

July 11, 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 for a moment of silence for Xavier Dawson the little one who drowned Monday night. Chief Cox said the Denton Police Department is still investigating the drowning.

Mayor Danielson asked that the record reflect that all Council members were present.

Councilman Clendaniel made a motion to approve the minutes of the June 6, 2013 regular meeting as presented. The motion was seconded by Councilwoman Abigail McNinch, passing unanimously.

Public Hearing

None

Petitions, Remonstrance's and Communication

Proclamation – John W. Cole

Mayor Danielson read a proclamation in memory of John W. "Jack" Cole, a former Caroline County Commissioner who passed away June 16, 2013 at age 69.

Proclamation – JOK Walsh

Mayor Danielson read a proclamation in honor of JOK Walsh's retirement from the Caroline County Economic Development. The proclamation was presented at his retirement party on June 27, 2013.

Proclamation – Sgt. William C. Davis, Sr.

Mayor Danielson read a proclamation in memory of Caroline County Sheriff's Deputy, Sgt. William C. Davis Sr., who passed away July 2, 2013. Sgt. Davis was also a former Chief of Police for the Denton Police Dept.

EMS State Protocol Changes

The Council reviewed information provided that outlines changes to EMS High Performance CPR, termination of resuscitation protocols, and pronouncement of death in the field that will take effect on July 1.

Mr. Mulrine, Town Administrator gave a brief summary of what changes are taking place.

Summerfest 25th Anniversary

Summerfest will take place on Friday August 16th and Saturday August 17th. This year will be the 25th Anniversary and the theme is "Silver Dollar Anniversary".

Mr. Mulrine, Town Administrator passed around the design for the upcoming Summerfest T-shirt and a list of some of the non-profits who benefit from Summerfest. A letter to the Downtown Business Owners from Mayor Danielson giving some history of the event and how it benefits many was provided.

Public Comments

Teresa Goss of 104 Riverton came before the Town Council over a concern she has with growth of bamboo from her neighbor's property, encroaching onto hers. She had asked for help from Planning and Codes Department and has gotten no satisfaction. She is concerned that the bamboo will ruin her flower beds and in ground pool. Mrs. Goss has researched the problem and according to Town Code 302.4 no weed can grow over 6 inches and according to DNR bamboo is a weed. She would like to see the Town

Council enforce this code. She has no problem with bamboo being contained in a pot on 5 sides. She would like for the town to enforce this code or change it to include bamboo.

Councilman Porter raised concerns of the bamboo damaging the sewer pipes.

Town Attorney Christopher Drummond remarked that this is a private nuisance against the neighbor. Bamboo can be added to Code 302.4 as evasive and to be contained in pots. Enforcing code restricts the use of property by a property owner and can be difficult and time consuming.

Councilman Clendaniel asked Mr. Drummond to look at how The Town of Ridgley handled their problem with bamboo.

Mr. Mulrine said that new legislature is being reviewed and language will have bamboo in it.

Mrs. Goss asked that the town send a letter to the neighbor asking him to cut the bamboo down to 6 inches which will stunt the growth.

Councilman Gregory asked "Why send a letter if the Ordinance says weeds cannot exceed 6 inches, if it is a property maintenance issue then citations should be written.

Town Administrator Donald Mulrine said that citations are issued and they go to court and don't always get help from the court system.

Councilman Porter suggested that bamboo be eradicated.

Councilwoman McNinch suggested the attorney review the legislature to have it introduced at the next meeting.

Town resident, Chris Welty of 107 Riverton asked how the town handles grass that needs to be cut; does the town actually go out and drive around?

The Codes Department handles complaints and also goes thru the town looking at places that have tall grass, trash and other nuisances and contacts the property owner. This is time consuming and not always quick to get a response from the property owner.

Town Residents Jeff & Paula Wright suggested that the Town look at the 200 Block of Market Street where he has power washed the sidewalks and would like the Town to do the same across the street.

Mr. Mulrine introduced Rob Cheek, as the new Main Street Manager, Mr. Cheek thanked the Town for the opportunity to be the new Manager and stated that he is looking forward to working with the Town and business owners.

Ordinances and Resolutions

Resolution # 787 - DBED Grant for Fiber Optics in the Industrial Park

A Resolution of the Town of Denton authorizing the execution and delivery of an agreement between the Town of Denton and the Maryland Department of Business and Economic Development (DBED) for the purpose of installing fiber optic cable through the Denton Industrial Park.

Mr. Mulrine said that Jok Walsh was instrumental in getting funds for this project which is covered 100% by grant money. This should make the Industrial Park more attractive.

Councilman Porter made a motion to adopt Resolution 787, seconded by Councilman Clendaniel passing unanimously.

Resolution #788 - MML Legislation Support – Double Taxation

A Resolution of the Town of Denton approving a formal request to the Maryland Municipal League on Double Taxation Legislation, where municipal residents are paying for duplicate services in Caroline County, and the Town of Denton.

Mr. Mulrine and Councilwoman McNinch attended a Double Taxation work group meeting at MML. The Resolution asks that MML adopt and prepare legislation based on the recommendations from the MML Double Taxation Workgroup Final Report of June 2013, to support that counties not be able to levy taxes for duplicate services that the Town of Denton and other municipalities provides to the residents within their municipal boundaries.

Councilman Gregory made a motion to adopt Resolution 788, seconded by Councilman Porter, passing unanimously.

Reports of Officers, Board and Committees

None

Unfinished Business

Agenda #1- Caroline Co. Detention Center – First Street Parking Request

Councilwoman McNinch will be meeting with the County and working to bring an agreement back to the Council for consideration pertaining to the request for parking changes on N. First Street.

Agenda #2 - Savannah Overlook

This item is on the agenda to update the Town Council on the Savannah Overlook Conveyance progress.

Attorney Christopher Drummond presented a copy of a letter that he sent to John Zink. He recommended that the time has come to follow thru with this and close this out soon. Litigation will only increase the cost. Mr. Drummond suggested that the Town take that \$19,500 and get the deed.

Councilwoman McNinch made a motion to accept the lawyer's suggestion to move forward as detailed in the letter, seconded by Councilman Porter, passing unanimously.

New Business

Agenda #1 - Lease Agreement – FACES 7 N. Fourth St

The Council reviewed a lease for 3 years for the Fiber Arts Center of the Eastern Shore (FACES). FACES will use the building for displays, workshops, classes and more.

Councilman Gregory made a motion that the Council approve the lease and for the Mayor to sign the lease, seconded by Councilman Clendaniel, passing unanimously.

Councilwoman McNinch asked about the solar panels. The attorney is still working out the agreement with Urban Grid.

Agenda #2 - Provident State Bank – Line of Credit Renewal

The Council was asked to give approval for the Mayor to sign the bank documents to renew the Town's Line of Credit with Provident State Bank. The line of credit is being reduced to \$100,000.

Councilman Porter made a motion for the Mayor to sign bank documents renewing the Town's Line of Credit with Provident State Bank, reducing it to \$100,000, seconded by Councilman Clendaniel, passing unanimously.

Agenda #3 - Water Fund Budget

The FY2014 Water Fund Budget was provided to the Council for discussion and consideration of adoption.

Mr. Scott Getchell, Director of Denton Public Works said that at the present time there will be no rate increases.

Councilman Clendaniel asked that the budget be available online so that it can be viewed by the residents.

Councilman Porter made a motion to accept the FY2014 Water Fund Budget, seconded by Councilwoman McNinch, passing unanimously.

Agenda #4 - Sewer Fund Budget

The FY2014 Sewer Fund Budget was provided to the Council for discussion and consideration of adoption.

Mr. Getchell remarked that at the present time there will be no rate increase in sewer also. The utility commission will be doing an assessment in the near future.

A motion was made by Councilwoman McNinch to accept the FY2014 Sewer Fund Budget, seconded by Councilman Porter, passing unanimously.

Agenda #5 - Tourism Budget

The Caroline Economic Development Corporation (CEDC) Board deleted a part-time staff position on their budget to save \$10,000 in hopes to get that \$10,000 added to the Tourism Office budget, which will experience reductions in their state and local allocations next year. In the event the County does not use that \$10,000 for the Tourism office, the Town would like to make sure its tourism funds go directly to the Tourism office.

Councilman Clendaniel would like to have more information as to why the County would not allow the \$10,000 to be added to Tourism.

Main Street Manager, Rob Cheek said that he would like to see the money go to Tourism.

Town resident and business owner Jeff Wright felt that the Town should look at the Industrial Park and support it instead of Tourism.

Councilman Porter made a motion to send a letter to the County requesting them to honor the CEDC Budget request and add the \$10,000 that CEDC cut from their budget to the Tourism Budget, seconded by Councilman Gregory, motion passed 4 yes and 1, abstain from Councilman Clendaniel.

Miscellaneous

With no further discussion, Councilman Gregory made a motion to close the meeting at 9:10 PM, seconded by Councilwoman McNinch, passing unanimously.

Respectfully submitted,

*Joanna Reedy,
Account Clerk*