

April 16, 2020

Regular Meeting Reconvened

Mayor McNinch called the second part of the April Regular Monthly Meeting of the Denton Town Council to order at 7:09 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.

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

Councilwoman Wilson later joined the meeting as an attendee.

Mr. Chris Drummond, Town Attorney was also present.

Staff attending included Mr. Don Mulrine, Town Administrator, Chief Rodney Cox, Lt. George Bacorn, Karen L. Monteith.

Councilman Johnson explained the procedure on how attendees can use the Questions and Answers feature to submit any comments. Mayor McNinch and Councilman Johnson will monitor the questions and share as received.

Ordinances and Resolutions

Ordinance #705 – FY2021 General Fund Appropriations

Action on this Ordinance was deferred and discussed with New Business Agenda Item #5.

Reports of Officers, Boards, and Committees

Mr. Chris Drummond shared helpful information obtained from the Maryland Municipal League pertaining to Zoom Bombing and the technical issues the Town had during the previous meeting.

Councilman Johnson said that the State has moved away from using Zoom as a meeting format to avoid interruption to their meetings and due to some security concerns they had.

Mr. Drummond added that the Courts Systems are using Skype, and that Teams seem to be a better platform.

Mayor McNinch shared there had been some talk of making some changes to real property tax collection, but that has since been pulled.

Unfinished Business

Agenda #1- Traffic Study – 3rd and Market St. –

Mr. Mulrine provided an overview of a Traffic Study prepared by Remington & Vernick Engineers for replacing the traffic signal at 3rd & Market St. Mr. Mulrine shared that the cost to replace the existing traffic sign and implement newer ADA guidelines to the intersection is estimated at \$239,400. To remove the signal, implement an all-way stop and the newer ADA guidelines the cost is estimated to be \$132,300.

Discussion on the cost to remove the traffic signal and install an all-way stop maybe more affordable and to research when ADA upgrades would be necessary.

Mr. Drummond will review ADA regulations and discussion on this item will continue at a future working session.

New Business

Agenda #1 – Water and Sewer Allocation

A request was received from Dr. Korah Pulimood seeking approval for one (1) ERU for a medical office for his existing building located at 101 North Sixth Street, Caroline County Tax Map 103, Parcel 715.

Mr. Mulrine provide an overview.

Councilman Johnson made a motion to approve the water/sewer allocation as requested, seconded by Councilman Branson.

Mayor McNinch called for a vote on the motion to approve.

The motion received 4 favorable votes, and the motion carried.

No action or comment received from Councilwoman Wilson.

Agenda #2 – Rain Gutter Replacement on Town Office Building

Mr. Mulrine shared that Denton Public Works has received 3 bids for replacing the Rain Gutters on the Town Office. The project was budgeted under Capital Outlay for Municipal Buildings, originally for \$10,000.00.

Staff recommending awarding the job to the lowest bidder Eastern Shore Overhead Door for \$3,944.00.

Councilman Branson made a motion to approve and award to Eastern Shore Overhead Door, seconded by Councilman Lister.

The Mayor called for a vote on the motion to approve.

The motion received 4 favorable votes, and the motion carried.

No comment was received from Councilwoman Wilson.

Agenda #3 - Resurfacing of S 4th Street and Camp Rd

Mr. Mulrine shared that Denton Public Works received a bid to resurface Camp Rd from Oakwood Drive to Garland Rd and S 4th Street from Carter to Randolph. The total comes to \$111,925 and as budgeted will come out of the Highway User Funds.

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

Mayor McNinch called for a vote on the motion to approve.

The motion received 4 favorable votes, and the motion carried.

Agenda #4 - 5th and Legion Road Stormwater Grant

Mr. Mulrine shared that a study has been completed by Choptank Riverkeeper pertaining to Poor House Run Stream Restoration. Mr. Mulrine mentioned that part of the stream area belongs to the Town and part to the State. He will reach out to the State to seek support to cover the cost and continue to explore options for funding.

Agenda #5 - FY2021 General Fund Budget

The Fiscal Year 2021 General Fund Budget was presented to the Council.

Mrs. Karen Monteith, Clerk-Treasurer, provided an overview of what is included in the proposed FY21 General Fund Budget, changes from the current year to next year. Announcing the Department Head have already made cuts to reduce expenditures to balance the budget.

Mrs. Monteith, Clerk-Treasurer further explained the State's Constant Yield Tax Rate Certification, sharing that the budget as presented maintains the current tax rate. Staff explained conservative projections on income tax revenues, pending real property assessment appeals that may reduce the projected real property tax revenues that could also affect the CYTR. The Council previously reduced the Homestead Tax Credit Percentage Cap from 5% to 3%, which will help to reduce the amount taxes can increase

for approximately 400 additional residential property owners. If a property assessment increased by 5%, the tax bill will only increase 3%.

Staff will schedule the Constant Yield Tax Rate Hearing for May 7th, after which the Council can set the Tax Rate.

Mayor McNinch asked for consideration on the introduction of the Appropriations Ordinance.

Ordinance #705 – FY2021 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, 2020 through June 30, 2021 was presented for discussion and consideration of introduction.

Councilman Branson made a motion to introduce Ordinance #705, seconded by Councilman Lister.

Mayor McNinch called for a vote on the motion to introduce Ordinance #705. The motion received 4 favorable votes, and the motion carried.

Staff will schedule a public hearing for Ordinance #705 to be held on May 7th.

Agenda #6 - Small Business Loans – Late Fee Waiver

Discussion was held on the Town's Business Loan Programs, the effects of COVID-19, offering late fee waivers and potential loan payment deferments.

The Council discussed giving leniency, possibly deferring payment up to 90 days from March 12th, the time when the State restrictions began. If delinquent prior to March 12th, the business should pay.

Councilman Lister suggested a motion to waive all penalties for late payments after March 12th up until 90 days past the State Executive Order has ended. Explaining that he is motioning just to waive penalties, not payments. If there is an isolated request received from a business asking for a deferment of payments, Staff should bring the request individually to the Council to examine on a case by case bases. Additional discussion was held.

Councilman Lister made the motion to waive all penalties for late payments after March 12th up until 90 days past when the State Executive Order has ended, and any additional deferments of loan payments will be issued on a case by case bases. The motion was seconded by Councilman Branson.

Mayor McNinch called for a vote on the motion on the floor.

The motion received 4 favorable votes, and the motion carried.

Agenda #7 - CAT Track Loader Repair

Denton Public Works submitted a request seeking approval for an emergency repair to the 2015 Cat Track Loader. A quote received from Alban Caterpillar in Felton Delaware for \$8,269.80 to replace the left track drive motor was presented. Funding for the repair would come from the Water and Sewer Funds.

Councilman Lister made a motion to approve the repair for \$8,269.80, seconded by Councilman Branson.

Mayor McNinch called for a vote on the motion to approve.

The motion received 4 favorable votes and the motion carried.

Miscellaneous

Councilman Johnson shared information on a few questions received from the Attendee, and that he had addressed them during the meeting.

Mr. Mulrine mentioned that the Zoom Bombing hack incident was reported to LGIT as an insurance claim. The Claim requires a \$25,000 advance to begin the investigation. LGIT will cover the first \$25,000, any additional cost will be the responsibility of the Town. Mr. Mulrine asked if the Council wishes to proceed.

Discussion was held in which the Town Attorney, and the Council advised staff to not pursue the claim any further.

Mayor McNinch expressed how much smoother this meeting format was compared to the last meeting.

Discussion was held on different online meeting formats and receiving public comments.

Since there seems to be a delay in receiving questions from the public, Mr. Drummond suggested that for the upcoming Public Hearings that the Town keep the comments open for a couple days following the hearings. Stating that all public comments need to be submitted in writing.

Staff will prepare hearing notices and establish a date for submitting public comments in writing.

The April 20, 2020 Working Session was canceled.

The next Working Session will be held on April 27, 2020 at 6:00 PM to discuss budget and a few other items.

Councilman Lister stated that he will not be present for the April 27th Session.

Mayor McNinch announced that Councilwoman Wilson is running for Treasurer for the Eastern Shore Association of Municipalities. If there are no objections, Mayor McNinch will cast a vote for Councilwoman Wilson during the elections this week.

There was no objection from the Council.

Mayor McNinch will cast a vote for the Town.

Councilman Johnson asked for the Town to promote public comments about the agenda be submitted in advance.

With no further discussion, Mayor McNinch adjourned the meeting at 8:22 PM.

Respectfully submitted,

*Karen L. Monteith,
Clerk - Treasurer*