

August 2, 2012

Regular Meeting

Vice-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.

Vice-Mayor Danielson asked that the record reflect that all Council members were present, with the exception of Mayor Porter who is on a scheduled vacation.

Councilman Clendaniel made a motion to approve the minutes of the July 5, 2012 regular meeting, seconded by Councilwoman Case, passing unanimously.

Public Hearing

Resolution #772- Denton Sales and Rentals, LLC and Superior Rentals, LLC.

Annexation Agreement Amendment

Vice-Mayor Danielson announced that the public hearing scheduled for this evening to receive public comments on Resolution #772 – A Resolution of the Town of Denton approving an amendment to the February 6, 2006, annexation agreement between the Town of Denton and Denton Sales and Rentals, LLC, and Superior Rentals, LLC., will be continued until September 6, 2012 at 7:00 PM.

Ordinance #645 – Water Rate Revisions

Vice-Mayor Danielson opened a public hearing at 7:04 PM to receive public comments on Ordinance #645 - An Ordinance by the Denton Town Council revising the water rates for users of the municipal water system.

Vice-Mayor Danielson asked for any comments from the State – there were none

Vice-Mayor Danielson asked for any comments from the County – there were none

Vice-Mayor Danielson asked for any comments from the Council – there were none

none

Vice-Mayor Danielson asked for any comments from the Public –

Mrs. Doris Walls of 723 Gay Str., questioned why the water budget was not discussed with the other budget; why they are not all done at the same time; and she questioned the proposed rate increases.

Vice-Mayor Danielson explained that the water and sewer is a separate business entity from the General Fund. He mentioned that the State mandates that the water/sewer funds be self sufficient and that the Town can not take funding out of the General Fund to cover the water/sewer expenses.

Mr. Mulrine, Town Administrator, added that the water and sewer are separate from the General Fund. The Utility Commission gave a presentation at the July meeting and the Council is now considering their recommendations. He advised that the Town can look at trying to do both budgets at the same time in the future.

Councilman Clendaniel mentioned that the Town was using a rate model that was originally based on connections. Once the new construction slowed down it was realized that was not working. This has since been corrected to give an accurate reflection of the cost of operations and actual revenues.

Vice-Mayor Danielson stated that along with the mandated state upgrades, there has been an increase in the cost of operations, warranting the Utility Commission recommendation for a rate increase.

Mr. Douglas Gunther, owner of some rental properties in town, raised concerns about the increases; having to pass them on to his tenants and mentioned that with the Bay Restoration Fee increase that it makes it difficult to afford to pay for water and sewer.

Vice-Mayor Danielson explained that the Town has no control over the State of Maryland's Bay Restoration Fees. He expressed that the Utility Commission and staff have done a good job keeping on top of the needs of the water and sewer funds, updating the Rate Model to get a better understanding of what the fees need to be to ensure that each fund is balanced and paying for itself and planning for expansions.

Vice-Mayor Danielson announced that the Town Council will consider this Ordinance for adoption at the Sept. 6, 2012 meeting.

With no further discussion, Vice-Mayor Danielson closed this public hearing at 7:23 PM.

Ordinance #646- Sewer Rate Revisions

Vice-Mayor Danielson opened a public hearing at 7:23 PM to receive public comments on Ordinance #646 - An Ordinance by the Denton Town Council revising the sewer rates for users of the municipal sewer system.

Vice-Mayor Danielson asked for any comments from the State – there were none

Vice-Mayor Danielson asked for any comments from the County – there were none

Vice-Mayor Danielson asked for any comments from the Council – there were none

Vice-Mayor Danielson asked for any comments from the Public –

Mrs. Doris Walls of 723 Gay St. expressed ditto to her same concerns as she mentioned previously during the Water Rate Revision hearing.

Vice-Mayor Danielson announced that the Town Council will consider this Ordinance for adoption at the Sept. 6, 2012 meeting.

With no further discussion, Vice-Mayor Danielson closed this public hearing at 7:24 PM.

Petitions, Remonstrance's and Communication

Proclamation – Caroline Summerfest 2012

Vice-Mayor Danielson read a proclamation to commemorate the 24th Annual Caroline Summerfest event. Announcing that this year's theme is "Caroline Summerfest in Oz." The event will be held Friday August 17 5p.m.-10p.m. and Saturday August 18 12p.m.-9p.m.

MDOT Visit

Vice-Mayor Danielson read a letter of invitation received from the Caroline County Commissioners regarding the annual MDOT visit that will take place at the Board of Education Building on Franklin St. on September 18, 2012 at 10:30a.m.

The Council reviewed a draft letter to the Caroline County Commissioners and one to the MDOT Secretary seeking support for sidewalks and pedestrian crossing funding for both design and construction for Wal-Mart.

Discussion also included concerns of the Maryland State Highway Administration not maintaining their road ways, taking over other's property for tree mitigation putting animals and wildlife before the public safety of pedestrians.

Mrs. Laura Fluharty of 10813 Greensboro Rd. questioned why does the State have to put lives on the line to get things done for the Town, and would like to know why the State continues to cause these problems.

Mr. Sherman McDonald of Camp Rd., raised concerns about speeders on Camp Road and with the closing of the Wesleyan School, he wanted to know how that would affect the new school speed monitoring cameras.

Vice-Mayor Danielson explained the Lockerman School Speed Zone and how it would still cover a large portion of Camp Rd.

Councilman Gregory made a motion to have staff draft a letter to the Maryland State Highway Administration, Governor's Office, Comptroller and Secretary of the State regarding the Council's concerns for pedestrian safety along State highways. The motion was seconded by Councilman Clendaniel, passing unanimously.

Denton Downtown Mainstreet Manager

Vice-Mayor Danielson read Mrs. Ann Jacobs letter of resignation as the Downtown Mainstreet Manager, so she can take a job as the new Director of the Caroline County Chamber of Commerce. He expressed that this is a great loss to the Town, and that Mrs. Jacobs has done a great job.

Councilman Gregory thanked Mrs. Jacobs for her dedication to the Town and wished he well in her new position.

Councilman Clendaniel added that Mrs. Jacobs will be missed and that he was glad that she was not going too far.

Ordinances and Resolutions

Resolution #772 – Denton Sales and Rentals, LLC and Superior Rentals, LLC. Annexation Agreement Amendment

Vice-Mayor Danielson announced that discussion and consideration for adoption of this Resolution will be continued to the Sept. 6, 2012 meeting along with the public hearing.

Resolution #773- Caroline County Habitat for Humanity – Together We Stand

A Resolution of the Town of Denton supporting Caroline County Habitat for Humanity's participation in "Together We Stand revitalizing Denton one home at a time". Habitat is working on 5 homes over a 2 year period. Habitat requires this annual resolution for tax credit purposes.

Councilman Gregory made a motion to adopt Resolution #773, seconded by Councilman Clendaniel, passing unanimously.

Resolution #774 – St. Martins Ministries

A Resolution of the Town of Denton supporting the participation of St. Martin's Ministries in the Maryland Department of Housing and Community Development Community Investment Tax Credit Program.

Councilman Gregory made a motion to adopt Resolution #774, seconded by Councilman Clendaniel, passing unanimously.

Resolution #775 – Community Legacy Application

A Resolution of the Town of Denton approving the application and receipt of financing for a Community Legacy Plan, Community Legacy Projects in Denton, Maryland, to be financed either directly by the Department of Housing and Community Development (the "Department") of the State of Maryland or through other departments or

agencies of the State of Maryland. This Resolution is for a \$125,000 grant application to complete the Pedestrian Pathway in the ArtsWay District.

Councilwoman Case made a motion to adopt Resolution #775, seconded by Councilman Gregory.

In discussion: Vice-Mayor Danielson mentioned that part one of the project was completed last week and that this is seeking a grant to complete the items that were cut previously.

Councilwoman Case commented on how the project scope is very thorough and detailed.

The motion passed unanimously.

Ordinance #644 – Floodplain Zones

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

Councilman Gregory made a motion to adopt Ordinance #644, seconded by Councilwoman Case, passing unanimously.

Reports of Officers, Board and Committees

None

Unfinished Business

Agenda #1- Savannah Overlook Agreement

Mr. Mulrine asked for consideration to defer discussion on this item until the Attorney for the Developer had compiled all of the necessary criteria for review.

Councilman Clendaniel made a motion to defer discussion, seconded by Councilman Gregory, passing 3-1, with Councilwoman Case abstaining.

Agenda #2 - DHCD Letter – Crouse Park Restaurant

Mr. Mulrine announced that the Town has received a letter from Cindy Stone of the Maryland Department of Housing and Community Development, regarding the Crouse Park Restaurant. Per the letter, the Town is out of compliance with the Special Terms and Conditions of the Grant Agreement pertaining to securing a developer for the restaurant.

Mr. Mulrine advised that the Town is currently working with a developer and is seeking a letter of intent. Mr. Mulrine will keep the Council informed.

New Business

Agenda #1 Provident State Bank – Line of Credit Renewal

Staff came before the Council seeking approval for the Mayor to sign the bank documents to renew the Town's \$450,000 Line of Credit with Provident State Bank. The line of credit is only used for cash flow purposes, if the need arises.

Councilwoman Case made a motion to approve the Mayor signing the bank documents as requested, seconded by Councilman Gregory, passing unanimously.

Agenda #2 - Winter Haven Grant

Councilman Gregory made a motion to sponsor the grant application, seconded by Councilman Clendaniel.

In discussion, Ms. Diane Wojcik provided an overview of The Winter Haven Cold Weather Shelter Project details and expressed how they would like to apply for an Emergency Solutions grant to assist them financially. In order to apply for this grant they

need a governing body, like the Town of Denton to sponsor the grant. Ms. Diane Wojcik will manage this grant.

The motion passed unanimously.

Agenda #3 Election Judge – Alternate Appointment

The position of an Alternate Election Judge member is called upon should an emergency arise in which one of the other Election Judges may be unable to work on Election Day. The Town’s Supervisor of Election Board - Alternate Member term recently expired on June 30, 2012. Staff asked the Town Council for consideration for the appointment of Mr. William Clemens, of 213 S. Fifth Avenue, to serve a 2-year term as an Alternate Election Judge.

Councilman Clendaniel made a motion to appoint Mr. Clemens to serve as an alternate Election Judge for a 2-year term, seconded by Councilwoman Case, passing unanimously.

Miscellaneous

Vice-Mayor Danielson asked if the Council was ready to execute the Town Administrator’s Employment Agreement. The Council unanimously supported to go ahead and sign. Vice-Mayor Danielson will let the Mayor know to move forward.

Mr. Sherman McDonald added to his earlier concerns about speeders and mentioned that with the Wal-Mart opening, traffic and speeding will only get worse.

Chief Cox went over the School Speed Zones.

Announcements - the Hardee House on N. 4th St. – the new Fiber Arts –Fiber Fest is being held this week through Sunday and encouraged everyone to attend.

Caroline Law Enforcement – Fraternal Order of Police will be holding a Chicken BBQ at Rt. 404 and River Road August 3rd.

Car Show will be held on August 10th, the outdoor movie will be the Wizard of Oz The 24th Annual Caroline Summerfest will be held on August 17 & 18th.

Councilman Gregory asked about an email received from Cambridge Mayor Stanley inviting the Town to join the Maryland Mayors Association, \$60 a year. The Council agreed to have staff send a letter declining the invitation to join at this time.

With no further discussion, Councilman Clendaniel made a motion to close the meeting at 8:22 PM, seconded by Councilwoman Case, passing unanimously.

Respectfully submitted,

*Karen L. Monteith,
Clerk - Treasurer*