

May 7, 2020

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.

This meeting was held online using Microsoft Teams Meeting Format – access to the meeting was made available on the Town website. Public notice was also posted and published in advance seeking public comments.

Mayor McNinch thanked everyone for joining the Council.

Lieutenant George Bacorn explained the questions and answers features for participating in the meeting.

Roll Call

Mayor McNinch conducted roll call and asked that the record reflect that all Councilmembers were present, except for Councilwoman Wilson.

Councilwoman Wilson joined the meeting 7:10.

Staff attending the meeting included: Mr. Don Mulrine, Town Administrator, Lt. George Bacorn, Karen Monteith, David Renshaw, Phil Clark, and Mark Chandler.

Mr. Chris Drummond, Town Attorney, attended the meeting.

Meeting Minutes

Councilman Branson made a motion to approve the minutes of the March 5, 2020 Regular Meeting, March 18, 2020 Joint Council/Utility Commission WWTP Tour Mtg., March 19, 2020 Special Meeting, April 2, 2020 Regular Meeting (Part I), April 16, 2020 Regular Meeting Reconvened (Part II), April 27, 2020 Working Session, as presented. Councilman Johnson seconded the motion.

Councilman Lister was not present for the April 27, 2020 meeting and asked Councilman Branson to amend the motion to not include the April 27th meeting.

Councilman Branson amended his motion to approve all the meeting minutes except the April 27, 2020. The amended motion was seconded by Councilman Johnson, passing – with 4 votes.

Councilman Johnson made a motion to approve the April 27, 2020 meeting minutes, seconded by Councilman Branson, passing with 3 votes – Councilman Lister abstaining due to having been absent for the meeting.

Public Hearing

Constant Yield Tax Rate

Mayor McNinch read the contents of the Constant Yield Tax Rate Public Hearing Notice. The current tax rate for Fiscal Year 2019-2020 is \$.77 per \$100 of assessed value. The State Certification shows the Constant Yield Tax Rate should be \$.7606 to maintain the same revenues for the upcoming Fiscal Year 2020-2021. The Council is proposing to set the FY21 tax rate at \$.77 per \$100 of assessed value.

Mayor McNinch opened a virtual Public Hearing at 7:09 PM to receive public comments on the Fiscal Year 2021 Constant Yield Tax Rate.

Mayor McNinch asked for comments from the State: there were none received in advance of the hearing or during the hearing.

Mayor McNinch asked for comments from the County: there were none received in advance of the hearing nor during the hearing.

Mayor McNinch asked for comments from the Council:

Councilman Lister provided comment supporting maintaining the current tax rate due to the already tight budget projections and with the unknown affects to anticipated revenues and expenditures with the COVID-19 Pandemic.

Councilman Johnson mentioned that the Council has provided a tax offset that will affect over 400 residential properties, this was done when the Council previously lowered the Homestead Tax Credit Cap Percentage back in the fall of 2019 for the tax year beginning July 1, 2020.

Councilman Branson mentioned that he was seeing other agencies also maintaining their current tax rates and with having knowledge that there are a number of property assessment appeals pending at the State that could affect and decrease the Town's anticipated revenues.

Councilwoman Wilson stated that she had no comments.

Mayor McNinch asked for comments from the Public:

Mr. Mulrine stated that no comments have been received by email or mail.

Lt. Bacorn stated that there were no comments received through the Q&A online.

Mayor McNinch announced that the Town will continue to accept written public comments on the Constant Yield Tax Rate through May 14, 2020.

Mayor McNinch stated that the Town Council will hold a Special Meeting on May 18, 2020 to review any public comments received by May 14, 2020 and to adopt the 2020-2021 Tax Rates.

With no further comments, Mayor McNinch closed this Public Hearing at 7:14 PM.

Ordinance #705 – FY2021 General Fund Appropriations

Mayor McNinch opened the virtual Public Hearing at 7:15 PM to receive public comments on Ordinance #705 – An Ordinance of the Town of Denton to appropriate funds and estimate income in accordance with the General Fund Budget being adopted for Fiscal Year beginning July 1, 2020 and ending June 30, 2021.

Mayor McNinch asked for comments from the State: there were none received in advance of the hearing or during the hearing.

Mayor McNinch asked for comments from the County: there were none received in advance of the hearing or during the hearing.

Mayor McNinch asked for comments from the Council:

Councilman Johnson commented on the reductions made to balance the budget, small tax increase, and resources still necessary to increase efficiency.

Councilman Branson thanked staff for working so hard and presenting a balanced budget.

Councilman Lister commented about making cuts to hold the budget flat and expressed staff efforts and appreciated having a balanced budget.

Councilwoman Wilson stated she had not comments.

Mayor McNinch asked for comments from the Public:

Mr. Mulrine stated that no comments have been received by email or mail.

Lt. Bacorn stated that there were no comments received through the Q&A online.

Mayor McNinch announced that the Town will continue to accept written public comments on Ordinance #705 – FY21 General Fund Appropriations Ordinance through May 14, 2020.

Mayor McNinch stated that the Town Council will hold a Special Meeting on May 18, 2020 to review any public comments received by May 14, 2020 and to consider adoption of Ordinance #705.

With no further comments, Mayor McNinch closed this public hearing at 7:19 PM.

Petitions, Remonstrance's, and Communication

Caroline County States Attorney's Office Monthly Report

The States Attorney's Monthly Activity Report was not available.

Proclamation – Municipal Clerks Week – Mayor McNinch read a Proclamation recognizing May 3rd - May 9th, 2020 as the 51st Anniversary of the National Municipal Clerks Week, expressing their gratitude for the hard work and dedication of our Town Clerks and the vital services they provide to our community.

Proclamation – American Discovery Trail

Mayor McNinch read a Proclamation recognizing the American Discovery Trail that runs through parts of Caroline County and Denton. Stating the Trail begins in Cape Henlopen State Park in Delaware and ends in Point Reyes National Seashore in California.

Councilman Johnson shared that Mr. Chad Dean was listening to the meeting and sent a comment thanking the Town of Denton for issuing the Proclamation and helping to promote the trail.

Proclamation – Parlour 7 & Co. Salon

Mayor McNinch read a Proclamation to recognize and congratulate Parlour 7 & Salon on their celebrating their 5 Year Anniversary in Downtown Denton.

Ordinances and Resolutions

Ordinance No. 706 – Emergency Shelter Ordinance

An Emergency Ordinance authorizing the Town Council to lease appropriate space within Town limits on a temporary basis to provide emergency shelter for those impacted by the COVID-19 Virus and to engage a manager for the day-to-day operations and management of the leased space.

Mr. Mulrine provided an explanation behind having an Emergency Ordinance adopted in case the urgent need arises that His Hope Ministries needs to relocate to another building to keep the homeless shelter open during the COVID-19 Pandemic.

Councilman Branson made a motion to introduce Ordinance #706, seconded by Councilman Lister.

During discussion, Councilman Lister asked for some additional details. Mr. Mulrine provided details. Sharing that His Hope Ministries normally shuts down the homeless shelter in April. This year due to COVID-19, the State has asked HHM to keep the shelter open and has awarded grant funding to cover the expenses. Mr. Mulrine further explained that by having the Emergency Ordinance adopted, it will allow another nearby facility to be used for housing the shelter should HHM be required to relocate from their current location.

Mr. Chris Drummond, Town Attorney, commented that because of zoning requirements the Town must be the Lessee and can approve for HHM to be the Property Manager.

Mr. Drummond further explained that to comply with the Town Charter for an Emergency Ordinance, Councilman Johnson and Councilwoman Wilson who also sit on

the HHM Board, are restricted and can only vote on paragraph 4 of the Ordinance. Paragraph 4 stating that by unanimous vote the Town Council, requirements §3-13 of the Town Charter and §5-19 of the Town Code are suspended to the end that this Ordinance shall become effective immediately following passage.

Mayor McNinch asked for a vote on the motion to introduce Ordinance #706.

The motion to introduce was approved, with 3 voting in favor and Councilman Johnson and Councilwoman Wilson voting only on Paragraph #4.

Mayor McNinch then asked for a motion to Adopt Ordinance #706 as an Emergency Ordinance to be effective immediately.

Councilman Branson made a motion to adopted Ordinance #706, seconded by Councilman Lister.

During discussion, a comment received from Mr. Angel Perez was shared.

Mr. Perez thanked the Council for their support, sharing the need to keep the shelter open.

Liability was discussed and for the Town to make sure that HHM has sufficient insurance.

With no further discussion, Mayor McNinch called for a vote on the motion to adopt Ordinance #706.

The motion passed with 3 voting in favor, and Councilman Johnson and Councilwoman Wilson voting only on Paragraph #4.

Reports of Officers, Boards, and Committees

Mayor and Council wished Mr. Mulrine a Happy Birthday.

Mr. Mulrine shared information pertaining to a letter the Maryland Municipal League is sending to the Governor on how to insure the CARES Funding that is being provided to the Counties is also shared with the Municipalities that have a population of less than 50,000.

Mayor McNinch shared information obtained while attending a conference call pertaining to Federal Loan Funding over the next couple of years.

Unfinished Business

Agenda #1- FY2021 General Fund Budget

Councilman Branson made a motion to adopt the Fiscal Year 2020-2021 General Fund Budget as presented, seconded by Councilman Johnson.

In discussion, Councilman Johnson mentioned how this year's budget shows a slight reduction in total expenditures from the prior year.

Councilman Lister shared the cuts that had been taken to balance the budget.

With no further discussion, Mayor McNinch asked for a vote on the motion to adopt the FY21 General Fund Budget.

The motion passed unanimously.

New Business

Agenda #1 – New Pump for Wilmuth Pump Station

Mr. Mulrine and Mr. Mark Chandler, Water & Wastewater Operations Superintendent, provide information on the need to purchase a new pump for Wilmuth Pump Station, due to one of the pumps recent breakdown and rebuild. Seeking to purchase a new pump as included in the FY20 Budget to have as a spare pump at a cost of \$8,200.

Councilman Branson made a motion to approve the purchase, seconded by Councilman Lister, passing unanimously.

Agenda #2 – Election Judge Appointments

The Town's Supervisors of Election Board Members, Ms. Signe Hippert, Mrs. Cheryl Getchell, and Ms. Denise Quinn terms expire June 30, 2020. The current board members have all requested to be reappointed.

Councilman Branson made a motion to reappoint all the existing Election Board Members, seconded by Councilman Johnson, passing unanimously.

The Alternate Position is currently vacant, staff will post notice to seek interested residents to fill the vacancy.

Agenda #3 - Water and Sewer Allocation

Mr. Mulrine shared that a request from DENTON RT 404 LLC was submitting seeking approval for one (1) additional ERU for a minor subdivision for the second commercial lot located at 1155 Industrial Parkway, Caroline County Tax Map 107, Parcel 2359.

Councilman Branson made a motion to approve, seconded by Councilman Johnson.

Discussion was held about establishing a deadline on how long the approval would be allowed.

Councilman Branson amended his motion to approve the allocation with a Twelve-Month Sunset Provision for pulling a building permit during this time frame or the allocation expires. The motion was seconded by Councilman Lister, passing unanimously.

Agenda #4 - Letter of Support – Central Library

The Council was asked to consider sending a letter of support for the Caroline County Public Library's application for Library Capital Funds for FY 2022 for the procurement of architectural and engineering services for the design of the renovation of the first floor of the Central Library in Denton.

Councilman Johnson made a motion to give a letter of support, seconded by Councilwoman Wilson, passing unanimously.

Agenda #5 - Caroline Summerfest

The Caroline Summerfest Planning Committee, which consists of Staff from the Caroline County Recreation & Parks Department and Town of Denton have been meeting and will be making a decision and recommendation on the status of this year's event later this month. There are concerns because of the COVID-19, public safety, meeting timelines and the monetary obligations necessary to commit to Summerfest 2020.

Mayor McNinch acknowledged the very good partnership between CCRP & Town Staff of over 30 years and shared that she will support whatever recommendation the Summerfest Planning Committee makes.

Agenda #6 - Public Works – Capital Fund Transfer Request

Denton Public Works submitted a request to transfer \$13,500.00 in Capital, that was initially earmarked to purchase a truck and instead to use the funds to purchase additional water meters to replace the master meters because of the meter reading software is not working properly.

Councilman Lister made a motion to approve the request, seconded by Councilman Branson, passing unanimously.

Agenda #7 - Lease Agreement – Aarons' Place

Discussion was held on the lease agreement outlining the details of the Town of Denton if the leasing 401 Aldersgate Dr., Denton, MD is required for His Hope Ministries to use to house homeless during the COVID-19 Pandemic from June 1, 2020-October 31, 2020, as it related to Ordinance #706. The lease will only be executed in the event His Hope Ministries has to relocate to this location.

Councilman Branson made a motion to approve the lease, seconded by Councilman Lister, passing with 3 votes. Councilman Johnson and Councilwoman Wilson abstained from voting since they serve on His Hope Ministries Board.

Miscellaneous

COVID-19

Discussion on the ability to open Town Parks, tennis courts, disinfection methods and ability to have staffing and supplies to sanitize, liability concerns, social distancing and gathering restrictions.

Mr. Drummond will draft signage and staff will work toward reopening the tennis courts.

Discussion was held about restoring some normalcy, working toward having the Council meetings held in person, back in the Town Hall, video capability and equipment needs. Staff will research and discussion will continue at the Working Session set for May 18, 2020.

With no further discussion, Mayor McNinch adjourned the meeting at 8:44 PM.

Respectfully submitted,

*Karen L. Monteith,
Clerk - Treasurer*