

July 9, 2007

Regular Meeting

At 6:55 PM Mayor Foster announced that the meeting was being relocated to the basement of the Denton Police Dept. and will begin around 7:15 PM.

Mayor Foster called the meeting of the Denton Town Council to order at 7:12 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 Clendaniel made a motion to approve the minutes of the June 4, 2007 meeting, seconded by Councilman Gregory, passing unanimously.

Petitions, Remonstrance's and Communication

None

Ordinances and Resolutions

None

Reports of officers, board and committees

None

Unfinished Business

Agenda #1 FY-2008 Budget

The Council previously adopted the General Fund Budget at their June 4, 2007 meeting. The Highway, Water and Sewer Fund Budget reflecting the changes to the salary to with a 5% Livability Wage was brought before the Council for consideration of adoption.

Councilman Branson made a motion to adopt the highway, water and sewer fund budgets as presented, seconded by Councilman Porter, passing unanimously.

Agenda #2 Denton Tourism

The Town of Denton has presently appropriated funds towards tourism initiatives, with the Caroline Economic Development Corporation. Denton's Tourism initiatives will then be facilitated under the auspices of the CEDC.

Mr. JOK Walsh and Ms. Natalie Chabot were present and held discussion with the Council regarding merging the Town and County Tourism programs and funding resources. Memorandum of agreement with the County for Hotel Tax Revenues and a memorandum of agreement with the Caroline Economic Development for the Tourism Initiative were reviewed.

Councilman Gregory pointed out some corrections in section 3A & 3B of the hotel tax MOU.

Councilman Branson made a motion to allow the 10% increase in hotel tax to the Caroline County Economic Development for one year, seconded by Councilman Gregory, the motion passed with Councilman Clendaniel abstaining.

Councilman Branson made a motion with the corrections of 90% in section 3A and 10% in section 3B to adopt the Hotel Rental Tax MOU through Dec. 31, 2010, seconded by Councilman Gregory, passing unanimously.

Agenda #3 Caroline County Chamber of Commerce

Mr. John Nussear was present to discuss an application for membership with the Caroline County Chamber of Commerce. The annual membership fee would be \$228.

Councilman Branson made a motion to join the Caroline County Chamber of Commerce, seconded by Councilman Gregory, the motion passed with Councilman Clendaniel abstaining.

Agenda #4 Pritchett Farms Planned Neighborhood

Bill Maloney, owner and developer, of Pritchett Farms on Foy Road previously met with the Town Council in a working session to discuss his project. As part of the PN process a referral to the Planning Commission is needed from the Town Council.

Mr. Tristan Stewart, Mr. John Maynard and Mr. Maloney provided an overview of the PN and requested a referral based on the Council's determination that this concept is consistent with the Comprehensive Plan per the ordinance.

Councilman Branson made a motion to refer to the Planning Commission with awareness of the Council questions regarding the, DRRA, effect on roads, schools and EMS Emergency Services. The motion passed 4-1 with Councilman Gregory voting against.

Agenda #5 - Pearson Road LLC Planned Neighborhood

Mr. John Moynahan, Project Planner, and Bob Ciprietti, Developer, came before the Council to provide an update on their project on Market and Pearson Road. A preliminary school impact study and threatened species study has been done. The project will have about 119 units with a variety of street escapes, open space and the intent is to integrate into the existing town.

Melissa Kelly was present and gave a brief overview of the studies.

Mr. Tolbert Rowe serves on the Caroline County Board of Education, spoke advising that presently the County is seeing about .5 kids per unit enrolling into the school system. At this time there has been zero impact on the high school, very little impact on the middle school, most of the impact is at the elementary level. What is unknown is the amount of pre-school age children that are moving into the area that have not enrolled into the school system.

Councilman Clendaniel made a motion to send this to the Planning Commission, with the Council's reservations that were expressed in the prior agenda item, seconded by Councilman Porter. Further discussion was held in which Mrs. Doris Walls, Chairperson for the Denton Planning Commission advised that more in depth impact studies will be required as part of the PN process which will answer most of these concerns. The motion passed unanimously.

Agenda #6 West Denton

Representatives for the West Denton project were present at the Denton Town Council May 7th meeting. They provided a written follow up letter requesting the opportunity to schedule a date to meet with the Council.

The Town Administrator was asked to set up a joint meeting with the County on the comprehensive plan and growth.

New Business

Agenda #1 Denton Architectural Pattern Book

The Denton Planning Commission has made a recommendation that the Town Council adopt the Pattern Book and the accompanying matrix that identifies how the pattern book would be applied. Work sessions with the public, business owners, builders and community leaders were held since last summer to create input and support for the pattern book. Funding for the pattern book came from a grant from DNR Coastal

Communities Initiative, and fees collected from developers. Funding for the printing and distribution of the book to the community at no charge has come in the form of a grant from the Chesapeake Bay Trust.

Staff advised the Town Council that this was being provided to them for review and suggested that a meeting be set up with the Planning Commission for further discussion.

Staff was asked to schedule a meeting with the Planning Commission.

Agenda #2 Denton Comprehensive Plan 2007

The Denton Planning Commission is providing the Denton Town Council with a copy of the final draft of the 2007 Denton Comprehensive Plan.

Staff was asked to schedule a meeting with the Planning Commission to review.

Mr. Tolbert Rowe of the Caroline Co. Board of Ed asked for a copy to be provided to the BOE to incorporate the impact on the school system.

Agenda #3 Sharp Road Annexation Request

A petition requesting annexation has been received from the property owners on Lupine Lane and Sharp Road. These properties are adjacent to the Denton Elementary School, and a vacant parcel owned by Chris Coile both of which are within the town limits. The properties along Sharp and Lupine are owner occupied, and each is improved with a single family dwelling on well/septic. A referral to the Planning Commission for a recommendation, and referral to the Town Attorney to determine legal sufficiency of the application was requested.

Mrs. Cindy McCann representative for the Property Owners was present. Mr. Chris Coile the applicant provided an overview of the future of the area to be annexed.

Councilman Porter made a motion to refer to the Planning Commission and the Town Attorney for recommendations, seconded by Councilman Branson, the motion passed 4-1 with Councilman Clendaniel voting against.

Agenda #4 Deed of Road Dedication/Mallard Landing Phase I

Mallard Homes has completed all infrastructure improvement requirements set forth in the Public Works Agreement for Mallard Landing Phase I dated June 24, 2003. The Public Works Director was present and requested the Council to authorize the Mayor to sign the Deed of Road Dedication. The Town Attorney has approved the deed.

Councilman Branson asked for clarification on the Town taking over the roads. The Town Administrator talked about special tax districts to cover road repairs. Mrs. Brynja Booth, Town Attorney explained the difference in a subdivision by right verses a planned neighborhood and DRRA (developer rights and responsibilities agreements).

Councilman Gregory raised concerns as to why the Town would consider taking on roads when it is difficult to have the funding to take care of the existing streets. The Town Attorney advised the Council can adopt special taxes for certain areas, however this particular project has existing public works agreements and they have met the obligations requested of them in this agreement..

Councilman Branson made a motion to accept the Mallard Landing Phase I section of the road, seconded by Councilman Porter, the motion passed 4-1 with Councilman Gregory voting against.

Discussion was held on how to avoid taking over maintenance on future projects with out additional funding from the developer.

Agenda #5 Crouse Park Phase 1B Consideration of Award

The Denton Development Corporation submitted a request for Bid Acceptance for Crouse Park Phase IB to the Town Council for consideration of award.

Mr. Ellis Davidson of the DDC was present and discussed the project with the Council.

Councilman Clendaniel asked about the basket ball courts and was advised that staff had contacted the County recreation department about their relocation. Staff will follow back up with the County on this.

Councilman Branson asked about considering a charge for boat ramp permit fee, and Councilman Clendaniel advised that the County is already considering this.

Councilman Porter had to leave the meeting at 9:20 PM.

Councilman Branson made a motion to award the Crouse Park Phase I bid to Dissen & Juhn, seconded by Councilman Gregory. Further discussion was held about the basketball courts in which Councilman Gregory provided an overview of the decision to remove the basketball court with the intent to relocate somewhere else in town. The motion passed unanimously 4-0 (Councilman Porter had left the meeting).

Agenda #6 DPW Vehicle Purchases

The Public Works Department requested approval from the Council to order two new ½ ton pickup trucks from Norris Ford, holder of the Maryland State Contract for these vehicles. Funds are appropriated in the FY08 budgets for this purchase. The total cost for these vehicles is \$25,594 and will be split between funds in the following manner: General Fund = \$9,750.00, Highway Fund = \$3,250.00, Water Fund = \$3,250.00, Sewer Fund = \$9,344.00.

Councilman Branson made a motion to allow Public Works to buy these two vehicles, seconded by Councilman Clendaniel, passing unanimously.

Agenda #7 DPD Vehicle Purchases

The Police Department requested authorization from the Council to purchase 2 Ford patrol cars from Southwest Public Safety in Texas, and to secure the financing for these cars. The loan will be awarded to the lowest bid. These vehicles will replace current vehicles that are no longer suitable for service. The new vehicles will include new electronic equipment to upgrade old equipment. We have purchased these types of vehicles from this same company in the past with success.

Councilman Branson made a motion to allow the Police Dept. to purchase the cars at \$15,000 each with financing and not to exceed this proposal, seconded by Councilman Clendaniel, passing unanimously.

Denton Little League Water Usage

For the water billing quarter for April – June, the Little League irrigation meter usage was extremely high due to watering of the fields. This item was taken before the Council to provide awareness and to allow discussion since the Town currently pays for the water usage for the Little League out of the General Fund – Parks Budget. The cost for this particular billing quarter exceeded the total budgeted for all of the Little League's accounts combined.

Former Little League President Mr. Gene Robbins was present. Councilman Branson recommended that the Council continue to pay for the water usage for the concession stands but consider setting a limit on the irrigation. The Little League was asked to come up with a recommendation of what the annual usage allotment should be.

Councilman Branson made a motion to develop a memorandum of understanding, seconded by Councilman Clendaniel; the motion was amended to do an agreement informally. Further discussion was held in which Mr. Robbins asked if they could have a shallow well. Concerns were raised about having a new well in town but advised that they have to work with the Utility Commission to see if it is allowed. If allowed they would have to seek approval from the Town Council and the Caroline County Health Dept. The motion passed unanimously.

Executive Session

Councilman Gregory made a motion at 9:56 PM to hold an executive session to discuss a police officer personnel matter, seconded by Councilman Branson, passing unanimously.

Councilman Porter was absent but the rest of the Council members were present during this session. The Town Attorney, Mrs. Brynja Booth and staff Terry Fearins, Rodney Cox and Karen Monteith were also present.

At 10:40 PM Councilman Branson made a motion to close the executive session, seconded by Councilman Gregory, the motion passed unanimously.

No action was taken, just discussion of personnel issue and received legal advice on LEOBR.

Councilman Branson made a motion to relocate future Town Council meeting to the Police Dept., seconded by Councilman Gregory, passing unanimously.

With no further discussion the Councilman Branson made a motion to close the meeting at 10:42 PM, seconded by Councilman Gregory, passing unanimously.

Respectfully submitted,

*Karen L. Monteith
Clerk-Treasurer*