

March 4, 2021

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 thanked everyone for joining the meeting in person and virtually and explained how to use the comments section online.

Mayor McNinch asked that the record reflect that all Councilmembers were present.

Councilman Johnson made a motion to approve the minutes of the February 4, 2021 Regular Meeting and the February 22, 2021 Working Session as presented; seconded by Councilman Branson, passing unanimously.

Public Hearing

Ordinance #710 – Vehicle and Traffic Amendment

Mayor McNinch opened a Public Hearing at 7:02 PM to receive public comments on Ordinance #710 - An Ordinance of the Town of Denton to amend the provisions contained in Chapter 120 of the Denton Town Code with respect to relocating a Handicap Parking Space, change in title from Police Vehicle to Public Safety Vehicles, Parallel Parking on One-Way Streets and clarifying the language of 120-27.

Mayor McNinch asked for comments from the State: there were none

Mayor McNinch asked for comments from the County:

Councilman Johnson shared comments he received from County Commissioner Porter asking to use discernment and judgement when making the decision, highlighting that throughout the Town there are one-way parking issues.

Mayor McNinch asked for comments from the Council:

Councilman Johnson shared that Ordinance #709 is on a lot of resident's minds and explained the changes being made with Ordinance #710. Councilman Johnson recommended holding off on implementing Ordinance #709 until the Council has some additional time to review some more.

Mayor McNinch asked for comments from the Public:

Mr. Robert Miron of 210 Briarwood Circle stated he was present to discuss one-way roads within Briarwood Circle and Fairfield Court, and he would save his comments for later.

Councilman Lister shared a written public comment received from Ms. Kathryn Belemonte, of S. Third St., suggesting soliciting feedback from local first responders as to how the proposed parking changes could impact response times to emergencies in the area and to consider an exception for emergency vehicles and personal vehicles of emergency responders.

Councilman Lister clarified the parking on one-way streets will be in the same directions as approved travel, this will not affect two-way travel streets.

With no further comments, Mayor McNinch closed this public hearing at 7:10 PM.

Petitions, Remonstrance's, and Communication

Proclamation Day of Remembrance

Mayor McNinch read a Proclamation to recognize March 5, 2021 as a Day of Remembrance to honor the memory of those whose lives have been lost due to COVID-19 cases in Maryland and expressed the Council's sympathy and support to those suffering

from this worldwide pandemic. Sharing some statistics as of this date, Caroline County has had 2,051 positive cases, 1,920 have recovered and 20 deaths have occurred.

Proclamation – Bullock’s 45 Years in Business

Mayor McNinch issued a Proclamation to celebrate the 45th Anniversary of Bullock’s Deli, congratulating the Bullock Family on their many years of business and all their support and involvement in the community.

Proclamation – YMCA Tobacco Prevention Awareness Week

Mayor McNinch read a Proclamation for the Caroline County YMCA Mentoring Program. The YMCA will be sponsoring Tobacco Prevention Awareness Week from March 22-26.

Councilman Johnson announced that Justus Gellert was the recent winner of the DDMS contest for selfies winning a \$100 prize from Bullock’s Deli. Mr. Gellert donated \$50 to the YMCA. Councilman Johnson presented the Proclamation and Bullock’s Gift Card to Mr. Angel Perez.

Proclamation – Endometriosis Awareness Month

Mayor McNinch issued a Proclamation recognizing March as Endometriosis Awareness Month to help spread information and awareness about the illness.

Communication - SB 178

Acting Chief George Bacorn shared information regarding the upcoming Senate Bill #178 that will be up for vote in the Maryland Senate. The Denton Police Dept. is asking citizens to contact their representatives to vote no on the bill as it will have a negative effect on proactive policing in our communities.

One Way Road Concerns

Mr. Robert Miron of 210 Briarwood Circle presented a petition signed by many residents against making Briarwood Circle a one-way road as was enacted with Ordinance #709. Mr. Miron shared several concerns and several articles on why one-way street are a bad idea.

Discussion was held regarding the safety of the community being a priority. The width of the street does not safely support two-way traffic and on street parking, at times impacting the flow of traffic, interfering with mail delivery, causing concerns and issues for emergency responders and snowplows.

The Council instructed Staff to continue to wait on installing signage and making the changes previously adopted for now.

The Council will send a survey to the property owners and the tenants of the Sandy Meadows community seeking their input on whether they prefer Briarwood Circle staying two-way traffic but without allowing on street parking or being made one-way with parking on one side of the street.

Council is working on code changes that will set new guidelines for future development.

Mayor McNinch thanked Mr. Miron for bringing the concerns to the Council and asked for his emails to stop being so demeaning as we are all here for the same reason.

Tax Differential Information

Mr. Chris Drummond, Town Attorney, provided an update regarding Ocean City’s Tax Differential case with Worcester County.

Discussion was held on how this affects many municipalities, including Denton and what can the Town do to help to become a shall county instead of a may county when it

comes to Tax Differential. Further discussion was held on whether the Town should file an Amicus Brief supporting Ocean City's case. Mr. Drummond explained the pros and cons of doing so.

Mayor McNinch made a motion to send a brief that Denton supports Ocean City, seconded by Councilwoman Wilson, the motion passed 4-1 with Councilman Johnson voting no.

Ordinances and Resolutions

Ordinance #710 - Vehicle & Traffic Amendment

An Ordinance of the Town of Denton to amend the provisions contained in Chapter 120 of the Denton Town Code with respect to relocating a Handicap Parking Space, change in title from Police Vehicle to Public Safety Vehicles, Parallel Parking on One-Way Streets and clarifying the language of 120-27.

Councilman Branson made a motion to adopt Ordinance #710, seconded by Councilman Lister, passing unanimously.

Ordinance #711 – Forest Conservation Ordinance

An Ordinance repealing and reenacting with amendments Chapter 60 of the Town of Denton Code regarding Forest Conservation.

Mr. Don Mulrine, Town Administrator, provided a synopsis of Ordinance #711 which meets State of Maryland requirements.

Councilman Branson made a motion to introduce Ordinance #711, seconded by Councilman Johnson, passing unanimously.

Ordinance #712 – Abandonment and Closure of Certain Paper Rights-of-Way

An Ordinance of the Town of Denton expressly rejecting the offer to dedicate certain paper rights-of-way shown as a 50-footwide portion of Seventh Street and a 15-footwide alley between Sunnyside Avenue and Choptank Avenue on a plat recorded among the land records of Caroline County, Maryland at Liber T.L.D. No. 73, Folio 386 to public use and abandoning and forever closing the same.

Mr. Mulrine provided a synopsis.

Councilman Lister made a motion to introduce Ordinance #712, seconded by Councilman Johnson, passing unanimously.

Ordinance #713 – Sewers Ordinance

An Ordinance of the Town of Denton repealing and reenacting with amendments Chapter 102, Sewers of the Town Code.

Mr. Mulrine provided a synopsis.

Councilman Lister made a motion to introduce Ordinance #713, seconded by Councilman Johnson.

Councilman Lister shared the Utility Commission supports these three Ordinances to clarify the Town Code.

Councilman Johnson added that these do not impact rates.

Mayor McNinch called for a vote on the motion to introduce Ordinance #713.

The motion passed unanimously.

Ordinance #714 – Water Ordinance

An Ordinance of the Town of Denton repealing and reenacting with amendments Chapter 124, Water of the Town Code.

Councilman Lister made a motion to introduce Ordinance #714, seconded by Councilman Branson, passing unanimously.

Ordinance #715 – Water & Sewer Allocations Ordinance

An Ordinance of the Town of Denton repealing and reenacting with amendments Chapter 125, Water and Sewer allocations of the Town Code.

Councilman Branson made a motion to introduce Ordinance #715, seconded by Councilman Branson, passing unanimously.

Reports of Officers, Boards, and Committees

Councilwoman Wilson announced that funding has been awarded and a Safe Station has been set up and is now open at the Caroline County Sheriff's Office. Services will be available 24/7 for anyone needing help with substance abuse issues.

Councilwoman Wilson shared that a Grant has been awarded and a Adolescent Club Safe Program is coming to Caroline County. This will provide additional assistance for youth with issues including substance abuse.

Councilman Johnson mentioned again the monthly contest winner "Bullocks Selfie" for this month is Justus Gellert, who won \$100 Bullock's gift card. Next month the contest will be to post a selfie with Patti's Petals. He also shared information about the Downtown Denton Main Street Denton Dollar promotion coming up.

Mayor McNinch and Mr. Mulrine will be zooming with 4th Graders at Denton Elementary School tomorrow to encourage them to participate in the "If I Were Mayor Essay Contest" sponsored by the Maryland Municipal League.

Mr. Drummond mentioned the upcoming Zoom Bomb Anniversary.

Unfinished Business

Agenda #1- Legion Road Median

Councilman Branson made a motion to rediscuss a prior decision approving the alterations to the Legion Road Median, seconded by Councilman Lister, passing unanimously.

Discussion was held with Mr. Ryan Showalter, Attorney for Mid-Atlantic Realty, regarding traffic issues on Legion Road and coming up with a better plan to implement improvements.

Mr. Drummond previously sent a letter to Brodie Holdings and Legion 404 LLC but had not received any response. He shared research of the earlier arrangements and what has not occurred that was anticipated to take place over the past years, including the former easement agreement between all parties, and safety issues.

Mr. Showalter stated that his client will be happy to wait until the Town has had some additional time to review.

Councilman Lister made a motion to have the Town Attorney send a letter to Brodie Holdings and Legion 404 LLC, referencing the former agreement, officially providing a 6-month notice of the Town's intent to close left hand turns from Legion Rd. to their properties to help resolve the traffic issues, seconded by Councilman Branson, passing unanimously.

New Business

Agenda #1 – Rezoning Request

Mr. Will Chapman, on behalf of Sharon VanEmburch, presented a rezoning request on behalf of Rick and Elizabeth Bullock. The Bullock's own properties on Caroline County Tax Map 103, Parcels 998 and 1000, which are currently zoned Town Scale Residential (TR), adjacent to their commercial properties on Sixth Street (Bullock's

Deli). The owners are requesting these two parcels be rezoned General Commercial (GC) for additional commercial spaces.

Councilman Branson made a motion to forward this request to the Planning Commission for review, seconded by Councilman Lister, passing unanimously.

Agenda #2 – 504 Choptank Ave Security System

Public Works submitted a request seeking to upgrade to electronic key locks for security purposes through Safehouse. This was budgeted through Capital. The Safehouse total is \$5,763.86 and the Key One total is \$1,503.96 for a grand total of \$7,267.80. This will make all doors with key card entry.

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

Agenda #3 - Visitor Center Brochure Draft

Mr. Mulrine shared a new brochure highlighting the Visitor Center and businesses and asked for comments.

Agenda #4 - Board of Appeals Alternate Appointment

Mr. Gary Smith submitted a request seeking appointment to serve on the Board of Appeals as the Alternate Member, term would expire on December 31, 2023.

Councilman Branson made a motion to appoint Mr. Smith to serve on the Board of Appeals as an Alternate, seconded by Councilman Lister, passing unanimously.

Agenda #5 - Water & Sewer Allocation - 519 South Street

Staff shared that Mr. & Mrs. Kirk Christophel are requesting approval of an ERU to build a new Single-Family Dwelling at 519 South Second Street.

Councilman Johnson made a motion to approve the allocation, seconded by Councilman Branson, passing unanimously.

Agenda #6 - Additional Water & Sewer Allocation – 5 North 3rd Street

Staff shared that The Earth Tones Café proposed at 5 North 3rd Street is expanding the seating capacity of the space and requesting an additional 0.5 ERU's.

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

Agenda #7 - Town Hall Window / Door Replacement

Mr. Mulrine submitted a proposal to move forward with replacing the windows on the Market street side of the Town Office Building as budgeted.

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

Miscellaneous

With no further discussion, Mayor McNinch adjourned the meeting at 9:19 PM.

Respectfully submitted,

*Karen L. Monteith,
Clerk - Treasurer*