

February 5, 2015

**Regular Meeting**

Mayor McNinch 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 McNinch asked that the record reflect that all Council members were present, with the exception of Councilman Clendaniel, who had not arrived yet.

Councilwoman Lightner made a motion to approve the minutes of the January 8, 2015 regular meeting as presented. The motion was seconded by Councilman Branson, passing unanimously.

Councilman Clendaniel arrived.

**Public Hearing**

**Ordinance #664 – Floodplain**

Mayor McNinch opened a public hearing at 7:02 PM to receive public comments on Ordinance #664 – An Ordinance of the Town of Denton amending the provisions contained in Chapter 58 of the Denton Town Code with respect to Floodplain Zones.

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

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

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

Mayor McNinch asked for comments from the Public: there were none

With no further comments, Mayor McNinch closed this public hearing at 7:03

PM.

**Petitions, Remonstrance's and Communication**

**Denton Police Dept. – Swearing in of New Officers**

Mayor McNinch swore in the newest Denton Police Officers PFC Mark Snyder, PFC Mason Heun and PFC John Labelle.

**Ordinances and Resolutions**

**Ordinance #664 – Floodplain Zone**

An Ordinance of the Town of Denton amending the provisions contained in Chapter 58 of the Denton Town Code with respect to Floodplain Zones.

Councilman Porter made a motion to adopted Ordinance #664, seconded by Councilwoman Lightner.

There being no discussion, Mayor McNinch called for vote on the motion to adopt Ordinance #664.

The motion passed unanimously.

**Ordinance #665 - Table of Use Amendment**

An Ordinance of the Town of Denton to amend the Official Use Table of the Denton Zoning Ordinance to permit semipublic, educational, cultural, religious, philanthropic, social, and fraternal uses in the Recreation and Parks District as a conditional use.

Councilwoman Lightner made a motion to introduce Ordinance #665, seconded by Councilman Clendaniel.

In discussion: Mr. Don Mulrine, Town Administrator, provided the history and a summary of the amendments, stating that the Planning Commission reviewed and approved at their last meeting. The amendments correct some restrictions applied with

previous legislation and will benefit the restructuring and sale of the former Wesleyan School lands.

Pastor Terry Nichols, from the Seven Day Adventist Church, spoke in support of Ordinance #665. Pastor Nichols said that they have been holding Church on the Wesleyan Campus since November 2012. Sharing what Ministry has been happening in the community, as they have been assisting the Winter Haven Shelter, holding Chat-n-Chew biweekly events, working towards gearing other new programs to work on life style changes. They have received approval to open an emergency food pantry, and to provide clothing assistance. Pastor Nichols talked about their long-term goals, one of which is to open an early childhood training daycare center, to later expand into an Elementary School in 3-5 years. If everything gets lined up, they are looking forward to being able to move forward with the acquisition of the property. He added, this would be a non-denominational facility.

The Council thanked Pastor Nichols for sharing their plans, expressing gratitude of their involvement in the community.

With no further discussion, Mayor McNinch called for vote on the motion on the floor to introduce Ordinance #665.

The motion passed unanimously.

Mr. Tom Batchelor, former Senior Codes Enforcement Officer, shared additional information with the Council on Ordinance #664.

#### **Reports of Officers, Board and Committees**

None

#### **Unfinished Business**

##### **Agenda #1- Tax Differential**

Discussion was held in reference to the January 20, 2015 response letter received from the Caroline County Commissioners pertaining to the Municipalities tax differential submissions and requests.

Mayor McNinch announced that she has a meeting scheduled with the County Chief of Staff to discuss.

Mr. Chris Drummond, Town Attorney, gave an update on recent communications he has had with the County Attorney with regards to the County's response.

Mr. Anthony Casey, Ridgely Town Commissioner, was in attendance and participated in the discussion.

Mayor McNinch asked for this item to be placed on the next working session agenda to continue discussions.

Several Town Council members will be attending the Caroline County Commissioners Tax Differential meeting scheduled for Feb. 12, 2015 at the Preston Fire House.

Mr. Drummond took the opportunity to also provide an update to the Town Council on the status of discussions he has held with the County Attorney regarding the expired Hotel Tax Memorandum of Understanding.

The Council directed Mr. Drummond to send a letter to the County to request the opportunity to begin discussion with the Commissioners for negotiating the Hotel Tax revenue agreement.

##### **Agenda #2 – Nitrogen Credits**

*Mr. Mulrine provided an update on the Prettyman Manor phosphorous/nitrogen credit exchange proposal.*

*Mr. Drummond will review the proposed Memorandum of Understanding and bring back to the Council for consideration.*

**New Business**

**Agenda #1 -755 Crystal Ave. Water-Sewer Additional Allocation**

*Mr. Ted Cusimano, owner of Allright Rentals, LLC, submitted a request for approval for two (2) ERU's for two (2) additional apartments to be located at 755 Crystal Avenue.*

*Councilman Porter made a motion to approve the additional allocation of 2 ERU's for 755 Crystal Ave. The motion was seconded by Councilman Branson, passing unanimously.*

*Mr. Drummond disclosed, for the record, that he previously represented Mr. Cusimano in the lawsuit with the County.*

**Agenda #2 – Denton Volunteer Fire Department**

*Discussion was held regarding the funds the Town provides to the Fire Dept. and the Town's original intent that the funds be used for capital fire equipment purchases.*

*Councilman Porter and Councilman Branson recommended sending a letter to the DVFD to clarify what the funds can be used for.*

*Councilman Branson recommended allowing the funding to be used for structure improvements to the building, as well as capital fire equipment needs.*

*Councilwoman Lightner made a motion to write a letter to the DVFD as requested, and to thank the Fire Department for the service they provide to the community. The motion was seconded by Councilman Clendaniel, passing unanimously.*

**Agenda #3 – Support Letter – State Legislation on Sunday Hunting**

*The Caroline County Commissioners are requesting letters of support for the upcoming State Legislation request to allow expanded Sunday hunting in Caroline County.*

*Councilman Porter made a motion to voice the Town's support, seconded by Councilman Clendaniel, passing unanimously.*

**Miscellaneous**

*With no further discussion, Mayor McNinch adjourned the meeting at 7:50 PM.*

*Respectfully submitted,*

*Karen L. Monteith,  
Clerk - Treasurer*