

July 5, 2012

Regular Meeting

Mayor Porter 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 Porter asked that the record reflect that all Council members were present with the exception of Councilman Clendaniel. Councilman Clendaniel arrived a little later as reflected in the minutes below.

Councilwoman Case made a motion to accept the minutes of the June 7, 2012 regular meeting, seconded by Councilman Danielson, passing 4-0, Councilman Clendaniel was absent.

Public Hearing

Ordinance #644 – Floodplain Zones

Mayor Porter opened a public hearing at 7:03 PM to receive public comments on Ordinance #644 – An Ordinance repealing and reenacting with amendments the provisions contained in Chapter 58 of the Denton Town Code with respect to floodplain zones.

Mayor Porter asked for any comments from the State – there were none

Mayor Porter asked for any comments from the County – there were none

Mayor Porter asked for any comments from the Council – there were none

Mayor Porter asked for any comments from the Public – there were none

With no further discussion, Mayor Porter closed this public hearing at 7:05 PM on Ordinance #644.

Petitions, Remonstrance's and Communication

Proclamation – Camilla Victoria Boston

Mayor Porter read a proclamation that was previously signed on June 28, 2012, to honor the life and many accomplishments of Ms. Camilla Boston, whom recently passed away after having been a life long resident of Denton.

Councilman Clendaniel arrived at 7:06 PM.

The Council extended their deepest sympathy to her family.

Ordinances and Resolutions

Ordinance # 644 – Floodplain Zones

An Ordinance repealing and reenacting with amendments the provisions contained in Chapter 58 of the Denton Town Code with respect to floodplain zones.

Mr. Tom Batchelor, Senior Codes Enforcement Officer, provided an overview of the Ordinance; shared some comments from MDE and mentioned that the Ordinance has been reviewed for legal sufficiency by the Town Attorney. Mr. Batchelor stated that they are waiting for final approval from the Maryland Dept. of Environment and he recommended holding off adoption until the Aug. 2, 2012 meeting.

The Mayor announced that they will defer the adoption of Ordinance #644 until the August 2, 2012 meeting.

Ordinance # 645 – Water Rates Revisions

An Ordinance revising the water rates for users of the Municipal Water System per the Denton Utility Commission recommendations.

Councilman Danielson made a motion to introduce Ordinance #645, seconded Councilman Gregory.

In discussion: Mr. Al McCullough, Utility Commission Chairman, announced that Mr. Andy Mackel, Mr. Greg Eigenbrode and Mr. Keith Johnson also serve on the Utility Commission and expressed gratitude for his fellow Utility Commission members efforts to keep the Water and Sewer funds balanced as well as the efforts of the Public Works Staff. Mr. McCullough provided a history of the Utility Commission and the Water and Sewer Rate model. Mr. McCullough mentioned that the new State mandated upgraded ENR Plant has been up and running for a couple months now and pointed out that it exceeds the State's discharge standards.

Mr. Andy Mackel, Utility Commission member, recommended the Council take a tour of the new Wastewater Treatment Plant, stating that it is a nice addition to the Town and the Chesapeake Bay. He provided an overview on the financial status of the Water and Sewer Funds and explained that the newly upgraded plant is driving up the cost of daily operations. While the Utility Commission did not recommend any rate increase in FY2012, he stated that there is a constant need to invest in additional capital improvements and that they are recommending a rate increase in FY2013. The rate increase would offset the additional ENR Plant operations cost and allow the Town to continue to build up a cash balance to be used for future capital projects, rather than to take on more debt.

The Mayor called for a vote on the motion on the floor to introduce Ordinance #645.

The motion passed unanimously. A public hearing will be scheduled for the August 2, 2012 meeting.

Ordinance # 646 – Sewer Rates Revisions

An Ordinance revising the sewer rates for users of the Municipal Sewer System per the Denton Utility Commission recommendations.

Councilman Danielson made a motion to introduce Ordinance #646, seconded Councilman Gregory; the motion passed unanimously. A public hearing will be scheduled for the August 2, 2012 meeting.

Councilman Clendaniel asked for a copy of the Denton Public Works Capital Outlay plan to be provided for him to review.

Reports of Officers, Board and Committees

None

Unfinished Business

Agenda #1- FY2013 Highway Fund Budget

Councilman Gregory made a motion to adopt the FY2013 Highway Fund Budget, seconded by Councilwoman Case, passing unanimously.

Agenda #2 – Parking Meters

Councilman Gregory recommended moving the agenda item for Parking Meters to #3 and to go ahead and discuss the Foster Annexation as #2. The Mayor and Council member's had no objections.

Agenda #32 – Dan Foster/Allston Annexation Amendment/Reclassification of Zoning

At the April 5th Town Council Meeting, the official request for a reclassification of zoning on the Allston property annexed into the town as Rural Agriculture (RA) with a "PNE" (Planned Neighborhood Eligible) Overlay zoning to be changed to Regional

Highway Commercial (RHC), was referred to the Planning Commission for a recommendation to the Town Council.

Mr. Batchelor gave an overview, stating that the Planning Commission reviewed this item on June 26, 2012. Mr. Batchelor shared the Planning Commission's favorable recommendation for the Council to approve the requested rezoning of the subject property from RA with PN overlay to RHC, based on a mistake in zoning.

The Town Council was asked to determine whether or not said proposal is suitable to warrant the introduction of legislation for a change in zoning at the August 2, 2012 meeting.

Mr. Robert Jarrell, Attorney representative for the Foster's was present to answer any questions and said that he can have Mr. Peter Johnston come to the August meeting to answer any additional questions about the rezoning.

Councilman Clendaniel made a motion to place this item on the August meeting agenda for consideration of approval, seconded by Councilwoman Case, passing unanimously.

Councilman Clendaniel thanked Councilman Gregory and Councilwoman Case for helping the Times Record put together a 4th of July video.

Agenda #32 – Parking Meters

Mayor Porter referenced comments he received from Ms. Visintainer regarding the increase in parking meter fees and fines downtown.

Councilman Clendaniel commented on his discussions with the downtown merchants about parking meters and recommended getting business owners input.

Mayor Porter suggested to continue holding discussion at a future meeting, and then mentioned that he will be absent for the August meeting as he will be on vacation.

Councilman Gregory recommended placing this item on the September agenda for additional discussion when they have a full Council.

Mayor Porter shared that in talking with Ms. Visintainer that the problem is mainly with Juror's having available parking and not being able to replenish the meters. They talked about considering parking passes for the Juror's that the County could purchase, and maybe having permits that could be purchased for Courthouse Staff. Mayor Porter expressed that the important thing is that the meters need to remain revenue specific to maintain a balanced budget. It was recommended that if they consider parking passes that they only be valid for use on North First St. and North Second St.

Mr. Mulrine added that there are 90 parking meters in town, 39 of which are the high users. To maintain revenues any proposals need to be based off of 39 meters.

Mayor Porter said they are waiting on a count of the number of Courthouse Staff and Juror's to consider.

The Mayor announced that they will table further discussion on this topic until the September meeting.

Councilman Gregory also suggested that since the Mayor will be absent for the August meeting to hold off on the adoption of the Water and Sewer rate Ordinances until the September meeting. The Council will still hold the Public Hearings in August.

Miscellaneous Unfinished Business

Downtown Businesses

Councilman Danielson asked for an update on Councilwoman Case's response to Mr. Owens request.

Councilwoman Case stated that she had stopped into Color and Clay to talk with Mr. Mike Owens, but that he requested her to answer his questions in writing.

Councilman Danielson expressed that he would like to see this resolved and suggested the Mayor assist.

Mayor Porter stated that he would setup to meeting with Mr. Owens, Councilwoman Case and the Town Administrator.

Councilman Gregory said that he had received a call about Denton Bank & Trust announcing they will be closing shortly, adding another vacancy in the Downtown. Councilman Gregory suggested having the Town Administrator meet with Ann Jacobs, Downtown Main Street Manager, to see what options are available when they leave to fill the space.

Councilman Clendaniel asked how this will affect Mr. Brodie's plan to expand the Dept. of Social Services Offices and if it will change his decision for purchasing the Dollar General Lot?

Councilman Gregory asked about the status on the PNC building.

Mr. Mulrine shared that PNC has not received any other genuine bids on the property other than the Towns. He said he has been back in contact with them to see if they are willing to reconsider the Town's offer.

New Business

Agenda #1 – Election Judge Appointments

The Town's Supervisors of Election Board Member terms expired on June 30, 2012. The current members are Mrs. Joan Fountain, Mr. David Hollis and Mrs. Mary Claytor. These are 2 year appointments.

Mrs. Fountain has expressed interest in being re-appointed and through out reach, staff found Ms. Signe Hippert of 208 N. 6th St. and Mrs. Cheryl Getchell of 509 Randolph St., who are interested in filling the other two positions.

Staff is working on locating someone to serve as an alternate to be presented for consideration for the August agenda.

Councilman Danielson made a motion to re-appoint Mrs. Joan Fountain and to appoint Ms. Signe Hippert and Mrs. Cheryl Getchell to serve as Supervisor's on the Town of Denton's Election Board, seconded by Councilman Clendaniel, passing unanimously.

With no further business to discuss, Mayor Porter adjourned the meeting at 8:09 PM.

Respectfully submitted,

Lisa K. Orendorf