

*April 1, 2021*

**Regular Meeting**

*Vice Mayor Lister 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.*

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

*Vice Mayor Lister asked that the record reflect that Councilmembers Branson and Wilson were present in person. Mayor McNinch was attending virtually. Councilman Johnson would be arriving later.*

*Vice Mayor Lister presided over the meeting.*

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

**Public Hearings**

**Ordinance #711- Forest Conservation**

*Vice Mayor Lister opened a public hearing at 7:02 PM to receive public comments on Ordinance #711 - An Ordinance repealing and reenacting with amendments Chapter 60 of the Town of Denton Code regarding Forest Conservation.*

*Vice Mayor Lister asked for comments from the State: there were none*

*Vice Mayor Lister asked for comments from the County: there were none*

*Vice Mayor Lister asked for comments from the Council: there were none*

*Vice Mayor Lister asked for comments from the Public: there were none*

*With no further comments, Vice Mayor Lister closed this public hearing at 7:03 PM.*

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

*Vice Mayor Lister opened a public hearing at 7:04 PM to receive public comments on Ordinance #712 - An Ordinance of the Town of Denton expressly rejecting the offer to dedicate certain paper rights-of-way shown as a 50-foot-wide portion of Seventh Street and a 15-foot-wide 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.*

*Vice Mayor Lister asked for comments from the State: there were none*

*Vice Mayor Lister asked for comments from the County: Mr. Patrick Thomas, of Macleod Law Group, representative for the County provided a brief synopsis of the reason for the Ordinance and asked the Council for their support.*

*Vice Mayor Lister asked for comments from the Council: there were none*

*Vice Mayor Lister asked for comments from the Public: there were none*

*With no further comments, Vice Mayor Lister closed this public hearing at 7:05 PM.*

**Ordinance 713 – Sewer Amendments**

*Vice Mayor Lister opened a public hearing at 7:06 PM to receive public comments on Ordinance #713 - An Ordinance of the Town of Denton repealing and reenacting with amendments Chapter 102, Sewers of the Town Code.*

*Vice Mayor Lister asked for comments from the State: there were none*

*Vice Mayor Lister asked for comments from the County: there were none*

*Vice Mayor Lister asked for comments from the Council: there were none  
Vice Mayor Lister asked for comments from the Public: there were none  
With no further comments, Vice Mayor Lister closed this public hearing at 7:06*

*PM.*

**Ordinance #714 Water Amendments**

*Vice Mayor Lister opened a public hearing at 7:07 PM to receive public comments on Ordinance #714 - An Ordinance of the Town of Denton repealing and reenacting with amendments Chapter 124, Water of the Town Code.*

*Vice Mayor Lister asked for comments from the State: there were none  
Vice Mayor Lister asked for comments from the County: there were none  
Vice Mayor Lister asked for comments from the Council: there were none  
Vice Mayor Lister asked for comments from the Public: there were none  
With no further comments, Vice Mayor Lister closed this public hearing at 7:07*

*PM.*

**Ordinance #715 – Water & Sewer Allocations**

*Vice Mayor Lister opened a public hearing at 7:08 PM to receive public comments on Ordinance #715 - An Ordinance of the Town of Denton repealing and reenacting with amendments Chapter 125, Water and Sewer allocations of the Town Code.*

*Vice Mayor Lister asked for comments from the State: there were none  
Vice Mayor Lister asked for comments from the County: there were none  
Vice Mayor Lister asked for comments from the Council: there were none  
Vice Mayor Lister asked for comments from the Public: there were none  
With no further comments, Vice Mayor Lister closed this public hearing at 7:08*

*PM.*

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

**Proclamation – Child Abuse Awareness Month**

*Vice Mayor Lister read a Proclamation announcing April is Child Abuse Awareness Month, and to recognize all those community organizations that work every day helping children in abusive situations and bring awareness to this issue.*

**Ocean City Tax Differential Update**

*Mr. Chris Drummond, Town Attorney, provided an update on the Ocean City Tax Differential. Sharing that in joining with Chestertown and Salisbury, the Amicus Brief has been sent to the Court of Appeals supporting Ocean City's appeal.*

*At 7:25 PM Councilman Johnson joined the meeting virtually.*

**American Rescue Plan**

*Mr. Don Mulrine, Town Administrator, provided an update on the American Rescue Plan and the Town award of \$3.771 million. Everyone is still waiting to receive the rules and regulations.*

**Compass Regional Hospice**

*Ms. Heather Gueieri, CEO of Compass Regional Hospice, met with the Council. She shared highlights of Compass Regional Hospice 2020 year in review and talked about the status of the Caroline County Hospice Center Project proposed to be built in Denton. Ms. Gueieri mentioned how helpful the Town has been in applying for a grant to help with the water and sewer hookup. As the project moves forward, Ms. Gueieri suggested that as a gift to Hospice, she would like the Council to consider allowing the Town Administrator's participation as the project manager.*

Vice Mayor Lister thanked Ms. Gueieri for the updates and expressed how beneficial this project will be for the community.

**Ordinances and Resolutions**

**Ordinance #711 – Forest Conservation Ordinance**

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

Councilman Branson made a motion to adopt Ordinance #711, seconded by Councilwoman Wilson, 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-foot-wide portion of Seventh Street and a 15-foot-wide 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.

Councilman Branson made a motion to adopt Ordinance #712, seconded by Councilwoman Wilson.

In discussion, Vice Mayor Lister clarified that the Ordinance is related to the property where the new Hospice Center is to be located.

Mr. Drummond added that this does not provide a clear title for transfer of land.

Mayor McNinch added that it will at least clean up the old place and not cause any issues to arise as they move forward with the project.

With no further discussion, Vice Mayor Lister called for a vote on the motion on the floor to adopt Ordinance #712.

The motion passed unanimously.

**Ordinance #713 – Sewers Ordinance**

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

Councilman Branson made a motion to adopt Ordinance #713, seconded by Councilwoman Wilson, passing 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 Branson made a motion to adopt Ordinance #714, seconded by Councilwoman Wilson.

In discussion, Councilman Johnson clarified that these Ordinances do not have any effect on any rates for citizens, they just clean up the code.

With no further discussion, Vice Mayor Lister called for a vote on the motion on the floor to adopt Ordinance #714.

The motion passed 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 adopt Ordinance #715, seconded by Mayor McNinch, passing unanimously.

**Ordinance #716 – Land Subdivision Regulations**

*An Ordinance of the Town of Denton repealing and reenacting with amendments Chapter 73, Land Subdivision of the Town Code.*

*Councilman Branson made a motion to introduce Ordinance #716, seconded by Councilman Johnson.*

*Discussion was held, about the intent of the Ordinance which clarifies road widths for future developments.*

*With no further discussion, Vice Mayor Lister called for a vote on the motion on the floor to introduce Ordinance #716.*

*Motion passed unanimously.*

**Ordinance #717 – FY2022 General Fund Appropriations**

*Discussion on this item was deferred and considered with New Business Agenda Item #3.*

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

*Mayor McNinch and Mr. Mulrine talked about the Maryland Municipal League's "If I Were Mayor" Essay Contest coming up. They will be making a virtual presentation to the Fourth Grade at Denton Elementary School. They are always looking for volunteers to read and score the essays if any other Council Members are interested.*

*Councilman Johnson provided a synopsis of the Planning Commission Meeting he recently attended.*

*Vice Mayor Lister provided a synopsis of the Utility Commission Meeting he recently attended.*

*Mayor McNinch provided a Maryland Municipal League Legislative Committee update – mentioning that the Senate is looking to remove the Highway User Revenue Sunset, however it is now stalled at the House.*

**Unfinished Business**

**Agenda #1- Resident Petition – Briarwood Circle**

*Mr. Robert Miron came before the Council to share the results of a petition he took around his neighborhood pertaining to the traffic flow and on-street parking. Mr. Miron stated that the majority of those that signed his petition selected to have two-way travel and no on-street parking within Briarwood Circle. He acknowledged that the Town wants to send out a survey asking the residents of Briarwood Circle for input, and he will challenge the Town's survey if it comes up with any results different than his. He further stated that he will now end his efforts and hopes the Council makes the right decision.*

*Vice Mayor Lister thanked Mr. Miron for his efforts and how he appreciates him bringing more of the community into the room.*

*Councilman Branson referred to how Ordinance #716 creates language so in the future there will be adequate travel and parking regulations.*

*Councilperson Johnson has drafted an online questionnaire that will go out soon. He inquired if the response from the Fire Department has been received. Mr. Mulrine shared that it has not.*

**Agenda #2 – Cluster/Parcel Boxes Concrete Pads**

*Staff obtained a proposal from Rick Breeding Excavating to get an idea what it may cost for site work and to install concrete pads for cluster mailboxes for Fairfield and for the Sandy Meadows Townhomes.*

*Staff confirmed that funding is available to cover the cost.*

Mayor McNinch made a motion to move forward with the concrete cluster mailbox work, seconded by Councilman Branson.

In discussion, Councilman Johnson stated that his priority would be to move forward with Fairfield, holding off on Briarwood until the survey was complete and we have the final location from the Postmaster. He suggested to take each into consideration separately. Councilman Johnson asked the Mayor if she would consider taking each neighborhood separately.

Mayor McNinch amended her motion to approve to proceed with the Fairfield cluster boxes, Councilman Branson seconded the amended motion. The motion passed unanimously.

Mr. Mulrine suggested to carry funding forward to the next year for Sandy Meadows.

Mayor McNinch made a motion to make sure the funding is set aside for the work for cluster boxes for Sandy Meadows, seconded by Councilman Branson, passing 3-2 with Councilman Johnson and Councilwoman Wilson voting no.

### **New Business**

#### **Agenda #1 – 323 Market Street Lease Renewal – HotDesks**

A twelve-month Lease with Eastern Shore Entrepreneurship “HotDesks” was presented for consideration for the continued use of 323 Market St., with \$100 monthly rent.

Councilwoman Wilson made a motion to adopt the new lease, seconded by Councilman Johnson, passing unanimously.

#### **Agenda #2 –Water and Sewer Allocation**

A request from Mr. Kevin Sills, Owner of 5001 SHR L.C., seeking approval for four (4) ERU’s for the proposed four (4) lot commercial subdivision, Denton Plaza II site was reviewed.

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

#### **Agenda #3 - FY2022 General Fund Budget**

The FY2022 General Fund Budget was presented and discussed. Discussion will continue at the next Working Session.

#### **Ordinance #717 – FY2022 General Fund Appropriations**

An Ordinance of the Town of Denton to appropriate funds and estimate income in accordance with the budget being adopted for Fiscal Year beginning July 1, 2021 through June 30, 2022.

Councilman Branson made a motion to introduce Ordinance #717, seconded by Councilwoman Wilson, passing unanimously.

#### **Agenda #4 - Delmarva Power EV Charging Station ROW**

A Right of Way Agreement with Delmarva Power requesting to install an Electric Vehicle Charging station at Crouse Park was presented.

Mr. Mulrine shared Delmarva is also looking to install another station in the Municipal Parking Lot.

Councilman Branson made a motion to approve the Right of Way Agreement with Delmarva Power & Light Company, seconded by Councilman Johnson.

Mr. Mulrine provided some additional information and stated that he is working with Denton Plaza to consider putting some stations in their parking areas.

*Mr. Drummond recommended some typo changes to the agreement and to delete the part allowing for the removal of trees since the park is in the critical area zone.*

*Councilman Branson amended his motion to approve the agreement with Mr. Drummond's legal changes. Councilman Johnson seconded the amended motion, and the motion passed unanimously.*

*Mr. Drummond will provide the amended agreement for the Mayor to sign.*

**Agenda #5 - Visitor Center Window**

*Mr. Mulrine shared that Mr. JOK Walsh would like to donate the installation of a larger window in the Heritage Center Room at the Wharves of Choptank Visitor & Heritage Center. A price quote and details of the size of the window were reviewed. Mr. Mulrine added how nice this would be as the room has been dedicated to Mr. Walsh's mother.*

*Councilman Branson made a motion to allow Mr. Walsh to make the changes to the window, seconded by Councilwoman Wilson, passing unanimously.*

**Agenda #6 - WWTP Vehicle Purchase**

*Denton Public Works submitted a request seeking approval to purchase a new 2021 Dodge Ram Truck from Fred Frederick in Easton for the Water and Wastewater Treatment Facilities. Using State Contract pricing, the cost for the truck will be \$25,655. The cost was approved in the 2021 Fiscal Year Budget under the Capital Outlay budget.*

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

**Agenda #7 - Crouse Park Pump Station**

*Denton Public Works submitted a request to replace both pumps at the Crouse Park Pump Station. Mr. Mark Chandler provided history on the current pumps which are over 30 years old. Staff obtained price quotes from Hill's Electric, Freemire & Associates, and STH. Mr. Chandler recommended awarding to Freemire & Associates for \$8,874.*

*Councilman Branson made a motion to approve the request to replace the 2 pumps at the Crouse Park Pump Station, seconded by Councilwoman Wilson, passing unanimously.*

**Agenda #8 - Replacement of Biolac Blower**

*Denton Public Works submitted a request to replace one of the 21-year-old Biolac aeration blowers at the Wastewater Treatment Plant with a cost not to exceed \$45,000. Mr. Chandler explained that the cost came in higher than the \$35,000 that was budgeted for this fiscal year. Funding will come from the Capital Outlay.*

*Councilman Johnson made a motion to replace the Biolac Blower, seconded by Councilman Branson, passing unanimously.*

**Agenda #9 - Small Business Loan Committee Change**

*Mr. Mulrine announced that Mr. Richard Harris retired from Provident State Bank and has recently resigned from the Small Business Loan Committee. Ms. Laura Reeder, a resident of Denton, who currently works for Shore United Bank, is interested in filling the position.*

*Councilman Branson made a motion to approve the appointment of Ms. Reeder to serve on the Small Business Loan Committee. The motion was seconded by Councilman Johnson, passing unanimously.*

**Agenda #10 – 702 Camp Sewer Allocation**

*The family of 702 Camp Road submitted a request seeking approval of a Sewer Allocation. The property is already connected to water and wishes to connect to sewer.*

*Councilman Branson made a motion to approve the sewer allocation for 702 Camp Road. The motion was seconded by Vice Mayor Lister, passing unanimously.*

**Agenda #11 – 1017 Camp Road Water Connection Extension**

*Mr. Ryan Showalter submitted a request for an extension for the new owners of the property located at 1017 Camp Road to connect to Town services within 120 days of transfer. The new owners are allowing the sellers to stay in the dwelling for 4 months. After that time, the owners will determine to the demo or rehab the dwelling.*

*Staff recommended allowing an extension until September 3, 2021 for the connection.*

*Councilman Johnson made a motion to accept the extension request of 120 days, seconded by Councilwoman Wilson, passing unanimously.*

**Agenda #12 - The Gardens Storm Water Amendment/Correction**

*The Gardens Land Group submitted a request seeking approval of an amendment/correction to the approved site plan that was mislabeled as a utility easement between lots 14 and 15.*

*Councilman Branson made a motion to accept an amendment to the utility easement, seconded by Councilwoman Wilson.*

*In discussion, Councilman Johnson disclosed that he lives in the Gardens Community but does not have a financial interest in either of these lots.*

*Mr. Mulrine provided additional information and answered questions.*

*With no further discussion, Vice Mayor Lister called for a vote on the motion on the floor to approve the amendment.*

*The motion passed unanimously.*

*With no further discussion, Vice Mayor Lister adjourned the meeting at 8:49 PM.*

*Respectfully submitted,*

*Karen L. Monteith,  
Clerk - Treasurer*