

July 3, 2006

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

Vice Mayor Stockley asked that the record reflect that Mayor Branson was absent and that she would be presiding over the meeting. All other members were present.

Councilman Horsey made a motion to approve the minutes of the June 5, 2006 and June 13, 2006 meeting, seconded by Councilman Foster, the motion passed unanimously.

Public Hearing

Ordinance #515 – Gay Street Redevelopment

Vice Mayor Stockley opened a public hearing at 7:01 PM to receive public comments on Ordinance #515, which proposed Gay Street Redevelopment project. An ordinance that authorizes the execution of an agreement for the transfer of 522 Gay Street from the Town of Denton to CIII Builders, LLC as part of the Gay Street Redevelopment Project. This property will be redeveloped as part of the master plan redevelopment and revitalization plan.

Vice Mayor Stockley asked for any comments from the State – there was none.

Vice Mayor Stockley asked for any comments from the County – there was none.

Vice Mayor Stockley asked for any comments from the Public – there was none.

With no further discussion Vice Mayor Stockley closed this public hearing at 7:02 PM.

Ordinance #516 – Town Council Salary

Vice Mayor Stockley opened a public hearing at 7:02 PM to receive public comments on the proposed Council Salary Increase. This ordinance would increase the annual salary of the Council members and place this item on the ballot for the November elections. This ordinance proposes to increase the salary for the Mayors position from \$1,500 to \$3,600 and the other Council members from \$1,000 to \$3,000.

Vice Mayor Stockley asked for any comments from the State – there was none.

Vice Mayor Stockley asked for any comments from the County – there was none.

Vice Mayor Stockley asked for any comments from the Public – there was none.

With no further discussion Vice Mayor Stockley closed this public hearing at 7:03 PM.

Ordinance #517 – Zoning Amendment

Vice Mayor Stockley opened a public hearing at 7:03 PM to receive public comments on the proposed zoning ordinance amendment. The amendment proposed by the Planning Commission would amend the number of parking spaces required for retail businesses. The change would reduce the ratio from one space per 150 sq ft of gross floor space to one space per 200 sq ft of gross floor space.

Vice Mayor Stockley asked for any comments from the State – there was none.

Vice Mayor Stockley asked for any comments from the County – there was none.

Vice Mayor Stockley asked for any comments from the Public – there was none.

With no further discussion Vice Mayor Stockley closed this public hearing at 7:04 PM.

Ordinance #518 – Zoning Amendment

Vice Mayor Stockley opened a public hearing at 7:04 PM to receive public comments on the proposed zoning ordinance amendment. The amendment proposed by the Planning Commission would clarify what districts the use of portable storage units such as shipping containers or tractor trailer beds are permitted for temporary storage.

*Vice Mayor Stockley asked for any comments from the State – there was none.
Vice Mayor Stockley asked for any comments from the County – there was none.
Vice Mayor Stockley asked for any comments from the Public – there was none.
With no further discussion Vice Mayor Stockley closed this public hearing at 7:05 PM.*

Ordinance #519 – Redevelopment District Overlay

Vice Mayor Stockley opened a public hearing at 7:05 PM to receive public comments on the proposed zoning ordinance amendment. The amendment is a result of a proposal to redevelop a portion of Gay Street. The ordinance defines a redevelopment district, and how it would be reviewed by the Planning Commission and Town Council.

*Vice Mayor Stockley asked for any comments from the State – there was none.
Vice Mayor Stockley asked for any comments from the County – there was none.
Vice Mayor Stockley asked for any comments from the Public – there was none.
With no further discussion Vice Mayor Stockley closed this public hearing at 7:06 PM.*

Ordinance #520 – Redevelopment District Map

Vice Mayor Stockley opened a public hearing at 7:06 PM to receive public comments on the proposed redevelopment district map ordinance. The ordinance defines by map the parcels within a defined area that would be eligible for inclusion in the redevelopment district.

*Vice Mayor Stockley asked for any comments from the State – there was none.
Vice Mayor Stockley asked for any comments from the County – there was none.
Vice Mayor Stockley asked for any comments from the Public – there was none.
With no further discussion Vice Mayor Stockley closed this public hearing at 7:07 PM.*

Petitions, Remonstrances and Communication

Proclamation

Vice Mayor Stockley read and directed that a proclamation be signed by the Mayor in celebration of Ms. Thelma Nichols 80th birthday.

Ordinances and Resolutions

Resolution #680- Charter Amendment Voter Residency Requirement

A resolution amending the Town Charter section C5-2 changing the residency requirement for qualified voters in Town Elections from six months to thirty days. This resolution was brought before the Council for consideration of adoption. Since this is an amendment to the Charter this resolution will become effective 50 days after adoption. A summary of this resolution will be advertised for 4 weeks in the Times Record.

Councilman Horsey made a motion to adopt resolution #680, seconded by Councilman Gregory, the motion passed unanimously.

Ordinance # 515 - Gay Street Redevelopment

An ordinance which authorizes the execution of an agreement for the transfer of 522 Gay Street as part of the Gay Street Redevelopment Project. This property will be redeveloped as part of a master plan redevelopment and revitalization plan. This was brought before the Council for consideration of adoption.

Councilman Gregory made a motion to adopted Ordinance #515, seconded by Councilman Foster, the motion passed unanimously.

Ordinance #516 - Town Council Salary Increase

An ordinance which would increase the annual salary of the Council members and place this item on the ballot for the November elections. This ordinance proposes to increase the

salary for the Mayors position from \$1,500 to \$3,600 and the other Council members from \$1,000 to \$3,000. This ordinance was brought before the Council for consideration of adoption.

Councilman Gregory explained that this would become effective with new members that are elected to the Town Council and not benefit any of the current sitting members.

Councilman Horsey made a motion to adopted Ordinance #516, seconded by Councilman Foster, the motion passed unanimously.

Ordinance #517-Zoning Ordinance Amendment-parking regulations

The Planning Commission proposes to update the zoning ordinance to amend the number of parking spaces required for retail businesses in all districts. The change would go from 1 space per 150 sq ft of gross floor area to 1 space per 200 sq ft of gross floor area. No other changes are proposed. This item was presented for consideration of adoption.

Councilman Horsey made a motion to adopted Ordinance #517, seconded by Councilman Foster, the motion passed unanimously.

Ordinance #518-Zoning Ordinance Amendment-portable storage units

The Planning Commission proposes to update the zoning ordinance to clarify where the use of portable storage units and/or tractor trailer beds for temporary storage are permitted. Presently there are a number of businesses who insist on using tractor trailer beds or shipping containers as cheap alternative storage which is prohibited by ordinance. This item was presented for consideration of adoption.

Staff advised that existing properties will have six months to comply with this new zoning regulation.

Councilman Horsey made a motion to adopted Ordinance #518, seconded by Councilman Gregory, the motion passed unanimously.

Ordinance #519-Redevelopment District Overlay

The Planning Commission is entertaining the redevelopment of a portion of Gay Street. Town attorney, Brynja Booth, has refined the procedure within the Zoning Ordinance that defines a redevelopment district, and how it functions. This item was presented for consideration of adoption.

Councilman Horsey made a motion to adopted Ordinance #519, seconded by Councilman Foster, the motion passed unanimously.

Ordinance #520-Redevelopment District Map Ordinance

Town Attorney, Brynja Booth, drafted an ordinance that defines which parcels are eligible for inclusion in the Gay Street Redevelopment District. The actual map change would take place if the application for a redevelopment district is approved via a separate action by the Council and Planning Commission. This item was presented for consideration of adoption.

Councilman Horsey made a motion to adopted Ordinance #520, seconded by Councilman Foster, the motion passed unanimously.

Ordinance #521-Option Agreement Lot 3 Denton Industrial Park III

An Option Agreement and Ordinance authorizing the Town to enter into the option agreement for Lot 3 in the Denton Industrial Park Phase III was presented to the Council for consideration of introduction.

Councilman Foster made a motion to introduce Ordinance #521, seconded by Councilman Gregory, the motion passed unanimously.

Reports of officers, board and committees

None

Unfinished Business

Agenda #1 - Municipal Building Design

The design phase of the project is almost at 50%. In reviewing the contract for the Design phase, Greg Torchio has requested to increase the building construction cost estimate from \$2,490,000 to \$3,000,000. This was brought before the Council for consideration and if approved, the Mayor would need to be authorized to sign.

Councilman Horsey made a motion to allow the Mayor to sign for the Municipal Building design amendment, seconded by Councilman Foster.

In discussion Councilman Gregory inquired about how the funds would be raised to cover the project. Staff advised a USDA loan would be applied for along with possible impact fees and the funds collected through developer rights and responsibility agreements. With no further discussion the motion passed unanimously.

Agenda #2 - Payscale Implementation Amendment

The Factoring Committee met on June 14, 2006 to address a concern from Chief Cox regarding the implementation of existing employees on the new payscale. Seeking amendment to place all employees on the new payscale based on actual years of service with the Town.

Councilman Foster made a motion to amend the pay scale implementation at the recommendation of the Factoring Committee, seconded by Councilman Gregory, the motion passed unanimously.

Agenda #3 - Transportation Utility Fee

Brynja Booth provided in her research regarding the potential for Denton to establish a Transportation Utility Fee. Referencing the Attorney General's Opinion letter to the City of Cumberland, Brynja has determined that there would need to be legislative change. Jeff Repp, Town Manager of Cumberland, has confirmed that they are seeking Legislative consideration for priority by MML. Seeking authorization from the Town Council to draft a letter for the Mayor's signature supporting Cumberland's request.

Councilman Horsey made a motion to authorize staff to draft a letter for with the Mayor's signature in support of Cumberland's legislation change, seconded by Councilman Gregory, the motion passed unanimously.

Other Unfinished Business

None

New Business

Agenda #1- Caroline Summerfest

The Town Administrator is seeking authorization to close the Denton Town Office on Monday, August 21st. Consistent with the last year, the office was closed to offset the number of hours an employee works do to the Summerfest weekend. Employees, who work less than 8 hours (Public Works) and 10 hours (Town Office Staff), will take personal leave to make up the difference. This also provides a break in the event the rain date occurs and Sunday becomes a festival day.

Councilman Horsey made a motion that the Town Office be closed on Monday August 21, 2006 in celebration of the celebration of summerfest, seconded by Councilman Foster, the motion passed unanimously.

Agenda #2 - Wells Annexation Petition

A petition for annexation was received from attorney George Nier on behalf of Horace B. and Carol Louise Wells of Camp Road. The area of annexation includes two parcels owned by

Mr. and Mrs. Wells, three privately owned parcels each approximately one acre or less that front on Camp Road, and 125' of Camp Road. Total area of proposed annexation is 17.882 acres. The area is designated in Denton's growth plan.

Councilman Horsey made a motion to refer to the town attorney and the planning commission for a recommendation, seconded by Councilman Gregory, the motion passed unanimously.

Agenda #3 -Election Judge Appointment

There is one vacancy on the Supervisor's of Election Board for the Town for appointment for 2 years. Three resident's names were submitted for consideration.

Councilman Horsey made a motion to appoint Michele Wasson to the vacant Election Judge position and to appoint Sarah Maldondo and Mary Claytor to serve as alternates, seconded by Councilman Foster, the motion passed unanimously.

Agenda #4 - Class Specification Amendment

A revised Class Specification, amending the Superintendent of Public Works position to a Director of Public Works and Public Utilities was presented to the Council. This amends the position to be consistent with how the position has evolved to present day. This would be at a Grade 12. The increase to Grade 12 was reflected in the FY 2007 budget, however the Council will need to authorize the change before it can become effective.

Councilman Gregory made a motion to adopt the class specification change, seconded by Councilman Foster, the motion passed unanimously.

Agenda #5 Request to Abandon Paper Alley

The Stewards, who reside at 301 S. Sixth Street, have requested that the alley adjacent to their Lot #2 be abandoned. This was brought before the Council for consideration. The Town Council may wish to consider referring this to the Planning Commission and/or Chief Cox/Scott Getchell for review and comments.

Councilman Horsey made a motion to refer to the Planning Commission, seconded by Councilman Foster.

In discussion Councilman Gregory asked for clarification on what a paper alley was. Staff responded.

The motion passed unanimously.

Councilman Horsey asked to have the Planning Commission consult with Chief Cox, Scott Getchell and the Town Attorney.

Other New Business

Councilman Gregory shared information about the MML Convention that he recently attended.

Councilman Foster expressed how much he enjoyed attending the MML Convention.

With no further business to discuss Vice Mayor Stockley adjourned the meeting at 7:53 PM.

*Respectfully submitted,
Karen L. Monteith
Clerk-Treasurer*