

February 5, 2007

**Executive Session**

**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 all Council members were present.

Councilman Horsey made a motion to approve the minutes of the January 8, 2007 meeting, seconded by Councilman Branson, passing unanimously.

**Public Hearing**

**Ordinance #533**

Mayor Foster opened a public hearing at 7:04PM to receive public comments on Ordinance #533 Entitled "An ordinance of the Town of Denton amending Chapter 52 of the Denton Town Code to provide for the imposition and collection of development impact fees within the town for residential development.

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 – Mr. Dean Danielson stated that he supports the establishment of an impact fee, but felt that the amount being considered was too low. Also expressed concerns with the affect it would have on local residents.

Mr. Bob Chapel expressed his concerns of the structure of the proposed ordinance stating that it was too vague and provided the Council with several recommendations for areas to review for changes. He provided his comments in writing.

With no further comments Mayor Foster closed this public hearing at 7:21 PM.

**Petitions, Remonstrance's and Communication**

**Caroline County Mental Health Clinic Budget Request-** Mr. Mike Campbell came before the Council as a follow up to his presentation at the November 2006 Council Meeting, seeking an appropriation in the Town's FY-2008 budget of 10,000 to be used as an offset to any deficit the Caroline County Mental Health Clinic may develop during the 2008 Fiscal year.

Mayor Foster expressed his personal support to have the agency and advised that the Council will consider.

**Ordinances and Resolutions**

**Ordinance #533 – Impact Fee Assessment** - An ordinance prepared by the Town Attorney that would amend the Town Code Chapter 52 to provide for the imposition and collection of Development Impact Fees with the Town was presented for consideration adoption.

Councilman Horsey made a motion to adopt ordinance #533, seconded by Councilman Branson. Discussion was held in which Councilman Clendaniel asked about the public comments and asked if the technical issues raised could be reviewed. Mr. Dave Thompson, Town Attorney advised that the Council could defer adoption if they set a specific date for consideration. Councilman Branson withdrew his second to the motion, followed by Councilman Horsey withdrawing his motion.

Councilman Gregory made a motion to defer the adoption of ordinance #533 until the March 5, 2007 meeting, asking for the public comments to be considered possibly amending and to include the fee structure, seconded by Councilman Clendaniel, the motion passed unanimously.

Mr. Dean Ballas will review the comments from the Public, a working session to discuss this topic was scheduled for February 22, 2007 at 6:00 PM.

**Ordinance #534 - 401 Market Street Property Sale** – The Council reviewed a request from the Caroline County Arts Council to enter into an option agreement to purchase 401 Market Street. Ordinance #534 authorizes the Mayor to execute an Option Agreement. A Public Hearing will be required prior to consideration of adoption.

Councilman Branson made a motion to introduce Ordinance #534, seconded by Councilman Clendaniel, the motion passed unanimously.

**Reports of officers, board and committees**

None

**Unfinished Business**

**Agenda #1 - Residential Sprinkler Requirement**

As directed by the Town Council, the Town Attorney has reviewed the potential for Denton to adopt a residential sprinkler requirement for new construction.

Ms. Patti Gordy, President of the Caroline County Volunteer Firemen's Association provided a draft program for Caroline County. Ms. Gordy introduced Mr. Fearin Taylor from the Fire Marshall's Office and Dennis Gensler, and David McQuay. Mr. Taylor provided an overview of the State's existing law and explained how inspections are done by the State.

Councilman Branson made a motion to direct the Town Attorney to prepare an ordinance to have sprinkler system in all new single & multi family homes, seconded by Councilman Clendaniel. In discussion the Council asked to have this item added to the work session on February 22, 2007. The motion passed unanimously.

**Agenda #2 - Riverview Gardens**

The Denton Town Council met with Mr. Rick Della, Vice President of The Rainmaker Group, and Mr. Larry Porter on January 29, 2007, to discuss Interfaith Housing Development Corporation's intent and plan to purchase and renovate the three apartment facilities at Riverview Garden. This item was brought before Council to consider a resolution of support for the potential financing through the Maryland Department of Housing and Community Development.

Mr. Della came before the Council also seeking a form of local financial support toward the project.

Councilman Horsey expressed concern about the Town providing \$160,000 in funding for a profit project.

Staff was directed to obtain a value of the Community Center for the March meeting. Mr. Della was asked to also show the services that would be provided by Interfaith Housing as part of the project.

Councilman Branson made a motion to adopt a resolution of support, seconded by Councilman Clendaniel, passing unanimously.

**Agenda #3 - Industrial Park Land Acquisition Request**

At the January 8, 2007, Council Meeting, the board considered a request filed by Shore Doors to obtain an Option Agreement in the Denton Industrial Park. During this

discussion, a question had been raised as to whether the proposed use was consistent with the Denton Industrial Park Covenants. A follow-up inquiry had been sent to Mr. Jeffrey Titus with a request for more background information on his company's proposed operations.

*This item was deferred until the March 5 meeting.*

**Agenda #4 - Industrial Park Land Option Agreement Amendment**

Councilman Branson made a motion to give an extension on the Option Agreement for Lot 3 in the area of the second Denton Industrial Park Expansion, seconded by Councilman Gregory, passing unanimously.

**Agenda #5 - Homestead Tax Credit**

The Council reviewed noticed received from the Maryland State Assessment office advising that the resolution adopted by the Council to reduce the Homestead Tax credit was not received by the deadline to take effect with the upcoming tax year. The reduction will take affect with the FY2009 billing.

**New Business**

**Agenda #1 - Municipal Tax Differential**

Councilman Branson made a motion to send a letter to the Caroline County Commissioners requesting the Municipal Tax Differential to continue, seconded by Councilman Gregory, passing unanimously.

**Agenda #2 - Denton Volunteer Fire Company Capital Request**

A request from the Denton Volunteer Fire Company to draw on the Capital fund the Town of Denton has established to purchase 10 new pagers at a cost of \$518 each. The total draw request is \$5180. The present fund balance is \$46,055.24.

Councilman Branson made a motion to approve the DVFD capital draw request, seconded by Councilman Gregory, the motion passed 4-0 with Councilman Horsey abstaining due to membership in the fire dept.

**Agenda #3 - Community Information Outreach**

A copy of the new contract with Carol D'Agastino was brought before the Denton Town Council for consideration of renewal. The Town Council entered into a one-year contract in January 2006.

Councilman Clendaniel made a motion to not execute a contract with the Purple Cat at this time, seconded by Councilman Gregory, passing unanimously.

**Agenda #4 - Maryland Municipal League - Municipal Main Street**

MML will again have an area set aside as a Municipal Main Street allowing municipalities to set up information on their community during the MML Convention in June. The cost to participate in this is \$175. If approved to participate, the individual Department Heads are willing to take turns manning the booth space and could include the Council members too.

Councilman Branson made a motion for the Town to participate by having a booth, seconded Councilman Horsey. In discussion Councilman Gregory expressed concern in spending \$175. The motion passed unanimously.

**Agenda #5 - Denton Development Corporation** – Mr. Ellis Davison, Project Manager for the Denton Development Corporation presented an update on the proposed Crouse Park and Waterway Improvements.

Councilman Clendaniel asked if the boat ramp would be retained and was advised yes. This item was informational only.

**Agenda #6 - Ottey Automotive**

Chief Cox asked for approval to give Ottey Automotive one of the Police Department's old vehicles a 1994 Ford in exchange for Ottey Automotives work removing old equipment from 2 other patrol vehicles. The Vehicle was purchased from the Caroline County Sheriff's Dept for \$750 and has no value at this time.

Councilman Branson made a motion to give the car as requested, seconded by Councilman Clendaniel, passing unanimously.

**Agenda #7 - Graffiti Ordinance**

Chief Cox came before the Council seeking support to draft an ordinance to address graffiti issues within the Town. The ordinance will carry fines if the defendant is convicted. Chief also recommended requiring the victims to have the graffiti removed in a specific time frame or be subjected to fines.

Councilman Branson made a motion to allow the Police Chief and the Town Attorney to formulate a graffiti ordinance and bring back for consideration, seconded by Councilman Clendaniel. Discussion was held in which the Council asked for the ordinance to not penalize the victims, but find a way to educate them why it is important to remove the graffiti in a timely manner. The motion passed unanimously.

Caroline County Commissioner, Mr. Jeff Ghrist addressed the Council regarding the next COG meeting and advised that Chief Longo will be making a presentation on graffiti on April 10, 2007 at the HAPS Building at 7:00 PM.

Chief Longo has been asked to attend the C-Safe program in March to provide information to the public about graffiti.

**Executive Session**

Mayor Foster advised for the record that in accordance with the agenda the Council held an executive session prior to this meeting at that began 6:07 PM and ended at 7:00 PM for the purpose of discussing personnel issues related to sick leave and pension, applicability and to discuss the negotiations of infrastructure financing related to Wal-Mart. The Town Attorney and Town Staff were directed to research and report back to the Council.

Councilman Gregory spoke to the other Council members regarding the Academy & Excellence programs.

With no further discussion Mayor Foster adjourned this meeting at 9:35 PM.

Respectfully submitted,

Karen L. Monteith  
Clerk-Treasurer