

March 7, 2005

Executive Session

At 6:00 PM Councilwoman Goldsborough made a motion to hold an executive session to obtain legal advice, seconded by Councilwoman Stockley, passing unanimously. All members of the Council were present.

With no further business this executive session was closed at 6:50 P.M.

Regular Meeting

Mayor Horsey called the regular of the Denton Town Council to order at 7:00 PM, leading everyone in the Pledge of Allegiance to the Flag.

Councilwoman Goldsborough provided the invocation.

Mayor Horsey asked that the record reflect that all members of Council were in attendance.

Councilwoman Stockley made a motion to accept the minutes of the February 7, 2005 meeting as presented, seconded by Councilman Foster, the motion passed unanimously.

Public Hearing

At 7:01 PM Mayor Horsey opened a public hearing as advertised to receive comments on Ordinance #481 which amends the Denton Zoning Ordinance to establish an A & E district for certain parcels of land located in the Town of Denton, and identified in the Tax record of Caroline County as parcels 805, 806, 808, 809, 810, 811, 812, 813, 814, 822, 823, 831, and 832 all on Tax Map 103.

The Mayor asked for any comments from Caroline County Government, there was none.

The Mayor asked for any comments from any State of Maryland Agencies, there was none.

The Mayor asked for comments from the Town. Town Staff, Ms. Jennifer Shull provided an overview of the ordinance to be considered for adoption, advising that the Denton Planning Commission has reviewed and confirmed that this is the most desirable location for such a district.

With no further comments, the Mayor entertain a motion to closed this public hearing at 7:05 PM, the motion was made by Councilman Branson, seconded by Councilwoman Goldsborough, passing unanimously.

Petitions, remonstrances and communication**Denton Little League**

Mr. Gene Robbins president of the Denton Little League came before the Council and explained that the Little League along with other Youth programs presently lease the Lockerman ball field from the County. Last quarter there was a water leak at this property and the County has asked the Little League to cover the cost. Mr. Robbins asked the Council for consideration from the Board to abate the water bill for the Lockerman Ball Field for the Jan. 1, 2005 bill.

In addition the Utility Commission at their last meeting reviewed a request from the Finance Dept. on how to handle the new landscape meter that was installed at the Lion Club Park. Presently the Little League is not billed for any water usage on the Lion Club Property. Upon review the Utility Commission recommends to start billing for the water usage and recommended for the Town Council to pay out of the Parks fund. Several Council members expressed how much they appreciate the volunteer efforts of the Little League and wished to give support to the youth of our community.

Councilman Branson made a motion to absorb the cost of the water usage at the Lion Club Park and the Lockerman Ball Field out of the General Fund, parks budget, seconded by Councilwoman Goldsborough, the motion passed unanimously.

Mr. Robbins invited the Council to participate in the Little League Open Day Parade that is scheduled for April 16, 2005, and announced that Lt. Governor Mike Steele is planning to attend.

Choptank Community Health System, Inc.

The Council reviewed a request from Choptank Community Health System in which they expressed their need of additional office space at their administrative headquarters. They plan to expand their building, but in the mean time would like to locate a temporary office trailer next to the existing building. Presently the Town Zoning ordinance does not permit this.

Town Staff provided an overview and recommended to the Council to refer to the Planning Commission for a possible zoning amendment.

Councilman Branson made a motion to refer to the planning commission to review as a special exception, seconded by Councilwoman Stockley, passing unanimously.

Mr. Bob Willey advised the Council that Choptank does have drawings in the works for the new building and they are planning construction. The planning process is estimated to take five - six months, and up to a year to start construction.

Resolutions and Ordinances

Resolution #657 - A resolution approving the submission of an application to the State of Maryland for designation of the Fourth Street Redevelopment project, within the established Arts & Entertainment Floating Zone.

Councilman Branson made a motion to adopt resolution #657, seconded by Councilwoman Goldsborough, passing unanimously.

Ordinance #481 - A & E District Overlay

An amendment to the Denton Zoning Ordinance to establish an A & E district for certain parcels of land located in the Town of Denton, and identified in the Tax record of Caroline County as parcels 805, 806, 808, 809, 810, 811, 812, 813, 814, 822, 823, 831, and 832 all on Tax Map 103.

Councilman Branson made a motion to adopt Ordinance #481, seconded by Councilwoman Stockley, the motion passed unanimously.

Ordinance #476 - Lot 9A Industrial Park

Maryland Proteins, the current owners of Lot 9a in the Industrial Park, would like to sell their property to the Town. This ordinance authorizes the settlement of the purchase and acquisition of this property.

Councilman Branson made a motion to adopt Ordinance #476, contingent upon Maryland Proteins being a business in good standing, seconded by Councilman Foster, the motion passed unanimously.

Ordinance #479 - Industrial Park Lot 9B

An ordinance for consideration to enter into an option agreement with Gorton Merrick for the sale of Lot 9B in the Denton Industrial Park was presented to the Council. The agreement is valid for 6 months with the ability to renew the agreement for an additional six months.

Councilwoman Stockley made a motion to adopt ordinance #479, seconded by Councilman Foster, the motion passed unanimously.

Ordinance #480 - Industrial Park Lot 9B-2

An ordinance for consideration to enter into an option agreement with Singer Associates for the sale of Lot 9B-2 in the Denton Industrial Park was presented to the Council. The agreement is valid for 6 months with the ability to renew the agreement for an additional six months.

Councilman Branson made a motion to adopt ordinance #480, seconded by Councilwoman Goldsborough, the motion passed unanimously.

Unfinished Business

Agenda #1 - Cattail Commons/County Correspondence

Mayor Horsey read a draft letter of response to the Caroline County Commissioners to all who were present.

Councilman Branson made a motion to have the Town Administrator obtain signatures of all Council members on the letter then forward it to the County Commissioners and to provide a copy of the letter to a representative of the Times Record, seconded by Councilman Foster, the motion passed unanimously.

Other Unfinished Business

None

New Business

Agenda #1 - Business Loan

Reg & Cathy Carter presently have a small business loan with the Town of Denton and are requesting the Town subordinate from the current second mortgage position to a third mortgage position. They are expanding their business and doing renovations. The Carters are borrowing funds from Provident State Bank for this expansion, and Provident wishes to be in first and second position.

Councilman Branson made a motion to approve the subordination from second position to third on the Carter's small business loan, seconded by Councilwoman Goldsborough, the motion passed unanimously.

Agenda #2 - Wheeler Park Change Order

The Town has a contract with Choptank Excavating for improvements to Wheeler Park on Lockerman Street which is funded in full through a grant from the Community Parks and Playground program. As part of the master plan development grant for this area improvements were proposed to Lockerman ball field. The improvements include a defined entrance, stormwater improvements, parking definition and a portion of trail/path linking the Lockerman ball field to Wheeler Park across town and county property adjacent to the Choptank River. Permission from the Council was requested to approve a change order in the amount of \$62,592.75 for Lockerman ball field improvements. Presently there is sufficient funds in the grant to cover this change order.

Councilwoman Goldsborough made a motion to amend the contract and accept the change order for Wheeler Park, seconded by Councilman Foster, the motion passed unanimously.

Agenda #3 - Police Department Personnel

Mayor Horsey stated that he sat in on the interview committee for the promotions of two officers to Corporal and expressed how proud he was of the officers that the Town has employed. Mayor Horsey indicated that it was a difficult decision to make.

Chief Cox provided an overview of the Police Dept. advising that for sometime the department has been operating without any Corporals. Six Officers in the department applied for the opening for promotion to corporal.

Chief Cox announced the promotion of Officer Cynthia Komenda to Corporal and presented her with a plaque. Congratulations was given by all.

Chief Cox announced the promotion of Officer Thomas Conneely to Corporal and presented him with a plaque. Congratulations was given by all.

Chief Cox asked the Council for consideration to allow the hiring of a part time police officer to fill a vacancy in the department.

Councilman Branson made a motion to allow Chief Cox to hire a part time police officer, seconded by Councilman Foster, the motion passed unanimously.

Agenda #4 - Water and Sewer Capacity

Mr. Ray Briscuso is proposing to develop the lot he owns located behind Highs off of MD Route 404, into a seven unit commercial rental property. The capacity is based on 7 erus for a total of 1,575 gpd.

Councilwoman Goldsborough made a motion to approve the capacity allocation, seconded by Councilwoman Stockley, the motion passed unanimously.

Other New Business

Mr. Fred Reed came before the Council with concerns of a recent sewer pipe that was run across his driveway. The Council referred Mr. Reed to talk with Mr. Scott Getchell to see if they can work on the concerns.

The Council was invited to attend the Caroline County Human Services Council meeting at the HAPS building.

Mayor Horsey shared with the Council a request to adopt a proclamation, proclaiming March as Red Cross Month.

Councilwoman Goldsborough made a motion to proclaim March as Red Cross Month, seconded by Councilwoman Stockley, the motion passed unanimously.

Reports of Officers

Councilwoman Goldsborough provided the council with a listing of meeting that she has attended and will be attending over the next couple weeks to include:

2/9/05 MML Legislative Committee meeting

2/10/05 Testifying on SB257 in opposition on behalf of the MD Commission of Women

2/14/05 Attended an open dialog on the County Adequate Public Facilities

2/16/05 MML Legislative Committee meeting

2/18/05 Eastern Shore Delegation meeting

on 3/8/05 planning on observing a meeting in Queen Anne's County on Growth

and on 3/9/05 MML Legislative Committee meeting

Mayor Horsey advised that he had spent a lot of time in Annapolis lately on several legislation issues.

Other Business

Councilman Branson asked for the status on the demolition of 10 N. 4th St., staff advised that the contractor is ready to go, however the Town is waiting on Community Legacy Funds to cover the cost.

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Staff invited the Council to attend the joint meeting on Wednesday evening at 7:00, at the HAPS building for the Heritage Area program.

Staff advised the Council that the Town's Volunteer Appreciation Dinner has been scheduled for April 21, 2005.

The Maryland State Highway Transportation Consolidated Plan was provided to the board, this plan provides information regarding funding for future State Highway improvements.

With no further business to discuss Councilman Branson made motion to adjourn the meeting at 8:23 PM seconded by Council Stockley, the motion passed unanimously.

Respectfully submitted,

*Karen L. Monteith
Clerk-Treasurer*