

October 4, 2018

**Regular Meeting**

Mayor McNinch thanked everyone for coming and called the Regular Meeting of the Denton Town Council to order at 7:00 PM on this date.

Mayor McNinch lead everyone in the Pledge of Allegiance to the Flag.

Mayor McNinch asked that the record reflect that Councilman Branson was absent and that all the other Councilmembers were present.

**Executive Session Announcement**

Mayor McNinch announced for the record that an Executive Session was held at 6:45 PM on September 17, 2018 in the Denton Town Hall: for the purpose to discuss the Performance of a Specific Employee, By Authority 2014 Md. Code. State Government 3-305 (b) (1).

All Council Members and the Town Administrator were present for the closed session.

The Council met and conducted the Town Administrator annual performance evaluation.

The Executive Session ended at 7:29PM, at which time the Council held a working session.

**Minutes**

Councilman Johnson made a motion to approve the minutes of the September 6, 2018 Regular Meeting and the September 17, 2018 Working Session as presented. The motion was seconded by Councilman Lister, passing unanimously.

**Public Hearing**

No public hearings were held.

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

**Proclamation - 95<sup>th</sup> Anniversary of the Order of the Eastern Star Chapter 62**

Mayor McNinch invited several board members of the Order of the Eastern Star Caroline County Chapter #62 to join her, as she read and presented them with a Proclamation to honor and congratulate them on celebrating 95 years of service to the community.

**Caroline County Council of Arts (CCCA) - Public Art Update & Downtown Denton Main Street (DDMS) - Project Update**

Mrs. Marina Dowdall, Director of CCCA, and Mr. Steve Konopelski, of the DDMS, gave updates on their projects.

Mrs. Dowdall shared the Denton Artsway Public Art Plan for 2019.

Mrs. Dowdall and Mr. Konopelski talked about the DDMS upcoming events and fund raisers.

Mr. Konopelski announced that he will be featured in the Food Network TV Show this Sunday and invited everyone to come to the viewing party at the Tap House at 10PM.

**Ordinances and Resolutions**

None

**Reports of Officers, Boards, and Committees**

Mayor McNinch shared some correspondence she had with Commissioner Levengood in regards to lighting at Subway and Legion Road.

*Mr. Don Mulrine, Town Administrator, discussed the lighting with staff and determined that it's a private road between Taco Bell and Dunkin Donuts. He indicated the Police are going to monitor the area and make a recommendation, Public Works will look at the signage, and the Planning & Codes Staff will conduct some research to see if there are any property maintenance issues.*

*Councilwoman Wilson attended the Eastern Shore Association of Municipalities meeting and shared a summary of the discussion on the State Highway Bay Bridge Study and said there will be another meeting held in December.*

*Mayor McNinch mentioned that next week she will be attending the Maryland Municipal League Conference, serving on the Legislative Committee, they will be working on their 2019 priorities list.*

*Mayor McNinch recently participated in a ride-along with the Public Works Dept., looking at the garbage collection issues and noted that things seem to be running smoother. The Mayor encouraged residents to share any issues they are having so they can be addressed.*

*Mayor McNinch also patrolled with a Police Officer and found it very interesting to observe from their perspective.*

*Mayor McNinch shared her experience in visiting the White House as part of the Women Mayor's Tour; got to hear about non-partisan legislation.*

*Mayor McNinch and Mr. Mulrine met Mrs. Stephanie Bailey, daughter of former Mayor James Coursey. They talked with her about her documentary on her father and Denton. Mr. JOK Walsh gave Mrs. Bailey a tour of the Museum of Rural Life.*

*Councilman Johnson announced that Calvary Baptist Church is hosting kickball every Monday evening at 5:30.*

*Councilman Johnson announced that he is now a certified civilian response trainer and is available if anyone is interested to let him know.*

*Councilwoman Wilson announced that the Tuckahoe Habitat for Humanity is seeking board members.*

### **Unfinished Business**

#### **Agenda #1- Market Street Public House Generator**

*Discussion continued on the request submitted last month from the Market Street Public House, seeking permission to install a generator in the alley on Town property.*

*Mr. Brian Tyler, owner of the Market Street Public House, explained the reason for the request.*

*Councilman Lister expressed that he wants to support, but would want a clear Memorandum of Understanding Agreement between both parties.*

*Staff and the Town Attorney recommended to Mr. Tyler to submit a site plan of the area to be referenced in the agreement. Staff will continue to research and work with Mr. Tyler to see about an alternate location before drafting a MOU.*

#### **Agenda #2 - YMCA – Water & Sewer Connection**

*Discussion continued from last month on the YMCA's request for Town Services for a new facility to be built on the land currently outside the Town limits.*

*Mr. Chris Drummond, Town Attorney, presented an agreement establishing the Town's terms to accommodate the YMCA's request. Mr. Drummond shared that the Town is not in the position legally to offer any discounts, waivers or abatements.*

*Mr. Robbie Gill, Director of the YMCA, spoke on behalf of the project and thanked the Council for their efforts. He will provide the updated MOU to his board and let the Town know how it goes.*

*Councilman Lister made a motion to authorize the Mayor to execute the MOU with the YMCA as presented. The motion was seconded by Councilman Johnson, passing unanimously.*

**Agenda #3 - Downtown Parking**

*Mr. Mulrine provided an updated MOU, sharing that the County Attorney is waiting on some additional guidance regarding signage.*

*Councilman Lister made a motion to authorize the Mayor to execute the MOU with the County, seconded by Councilman Johnson, passing unanimously.*

**New Business**

**Agenda #1 – MHAA Grant – Historical Society**

*The Town has been asked to be a co-grantee on a current Grant held by the Caroline County Historical Society. The Grant covers renovations on the old Town Hall located at 13 N. Third Street that the Historical Society is now housed in.*

*Councilman Lister made a motion to accept the Grant responsibilities, seconded by Councilman Johnson.*

*Mr. Mulrine provided some background, shared that Mr. JOK Walsh will oversee the project construction and asked for approval to send a letter to the Grant Agency to confirm the Town agrees to be a co-grantee.*

*With no further discussion, the Mayor called for a vote on the motion to accept the Grant.*

*The motion passed unanimously.*

**Agenda #2 – Resident Request – Chicken Keeping**

*Mrs. Joann Redden, of 104 S. Second St., Mrs. Candy Minner and Mrs. Sarah Dahl, both of 423 S. Second St., came before the Council requesting an amendment to the Town Code to allow chickens to be kept for eggs.*

*Several regulation ideas were discussed. Staff will research what other municipalities allow. This item will be placed on the October 15, 2018 Working Session Agenda for additional discussion.*

**Agenda #3 - FY2020 Homestead Tax Credit Cap**

*The current Homestead Tax Credit Percentage Cap for Denton is set at 5%. The Homestead Tax Credit is available to all owner-occupied residential properties in which the Real Estate Tax, on a qualifying property, cannot increase by more than 5% each year, no matter how much the assessment changes. The Tax Credit Cap has remained the same since July 1, 2008, when the Council decreased the percentage from 10% to 5%. This item was on the agenda to see if the Council would like to make any changes for Tax Year beginning July 1, 2019.*

*Councilman Lister made a motion to hold the Tax Credit Cap at 5%, seconded by Councilman Johnson, the motion passed unanimously.*

**Agenda #4 - Savannah Overlook Signs**

*Mr. Timothy Scott Holsclaw, President of the Savannah Overlook Homes Owners Association and resident of 1207 Painted Fern, and Mr. George Swable, resident of 1223 Painted Fern, came before the Council asking for no parking signs to be installed where*

*the school bus picks up and drops off students in Savannah Overlook near Cypress Court, to avoid the School Board relocating the stop to Market Street.*

*In discussion, Staff cited some other parking obstacles have been identified within the area, and recommended looking to see if other signs changes may be necessary.*

*Staff will research, put together a plan for drafting an ordinance that will be all inclusive.*

**Agenda #5 - HOA (Home Owner Association) Agreements**

*Mr. Mulrine shared that the Town had recently received request seeking copies of some Home Owner Association Agreements and shared the HOA Agreements with the Council.*

*Mr. Scott Holsclaw mentioned that he had submitted a request and has received the as-built for the stormwater that he needed for a contractor to obtain a maintenance cost.*

*Mrs. Odessa Daniel, of 1205 Foster Holly Court, shared concerns about receiving a multitude of citations from the HOA and asked for help.*

*Mr. Drummond advised that the residents may wish to speak to an attorney, as the HOA Guidelines are established by the HOA Covenants and not the Town.*

**Agenda #6 - Roadway/Curbing Striping Machine Purchase**

*Public Works Staff asked for approval to purchase a T2000 Trueline Striper to use for striping parking spaces and curbing at a cost of \$4,255.00.*

*Councilman Johnson made a motion to authorize the purchase, seconded by Councilwoman Wilson, passing unanimously.*

**Agenda #7 - Renewal of the Contract with MDIA**

*Planning & Codes Staff asked for approval to renew the contract with Middle Department Inspection Agency to continue handling the electrical and plumbing inspections for all residential permits and all commercial inspections.*

*Councilman Johnson made a motion to renew the contract with MDIA, seconded by Councilman Wilson, passing unanimously.*

**Agenda #8 - Denton Police Dept. Take Home Car**

*Discussion on increasing the 25 mile take home patrol car range was held. Chief Cox will research and come back with an adequate mile range, and provide a cost estimate.*

**Miscellaneous**

*Mr. Steve Kirby, from Cambio WIFI, provided an update on the status of bringing WIFI to Denton.*

*Mr. Mulrine provide an update on Maryland Broadband working on commercial equipment.*

*Mr. Deford Brown shared a history and concerns about a tree buffer that was recently removed between a property his family formerly owned and the property that is being developed by Choptank Community Health Facility. Mr. Brown expressed that there was a deed, between the previous owners of each parcel, that stated the tree buffer was to remain forever. Mr. Brown felt Town dropped the ball on the title research and the Town should not have allowed the tree buffer to be removed. Mr. Brown asked for restitution of \$2,500 for each of his family members, a total of \$15,000 to settle.*

*Mr. Drummond explained that the Town does not get involved in the title research for private property deeds. He shared that this is not a land issue and it is not a permit*

*issue of which the Town has any responsibility over. The tree buffer was done through a private agreement deed that was between the former owners, of which neither party owns the adjoining parcels today. Mr. Drummond stated that it was the new owner's decision to remove the buffer and that if the owner of the adjoining lands does not have any objections, there probably is not anything that can be done about the trees being removed. He reiterated that the Town of Denton is not a party to the deed, and therefore, has no authority over the removal of the trees.*

*Mr. Randy Jenkins, Director of Tuckahoe Habitat for Humanity, shared some concerns from Residents of the Lincoln Street area, asking if the Town can do anything about activity occurring in two vacant homes.*

*Chief Cox said that he has been made aware of the Resident's concerns and the Department has been monitoring and increased foot patrols in the area.*

*With no further discussion, Mayor McNinch adjourned the meeting at 9:14 PM.*

*Respectfully submitted,*

*Karen L. Monteith,  
Clerk - Treasurer*