

*December 5, 2016*

**Executive Session**

*At 6:30 PM, Councilman Porter made a motion to hold an executive session to consult with Counsel and obtain legal advice. Seconded by Councilman Clendaniel, the motion passed unanimously.*

**Present:**

*Mayor McNinch, Councilman Clendaniel, Councilman Porter, Council Branson, and Councilman Lister, were all present.*

*Others present during the closed session included: Mr. Christopher Drummond, Town Attorney, Mr. Don Mulrine, Town Administrator and Karen Monteith, Clerk-Treasurer.*

**Discussion:**

*Discussion was held, in which Mr. Drummond provided an update on legal matters.*

*No action was taken during the closed session.*

*At 6:59 PM, Councilman Porter made a motion to close the executive session, seconded by Councilman Clendaniel. Motion passed unanimously.*

*The Executive Session was adjourned and the Council Members relocated from the training room to the Council Meeting room.*

**Regular Meeting**

*Mayor McNinch 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 McNinch held a moment of silence in honor of Adjutant General James F. Fretterd, whom recently passed away.*

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

*Mayor McNinch announced that the Council held an Executive Session at 6:30 PM on this date, to obtain legal advice from Counsel, and that no action was taken during this session.*

*Councilman Porter made a motion to approve the amended minutes of the September 8, 2016 Regular Meeting as presented. The motion was seconded by Councilman Branson, passing unanimously.*

*Councilman Porter made a motion to approve the minutes of the November 3, 2016 Regular Meeting and the November 21, 2016 Working Session as presented. The motion was seconded by Councilman Clendaniel, passing unanimously.*

**Public Hearing**

*None*

**Petitions, Remonstrance's, and Communication**

**Proclamation – Recognition for Councilman Robert Clendaniel - Retirement**

*Mayor McNinch presented a proclamation and a plaque to Councilman Robert Clendaniel recognizing him for his dedication to the community, and for serving as a Councilmember for the past 10 years from 2006-2016.*

*On behalf of, the State, Delegate Jeff Ghrist, presented Citations from both the Senate and House of Delegates to Councilman Clendaniel, thanking him for his many years as a dedicated public servant.*

*Mr. Mulrine presented Councilman Clendaniel the Governor's Citation received from Governor Hogan.*

*Councilman Clendaniel thanked everyone for the opportunity to serve the Town and for everyone's support over the past 10 years.*

**Proclamations – Recognizing Denton Employees with 15 and 20 years of service**

*Mayor McNinch presented proclamations recognizing the following employees for their many years of service and dedication to the community:*

*15-Years of service recognition was given to: Mr. Mark Chandler and Mr. Phil Clark, of the Denton Public Works Department and to Officer Dan Franklin, and Officer Rick Starkey of the Denton Police Dept.*

*20-Years of service recognition was presented to Mrs. Karen Monteith, Clerk-Treasurer.*

*The Mayor and Council thanked each employee for their hard work and continued dedication to the community.*

**Proclamation – Jarod Snow Eagle Award**

*Mayor McNinch read a proclamation congratulating Jarod Snow of Boy Scout Troup #165 on earning his Eagle Scout award. The proclamation will be presented during the upcoming Eagle Scout Award Ceremony.*

**Communication – Letter from Mr. and Mrs. Blazejak**

*The Council reviewed a letter received from Mr. and Mrs. Blazejak requesting a resolution to concerns they have about Alley 5.*

*Discussion was held in which the Town Administrator and Chief of Police will get together and discuss the concerns to see what can be done to help resolve them.*

**Communication – Letter from Maryland Comptroller's Office**

*The Council reviewed a letter received from the Maryland Comptroller's Office, indicating an error had been made in the distribution of local income taxes. Because of the State's error the Town of Denton will receive an additional \$17,704 in income tax revenues. Mr. Mulrine, Town Administrator recommended applying this extra revenue toward the Police Department Radio upgrades.*

**Ordinances and Resolutions**

**Resolution #837 – Lien Against Real Property**

*A Resolution of the Town assessing the cost to remove and store personal property declared to be rubbish as a lien against real property known as 700 Gay Street, Denton, MD and directing the Clerk-Treasurer to advise the Caroline County Finance/Tax office of the Lien which is to be collected in the same manner as property tax due to the Town.*

*Councilman Branson made a motion to adopt Resolution #837, seconded by Councilman Porter.*

*In discussion: Councilman Porter provided an explanation for the Resolution.*

*With no further discussion, the Mayor called for a vote on the motion on the floor to adopted Resolution #837.*

*The motion passed unanimously.*

**Reports of Officers, Board, and Committees**

Mayor McNinch provided a State of the Town, mentioning all that has occurred in 2016 with staffing, project updates, new businesses, events, and the many accomplishments.

**Unfinished Business**

**Agenda #1-DDMS Sign Approval**

Mr. Steve Konopelski, Downtown Denton Main Street President, came before the Council seeking approval to place a sign on the Town's lot located at 3<sup>rd</sup> and Market Street. DDMS plans to use \$12,000 of their State Grant funding to pay for the sign.

Councilman Lister made a motion to support DDMS pursuing approval from the Planning Commission for the proposed sign, seconded by Councilman Clendaniel, passing unanimously.

Mr. Konopelski invited Council members to attend the DDMS next meeting on December 12, 2016.

**New Business**

**Agenda #1 - Plain Dealings – Bid Contractor Selection**

Bids received for the demolition of the buildings on the Plain Dealings property at 808 S. Fifth Ave. were presented to the Council for consideration. The project will be funded by the remaining Strategic Demolition and Smart Growth Grant through the Department of Housing and Community Development. Town staff recommends awarding to C.S. Tarbutton, LLC, who was the lowest bidder.

Mr. Mulrine and Mr. JOK Walsh provided additional information about the project.

Councilman Porter made a motion to accept the recommended bid and award to C.S. Tarbutton, seconded by Councilman Clendaniel, the motion passed unanimously.

**Agenda #2 - Water & Sewer Allocation**

Mr. Mulrine shared that Mr. Michael Gardiner, Representative for Patuxent Companies, LLC, is requesting approval for (2.75) ERU's for this new business to be located at Denton Industrial Park, Lot 12, 75 Engerman Avenue. The cost of 2.75 ERU's is \$24,750.

Councilman Porter made a motion to grant the 2.75 ERU for Patuxent Companies as requested, seconded by Councilman Clendaniel.

In discussion: Mr. Mulrine provided additional information and shared that the Planning Commission has given preliminary approval of the proposed project.

With no further discussion, Mayor McNinch asked for a vote on the motion on the floor to approve.

The motion passed unanimously.

**Agenda #3 - Historic & Architectural Review Commission Appointments**

The Historic & Architectural Review Commission terms for Richard Peterson and Teresa Goss will expire December 31, 2016. Both Commission Members have requested to be reappointed for another three-year term, which will expire December 31, 2019.

Councilman Clendaniel made a motion to reappoint Richard Peterson and Teresa Goss to the Historic & Architectural Review Commission for another term. The motion was seconded by Councilman Branson, and passed unanimously.

**Agenda #4 - Bank Co-Signer for Checks**

*The Town Charter C6-10 requires two signatures on all checks issued by the Town Finance Dept. The primary Co-Signer's are Mr. Don Mulrine, Town Administrator; Mrs. Karen Monteith, Clerk-Treasurer. In the absence of either the Clerk-Treasurer or the Town Administrator, Councilman Clendaniel has been the acting alternate co-signer for the Town's bank accounts. With Councilman Clendaniel leaving office at the end of December, Staff asked the Town Council to appoint another Councilmember to take over this responsibility beginning January 1, 2017.*

*Councilman Clendaniel made a motion to appoint Lester Branson to be a Co-Signer on the Town's Bank Accounts. The motion was seconded by Councilman Lister, passing unanimously.*

**Agenda #5 - 2017 Town Council Meeting & Holiday Schedule**

*The 2017 Town Council Meeting Schedule and Office Holiday Schedule was presented for consideration of approval.*

*Councilman Porter made a motion to approve the 2017 Town Council Meeting Schedule and Holiday Schedule as presented, seconded by Councilman Branson, passing unanimously.*

**Agenda #6 - Accrued Leave Carry Over**

*Mr. Don Mulrine, Town Administrator, has over 160 hours of accrued vacation leave accumulated and requested approval to carry forward the excess to be used in the next calendar year.*

*Councilman Branson made a motion to approve the carryover of excess leave into the next year, seconded by Councilman Clendaniel, passing unanimously.*

**Agenda #7 - Board of Appeals Appointment**

*Florence Doherty's Board of Appeals term expires on December 31, 2016, and she has requested reappointment for another three-year term, which will expire December 31, 2019.*

*Councilman Clendaniel made a motion to reappoint Florence Doherty for another term on the Board of Appeals. The motion was seconded by Councilman Branson, passing unanimously.*

**Agenda #8 - Snow Plow Purchase**

*The Public Works Department submitted a request for approval to purchase a snow plow for the new 2017 Dodge Ram that has been ordered. The purchase price for the new snow plow is \$5,300. This plow will be purchased using Highway C.I.P. funds that have already been allocated in this budget year.*

*Councilman Clendaniel made a motion to approve the snow plow purchase as presented, seconded by Councilman Branson, passing unanimously.*

**Agenda #9 - Pizza Empire Loan**

*Mr. Mulrine provided an update on the Pizza Empire renovation project. He shared that the owners, Mr. Arslan and Mr. Kuru are seeking an additional \$40,000 in loan funds to cover the Town's water and sewer allocation fees and finish the renovation of their new business space on Market Street. Mr. Mulrine stated, he has received approval from Mrs. Cindy Stone, of the Department of Housing and Community Development to use the Town's revolving loan funds.*

*Mr. Harry Wyre, restaurant owner and general contractor doing the renovations shared information about the project, health department regulations and complimented*

*how the owners have been hands on in the project. He announced the tentative opening date is scheduled for January 1, 2017.*

*Councilman Lister shared his concerns about the affordability of the loan payments.*

*Mr. Wyre shared the overhead for this particular location is less expensive than that of the other pizza businesses in the area, which will help with being able to afford the loan payments.*

*Mr. Steve Konopelski expressed his support for this new restaurant, sharing that no neighborhood has expanded without restaurants, it is essential to have places to eat.*

*Councilman Branson made a motion to approve the additional business loan funds, seconded by Councilman Porter, passing unanimously.*

*Mr. Drummond will amend the business loan note to account for the additional funds.*

**Agenda #10 - Planning Commission Appointment**

*Marina Dowdall's Planning Commission term expires December 31, 2016, and has requested reappointment for another five-year term, which will expire December 31, 2021.*

*Councilman Clendaniel made a motion to reappoint Marina Dowdall to serve another term on the Planning Commission. Seconded by Councilman Branson, passing unanimously.*

**Miscellaneous**

*Mayor McNinch announced she will be attending the Lockerman Middle School Career Day, this coming Friday.*

*Delegate Jeff Ghrist, complimented the Council on approving the business loan, indicating having viable businesses on each end of the street is good for the Town and all the other businesses.*

*Councilman Lister, recognized and welcomed Councilman Elect Keith Johnson, who was in the audience.*

*The Annual Employee End of the Year Luncheon is scheduled for December 12, 2016, Council Members were encouraged to attend.*

*Chief Cox invited the Council to attend the Police Officer Academy Graduation on December 19<sup>th</sup>.*

*With no further discussion, Mayor McNinch adjourned the meeting at 8:18 PM.*

*Respectfully submitted,*

*Karen L. Monteith,  
Clerk - Treasurer*