

April 2, 2007

Executive Session

Councilman Gregory made a motion at 6:30 PM to open an executive session to discuss litigation with the County, to obtain legal advice with respect to impact fee collection; and to discuss proposal for relocation of business's, seconded by Councilman Clendaniel, passing unanimously.

Mayor Foster, Councilman Gregory and Councilman Clendaniel were present during this meeting along with the Terry Fearins - Town Administrator, Karen Monteith - Clerk-Treasurer and the Brynja Booth, Town Attorney.

No action was taken.

At 6:59 PM. Councilman Clendaniel made a motion to close the executive session, seconded by Councilman Gregory, the motion passed unanimously.

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 Council members Horsey and Branson were absent, all other members were present.

Councilman Clendaniel made a motion to approve the minutes of the March 5, 2007 meeting, seconded by Councilman Gregory, passing unanimously.

Public Hearing

Ordinance #535

Mayor Foster opened a public hearing at 7:02PM to receive public comments on Ordinance #535 - Zoning Use Table Amendment which was introduced on March 5th. The Denton Planning Commission has recommended the Council consider the following changes to the zoning use table to permit: accessory apartments in combination with a principal residence in the Suburban Residential and Townscale Residential Districts with Planning Commission approval; to permit home occupations in the Suburban Residential and Townscale Residential Districts with Planning Commission approval instead of Board of Appeals approval; and to permit Barbers/Beauty salons in the Light Industrial District which currently permits certain other personal service businesses.

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 Public – Ms. Jennifer Walls, 13483 Dean Rd, spoke on behalf of the ordinance changes.

Mayor Foster asked for comments from the Council – there were none

With no further comments Mayor Foster closed this public hearing at 7:04 PM.

Petitions, Remonstrance's and Communication

Mayor Foster presented a proclamation and certificates of appreciation to: Laight Phelps, Chief Rodney Cox & Police Officer Mike Rodano for their life saving efforts when a driver went off of South Fifth Ave. into the Storm water management pond.

Police Officer Cynthia Komenda was presented with a life safety certificate of appreciation for saving the life of an individual having a heart attack.

Chief Rodney Cox presented the departmental life safety award to Officer Komenda, and certificates of appreciation for outstanding police work to Sgt. George Bacorn, Officer Mike Rodano, Officer Dan Franklin and Detective Jamie Secrist,

expressing that the members of the Police Department have been doing an outstanding job.

Proclamation-National Volunteer Week

Mayor Foster proclaimed April 15-April 21 as National Volunteer Week recognizing the contributions of the many residents who volunteer, and make Denton a great place to live.

Volunteer Appreciation Social:

Annually the Council hosts a social event for the various town appointed board volunteers. This will take place during Volunteer Appreciation Week on April 17, 2007, and will include distribution of the monetary gift budgeted by the Council last year.

Proclamation-April Fair Housing Month

Mayor Foster proclaimed April 2007 as Fair Housing Month.

Chiefs' Challenge

Mayor Foster proclaimed April 3, 2007 through June 2, 2007 as the 2007 Maryland Chiefs' Challenge – A Lifesaving Campaign.

Ordinances and Resolutions

Ordinance #535 Zoning Ordinance Use Table Amendment – On March 5th the Council introduced this ordinance on the recommendation of the Planning Commission which proposes the following changes: to permit accessory apartments in combination with principal residences in the Suburban and Townscale residential districts with Planning Commission approval; to permit home occupations with Planning Commission approval in the Suburban and Townscale residential districts instead of Board of Appeal approval; and to permit Barbers/Beauty salons in the Light Industrial District with site plan approval.

Councilman Gregory made a motion to adopt ordinance #535, seconded by Councilman Clendaniel, passing unanimously.

Ordinance #536 Schedule of Impact Fees for Residential and Commercial Uses

An ordinance was presented to the Denton Town Council to establish a schedule of Impact Fees for Residential and Commercial Uses.

Councilman Gregory made a motion to introduce Ordinance #536, seconded by Councilman Clendaniel, passing unanimously.

Ordinance #537 Residential Sprinkler System

At the Council's request an ordinance was prepared by the town attorney to establish a requirement for sprinkler systems in all new residential one and two family homes. The ordinance also applies to substantial rehab in residences where the value of the work exceeds 50% of assessed value.

Councilman Clendaniel made a motion to introduce ordinance #537, seconded by Councilman Gregory, passing unanimously.

Reports of officers, board and committees

None

Unfinished Business

Agenda #1 Industrial Park Land Acquisition

This item is on the agenda for discussion on the potential sale of the last two remaining lots – presently not under option agreement, and the potential to consider re-purchase of one lot in the Industrial Park. This item was deferred until later to discuss in executive session.

Agenda #2 - Vineyards Planned Neighborhood Planning Commission Recommendation:

As part of the Planned Neighborhood review process the Planning Commission is required to make a recommendation to the Town Council on the application of the PN floating zone. The Planning Commission has prepared a Findings of Fact on The Vineyards PN request, and made a positive recommendation to the Town Council that the request for PN zoning be approved. To accomplish this, the Town Council will be required to make a site visit to the property and hold a public hearing. Mrs. Walls, Chairman of the Planning Commission and Ms Shull presented The Findings of Fact on behalf of the Planning Commission.

A working session was scheduled for April 30, 2007 at 6:00 to be held at the Denton Police Dept. Bldg.

New Business

Agenda #1 - Denton Town Council Sick Leave

This item is on the agenda for the Denton Town Council this item is to consider the establishment of a sick leave benefit for Council members.

Councilman Gregory made a motion to bring this item up for discussion, seconded by Councilman Clendaniel, passing unanimously.

Councilman Gregory mentioned the policy needs to consider sick leave for Council and employees of other Municipal, County and State agencies who wish to seek employment with the Town of Denton or are employed with the Town to be able to transfer their sick leave from their previous locations into the Town's bank sick leave depository. And for the sick leave policy for Council members to be the same as it is for other employees.

Councilman Gregory moved to accept and to adopt this sick leave policy, seconded by Councilman Clendaniel, passing unanimously.

Agenda #2 Denton Town Council Retirement

This item is on the agenda for the Denton Town Council to consider a Retirement Benefit for Council members who are presently not participating in the State of Maryland Retirement Program and serve more than 20 years in office and are 62 years of age.

Councilman Gregory made a motion to adopt the retirement policy, seconded by Councilman Clendaniel, passing unanimously.

The Town Attorney will review the Town Charter and pull together a resolution to amend the personnel regulations.

Councilman Gregory explained to the public that the Council has had discussion on this item in the past. New Council members are required to participate in the State Retirement Plan by having this policy it will allow Council members that have served office before this requirement that have reached 62 years of age and have served 20 years or more on the Denton Town Council to receive a retirement stipend of \$100 a month.

Agenda #3 - Denton Police Department

A request was made for the opportunity to extend thanks and appreciation to members of the Denton Police Department. This was done earlier in the meeting.

Agenda #4 Computer Services

Staff advised the Council that upon completion of the installation of the new Town Office Server and upgrade of software, the Town Office has been using Corsica Technologies to provide Computer and networking assistance. The Council was asked to consider entering into a contract with Corsica to provide both preventative maintenance and computer assistance when there are problems.

Mr. Dale Walls of Corsica Tech. was present and discussed the contract with the Council. Staff recommended the Ready+(1 Year) Support & Maintenance program.

Councilman Gregory asked about obtaining bids and was advised that the procurement ordinance does not require seeking bids for specialized or technical services.

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

Agenda #5 FY-2008 Budget

As required by the Denton Town Charter the first budget submission was presented to the Denton Town Council for the General Fund Budget. The budget reflects the requests made by each Department Head. A copy of the Draft Capital Improvement Program was presented as well.

A working session to provide an opportunity for each Department to discuss their budget submissions was scheduled for April 16, 2007 to be held at 6:00.

Agenda #6 Industrial Park Development

At the March 5, 2007 Council Meeting, Councilmember Horsey had requested the opportunity to discuss industrial park development needs for the Town of Denton.

The Council agreed to table this item.

Agenda #7- Summer Schedule

Staff requested the opportunity to discuss the establishment of summer office hours for the town administrative offices including Finance and Housing & Community Development Departments.

Councilman Gregory asked for staff to provide detailed information regarding how the schedule was received last year.

Councilman Gregory made a motion to defer further discussion until the May meeting and instructed staff to provide additional quantitative data in support of this proposal, seconded by Councilman Clendaniel, passing unanimously.

Recess- Councilman Gregory asked for a 5 minute recess at 8:14 PM, the meeting resumed at 8:20PM.

Agenda #8 Prtichett Farms Planned Neighborhood (PN) Presentation

An application has been received for a Planned Neighborhood on property owned by Bill Maloney on Foy Road. The application process and submittals is scripted by ordinance and requires that certain steps be taken in a predetermined order as was outlined on the attached memo. The first step requires formal submittal of the application to the Town Council. Planners and engineers from McCrone, Inc. were present to make an initial presentation if desired.

The Council agreed to hold discussion and the presentation to be made during the working session on April 30, 2007 at 6:00 to be held at the Denton Police Dept.

Agenda #9 Pattern Book Agreement:

The Town has requested that Crouse Farm, LLC prepay a share of the Pattern Book. A credit agreement & resolution was provided for the Council's consideration as required by the Impact Fee Ordinance.

Councilman Gregory made a motion to accept the pattern book agreement, seconded by Councilman Clendaniel, passing unanimously. This will be resolution#693.

Executive Session

Mayor Foster advised that an executive session was held earlier on this date (see the beginning of the minutes for the details).

At 8:40 PM Councilman Gregory made a motion to hold a second executive session to discuss the acquisition of Industrial Park land and prospective business location in the IP, discuss the location of business in Town and the Staff efforts to negotiate with the business, seconded by Councilman Clendaniel, passing unanimously.

No action was taken during this session.

At 9:05 PM Councilman Clendaniel made a motion to close the executive session and reopen the regular meeting, seconded by Councilman Gregory, passing unanimously.

New Business # 1 - Industrial Park Land Acquisition

Councilman Gregory made a motion to give staff the ability to negotiate the sale and acquisition of Industrial Park Land, seconded by Councilman Clendaniel, passing unanimously.

Volunteer Appreciation

The Council previously approved to provide a stipend to volunteer board members, staff asked for direction on how to distribute. The Council agreed to distribute based on the amount of times these boards meet and provide \$200 to Planning Commission Member, \$100 to members of the Utility and Historic Review Commissions. For the members of the Boards that do not meet regularly provide \$20 to the members.

Councilman Clendaniel made a motion to provide the stipend as discussed, seconded by Councilman Gregory, passing unanimously.

With no further discussion Councilman Clendaniel made a motion to close the meeting at 9:15 PM, seconded by Councilman Gregory, passing unanimously.

Respectfully submitted,

*Karen L. Monteith
Clerk-Treasurer*