

**June 6, 2013**

**Regular Meeting**

Mayor Danielson 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 Danielson asked that the record reflect that all Council members were present at this time with the exception of Councilman Porter, who was on his way.

Mayor Danielson took a moment to welcome back Mr. Dustin Holt, Editor of the Times Record, after having an extended medical leave of absence.

Mayor Danielson announced that today is the Anniversary of what is known as "D" Day, he and asked that everyone remember and keep those who served in WWII and their families in memory.

Councilman Clendaniel made a motion to approve the minutes of the April 30, 2013 Special Meeting, the minutes of the May 2, 2013 Regular Meeting and the minutes of the May 23, 2013 Working Session as presented. The motion was seconded by Councilman Gregory, passing unanimously 4-0.

**Public Hearing**

**Ordinance #653 – FY2014 General Fund Appropriation Ordinance**

Mayor Danielson opened a public hearing at 7:06 PM to receive public comments on Ordinance #653 - An Ordinance of the Town of Denton to appropriate funds and estimate income in accordance with the General Fund Budget Adoption for Fiscal Year beginning July 1, 2013 and ending June 30, 2014.

Mayor Danielson asked for comments from the State: there were none

Mayor Danielson asked for comments from the County: there were none

Mayor Danielson asked for comments from the Council: there were none

Mayor Danielson asked for comments from the Public: there were none

With no further comments, Mayor Danielson closed this public hearing at 7:07 PM.

Councilman Porter arrived at 7:07 PM.

**Resolution #786 – CDBG Grant Application**

Mayor Danielson opened a public hearing at 7:07PM to receive public comments on Resolution #786 – A Resolution of the Town of Denton approving the application and receipt of financing for a Community Development Block Grant SFY14 in the amount of \$720,000, to be funded by the Dept. of Housing and Community Development.

Mayor Danielson asked for comments from the State: there were none

Mayor Danielson asked for comments from the County: there were none

Mayor Danielson asked for comments from the Council:

Councilman Clendaniel asked for some additional information about the grant.

Mr. Mulrine, Town Administrator, provided an overview explaining that if the grant funds are awarded, they would be used for the removal of blight dwellings in the High and N. Third St. area.

Mayor Danielson asked for comments from the Public:

Mr. Bill Clemens, Executive Director of the Caroline County Habitat for Humanity, added that if the grant funds are awarded they would be used to acquire properties, remove blight houses and clean up slum areas so that Habitat for Humanity can build new houses. New houses that would be occupied and back on the tax roll. Mr.

Clemens announced that they have received word that some funding from a prior application has been approved.

Mr. Clemens mentioned that the State of Maryland has a mortgage funding program underway. This program will help find good mortgages for good families.

With no further comments, Mayor Danielson closed this public hearing at 7:11 PM.

**Petitions, Remonstrance's and Communication**

**Proclamation – Patti's Petals 5 Year Anniversary**

Mayor Danielson read and presented a proclamation to Ms. Patti Wood congratulating Patti's Petals, Florists, Gardens and Gifts on their 5 Years of business in downtown Denton.

**Proclamation – Color n Clay 3 Year Anniversary**

Mayor Danielson read and issued a proclamation congratulating Color n Clay on their 3 year anniversary of being a business in downtown Denton. Unfortunately Mr. Owens, Owner of Color n Clay, recently closed his business. The Council expressed thanks to Mr. Owens for his time and efforts made to the downtown community.

**Proclamation – Reverend Ray Graham, St. Luke's United Methodist Church**

Councilman Gregory announced that Reverend Ray Graham is retiring after serving as the Pastor at St. Luke's United Methodist Church for the past 6 years and asked to have a proclamation prepared recognizing Reverend Graham. Councilman Gregory offered to present the Proclamation to Rev. Graham on Sunday at his retirement celebration.

Councilman Gregory made motion to prepare a Proclamation, seconded by Councilman Clendaniel. The motion passed unanimously.

**Maryland Historic Trust (MHT) Approval Letter – Caroline High School**

Mr. Mulrine provided an overview of a letter received from the MHT giving approval to move forward with installing the HVAC system, kitchen appliances and a sprinkler system for the Caroline High School project.

This was informational only, no action was taken.

**Maryland Historic Trust (MHT) Grant Denial – Caroline High School**

Mr. Mulrine provided an overview of a letter received from the MHT announcing that the Caroline High School project was not one of the projects selected to receive Capital Grant funding in FY2013 for the hallway renovations.

This was informational only, no action was taken.

**Ordinances and Resolutions**

**Resolution #784 – FY2013 General Fund Budget Amendment**

A Resolution of the Town of Denton to adopt the General Fund Budget amendments for Fiscal Year, July 1, 2012 through June 30, 2013. The Resolution reflects the updated year end projections based on actual activity that has occurred through out the year.

Staff provided an overview of the changes from the estimated General Fund Budget that was adopted in June 2012.

Councilman Porter made a motion to adopt Resolution #784, seconded by Councilwoman McNinch, passing unanimously.

**Resolution #785 – Maryland Smart Energy Communities Grant**

*A Resolution of the Town of Denton approving the application and receipt of financing for a Maryland Smart Energy Communities Grant to be funding by the State of Maryland Energy Administration.*

*Mr. Mulrine provided a summary of the application and requirements. He stated that they are looking to submit an application to seek \$37,500 in grant funds to use for LED lighting in the new Town Office Building.*

*Councilman Clendaniel made a motion to adopt Resolution #785, seconded by Councilman Gregory.*

**Resolution #786 – CDBG Grant Application**

*A Resolution of the Town of Denton approving the application and receipt of financing for a Community Development Block Grant application in the amount of \$720,000 to be funded by the Dept. of Housing and Community Development.*

*Mr. Mulrine provided a summary, announcing that if awarded and in partnership with the Caroline County Habitat for Humanity, the funds will be used to purchase approximately 39 blighted houses, to demolish the homes with sub-adequate living conditions, and replace with new houses.*

*Councilwoman McNinch made a motion to adopt Resolution #786, seconded by Councilman Clendaniel, passing unanimously.*

**Ordinance #653 – FY2014 General Fund Appropriations**

*An Ordinance of the Town of Denton to appropriate funds and estimate income in accordance with the General Fund Budget Adoption for Fiscal Year beginning July 1, 2013 and ending June 30, 2014.*

*Mayor Danielson thanked all branches of Town government that have worked hard to cut expenses and trim the budget to get it balanced without the Council having to raise tax rates.*

*Councilman Gregory made a motion to adopt Ordinance #653, seconded by Councilwoman McNinch, passing unanimously.*

**Reports of Officers, Board and Committees**

*None*

**Unfinished Business**

**Agenda #1- Tax Differential – Response Letter**

*The Council reviewed a letter of response dated May 7, 2013 that was received from the County in reference to the recent Tax Differential meeting between the County and the Town.*

*The Council thanked the County for meeting with the Council.*

**Agenda #2 – Savannah Overlook**

*Mr. Mulrine, Mr. Drummond, Town Attorney, and Mr. Getchell, Director of Public Works, all provided an update on the status of the infrastructure settlement with the Owner/Developer of the Savannah Overlook Development.*

*This was informational only, no action was taken.*

**Agenda #3 – Caroline County Annexation Request**

*The Council held discussion on the County's recent inquiry about developing their Double Hills property and having the property annexed within Denton's municipal limits and water/sewer allocation.*

*Mr. Mulrine provided an overview of discussion held when Town staff previously met with County staff. Mr. Mulrine stated that staff looked at the request as to what the*

benefits to the citizens of Denton would be for annexing the property into the Town limits and what effect it would have on the water/sewer rights that would have to be given up for capacity. Mr. Mulrine stated that annexing the property within the Town limits would have no benefit to the citizens, as the property would remain tax exempt. Mr. Mulrine added that the Town sewer capacity is presently at 73%. The Town is required to maintain a 20% reserve. That only leaves about 7% for new development and commercial growth for parcels located within the Town limits that have not already received approval for an allocation. If approved for the County to connect the Double Hills property, the Town would possibly have to give up what has been allocated for current citizens and properties already located within the Town.

Councilman Gregory suggested that the Town send a letter expressing that it is not in the best interest of the Town at this time.

Councilman Clendaniel asked about a fee in lieu.

Mayor Danielson said the concern for what sewer allocation is available and that he would rather provide for commercial growth and for the properties that are already located in Town.

Councilman Porter stated that the Town needs to be very clear it sees no benefit to annexing, so annexation should be off the table. There seems to be no positives to provide a water/sewer allocation.

Councilwoman McNinch added the other issue is that the County has not come to the Town with an actual plan for what they want to construct on the property.

Councilman Clendaniel recommended that the Town be honest about their intentions up front.

Mr. Mulrine added that staff had suggested in their meeting with the County that the County can work with DNR and the State to seek approval for offsite treatment that the plant can handle. Look into spray irrigation discharge.

Mayor Danielson directed staff to draft a letter of response on the Town's position at this time.

**Agenda #4 – 4 N. 2<sup>nd</sup> St. – New Town Administration Building Update**

Mr. Mulrine provided an update on the status of the renovation planning for the new Town Administration Building. Mr. Mulrine and staff have been working on gathering cost for installing the elevator, generator, upgrading the HVAC system, upgrading the lighting, ADA restrooms, drive up window, plus other construction features.

Mr. Mulrine mentioned that there may not be enough funds to cover the cost for installing a sprinkler system. There is only a 4" line into the building which will require a more expensive pump. He plans to still include as an option and provide a budget for the Council to review and decide what to trim.

Mr. Mulrine mentioned that staff will also be issuing notice to the surrounding property owners about parking lot restrictions and construction use.

Councilman Clendaniel questioned the Sprinkler Ordinance requirements.

Mr. Mulrine said that according to the Town Code, sprinkler systems are required for new construction, for additions and when the renovations will be more than 50% of the value of the building. The renovations planned for this project do not meet any of the requirements and will be less than 50%.

Mayor Danielson expressed adhering to the ordinance as it is written.

*Councilman Gregory said he has concerns about providing for all safe guards. Councilman Clendaniel questions where else could the funds be saved.*

*Mr. Mulrine explained that if they don't change and upgrade the lighting, do not include a generator, and do not upgrade the HVAC units, those funds could be used for the sprinkler system.*

*Councilman Gregory suggested that they could possibly move forward and revisit on an annual basis and look at designating monies to install down the road.*

*Mr. Mulrine said that the sprinkler system will be included as an option and the Council can decide what gets done.*

*Mayor Danielson has been able to acquire rehabilitated office furniture for free to be used in the new building.*

*Mr. Clemens shared that, from a developer's prospective, a residential system is very different from a commercial system, as people sleep in residential houses, which is the most dangerous. He manages several commercial buildings, they have more egress and fires are more obvious. Commercial sprinkler systems are very expensive to maintain.*

**Agenda #5 – Downtown Main Street Program Update**

*Mr. Mulrine provided an update on the Downtown Main Street Program and mentioned that Mrs. Lightner is working on interviews for a manager.*

**New Business**

**Agenda #1 – DPW Equipment Purchase**

*Mr. Getchell requested approval to purchase a 2013 ODB Model LCT60C leaf vacuum loader for \$18,441. The purchase can be funded using surplus funds in FY2013 General Fund. The existing leaf vacuum is permanently out of service.*

*Councilman Gregory made a motion to authorize the purchase of the leaf vacuum as presented, seconded by Councilwoman McNinch, passing unanimously.*

**Agenda #2 – Urban Grid Solar Power Presentation & Request for Approval**

*Mr. Matt Hankey, Ms. Marta Tomic and Mr. Wayne Morris from Urban Grid made a presentation about solar power and the benefits for installation on Town owned land in the Industrial Park. They provided a summary of the contract agreement and the steps necessary to move forward with installation if the Council approves. Urban Grid will own and maintain the equipment for 20 years. The next step would be to authorize legal counsel to finalize the Power Purchase Agreement and site leases.*

*Staff has been exploring solar panels for several years now and supports the proposal to install solar panels on Industrial Park lands identified. There is no cost and very low risk to the Town, however, the Town could see a substantial savings on electric costs.*

*Staff will be sure to let the Industrial Park Owners Association know about this project.*

*Mr. Drummond shared that he has looked at a specimen contract of another application, his questions have all been answered and he does not see any legal issues or concerns. He will review the agreement specific to the Town before it is signed.*

*Mayor Danielson entertained a motion to move on to the next step in authorizing legal counsel to review the contract for the Mayor's signature.*

*Councilwoman McNinch made a motion to move on to the next step, seconded by Councilman Clendaniel, passing unanimously.*

**Agenda #3 – Police Department Equipment Purchase**

*The Council reviewed a request from the Police Department seeking approval to purchase from Brekford Corporation emergency equipment in the amount of \$8,326. This equipment consist of emergency lights, sirens, consoles, computer mounts, prisoner cage and other equipment to outfit the new police car that was approved in May. Funding for the equipment is available from the Speed Camera Program.*

*Councilman Gregory made a motion to approve the \$8,326 for equipment purchase, seconded by Councilman Porter, passing unanimously.*

**Agenda #4 - Caroline County Historical Society**

*Mr. JOK Walsh and Mrs. Kathy Mackel were present in support of the letter received from the Caroline County Historical Society requesting the Town Office Building at 13 N. Third St., be gifted to the Society after Town staff have moved into their new building.*

*Councilman Clendaniel added that honoring this request will be fulfilling a long term understanding of the Council and previous members.*

*Councilman Gregory supported helping the Historical Society, expressing that they are a very valuable group that provides many opportunities to learn about the history of the community.*

*Councilman Gregory made a motion to donate the building to the Historical Society, contingent upon legal counsel review and final approval. The motion was seconded by Councilwoman McNinch, passing unanimously.*

*Mayor Danielson asked Mrs. Mackel about the status of the bridge murals.*

*Mrs. Mackel stated that they have finally received State approval to move forward.*

**Miscellaneous**

**Caroline County June 4<sup>th</sup> Letter**

*Councilman Gregory acknowledged that the Town received a letter today from the Caroline County Commissioners portraying Denton in a negative way in regards to the Tax Differential formula. Councilman Gregory expressed the need to respond to the misinformation quoted in the letter. He recommended putting together a response to be approved by all Council members.*

*The Council supported sending a response that is both professional and focusing on the end goal. Councilman Gregory will start the draft letter and send to all for review and approval before having the Mayor's signature applied and mailed.*

**MML Convention**

*Mr. Mulrine reminded and encouraged Council members to attend the Maryland Municipal League roundtable discussion on June 23, 2013 at 2:15PM in Ocean City.*

*With no further discussion, Councilman Porter made a motion to close the meeting at 9:01 PM, seconded by Councilman Clendaniel, passing unanimously.*

*Respectfully submitted,*

*Karen L. Monteith,  
Clerk - Treasurer*