

July 2, 2020

*This meeting was held online using Microsoft Teams Meeting Format – Council members and staff met in person.*

*Mayor McNinch called the Regular Meeting of the Denton Town Council to order at 7:00 PM, welcoming everyone joining the meeting and turned the floor over to Councilman Johnson.*

*Councilman Johnson held a moment of silence for reflection and prayer for the family and community following the tragedy that occurred in Town the night before.*

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

*Mayor McNinch asked that the record reflect Councilwoman Wilson was attending the meeting virtually and that all the other Councilmembers were in attendance in the meeting room.*

*Others attending in person included, Don Mulrine, Town Administrator, Chief of Police, Rodney Cox, Lt. George Bacorn and Karen L. Monteith, Clerk-Treasurer.*

*Mr. Chris Drummond, Town Attorney also attended virtually.*

*Councilman Lister made a motion to approve the minutes of the June 4, 2020 Regular Meeting and the June 22, 2020 Working Session as presented; seconded by Councilman Branson, passing unanimously.*

**Public Hearing**

*None*

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

**Proclamation – On Your Toes Dance Studio Celebrates 25 Years in Business**

*Mayor McNinch read a Proclamation congratulating Ms. Katie Callahan, Owner of On Your Toes Dance Studio, for having been in business for 25 Years and wished her well as she moves onto other ventures.*

**Proclamation – Magic Mirror Beauty Shop Celebrates 50 Years in Business**

*Mayor McNinch read a Proclamation congratulating Mrs. Nancy Callahan, Owner of Magic Mirror Beauty Shop, for having been in business for 50 years.*

**Bike to the Beach for Autism – July 31, 2020**

*Mr. Mulrine shared that Bike to the Beach for Autism Annual Event will be biking through Denton in the early morning hours on July 31, 2020.*

**Keep Maryland Beautiful**

*Downtown Denton Main Street is applying for a Keep Maryland Beautiful Grant and asked for a letter of Support from the Council.*

*Councilman Johnson made a motion to approve the Mayor to sign a letter of support, seconded by Councilman Branson, passing unanimously.*

**Ordinances and Resolutions**

**Resolution #873 – Chapter C. Charter Amendment Article V. Registration,**

**Nomination & Elections**

*A Resolution of the Mayor and Council of the Town of Denton, Maryland Repealing and Re-Enacting Section §C5-10 and Repealing §C5-13 of the Town Charter regarding Uncontested Elections and Write-in-Votes.*

*An overview of the Resolution was provided by Chris Drummond and Karen Monteith.*

*Discussion was held on language drafted by the Attorney to consider adding to §C5-10 that would allow the Council and the Board of Supervisors of the Elections the ability to create a policy to consider voting by mail in the event of an emergency such as the pandemic going on now, or if another type of State of Emergency is declared that restricts voters from being allowed to cast ballots in person. This language would give the Board of Supervisors of the Town Elections to draft a policy to consider allowing voting by mail. The Council would be required to approve any policy before taking effect, and this would be in addition to the absentee ballots regulations currently in place.*

*Councilman Johnson made a motion to adopt Resolution #873 with the addition of the paragraph amending §C5-10 to include language that would provide for the ability to create a policy to allow for mail in voting, should it become necessary. The motion was seconded by Councilman Branson.*

*Additional discussion was held regarding the cost associated with elections, statics on uncontested elections, voter participation and the additional language for providing for Voting by Mail. Ballot security, record keeping and how to securely verify to prevent voter fraud was also discussed, as well as, conducting drive by or another type of contactless voting.*

*Mayor McNinch called for a vote on the motion to adopt Resolution #873 with the language amendment allowing an option to create a policy to allow voting by mail amendment.*

*Mayor McNinch voted in favor, all other Councilmembers voted against the motion. The motion died for a lack of support.*

*Councilman Branson made a new motion to adopt Resolution #873 without the vote-by mail language amendment, seconded by Councilman Johnson, motion passed unanimously.*

**Ordinance #707 – Election Amendment - Absentee Ballots**

*An Ordinance of the Town of Denton to repeal and re-enact Chapter 10, Section 1 of the Denton Town Code with respect to the qualification for Absentee Voter Status.*

*An overview of the Ordinance was provided by Karen Monteith and Chris Drummond.*

*Councilman Lister made a motion to introduce Ordinance #707, seconded by Councilman Branson.*

*Discussion pertaining to using online forms and internet delivery was held.*

*Staff further clarified that currently Registered Voters can access the form to request an absentee ballot online, and then they are required to submit the request in writing by mail or in person. Ballots are then mailed if the request is received 17 days prior to the Election or provided in person if received up until the Friday before the Election, which is already established in Section 10-2.*

*Councilman Lister withdrew his motion, then stated to ignore the withdraw and stay with his original motion.*

*The motion passed unanimously.*

**Ordinance #708 Election Amendment – Challengers & Watchers**

*An Ordinance of the Town of Denton to repeal and re-enact Chapter 10, Section 10 of the Denton Town Code with respect to the qualifications and duties of Election Challengers and Watchers.*

*An overview of the Ordinance was provided by Karen Monteith and Chris Drummond.*

*Councilman Branson made a motion to introduce Ordinance #708, seconded by Councilman Johnson, passing unanimously.*

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

*Councilman Johnson, Councilwoman Wilson, and Mayor McNinch attended the Maryland Municipal League Virtual Classes.*

*Mayor McNinch congratulated Councilwoman Wilson for being appointed to serve as the Treasurer for the Eastern Shore Association of Municipalities.*

*Mayor McNinch will continue to serve on the Maryland Municipal League Board of Directors.*

*Current Events mentioned include the:*

*Farmers Market is being held on Tuesday's from 3-6*

*Complete your Census Gift Card Give Away during the month of July*

*Third Thursday Event has started again, and some with live music*

*Juneteenth Celebration and Public Art Display*

*Black Lives Matter Protest was very peaceful*

*Councilman Johnson thanked and commended the Denton Police Dept. on their action yesterday dealing with an incident.*

*Mayor McNinch shared that on June 22, 2020, Chief Cox had announced his plans to retire from the Police Department in August.*

**Unfinished Business**

**Agenda #1- CDBG Grant – His Hope Ministries**

*At the February 6, 2020 Town Council Meeting Resolution #871 was approved to request up to \$400,000 in Grant Funds for the purchase of 908 Market St. for His Hope Ministries to use for their Unaccompanied Youth Program.*

*Mr. Mulrine submitted a request to consider approving a modification to the original grant request, changing the property location to 214 / 216 Market St. instead of 908 Market St.*

*Mayor McNinch recused herself from the discussion as a tenant of the property.*

*Councilman Johnson recused himself due to a potential financial interest conflict with his of his wife working for His Hope Ministries.*

*Councilwoman Wilson recused herself as she serves as a Board Member the His Hope Ministries Board.*

*Mr. Drummond clarified that as long there is a majority of those eligible to vote they can still act on this request.*

*Councilman Branson made a motion to approve.*

*Councilman Lister stated that he does not support the change of location for the project. He expressed that he supports infrastructure growth in the downtown business district that will increase the tax base.*

*The motion died for lack of support.*

**New Business**

**Agenda #1 – Compass Regional Hospice**

*Compass Regional Hospice is in the process of fundraising to build on the site next to the HAPS building in Denton. They have respectfully requested the Town's consideration in gifting all or a portion of the Town fees associated with preconstruction.*

*Mr. Mulrine provided a synopsis and explained that until the Town received plans for the building it is difficult to know what permits will be required to identify if any fees be waived or not.*

*No action was taken at this time.*

**Agenda #2 – GMB On-Call Agreement**

*The George, Miles & Buhr, LLC. (GMB) Annual Agreement for On-Call Services for the Public Works Department was presented to the Council for consideration for approval.*

*Councilman Lister made a motion to accept and approve the Agreement, seconded by Councilman Johnson, passing unanimously.*

**Agenda #3 - Water and Sewer Allocation**

*A request from BEGREEN, LLC, was submitted seeking approval for (2.5) additional water and sewer allocations for the proposed nail salon to be located at 508 South Fifth Avenue. The cost of (2.5) water and sewer allocations is \$22,500.*

*The minor site plan application was approved by the Planning Commission on June 30, 2020.*

*Councilman Lister made a motion to approve the allocation request, seconded by Councilman Johnson, passing unanimously.*

**Agenda #4 - DENTON RT 404 LLC/7-Eleven**

*A request to authorize the Mayor to sign the final Public Works Agreement and Inspection and Maintenance Agreement of Private Stormwater Management Facilities for DENTON RT 404, LLC, for the proposed 7-Eleven Gasoline/Convenience store to be located at 1155 Industrial Parkway was reviewed.*

*The minor subdivision and final site plan applications were approved by the Planning Commission on June 30, 2020.*

*Councilman Lister made a motion to approve having the Mayor sign the agreement, seconded by Councilman Branson.*

*Discussion was held about the location and access for the water and sewer lines.*

*Mr. Drummond shared that additional information on the use of a private right of way, the agreement will not hold the Town responsible for the maintenance of the private drive, it gives the Town access to the right-of-way to repair the underground water and sewer lines.*

*With no further discussion, Mayor McNinch called for a vote on the motion to approve signing the agreement.*

*The motion passed unanimously.*

**Agenda #5 - Subrecipient Agreement – CARES Act Grant with Caroline County.**

*A Subrecipient Agreement to apply for CARES Act Grant funds through Caroline County was provided.*

*Mr. Mulrine announced the Agreement will allow the Town to submit requests for reimbursement for COVID-19 expenses incurred.*

*Councilman Branson made a motion to sign the agreement, seconded by Councilman Johnson, passing unanimously.*

**Agenda #6 - Police Department Policies**

*Discussion continued from the June Working Session on reviewing Police Department Policies.*

*The Council requested some time to analyze the current policies to see about amendments.*

*Mayor McNinch announced there will be an Executive Session on July 21, to discuss personnel from 1:00PM to 2:00 PM.*

*A Working Session to discuss Police Policies was scheduled for September 21, 2020 at 6:30.*

**Miscellaneous**

*Councilman Johnson mentioned the HERO'S Act, asking to keep monitoring as it is developing to see if the Town may qualify for supplement income for Staff.*

*With no further discussion, Mayor McNinch adjourned the meeting at 8:30 PM.*

*Respectfully submitted,*

*Karen L. Monteith,  
Clerk - Treasurer*