

August 6, 2020

Executive Session

6:30 PM By Authority, Maryland Code Annotated, General Provisions Article, § 3-305 (b) (2014) (1) (i) to discuss personnel matters.

At 6:30 PM, Councilman Branson made a motion to hold an Executive Session to discuss a personnel matter. The motion was seconded by Councilman Johnson, passing unanimously. This session was held at the Denton Town Hall, 4 N. Second St., second floor training room.

Present: Attending in person - Mayor McNinch, Councilman Branson, Councilman Lister, and Mr. Don Mulrine, Town Administrator. Councilman Johnson, and Councilwoman Wilson phoned in and participated.

Discussion: Council met with the Town Administrator and conducted the annual performance evaluation.

No action was taken during this session.

At 6:52 PM, with no further discussion, Councilman Johnson made a motion to close the Executive Session, seconded by Councilman Branson, passing unanimously.

The Executive Session was closed, and the Council relocated to the Council Chambers to prepare for their Regular Monthly Meeting.

Regular Meeting

This meeting was held at the Denton Town Office in the Council Chambers and made available live using Microsoft Teams. Council Members, Staff and the Town Attorney met in person.

Mayor McNinch called the Regular Meeting of the Denton Town Council to order at 7:00 PM on this date.

Mayor McNinch announced for the record that an Executive Session was held earlier on this date at 6:30 PM, Per the Open Meetings Act, Maryland Code Annotated, General Provisions Article, § 3-305 (b) (2014) (1) discuss: (i) Personnel – to conduct the Town Administrator Annual Performance Evaluation.

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

Mayor McNinch welcomed everyone for joining the meeting virtually and explained how to use the chat feature to submit comments.

Mayor McNinch asked that the record reflect that Councilmembers Branson and Lister were present in person. Councilman Johnson and Councilwoman Wilson were present virtually.

Others in attendance in person included Don Mulrine, Town Administrator, Chief of Police Rodney Cox and Lt. George Bacorn, Karen L. Monteith, Clerk-Treasurer, Phil Clark, Superintendent of Public Works, Mr. David Renshaw, Senior Codes Enforcement Officer, Mr. Chris Drummond, Town Attorney and Mrs. Beth Brewster, Property Owner.

Mayor McNinch announced that the Council had also held an Executive Session on July 21, 2020 at 1:00 PM to discuss Personnel Matters.

Councilman Branson made a motion to approve the minutes of the July 2, 2020 Regular Meeting and the July 21, 2020 Executive Session as presented; seconded by Councilman Lister, passing unanimously.

Public Hearing

Ordinance #707 – Election Amendment – Absentee Ballot

Mayor McNinch opened a Public Hearing at 7:05 PM to receive public comments on Ordinance #707 – An Ordinance of the Town of Denton to repeal and reenact Chapter 10, Section 1 of the Denton Town Code with respect to the qualifications for Absentee Voter Status.

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

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

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

Mayor McNinch asked for comments from the Public: Mr. Mulrine announced that no comments had been received from the Public prior to the meeting.

Mayor McNinch announced that she will check back to see if there are any comments received through the virtual meeting option prior to action being taken.

With no further comments, Mayor McNinch closed this public hearing at 7:06 PM.

Ordinance #708 – Election Amendment – Challengers and Watchers

Mayor McNinch opened a Public Hearing at 7:07 PM to receive public comments on Ordinance #708 – An Ordinance of the Town of Denton to repeal and reenact Chapter 10, Section 10 of the Denton Town Code with respect to the qualifications and duties of Election Challengers and Watchers.

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

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

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

Mayor McNinch asked for comments from the Public: Mr. Mulrine announced that no comments had been received from the Public prior to the meeting.

Mayor McNinch announced that she will check back to see if there are any comments received through the virtual meeting option prior to action being taken.

With no further comments, Mayor McNinch closed this public hearing at 7:08 PM.

Petitions, Remonstrance's, and Communication

Beth Brewster – 214 Market Street

Mrs. Beth Brewster, resident of 518 S. 2nd St. and owner of 214 Market St. commended the Town for their continued support for His Hope Ministries and homelessness.

Mrs. Brewster came before the Council seeking clarification on the Council non-decision in July on the request asking for the Council's support to amend a grant application for funding on behalf of His Hope Ministries to acquire the 214 Market Street property.

Mayor McNinch stated that she recused herself because she is a tenant of the property. Councilman Johnson recused himself due to a potential conflict with his spouse working for HHM, and Councilwoman Wilson recused herself as the Vice-President of HHM Board.

Councilman Lister expressed his support of the homeless program, back-pack program and explained his position on not amending the grant application to reflect a different property than previously discussed.

Mrs. Brewster thanked the Council for the explanation and shared that the State turned down the project.

Mayor McNinch thanked Mrs. Brewster for all that she has done and continues to do for the community.

Ordinances and Resolutions

Resolution # 874 MHAA Grant Application – Richard Potter House, 9 N. 4th St.

A Resolution of the Town of Denton approving the application and receipt of MHAA FY2021 grant funds for the Phase I renovations of 9 N. 4th Street, Richard Potter House.

Mr. Mulrine shared that \$40,000 has been approved by MHAA for this project and provided a synopsis of the project, stating that the matching funds would come from the sale of the Hardee House.

Councilman Branson made a motion to adopt Resolution #874, seconded by Councilman Lister. The motion passed 4-0, Councilman Johnson had lost connectivity (7:29PM) and was not online when the action was taken.

Resolution # 875 – Community Parks & Playground Grant – 4th Street Park

A Resolution of the Town of Denton approving the application and receipt of grant funds for renovating 4th Street Park.

Mr. Mulrine provided a synopsis of the grant application to seek funds to upgrade the park equipment.

Mayor McNinch shared that the initial proposal to upgrade the park is around \$417K, and the Town can apply for up to \$500K in grant funds.

Councilman Branson made a motion to adopt Resolution #875, seconded by Councilman Lister.

Additional discussion was held. At this time Councilman Johnson was back online and questioned the previous Resolution and whether now was the time to apply for the grant funds.

Mr. Drummond explained that the funds can only be used for this project and cannot be diverted toward another project.

Councilman Johnson supported Resolution #874.

Discussion went back to Resolution #875.

Mayor McNinch provided additional details for the park project and stated that after talking with Mrs. Sue Simmons, Director for Recreation & Parks, that the Town will only be asking for \$200,000 this round instead of \$500,000. There will not be a cash match required, but possibly an in-kind match in which the Town can do some of the demolition.

The motion passed unanimously.

Ordinance #707 – Election Amendment – Absentee Ballot

An Ordinance of the Town of Denton to repeal and reenact Chapter 10, Section 1 of the Denton Town Code with respect to the qualifications for Absentee Voter Status. Updating the Town Code by allowing any Voter, qualified to vote in a Town Election to request an absentee ballot by completing and submitting the proper form, without having to disclose a reason for their request.

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

In discussion, Mrs. Monteith provided an overview of the amendments.

Mayor McNinch asked if any comments had been received online.

Lt. Bacorn stated that no comments from the Public had been received.

The Mayor called for a vote on the motion to adopt Ordinance #707.

The motion passed unanimously.

Ordinance #708 – Election Amendment – Challengers & Watchers

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

Mrs. Monteith provided an overview of the amendments to update the code by defining and establishing additional policy regulations for the designation and removal, rights of Challengers and Watchers, and prohibited activities.

Councilman Lister made a motion to adopt Ordinance #708, seconded by Councilman Branson.

Mayor McNinch confirmed with Lt. Bacorn that no public comments had been received, then called for a vote on the motion to adopt.

The motion passed unanimously.

Reports of Officers, Boards, and Committees

Mr. David Renshaw provided a report on some trash issues and stated that no violations have been given out.

Mayor McNinch referenced there has been some good feedback for the Trash Hauler during the Hurricane.

Mr. Mulrine commended the Public Works Crew on hustling and taking care of the trees downed by the Hurricane.

Mr. Drummond provided an overview of the recent Board of Appeals Hearing pertaining to a property maintenance compliance issue.

Discussion was held on the Governor's updated orders for outdoor spaces, requiring a mask if anyone is unable to maintain a six-foot distance, and how to implement rules to comply for the Third Thursday Event.

Unfinished Business

None

New Business

Agenda #1 – Letter of Support – Choptank Riverkeepers

Mr. Matt Pluta, Director of the Choptank Riverkeeper Program, is writing a grant to assist the Town with eliminating stream flooding at 5th and Legion Rd. Matt has requested Town Council support in the form of a letter.

Councilman Lister made a motion to approve a Letter of Support to be sent to the Chesapeake Bay Trust, seconded by Councilman Branson, passing unanimously.

Mr. Mulrine provided additional information.

Councilman Lister made another motion to approve sending a Letter of Support to Mr. Matt Pluta, seconded by Councilman Branson, passing unanimously.

Miscellaneous

Chief Cox shared that the Department is having an issue getting the new police car that was ordered eight months ago. Based on what he has found, the factories switched to making ventilators.

With no further discussion, Mayor McNinch adjourned the meeting at 7:52 PM.

Respectfully submitted,

*Karen L. Monteith,
Clerk - Treasurer*