and the detrimental effect of relocating DSS outside the center of Town.

No action was taken at this time.

Ordinances and Resolutions

Resolution #780 – Letter of Intent to Purchase Property

A Resolution of the Town of Denton authorizing the Mayor to execute all documents relating to and entering into an Agreement to purchase 207 Market Street to be used for the new Denton Town Office.

Councilman Porter made a motion to adopt Resolution #780, seconded by Councilman Gregory, passing unanimously.

Resolution #781 – Potential Financing for Purchase of Property

A Resolution authorizing the Town of Denton to potentially purchase property at 207 Market Street with financing from Provident State Bank.

Councilman Gregory made a motion to adopt Resolution #781, seconded by Councilman Porter.

In discussion: Mr. Donald Mulrine, Town Administrator, provided a background on financing options for purchasing property at 207 Market Street. Mr. Mulrine shared loan terms available through USDA, PNC and Provident State Bank. He indicated that he had also reached out to CNB and M&T. Mr. Mulrine explained that Provident State Bank is offering the best terms.

With no further discussion, Mayor Danielson asked for a vote on the motion on the floor to adopt Resolution #781.

The motion passed unanimously.

Councilman Porter made a second motion directing staff to select a 20 year amortization, seconded by Councilman Clendaniel, passing unanimously.

Ordinance #650 – Critical Area

An Ordinance of the Town of Denton to repeal Chapter A129 Critical Area Program and repeal and reenact Chapter 128 Article VIII Special District; Critical Area Overlay District and amend Chapter 128 Article II Definitions and amend Chapter 73 Land Subdivision Definitions of the Denton Town Code with respect to Critical Area.

Mr. Tom Batchelor, Senior Codes Enforcement Officer, provided an overview of the amendments.

Councilman Porter made a motion to adopt Ordinance #650, seconded by Mayor Danielson.

In discussion: Mr. Chris Drummond, Town Attorney, provided legal advice and explained that if the Town does not adopt the Ordinance, the State Critical Area Commission has the authority to take over the administration with the Town.

The Mayor called for a vote on the motion to adopt Ordinance #650.

The vote was tied, Mayor Danielson and Councilman Porter voted yes in favor of adopting Ordinance #650, while Councilman Gregory and Councilman Clendaniel voted no against. The Ordinance dies for lack of majority vote.

Ordinance #651 – Microbrewery/Restaurant

An Ordinance of the Town of Denton to amend the Official Use Table of the Denton Zoning Ordinance to permit “Micro-Brewery, Micro-Distillery, Micro-Winery and Coffee Roasting” uses in the zoning districts that permit restaurants.

Councilman Gregory motioned to adopt Ordinance #651, seconded by Councilman Clendaniel, passing unanimously.

Ordinance #652 – Sign Ordinance

An Ordinance of the Town of Denton repealing and reenacting with amendments the provisions contained in Chapter 128 of the Denton Town Code with respect to signs.

Councilman Gregory made motion to adopt Ordinance #652, seconded by Councilman Porter, passing unanimously.

Reports of Officers, Board and Committees

None

Unfinished Business

Agenda #1-PNC Building Acquisition

This item was discussed earlier with the adoption of Resolution #780.

Agenda #2 – Municipal Property Tax Differential

The Council reviewed a letter of response received from the Caroline County Administrator reflecting the Counties proposed real property tax rates for Municipalities for the upcoming FY2014 budget.

Councilman Porter stated that he is planning to meet with Caroline County Commissioner Porter to present a proposal for the County to use instead of their current formula.

Councilman Gregory mentioned that the County had cancelled a meeting that had been requested to discuss the differential and questioned why the County had not rescheduled it.

Mr. Mulrine will contact the County in an attempt to reschedule the meeting.

Agenda #3 – Pathway Project Expansion

Mr. Mulrine announced that grant funding has been approved for Phase 2 of the Pathway Project in the amount of \$75,000. The State has approved for the Town to do a

change order with the original contractor, Harper and Sons, to include Phase 2 rather than to have to go back out to bid.

Councilman Porter made a motion to accept the change order as presented and approved for Harper and Sons to complete the construction of Phase 2. The motion was seconded by Councilman Gregory, passing unanimously.

New Business

Agenda #1 – MOU –SHA - Caroline County Tourism Office

The Council reviewed a permit received from the State Highway Administration granting permission to place a mural on the bridge supports at Crouse Park to recognize “Michener’s Chesapeake Byway and Country Scenic Byway”.

Councilman Clendaniel made a motion to approve the permit, seconded by Councilman Gregory, passing unanimously.

Agenda #2 – MOU – SHA – Wharves at Choptank Crossing

The Council reviewed a permit received from the State Highway Administration granting permission to place and store materials and equipment under the bridge at Crouse Park during construction at the park.

Councilman Gregory made a motion to accept the permit, seconded by Councilman Clendaniel, passing unanimously.

Agenda #3 – AED Grant

The Denton Police Dept. requested approval to purchase updated AED equipment through a grant that has been awarded from the Caroline Human Services Council in the amount of \$6,062.

Councilman Gregory made a motion to approve the request, seconded by Councilman Clendaniel, passing unanimously.

Miscellaneous

Councilman Porter announced that Wal-Mart had made a contribution of a Knox Box Lock System for the Denton Volunteer Fire Department. Councilman Porter shared the benefit of this new system and encouraged local business to install Knox Boxes on their buildings.

Mayor Danielson congratulated local Police Agencies for the recent drug arrest.

With no further discussion, Councilman Gregory made a motion to close the meeting at 8:49 PM, seconded by Councilman Clendaniel, passing unanimously.

Respectfully submitted,

Karen L. Monteith,
Clerk - Treasurer