

December 6, 2004

Mayor Horsey called the regular meeting of the Denton Town Council to order on this date 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 were in attendance with the exception of Councilman Foster, who is presently on a Military leave of absence.

Councilwoman Stockley made a motion to adopt the minutes of the November 1, 2004 Council meeting and the minutes of the November 15, 2004 working session, seconded by Councilwoman Goldsborough, passing unanimously.

**Proclamation**

Mayor Horsey extended a proclamation of appreciation to Choptank Electric Cooperative, Inc. and the Rotary International Club of Denton for their continued support in assisting with the annual lighting of the Courthouse green in downtown Denton.

**Petitions, remonstrances and communication**

FSA County Committee Election Ballot was provided to the board for review.

**Introduction and adoption of resolutions and ordinances**

**Resolution #655 – Standards & Specifications for Public Works Construction**

**Ordinances**

Councilman Branson made a motion to adopt resolution #655, seconded by Councilwoman Goldsborough, passing unanimously.

**Ordinance #464 Barger Property Acquisition**

This ordinance authorizes the acquisition of 425 Lockerman St. owned by Charles Barger for \$110,000 plus settlement cost and expenses associated with the transfer. Two appraisals were performed on the property establishing the value as \$120,000 and \$140,000. Councilman Branson asked where the funding would come from. Staff advised that \$86,250 is anticipated to be received from program open space, the County will contribute up to \$20,000 to match the Town share. The Town share could be taken from the Park capital fund. Staff is seeking approval from the board to use park capital funds and authorization to sign the contract and settlement documents.

Councilwoman Goldsborough made a motion to adopt ordinance #464, seconded by Councilwoman Stockley, the motion passed unanimously.

Councilwoman Goldsborough made a motion to authorize taking money from the Park Capital Fund to pay the Town share, seconded by Councilwoman Stockley, the motion passed unanimously.

**Ordinance #466 – Vehicle Traffic Code Amendment–Special Purpose Parking Zone**

Based on a recommendation from the Highway Safety Committee this ordinance was brought before the board for consideration of adoption that would have no parking on Market St. between Sixth and Gay between 6:00 AM and 7:00 PM.

Mrs. Annette Dean of 610 Market St., addressed the board with concerns about eliminating the parking during that day, stating that it helps to slow traffic down and that off street parking in this area is limited. Mrs. Dean also expressed a concern for an elderly neighbor that presently parks on the street because it is difficult for her to get around. Mayor Horsey spoke as the chairman of the road safety committee advising that a survey had been placed in the

town newspaper and the responses received were in favor of this change, he also expressed concerns about the dangers of cars meeting each other on the street, and felt that traffic speeders need to be reported to the police dept. Staff asked the board if they would like to hold off adopting this ordinance until after a traffic modeling is discussed at the next meeting.

Councilwoman Goldsborough made a motion to defer a decision on this ordinance until a traffic study is done, seconded by Councilman Branson, the motion passed unanimously.

**Ordinance #468 – Offsite special event signage**

This ordinance addresses the growing number of offsite real estate open house signs that are placed off site through out town. Currently any signage under 4 sq. ft. is exempt from requiring a permit or regulation. This amendment would permit these small signs to be used for weekend open houses provided they are removed in a timely fashion.

Councilman Branson asked about real estate signs, and staff advised that real estate signs are defined differently, seeking to regulate signs for special promotions. Mayor Horsey recommended including yard sale and political signs, and staff advised that political signs are already defined in the code.

Councilman Branson made a motion to introduce ordinance #468, seconded by Councilwoman Stockley, the motion passed unanimously.

**Ordinance #469 – Industrial Signage Amendment**

This ordinance amends section 128-137 of the zoning ordinance to permit freestanding signs to be placed within 10' of the property line or street in Light industrial and Heavy industrial districts.

Councilwoman Goldsborough made a motion to introduce ordinance #469, seconded by Councilwoman Stockley, the motion passed unanimously.

**Ordinance #470 – Historic & Architectural Review Commission**

This ordinance would permit one of the five members of the Historic and Architectural review commission to be a non-resident of Denton.

Councilwoman Stockley made a motion to introduce ordinance #470, seconded by Councilwoman Goldsborough, the motion passed unanimously.

**Unfinished Business**

**Agenda #1 – Downtown Merchants request for Financial Assistance**

The Downtown Merchants came before the board seeking financial assistance to contract for a billboard on west bound Rt. 404. Staff advised that the MIP (Main St. Improvement) funds are not allowed to be used for advertising for bill boards. MIP funds are limited to banners, shopping bags, etc. Mr. Mark Peach of 115 Gay St., spoke on behalf of the downtown merchants stating that their goal was to bring people into downtown Denton to shop. The Mayor questioned to use the billboard for all of the merchants of Denton and not just the downtown, if using the tax payer's money he would support if it was for all merchants. Mr. Peach suggested to start with the downtown and then expand to include others. Councilwoman Goldsborough recommended to staff to seek out other outside funding. The Town Administrator asked if the MIP funds could be used for the art work, and the Council asked staff to research and bring back.

**Agenda #2 – Denton Old Schoolhouse**

This item was deferred until executive session.

**Agenda #3 – Water and Sewer Capacity**

The Utility Commission has reviewed the request for water and sewer capacity for

Walmart and has made the recommendation to approve the allocation for 4700 gpd and that after the facility is in operation for a year to review and adjust up if needed.

Councilwoman Goldsborough made a motion to allot the water and sewer capacity for 4700 gpd for Walmart, seconded by Councilwoman Stockley. During discussion Councilman Branson raised concerns about the timing and providing the allocation without a site plan. Staff explained the difference between commercial allocation and subdivision. The motion passed with Councilman Branson abstaining.

Mayor Horsey advised that he recently attending the meeting of the Utility Commission and advised that the next meeting was scheduled for Thursday, Dec. 9, 2004 at 9:00.

**Agenda #4 – Industrial Park**

This item was deferred until executive session

**Agenda #5 – Travel Training Request**

As a follow up to the previous meeting regarding funding Councilwoman Goldsborough attendance to the National League of Cities Conference. Staff advised that the FY2005 budget has appropriated \$5,000 for travel and training for the council to attend the Maryland Municipal League summer conference, ESAM dinners, etc. The Town Administrator acknowledge the need to be sensitive to the Council and Staff needs for training. Councilwoman Goldsborough advised that she was seeking outside assistance to set up fund raising without creating a hardship on the Town. Councilwoman Stockley expressed her gratitude for Councilwoman Goldsborough involvement, but wanted to make sure that staff training needs are met. It was recommended for the next fiscal year to have staff and the council each determine what training is necessary and the cost so that it can be properly budgeted for.

**Agenda #6 – West Denton/Caroline Preliminary Engineering and Fiscal Report**

The last report was done in 1989.

Councilman Branson made a motion to authorize to move forward with a preliminary engineering report, seconded by Councilwoman Stockley, the motion passed unanimously.

**Other Unfinished Business**

Mayor Horsey advised about the Heritage Area Management Plan, stating that the Planning Commission and the Council declined to participate. Some of the obstacles have been removed and it was suggested to have the Town reconsider. The Planning Commission will review the changes and will make a recommendation. This will be brought back before the Council in February.

Mayor Horsey advised that a letter from the State Highway Administration was received that rejected the Council request for changing the street names for the two new frontage roads on Rt. 404, advising that this approval needs to come from Emergency Management.

Mayor Horsey announced that Maryland Proteins has a buyer on their Industrial Park Land.

**New Business**

**Agenda #1 – Police Dept. Building Lettering**

Chief Cox obtained two estimates for lettering of the new police facility and provided them to the board for consideration.

Councilman Branson made a motion to award the lettering to Ace Designs, 10” acrylic letters in plastic for \$345.78 with \$165.00 for installation, seconded by Councilwoman Goldsborough, the motion passed unanimously.

Mayor Horsey recommended to have signage on the Gay St. side. Chief Cox advised that a blue information sign has been put up by the State Highway Administration.

**Agenda #2 – GIS and Traffic Modeling**

A proposal from the Eastern Shore Regional GIS Cooperative to provide a GIS Assessment, development of a Municipal GIS for Denton and the traffic modeling program was provided to the board. Staff advised that the Town cost is half and that \$20,000 from the West Denton project will be appropriated towards this.

Councilwoman Goldsborough made a motion to accept the GIS Needs Assessment proposal for \$10,000 and the Development of a Municipal GIS for Denton proposal for \$14,576, seconded by Councilman Branson, the motion passed unanimously. The Traffic Study proposal will come back to the board in the future.

**Agenda #3 – Market Street Improvements Change Order**

A change order to relocate a street light pole for the Market St. project. The cost for the relocation is estimated by Verizon to be \$5,904.80. Brambles will be billed and invoice the Town for the cost through a change order. To keep the project moving staff already approved and the pole has been relocated. Staff is seeking approval from the Council for this change order.

Councilman Branson made a motion to pay for the pole to be moved approving the change order, seconded by Councilwoman Stockley, the motion passed unanimously.

**Agenda #4 – Parking Meter Replacement**

Chief Cox came before the Council seeking authorization to replace the remaining mechanical parking meters to electronic meters, estimating the cost to be around \$5,200. This cost does not include the replacement of the cloudy lenses. Chief Cox also requested consideration to increase the hourly rate from ten cents per hour to twenty-five cents per hour.

Councilwoman Stockley made a motion to authorize the replacement of 35 meters and increase the parking fee to twenty-five cents per hour, seconded by Councilman Branson, the motion passed unanimously.

Chief Cox will research to see if this requires an amendment to the vehicle code and will look into expanding the meters around the court house.

**Agenda #5 – Community Center Use Agreement Extension**

Councilman Branson made a motion to approve an extension for an additional six month to the Word of Life Church use agreement for the Community Center, seconded by Councilwoman Goldsborough, the motion passed unanimously.

**Agenda #6 – Planning Commission Appointments**

Councilwoman Goldsborough made a motion to reappoint Mr. David Gray and Mr. Jake Holmes for an additional five year term to serve on the Planning Commission, seconded by Councilman Branson, the motion passed unanimously.

**Agenda #7- Chesapeake Culinary Center Pilot Program**

Councilwoman Goldsborough made a motion to allow the Culinary Program to terminate their contract with St. Luke's Church and enter into a contract with A.M.E. Bethel Church to use for their program, seconded by Councilwoman Stockley, the motion passed unanimously.

**Agenda #8 – End of the Year Activities**

Councilwoman Goldsborough made a motion to approve the annual end of the year bonus for employees, seconded by Councilman Branson, the motion passed unanimously.

**Executive Session**

*At 9:00 PM Councilwoman Goldsborough made a motion to hold an executive session to discuss an Industrial Park Option and the Old School House, seconded by Councilman Branson, the motion passed unanimously.*

*At 9:35 PM Councilman Branson made a motion to close the executive session and reopen the regular meeting, seconded by Councilwoman Goldsborough, the motion passed unanimously.*

**Unfinished Business**

**Agenda #4 – Industrial Park**

*Councilman Branson made a motion to refer Mr. Hefflebower's project to the Industrial Park Owners Association to review covenants for compliance, seconded by Councilwoman Goldsborough, the motion passed unanimously.*

**Agenda #2 – Denton Old Schoolhouse**

*An ordinance #471, authorizing the settlement and acquisition of the Old School House for a price not to exceed \$350,000, plus settlement cost and expenses associated with the transfer was brought before the board for consideration.*

*Councilman Branson made a motion to introduce Ordinance #471, seconded by Councilwoman Goldsborough, the motion passed unanimously.*

*With no further business to discuss Councilman Branson made a motion to close the meeting of the Denton Town Council at 9:43 PM, seconded by Councilwoman Stockley, the motion passed unanimously.*

*Respectfully submitted,*

*Karen L. Monteith  
Clerk-Treasurer*